



United States Mission to the OSCE

Introductory Statement for Session I: Legislative and Institutional Mechanisms and Governmental Action, Including Law Enforcement

As delivered by Larry Thompson, Former U.S. Deputy Attorney General
to the OSCE Conference on Tolerance and the Fight against
Racism, Xenophobia and Discrimination, Brussels
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I would like to focus briefly on important law enforcement issues associated with the topics of this great conference.

First, on September 11, 2001, we saw intolerance that was transformed into the most terrible hatred imaginable - a hatred that resulted in murderous attacks on innocent civilians. In the days that followed, our president - President Bush - stood before our country to condemn not only the savagery of those terrible attacks, but he did more than that: he spoke for tolerance, for freedom of religion, and for the dignity of every human life.

So, in these times of terrorism, I believe that a nation proves its commitment to justice through a commitment to the rule of law - not by how the law treats the powerful, but by how the law treats its vulnerable minorities, both religious and ethnic minorities.

In the Department of Justice, we have strived to do this. Since September 11, the Department of Justice has investigated over 597 incidents of violence or threats of violence against individuals who were perceived to be of Middle East origin. The Justice Department has assisted in over 142 state and local prosecutions. And the Department of Justice has brought federal charges in 18 cases against 23 defendants - and I am proud to report that the Department has a 100 percent conviction rate.

An example of one of the successful prosecutions is the conviction of Robert Goldstein and three associates for amassing weapons and explosives and plotting an attack on the Islamic Education Center in St. Petersburg, Florida. Goldstein pleaded guilty and received 151 months in prison. His associates also pleaded guilty and received stiff sentences.

The Department, through its community relations service, has also been very successful in bringing communities together in holding more than 250 town and community meetings throughout the country since September 11. These meetings are very important. These are outreach meetings, but in my experience in the Department of Justice and in law enforcement, a number of very important leads and a great deal of important information came to the Department of Justice or the Federal Bureau of Investigation (FBI) through information that was provided by Muslim Americans.

Law enforcement is obviously very important in how we protect our citizens and secure the public safety of our citizens against terrorist acts. When I was a government official, I viewed my job as one where I had to do whatever I could to make certain that those of us in

law enforcement took appropriate, responsible, legal – and, yes, even aggressive measures to secure the public safety of our citizens.

Our focus could no longer be only on investigation and, after the fact, prosecution, but on the prevention and disruption of terrorist attacks. But also, when I was in law enforcement, I gave several speeches around the country in which I said that law enforcement authorities – and I think that this is important - in dealing with terrible prospects of terrorism, should not be unchecked and should not be unbridled. There should be appropriate checks and balances.

I came to realize as a government official that our country's success in dealing with terrorism would depend a great deal upon the confidence that average Americans had in our law enforcement efforts and the confidence that they thought that what the government was doing, while it was aggressive, was fair and appropriate.

So, in closing, I would like to mention that it's extremely important to eliminate, for example, racial and ethnic profiling as a basis for routine law enforcement actions. Racial and ethnic profiling is not only morally and legally wrong - it is simply bad law enforcement. Over a year ago, President Bush issued an order prohibiting racial and ethnic profiling by Federal law enforcement agencies. This order was based on a comprehensive study of incidents of racial profiling by Federal agencies. I believe such studies are important: they increase the transparency for minority communities about the nature of law enforcement practices. We cannot afford to alienate these communities, because they are generally the source of much very helpful law enforcement information.

Adherence to the rule of law. You heard about a prosecution – and I will close on this one point, Mr. Chairman – in Detroit, where someone was convicted for terrorist acts. It came to the Department of Justice's attention that that conviction was procured through improper means. I am very proud of what the Department of Justice did in conducting an investigation and then asking the judge to throw out that conviction, because it was procured improperly.

Clearly, an adherence to the rule of law, adherence to fairness, can help us secure the public safety that all of our citizens demand, but it can also help us secure the dignity of racial and ethnic minorities, which I believe is just as important.

Thank you.