



Civil Rights and Civil Liberties Considerations for Terrorism Prevention Programs

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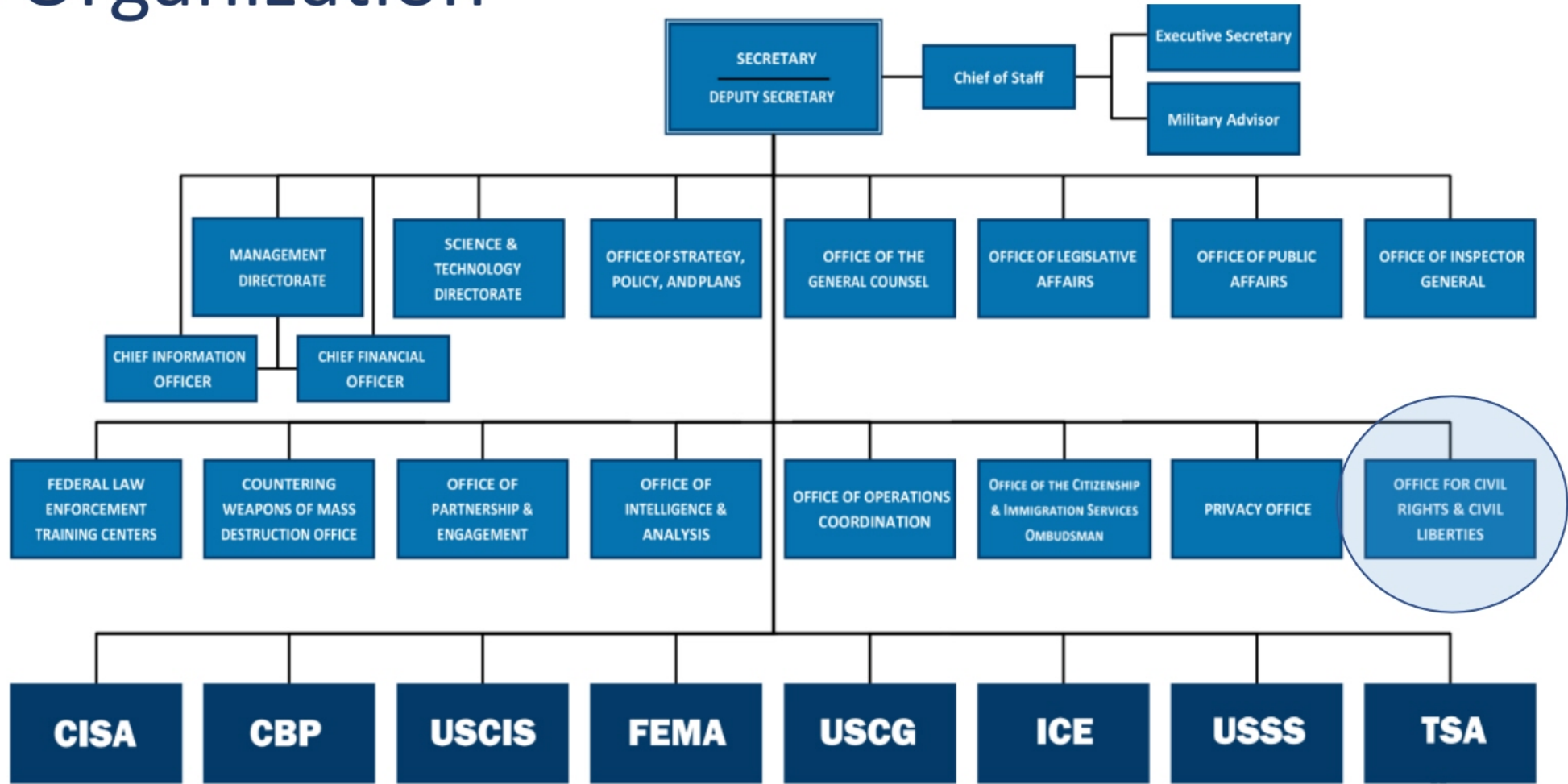
Topics

1. About the DHS Office for Civil Rights and Civil Liberties
Questions to ask early in program design
Specific considerations in the terrorism mission space
The value of terminology
Questions and answers

About CRCL

DHS Mission With honor and integrity, we will safeguard the American people, our homeland, and our values. CRCL Mission The DHS Office for Civil Rights and Civil Liberties (CRCL) supports the Department's mission to secure the Nation while preserving individual liberty, fairness, and equality under the law.

DHS Organization



Statutory Authorities & CRCL's Role

- The CRCL Officer is appointed by the President
CRCL subject matter experts:
Provide policy advice to Department leadership and Components on civil rights and civil liberties issues
Communicate with the public about CRCL and its activities
Investigate complaints
Lead the equal employment opportunity (EEO) programs, including workforce diversity and promotion of merit system principles

6 U.S.C. § 345 ■ 42 U.S.C. § 2000ee-1

“... ensure that civil rights and civil liberties of persons are not diminished by efforts, activities, and programs aimed at securing the homeland.” 6 U.S.C. § 111(b)(1)(G)

On any given day, CRCL:

- Investigates conditions of detention and family separation complaints
Prevents and addresses DHS workplace discrimination and harassment
Engages with diverse communities
Integrates civil rights in disaster response
Conducts intelligence product reviews
Ensures religious accommodations
Reviews proposed regulations and policies
Develops disability access policies
Provides training and technical assistance to state/local fusion centers

Questions to Ask Early in Program Design and Assessment

Questions to ask:

Equity and Equal Access

Are principles of equity embedded in the design and delivery of the program?

Do planning and outreach efforts take into consideration the demographics and needs of the community? (e.g., Are there limited English proficient persons who reside in the community? What are the major languages spoken by those limited English proficient persons?)

What resources does the state have, or will it put in place, to ensure members of the public have information in accessible formats and in languages other than English?

Are community-based organizations that serve underserved communities or members of underserved communities consulted on planning and outreach efforts?

Questions to ask:

Impact on
Individuals and
Groups

Is the program intended to have a direct impact on certain racial, ethnic, or religious groups, or the beliefs of certain groups? Could the program be perceived as intentionally targeting or singling out such groups?

How would the program affect persons exercising religious beliefs and practices?

Questions to ask:

Influence of Government

Would the program increase the authority, control, or influence of the Government in its relationship with private citizens?

Would the program require or authorize the Government to collect more information about private citizens?

Would the program require or authorize the Government to centralize the collection of information that was previously dispersed?

Would the program increase the authority, control, or influence of the Government in its relationship with the private sector?

Would the program require or authorize the Government to share information about private citizens with third parties outside the state?

Does the program include a law enforcement, intelligence, or surveillance component?

Questions to ask:

Notice and
Redress

Would the public receive notice of the program and be able to comment on it?

Will a wide-range of stakeholders be identified and consulted in program development and execution?

Are procedures in place for redress of alleged violations of civil rights and civil liberties?

Questions to ask:
Alternatives

Is the program the least burdensome alternative with respect to civil liberties? Could the agency formulate other alternatives to accomplish the same goal while minimizing the impacts on civil liberties?

Could the agency alter the program to enhance civil liberties?

Will any impositions on liberty created by the program be voluntarily incurred?

Is any imposition on civil rights and civil liberties equally distributed, randomly distributed, or focused on identifiable groups?

Is any imposition on civil rights and civil liberties brief or extended?

Questions to ask:

Safeguards

Would effective implementation of the program be dependent, in whole or in part, on government employees having a heightened awareness of Constitutional rights, laws or regulations, or agency policies as they carry out their duties?

Would the program increase or decrease the discretion of those employees or agents implementing the program?

Does the program have embedded legal counsel or ready access to legal counsel?

Are reports to executive and legislative officials, or mandated audits, required, and if so are they one-time or periodic in nature?

Questions to ask:

Other Rights

Could the program limit political or religious expression? Could the program implicitly chill open discourse or a person's ability to express their beliefs?

Could the program lead to some restriction on property ownership, such as real, personal or intellectual property, firearms, or would it grant an unfair advantage to a particular business entity? Will the program have an impact on voting rights? Does the program take the least restrictive approach possible to regulating travel, including the travel of United States citizens? Does the program take away a freedom without affording proper due process?

Design measures to protect rights implicated by program attributes

- Equitable access for all persons and communities
Presence of appropriate and effective policy and procedure
Practical limitations on program or activity that mitigate risk of harm
Adequate compliance program and effective accountability measures
Presence of effective training / testing of line staff, supervisors
Program operated with oversight office guidance, and reporting to oversight offices
Appropriate accountability standards are in place and implemented
Notice and opportunity for redress provided where action can adversely affect an individual
Measures to ensure transparency, allow option for consent
Alternatives to intrusive interaction with government are offered
Any other additional alternatives that mitigate impact on the individual?

Specific Considerations in the Terrorism Prevention Mission Space

What is “Prevention?”

- **Radicalization to violence is the process wherein an individual comes to believe that the threat or use of unlawful violence is necessary – or even justified – to accomplish a goal. The goal of terrorism prevention is to get help to any individual radicalizing to violence to halt their progression to violence, ideally before they commit a criminal or violent act. This public health approach is focused on the health and well-being of individuals and their communities and is multi-disciplinary, evidence-based, and proactively places civil rights, civil liberties, and privacy concerns at the forefront of its programs.**

Factors

Behaviors

Radicalization Factors

Protective Factors

Civil Rights Principles in Threat Assessments

Threat assessments should be objective and not focus unequal attention on a particular individual or group without clear justification.

Degree of interest in a subject should not be based on race, ethnicity, or religion—or appear to be so based.

Treat similarly situated individuals, groups, and organizations in an even-handed fashion; assess and avoid implicit biases.

Civil Rights Principles in Threat Assessments

Political, religious, or ideological speech or activity should be presented or viewed neutrally and without negative characterizations in threat assessments.

Avoid embellishment, editorial comment, or others' opinionated characterization of the facts. For example, avoid using the terms "right wing extremist" and "left wing extremist." Use official terminology when available and define terms within the assessment so it is clear to readers to whom you are referring.

Civil Liberties Principles in Threat Assessments

In order to avoid First Amendment concerns, threat assessments should focus on violence or illegal activity that falls outside the protections of the Constitution.

If an assessment discusses protected activity (e.g., speech, religion, association), it should express a clear link (nexus) to violence or criminality of a particular individual or group.

To show a nexus, ***articulate*** information that demonstrates a linkage. Don't presume the audience knows what you know.

Civil Liberties Principles in Threat Assessments

Analysis should separate allegations of crime from determinations of guilt.

Accurately report the status of allegations or charges against an individual.

Correctly attribute source info and label it as fact or opinion.

The Value of Terminology

Defining Domestic Terrorism

18 U.S.C. § 2331

(5) the term “domestic terrorism” means activities that— involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State; appear to be intended— to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping; and occur primarily within the territorial jurisdiction of the United States;

6 U.S.C. § 101

(18) The term “terrorism” means any activity that— involves an act that—is dangerous to human life or potentially destructive of critical infrastructure or key resources; and is a violation of the criminal laws of the United States or of any State or other subdivision of the United States; and appears to be intended— to intimidate or coerce a civilian population; to influence the policy of a government by intimidation or coercion; or to affect the conduct of a government by mass destruction, assassination, or kidnapping.

USG DVE Lexicon Definition

- Domestic Violent Extremist (DVE): US-based actors who conduct or threaten activities that are dangerous to human life in violation of the criminal laws of the United States or any state; appearing to be intended to intimidate or coerce a civilian population; and influence the policy of a government by intimidation or coercion, or affect the conduct of a government by mass destruction, assassination, or kidnapping, as per the definition of domestic terrorism in 18 U.S. Code 2331(5).

USG DVE Categories

- (U//FOUO) Racially or Ethnically Motivated Violent Extremists (RMVEs)(U//FOUO) Anti-Government/Anti-Authority Violent Extremists (AGAA VEs)(U//FOUO) Militia Violent Extremists (MVEs)(U//FOUO) Anarchist Violent Extremists (AVEs)(U//FOUO) Sovereign Citizen Violent Extremists (SCVEs)
(U//FOUO) Animal Rights/Environmental Violent Extremists (AREVEs)
(U//FOUO) Abortion-Related Violent Extremists (AbRVEs)
(U//FOUO) All Other Domestic Terrorism Threat Actors (DTAs)

Questions?

Contacts:

(b)(6)



FAQ SHEET: WHAT ARE RISK FACTORS AND INDICATORS?

Key Points

- ✓ Having one or more risk factors does **not** mean an individual will engage in targeted violence or terrorism.
- ✓ Addressing/mitigating risk factors is not always the primary focus of targeted violence and terrorism prevention programs; however, as known risk factors are related to numerous social issues, working to address/mitigate risk factors for violence is sound public policy that may catalyze broader societal benefits.

Overview

“Risk factor” and “indicator” are often used interchangeably; however, these terms refer to different things. We have learned that effective violence prevention looks at a person's risk factors and attempts to put in place effective protective factors to stop violence. We have also learned that certain indicators can alert a bystander to the need for intervention.

A **risk factor** is a characteristic that may make an individual *more susceptible* to recruitment by violent extremist organizations and movements and may be addressed through prevention activities.



An **indicator** is a behavior that suggests an individual has likely already radicalized to violent extremism and may require more timely intervention (e.g., from law enforcement).

Having one or more risk factors does not mean an individual will use violence.

For example, An individual may **have a criminal history**, be **socially isolated**, or **be distant from one's family** (three identified risk factors for engaging in violent extremism) and never adopt a violent extremist ideology.

On the other hand, if an individual **verbalizes their intent to harm others** to family, friends, or on social media (an identified indicator of violent extremism), that person is likely in need of an immediate intervention.¹



Addressing risk factors among individuals is a key component of prevention programs, but communities should not confuse risk factors with indicators when designing their prevention architecture.

1. Smith, Allison G. (June 2018). “Risk Factors and Indicators Associated with Radicalization to Terrorism in the United States: What Research Sponsored by the National Institute of Justice Tells Us.” U.S. Department of Justice, Office of Justice Programs, National Institute of Justice. NCJ 251789.



Risk Factors and Targeted Violence and Terrorism Prevention

The National Institute for Justice² has identified risk factors and indicators associated with terrorism. Understanding risk factors and indicators in connection with targeted violence has been more complicated, however, as studies have typically focused on violence broadly, not on specific types of targeted violence.

For example, the International Society for Research on Aggression³ has issued a report on risk factors for youth violence. In that report, the authors separate risk factors for school shootings vs. “street” shootings. The U.S. Department of Labor⁴ provides a compilation of studies from other governmental agencies on risk factors for workplace violence. There are also numerous academic and other scholarly articles that examine risk factors and, in some cases, indicators of targeted violence.

In developing a targeted violence and terrorism prevention architecture, communities may find it useful to consider a “**continuum of intervention**” to address both risk factors and indicators. For example:



Address risk factors **prior** to an individual experiencing them



Address individuals **with** risk factors to prevent the development of indicators



Address **indicators** by developing a referral and intervention program

Example of Continuum of Intervention: One identified risk factor for terrorism is “having a sporadic work history.” Developing a Continuum of Intervention could include:

Prior: A community may focus on a variety of skills and training programs that ensure their community members are able to gain—and keep—reliable employment.

With: Individuals with a sporadic work history may benefit from more in-depth counseling to identify the specific factors associated with that sporadic work history and provide counseling or training tailored to that individual.

Indicators: Develop a bystander awareness, referral, and intervention program

While the Department of Homeland Security’s (DHS) Office of Targeted Violence and Terrorism Prevention focuses on preventing radicalization to violence, sporadic work history is a risk factor for many other social issues (e.g., sexual harassment,⁵ negative health outcomes,⁶ and early mortality⁷). Consequently, developing a prevention framework that addresses known risk factors for targeted violence and terrorism will likely contribute to addressing other social issues within the community.



The **Office for Targeted Violence and Terrorism Prevention** works to:



Communities, however, are best positioned to understand:

- 1) Raise awareness of the threat and risk factors
- 2) Help states and communities build prevention frameworks
- 3) Propel local efforts that amplify a prevention culture and support for referrals and interventions
- 4) Perform analysis and share information with stakeholders
- 5) Institutionalize coordination

- 1) Which risk factors are prevalent in their community
- 2) What resources are available to address those risk factors (both governmental and nongovernmental)
- 3) How to organize those resources to address those risk factors

2. Ibid.

3. Bushman, B.J. et. al. (July 2018). “[Risk factors for youth violence: Youth violence commission, International Society For Research On Aggression \(ISRA\).](#)” *Aggressive Behavior* 44(4): 331-336.

4. United States Department of Labor. (n.d.). “[Workplace Violence.](#)”

5. LaMontagne, A.D., Smith, P.M., Louie, A.M., Quinlan, M., Shoveller, J. and A. Ostry. (2009). “[Unwanted Sexual advances at Work: Variations by Employment Arrangement in a Sample of Working Australians.](#)” *Australian and New Zealand Journal of Public Health.* 33(2):173-179.

6. Waynforth, David. (March 27, 2018). “[Unstable Employment and Health in Middle Age in the Longitudinal 1970 British Birth Cohort Study.](#)” *Evolution, Medicine, and Public Health.* 2018(1): 92-99.

7. Perlman, Francesca and Martin Bobak. (August 30, 2011). “[Assessing the Contribution of Unstable Employment on Mortality in Post-transition Russia: Prospective Individual-Level Analyses from Russian Longitudinal Monitoring Survey.](#)” *American Journal of Public Health.* 99: 1818-1825.




HOMELAND SECURITY ADVISORY COUNCIL
**Preventing Targeted Violence Against Faith-Based
Communities**

December 17, 2019


This publication is presented on behalf of the Homeland Security Advisory Council, Homeland Security Advisory Council (HSAC) Subcommittee for the Prevention of Targeted Violence Against Faith-based Organizations, Co-Chaired by General John R. Allen, USMC (Ret.) President, The Brookings Institution and Paul Goldenberg, President and CEO, Cardinal Point Strategies, LLC to the (A) Secretary of the Department of Homeland Security, Chad F. Wolf.

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signature



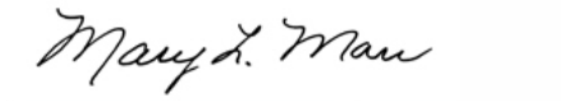
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EXECUTIVE SUMMARY

Responding to a 20 MAY 2019 letter from the Acting Secretary for Homeland Security, the Homeland Security Advisory Council Subcommittee on Preventing Targeted Violence Against Faith-based Communities responded to four specific taskings. This Executive Summary lays out the principal findings and recommendations of the Subcommittee.

Top Findings and Recommendations

1. **Central Point of Contact in DHS for Faith-Based Organizations (FBOs)**

Finding: There should be a central point of contact designated within DHS for matters associated with the security of faith-based organizations.

Recommendations:

- DHS designate a position at the Assistant Secretary level or higher to serve as a Director who will oversee and lead all the Department's faith-based programs and represent the Department within the Interagency.
- DHS recommend to the Assistant to the President for National Security Affairs the creation of an FBO working group dedicated to securing houses of worship, to be convened at the National Security Council to support policy formulation within the Interagency and across the Federal government.

2. **Proactive Training for Faith-Based Communities**

Finding: There is not a consistent approach to preparing and training FBOs for the security of their communities.

Recommendation:

- DHS take lead, in conjunction with State and local officials, in establishing a package approach to security of FBOs.

3. **FBO Coordination with Law Enforcement**

Finding: The relationships between state and local law enforcement and the FBOs are very "unlevel" across the country, especially outside urban areas.

Recommendations:

- DHS encourage FBOs to work with local police and first responder communities to develop real-time information sharing systems.
- DHS, working with State officials, seek to provide local law enforcement with additional earmarked funding to create or expand outreach and connectivity with FBOs, especially in rural areas.

4. **Protective Security Advisors (PSAs)**

Finding: The role of PSAs must be enhanced.

Recommendation:

- DHS determine specific requirements for PSAs, and if necessary, request additional sustained funding from Congress to hire, train, and increase the actual numbers of PSAs as needed for the security of the FBOs.

5. Fusion Center Outreach to FBOs

Finding: Fusion Centers are not well known or understood and are not organized in the same manner across the country.

Recommendations:

- DHS work with State and local officials to ensure Fusion Centers receive the same level of training and are similarly organized around the guiding principle of proactive outreach to every house of worship within a Fusion Center's area of responsibility.
- DHS, with State and local officials, reinforce the expectation that Fusion Centers and the PSAs are to be considered a team, and their work is inextricably linked.
- DHS conduct an evaluation of Fusion Centers to determine their effectiveness in promoting FBO security, and from that evaluation identify areas needing improvement.
- DHS demonstrate transparency in the procedures and guidelines of Fusion Centers in order to guarantee privacy, civil rights, and civil liberties for FBOs and their communities.

6. Defining the Domestic Terrorism Threat

Finding: Members of law enforcement have cited the absence of a domestic terrorism statute as hampering their efforts to track and prosecute domestic terrorist groups.

Recommendation:

- Congress, working with DHS and the Department of Justice, encourage cooperation between Federal, State, local, and Tribal law enforcement to monitor, understand, investigate, and prosecute acts of domestic terrorism through intelligence sharing requirements.
- Congress work with DHS and DOJ to pass a statute defining such acts and providing funds for monitoring the acts can assist law enforcement in ordering its priorities without compromising constitutional values.

7. Federal Emergency Management Agency (FEMA) Grants

Finding: The FEMA Nonprofit Security Grant Program is a vital source of funding for FBOs to bolster their security, but the funding level is insufficient, and the application process is complex, opaque, and long.

Recommendations:

- DHS seek additional funding from Congress to provide increased security grant money for FBOs.
- DHS establish an office dedicated to assisting applicants, particularly from small or poorly staffed FBOs, in order to navigate the complexities of the Federal grants process.
 - To avoid any potential conflicts of interest, this office of grant application assistance should be separate from any of the grant-awarding arms of DHS and its staff should play no role in reviewing or awarding grants.
- DHS give the new Director responsibility for the Nonprofit Security Grant Program.

INTRODUCTION

INTRODUCTION: THE ACTING SECRETARY’S TASKING AND THE SUBCOMMITTEE’S PROCESS

In many respects, the United States and the American social fabric have traditionally rested upon the stability and the sense of community of our faith-based organizations and communities. And while the United States has scrupulously guarded the rights of all Americans to worship freely, it has also fiercely resisted any appearance, real or perceived, as favoring one faith over another.

This has been complemented by an equally important, and until recently, carefully observed tradition of never condemning or criticizing any particular faith group. The tradition of the separation of church and state has served well the United States, its people. The American secular democracy has grown into maturity alongside a diverse and vibrant faith-based community. While separate, they were in many ways complementary of each other, underwriting both a commitment to the principles of the American Constitution and to the spiritual strength of American citizenry and the society. In the last several years, America has experienced an increase in targeted violence against our faith-based communities and organizations. Houses of worship and their congregants, and individuals with a particular faith identity, have been terrorized and, in some cases, attacked ruthlessly and injured or brutally murdered.

On May 20, 2019, in a response to “recent attacks against synagogues, churches, temples, and mosques,” then-Acting Secretary of Homeland Security Kevin McAleenan requested that the Homeland Security Advisory Council convene a Subcommittee “focused on the security of faith-based organizations across the country.” The Acting Secretary charged the Subcommittee with focusing on three specific areas referred to in this report as taskings: 1) “ensuring two-way information flows between DHS and faith-based organizations”; 2) “evaluating preparedness and protective efforts for the faith community,” including whether “faith-based organizations have the resources and training needed to ensure protective measures are put in place and exercised on a routine basis”; and 3) “evaluating the role the faith-based community could/should have in locally-based prevention efforts” The former Acting Secretary requested an interim report within 90 days of the Subcommittee’s formation.

In the midst of our work, and at a public hearing in Jackson, Mississippi, the Acting Secretary added a fourth tasking specifically requesting that the Subcommittee “[e]valuate the adverse impacts that

violent extremists and domestic terrorists, including those inspired by white supremacy¹ ideologies, have on faith-based and other vulnerable communities.”

In conducting its research and formulating its findings and recommendations, the Subcommittee has been assisted ably by Department of Homeland Security (DHS) staff, which has arranged internal briefings from the Office of Targeted Violence and Terrorism Prevention, the Office of Intelligence and Analysis, the Office for Civil Rights and Civil Liberties, the Cybersecurity and Infrastructure Security Agency, the United States Secret Service, the Federal Bureau of Investigation, state and local law enforcement, community leaders, and experts from across the nation. DHS staff also coordinated several site visits described below.

The Subcommittee has also consulted the work of two previous Homeland Security Advisory Council subcommittees that were given similar taskings in 2012 and 2014. Links to those two reports can be found in Appendix 3. Many of those reports’ recommendations remain relevant to this Subcommittee’s conclusions. There is no evidence any of the recommendations were acted upon. With this the third report of this nature, and in view of the urgency of our moment, and the imprimatur of this Subcommittee, this report should be converted into an implementation plan at the earliest possible moment for the systematic adoption of the actionable recommendations. Given the strong Congressional interest in this work, periodic DHS reporting to Congress on the accomplishment of these recommendations is a potential outcome of this report.

In order to evaluate the status and viability of previous and contemporaneous recommendations, as well as to identify and assess current best practices that may be employed in different locations, the Subcommittee conducted field visits in places as diverse in geography and demography as Montana, Louisiana, Mississippi, Minnesota, California, Wisconsin, and New Jersey. The Subcommittee interviewed victims of violence, as well as local faith leaders and state and local first responders. Those perspectives ground this Subcommittee’s findings and conclusions in real-world realities that make its recommendations readily actionable and achievable.

¹ The 2018 DHS Lexicon defines a *white supremacist extremist* as a group or person who facilitate or engage in acts of unlawful violence directed at the Federal Government, ethnic minorities, or Jewish persons in support of their belief that Caucasians are intellectually and morally superior to other races and their perception that the government is controlled by Jewish persons.

The DHS Strategic Framework for Countering Terrorism and Targeted Violence published in 2019 states that “*White supremacist violent extremism*, one type of racially- and ethnically-motivated violent extremism, is one of the most potent forces driving domestic terrorism. Lone attackers, as opposed to cells or organizations, generally perpetrate these kinds of attacks. But they are also part of a broader movement. White supremacist violent extremists’ outlook can generally be characterized by hatred for immigrants and ethnic minorities, often combining these prejudices with virulent anti-Semitism or anti-Muslim views.”

Finally, the Subcommittee’s work has been informed fundamentally by the then-Acting Secretary’s recent adoption of the *Strategic Framework for Countering Terrorism and Targeted Violence*. Drawing on this document, this Subcommittee’s recommendations are intended to advance the goals set forth in the *Strategic Framework*, namely, to “[u]nderstand the evolving terrorism and targeted violence threat environment, and support partners in the homeland security enterprise through this specialized knowledge”; “[p]revent terrorism and targeted violence”; and “[e]nhance U.S. infrastructure protections and community preparedness.” What follows is the Subcommittee’s research across the four taskings. Each of the four sections is organized with an introduction, key findings, and recommendations. A final section offers the conclusions of the Subcommittee.

Tasking One – Ensuring two-way information flows between DHS and faith-based organizations (e.g. Do faith-based organizations have routine access to information and assessments about domestic violent extremist movements and the threats they espouse against faith-based organizations? What additional information would be of assistance in their security efforts? Do faith-based organizations receive timely notification of specific and credible threats to their organizations?).

Tasking Two – Evaluating preparedness and protective efforts for the faith community. (e.g., Do faith-based organizations have the resources and training needed to ensure protective measures are put in place and exercised on a routine basis? If not, what is the best way to close the gap? Are there additional measures beyond traditional protective efforts- such as enhanced understanding of behavioral indicators,² knowing the simple steps that can be taken during an incident to increase the chances of survival, and actions that should be considered following an incident to quickly reconstitute services- that can be better conveyed to the community to enhance security in a manner that maintains the integrity of places of worship while sustaining a welcoming environment that allows for peaceful congregation?)

Tasking Three – Evaluating the role the faith-community could/should have in locally-based prevention efforts. (e.g., Are there aspects of the current trend of the racially motivated violence, which the faith community can address more effectively than the government or other parts of society?)

Tasking Four – Evaluate the adverse impacts that violent extremists and domestic terrorists, including those inspired by violent white supremacy ideologies, have on faith-based and other vulnerable communities. Explore the key factors (such as social media and other influencers) that violent extremists are exploiting to promote, promulgate, and in some cases, galvanize violent attacks against faith-based organizations. What more can be done by the Department to prevent these attacks and increase community resistance to mobilization to violence, and what are the best practices and lessons learned for consideration?

² The Subcommittee believes that moving away from racial profiling is imperative to build trust with FBOs. Hence this tasking is intended to look at behavior instead of a person's ethnic or religious background.

Ensuring Two-Way Information Flows Between the U.S. Department of Homeland Security and Faith-Based Organizations

Tasking One – Ensuring two-way information flows between DHS and faith-based organizations (e.g. Do faith-based organizations have routine access to information and assessments about domestic violent extremist movements and the threats they espouse against faith-based organizations? What additional information would be of assistance in their security efforts? Do faith-based organizations receive timely notification of specific and credible threats to their organizations?).

Introduction

During the Subcommittee’s site visits to houses of worship across the nation, it became apparent that Faith-Based Organizations (FBOs) largely do not have consistent access to timely actionable information and assessments related to domestic violence movements or trends, and how those threats affect their houses of worship and local communities. As one pastor of a small Baptist church in rural Opelousas, Louisiana stated, “There is a sense of paranoia that information is not being shared with the churches.” This sense of paranoia was palpable in every house of worship we visited. Many suffered from the trauma of personally experiencing an attack on their congregation, or of witnessing attacks on other places of worship. Adding to anxiety among those in faith-based communities is the sense that the government does not keep them informed of current threats.

For meaningful two-way information sharing to occur and be sustained between the U.S. Department of Homeland Security and the faith-based community, it must be based upon agreed standard operating procedures and relationships where there is trust and respect.

It is every government’s duty to secure conditions of peace, justice, and liberty in which people of faith may exercise their religious freedoms without oppression and fear. We call upon our leaders to guarantee freedom of thought and conscience while at the same time uphold the freedoms enumerated in the Bill of Rights and U.S. Constitution to practice and propagate religion.

As members of the Subcommittee, we share a deep concern for all who have been unjustly treated, experienced loss of life, or are currently suffering exercising those freedoms. When one faith community, regardless of religious affiliation, is harmed, we all are harmed. We share a common concern for protecting privacy, liberty, and reject privacy infringement from any source. We value security-related incident transparency and more information is appreciated rather than less. In order to best serve America’s faith communities, we need information delivered in a simple manner with clear timely calls to action based upon evidence. We, as the Subcommittee, call upon governments at all levels to uphold the rights of all faith-based organizations to freely and voluntarily adopt security recommendations without the force of compliance unless compliance is mandatory by law.

Findings, Background, and Recommendations

Central Point of Contact in DHS for FBOs

Findings:

- There is currently no single point of contact at DHS through which all relevant government programs can be coordinated and offered to faith-based communities.
- There is need for a position at the National Security Council to support policy development related to FBO security across the Interagency and the Federal government.

Background:

In, now, three similar reports, subcommittees have determined the responsibilities of DHS offices for the FBOs are distributed across the department with no single point of entry or exit for matters associated with or related to the faith community. In 2014, a prior HSAC Subcommittee, similarly constituted, recommended that “The Department of Homeland Security (DHS) should designate a singular point of contact between DHS and faith-based organizations (FBOs) for security-related issues.” This recommendation was also made in 2012 and is reaffirmed in 2019. Every site we visited highlighted the need for such a point of contact within DHS to reduce confusion. The designation of a single point of contact is perhaps the single most important recommendation we will make; the absence of such a point of contact has prevented a coherent internal departmental approach to these matters and coherent external connectivity to the faith-based communities.

The DHS Point of Contact (POC) should be responsible for evaluating the effectiveness and public awareness of all programs affecting the faith-based organizations and should produce an annual report assessing the various programs’ effectiveness. Accountability has been lacking; it is essential. The single point of contact should host a website on the DHS platform that consolidates all the information and programs relevant to faith-based communities.

As a corollary to the establishment of a single point of contact, we recommend that DHS reconstitute the HSAC’s Faith-Based Advisory Council to advise the Secretary and the POC on evolving needs and to report on the effectiveness of government programs. The 2012 recommendation was to continue the operations of the Subcommittee; the Subcommittee was, however, discontinued by the HSAC Executive Director in coordination with the Deputy Secretary of Homeland Security and other senior DHS leadership on July 12, 2016.

The absence of coordination within DHS is replicated throughout the Federal government and has engendered confusion not just within the faith-based communities but also within the government agencies themselves. We believe the urgency of the issue and the absence of coordination requires the creation of an interagency working group focused on the security of houses of worship, to be convened by the National Security Council. The DHS POC should be a member of the working group.

Recommendations:

- DHS designate an individual at the Assistant Secretary level or higher to serve as a Director who will oversee and lead all the Department's faith-based programs. The office of this individual should be organized, funded, and staffed to be able to work across the DHS enterprise at a senior level.
- This senior leader serve as the single point of contact within the Department for the faith-based community on all security-related issues.
- DHS recommend to the Assistant to the President for National Security Affairs the creation of an interagency working group dedicated to securing houses of worship, to be convened at the NSC to support policy formulation across the Interagency and the Federal government.
- DHS continue, under this new leadership position, to develop and enhance relationships and bi-directional communication with FBOs, Protective Security Advisors, Fusion Center³ Personnel, as well as state, local and tribal law enforcement to further homeland security information sharing. [Note: this was a 2014 report recommendation that was never implemented. The Subcommittee reaffirms its validity in 2019.]

Fusion Center Outreach to FBOs

Findings:

There is considerable confusion about the role and function of Fusion Centers, particularly regarding their relevance to faith-based organizations. As such, Fusion Centers are not well known or understood by FBOs. Nationally, Fusion Centers vary widely in their organization and generally lack necessary standardization in how threat information is disseminated and to whom. The effectiveness of Fusion Centers in promoting the security of FBOs needs to be evaluated and standardized nationally.

Background:

Fusion Centers were designed to promote information sharing at the Federal level between agencies such as DHS, the Federal Bureau of Investigation, the U.S. Department of Justice (DOJ), state, local, and tribal law enforcement. Fusion Centers do an excellent job of sharing real-time threat information with law enforcement and with pre-vetted private sector critical infrastructure partners such as energy, financial, water, etc. However, Fusion Centers remain a mystery and at times are problematic to many local faith-based communities, particularly in rural areas across the U.S. Many faith communities view Fusion Centers with suspicion, which deters individuals from reporting suspicious activity. As one faith leader in Minnesota told the Subcommittee, "They [Fusion Centers] are code for "spy center" here."

Currently, most faith-based institutions do not receive any official threat information from Fusion Centers. Fusion Center staff need to be trained to better understand the needs of FBO communities and the nature of the threats. Fusion Centers need to conduct proactive outreach to faith-based

³ physical or logical facility, encompassing all necessary infrastructure required to facilitate nationwide information-sharing between one or more Federal, state, and/or local law enforcement entities, dedicated to the integration of multiple diverse data sources within a defined functional domain. Source: DHS Lexicon, October 2018.

communities to identify and train individuals within these organizations and to better understand how to receive, analyze and respond to such information post transmittal.

Not all Fusion Centers proactively engage the faith-based community. However, New Jersey offers an excellent model for other Fusion Centers to follow. The New Jersey Office of Homeland Security (NJOHSP) established an Interfaith Advisory Council (IAC)⁴ in 2012. This IAC is chaired by the State Director of Homeland Security and maintains 3,000 active members across all religions. The Council meets quarterly and provides a platform for faith community members and leaders and representatives from the NJ Office of the Attorney General, NJ State Police, FBI, local law enforcement, and other entities. NJOHSP also regularly shares timely information with the faith-based community. The office develops unclassified “multi-faith intelligence resources” which are developed in response to emerging threats or incidents occurring in NJ, nationally, or abroad. The intelligence reports are disseminated to the 3,000 members of the IAC.

In 2012, the prior HSAC Subcommittee recommended that DHS “should work with Fusion Centers and FBOs to educate each other on respective roles and responsibilities,” providing “common scenario” approaches and joint training with FBO liaisons. That mutual education has not occurred in any uniform manner, although the need for it remains acute. At one of our meetings in Minnesota, an imam said to the Fusion Center representative; “How would I know that you actually exist?” Accordingly, we reaffirm the recommendation that Fusion Centers work more closely with faith-based organizations. The HSAC further recommended that DHS should “work with Federal partners to create a Fusion Center manual for collaborating with FBOs that further integrates Federal, state, and local law enforcement best practices.” If such a manual has been produced, we have not seen it, and recommend that its existence be publicized to the affected faith communities. If it has not been produced, we recommend that its production be a priority of the single point of contact at the Department. Finally, we agree with the 2012 recommendation that DHS should include FBO representatives in planning for the National Fusion Center Annual Training.

We also reaffirm the HSAC’s 2012 recommendation that DHS “assign points of contact in each Fusion Center to work with their state and local faith communities.” If Fusion Center POCs are required to work in tandem with PSAs, much local confusion will be improved.

Recommendations:

- DHS work with State and local officials to ensure Fusion Centers receive the same level of training and are similarly organized around the guiding principle of aggressive outreach to every house of worship within a Fusion Center’s area of responsibility.
- DHS, with State and local officials, reinforce the expectation that Fusion Centers and the PSAs are to be considered a team, and that their work is inextricably linked.
- DHS demonstrate transparency in the procedures and guidelines of Fusion Centers in order to guarantee privacy, civil rights, and civil liberties for FBOs and their communities.
- DHS evaluate Fusion Centers to determine effectiveness in promoting FBO security and from that

⁴ <https://www.njhomelandsecurity.gov/interfaith>

evaluation identify areas needing improvement.

Invest in a Two-Way Information Sharing Portal for FBOs

Finding:

That the dedicated Faith-Based Community Portal of the Homeland Security Information Network (HSIN)⁵ needs to be reestablished at DHS as the principal means of information sharing with and for the FBO. Further, the HSIN Faith-Based Portal in its former design was seldom used by FBO communities, because the system was not considered user-friendly and was difficult to navigate.

Background:

There is a sense among faith communities that the flow of information is a “one-way street.” Particularly among the Muslim community in Minnesota, individuals expressed frustration that they frequently report suspicious activity to Fusion Centers or other Federal entities, but seldom receive a follow-up or threat information. This concern was echoed by the Jewish community in Whitefish, Montana and by the Christian community in Opelousas, Louisiana. Indeed, the need for a “formal two-way process to share homeland security information” was identified by the HSAC Subcommittee in 2012 and remains a need in 2019. Very few FBOs are aware of HSIN, which until 2018 included a dedicated portal and security section for faith-based communities. In 2018, inexplicably to the faith-based community, DHS stopped populating this faith-based portal with information, and usage by FBOs ceased.

During the Subcommittee’s site visits, faith community members indicated that the flow of information was mostly one-way: FBOs report suspicious activity to Fusion Centers, law enforcement, and other entities, but rarely receive threat information back from these sources. The Subcommittee believes that the current HSIN, if staffed appropriately and adequately publicized to the faith-based communities, could serve as the needed two-way information sharing portal and could be a valuable platform for communities of faith.

The Subcommittee observed faith communities receive threat information from a variety of different sources besides HSIN. Some FBOs utilized the FBI tool InfraGard, while others received emailed threat alerts from their Fusion Center. The multitude of platforms available is confusing, and the vetting process which individuals must undergo in order to gain access to these platforms can be a hindrance to those who are suspicious of government

The Hennepin County Sheriff’s Office in Minnesota uses an online platform called SHIELD, which was developed by the New York Police Department to encourage a two-way flow of information and increase awareness of the threat landscape. The program allows vetted individuals from the private

⁵ DHS-managed national secure and trusted web-based portal for information sharing and collaboration among federal, state, local, tribal, territorial, private sector, and international partners engaged in the homeland security mission. Source: DHS Lexicon, October 2018.

sector and the community to share information or photos of suspicious activity and threat information. For example, a user shared a photo of an anti-Semitic symbol found in a public space, allowing law enforcement and private sector users to be aware of the incident.

While online platforms are likely the most efficient and effective method of information sharing, various methods will suit different communities. For example, a member of the Sikh community in Wisconsin described the process by which he calls the other Sikh temples and Muslim mosques in the surrounding area upon becoming aware of any threats or suspicious activity. Many Christian communities in Louisiana and Mississippi employ a similar relationship-orientated method of disseminating threat information within their faith community.

Recommendations:

- DHS conduct a top-down review of its faith-based information production and sharing processes. Important information and assessments, including information about the threat of domestic terrorism, are not being received by FBOs in a timely and consistent manner.
- DHS re-invest in the HSIN Faith-Based Portal as a two-way information sharing portal that vetted members of the faith community can access to retrieve and share important information related to domestic terrorism⁶ and targeted violence.⁷ This should include an application for mobile devices.
- DHS advertise this portal to FBOs across the country, ensuring it is consistently populated with relevant, timely, actionable documents, and is continuously supported by DHS personnel.
- DHS redesign HSIN Faith-Based Portal access to permit FBO easier entrée into the system and include a “one-stop shop” where FBOs can access or learn about all relevant Federal, state, and local resources.

⁶ The 2018 DHS Lexicon defines *domestic terrorism* as “an act of unlawful violence that is dangerous to human life or potentially destructive of critical infrastructure or key resources committed by a group or person based and operating entirely within the United States or its territories without direction or inspiration from a foreign terrorist group.”

The 2019 DHS Strategic Framework for Countering Terrorism and Targeted Violence expands upon the 2018 Lexicon definition. The document defines *domestic terrorism* as “an act of unlawful violence, or a threat of force or violence, that is dangerous to human life or potentially destructive of critical infrastructure or key resources, and is intended to effect societal, political, or other change, committed by a group or person based and operating entirely within the United States or its territories. Unlike HVEs, domestic terrorists are not inspired by a foreign terrorist group. It should be noted that many groups and individuals defined as “domestic terrorists” are becoming increasingly transnational in outlook and activities. The current label we employ to describe them, which comes from the Federal Government’s lexicon, should not obscure this reality.”

⁷ *Targeted violence* refers to any incident of violence that implicates homeland security and/or U.S. Department of Homeland Security (DHS) activities, and in which a known or knowable attacker selects a particular target prior to the violent attack. Source: 2019 DHS Strategic Framework for Countering Terrorism and Targeted Violence.

Develop a Proactive Messaging Campaign Targeting FBOs

Finding:

DHS messaging about security and preparedness is not adequately reaching faith communities.

Background:

It is necessary for DHS to consider proper presentation of information. The government must differentiate between messaging intended to inform, alert, and/or warn; such communications should be accompanied with proper instructions for the appropriate response behavior given the type and level of threat in question. Preparedness information must be more detailed. The public should be provided with information on threat-specific courses of action and detailed emergency preparedness information should be made available in multiple languages and distributed to non-English speakers and recent immigrants.

Recommendations:

- DHS develop and present annual FBO security best practice awards on the 9/11 Day of Service and Remembrance.
- DHS and its “If You See Something, Say Something” campaign work together with all interested faith-based organizations to prepare a coordinated campaign and toolkit that is similar to what was prepared for the business community and academic institutions.
- DHS work with FBOs to develop a comprehensive faith-based media plan that includes publishing joint Public Service Announcements and engaging in all forms of media to accelerate the dissemination of relevant FBO centric information, including interviews on counter-messaging and prevention topics with calls to action on topics such as domestic terrorism.

Create a Faith-Based Security Advisory Council

Finding:

An external standing oversight body is necessary for the implementation of the results of this and future studies.

At this time, neither DHS nor any other Federal agency supports or coordinates with any independent faith-based body for the purpose of encouraging communication and collaboration between and among government agencies, specifically DHS, and the nation’s faith-based communities and organizations to strengthen the goodwill between DHS and faith-based groups. This is critical in order to keep religious communities secure.

Background:

As discussed on page 14, this Subcommittee conducted a site visit to the New Jersey Office of Homeland Security and Preparedness, which runs an Interfaith Advisory Council.⁸ Established in 2012, this IAC is chaired by the Director of Homeland Security and maintains 3,000 active members

⁸ For more information about NJOHSP’s IAC, please see this brochure:
https://static1.squarespace.com/static/54d79f88e4b0db3478a04405/t/5dc0575268f3667fd789c506/1572886354809/interfaith_advisory_council_trifold_%2811-04-2019%29.pdf

across all religions. The Council meets quarterly and provides a platform for faith community members and leaders and representatives from the NJ Office of the Attorney General, NJ State Police, FBI, local law enforcement, and other entities.

Development of an independent DHS-recognized Faith-Based Security Advisory Council based on New Jersey's IAC model will encourage communication and collaboration between and among government agencies, and specifically DHS, and the nation's faith-based communities and organizations. The Council, facilitated by a University or Non-Governmental Organization, would work to open lines of communication and build trust between and among government agencies and faith-based organizations on behalf of their respective religious communities. This collaboration and the sharing of information would allow for FBOs to share pertinent information with government officials and amongst themselves regarding security issues impacting their communities. The Council could provide a trusted representative and collaborative forum and vehicle to address homeland security issues, discuss and address community issues of concern, facilitate training, and build bridges between faith-based constituencies and their law enforcement partners.

Recommendation:

- DHS create a permanent, standing Faith-Based Security Advisory Council based on the model of the New Jersey Office of Homeland Security and Preparedness' Interfaith Advisory Council.

This will be key to the successful sustainability and ongoing effectiveness of homeland security efforts recommended by this and future subcommittees.

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Evaluating Preparedness and Protective Efforts for the Faith Community

Tasking Two - Evaluating preparedness and protective efforts for the faith community. (e.g., Do faith-based organizations have the resources and training needed to ensure protective measures are put in place and exercised on a routine basis? If not, what is the best way to close the gap?

Are there additional measures beyond traditional protective efforts- such as enhanced understanding of behavioral indicators, knowing the simple steps that can be taken during an incident to increase the chances of survival, and actions that should be considered following an incident to quickly reconstitute services- that can be better conveyed to the community to enhance security in a manner that maintains the integrity of places of worship while sustaining a welcoming environment that allows for peaceful congregation?)

Introduction

Faith-based organizations come in a variety of shapes and sizes supporting many different forms of belief. From temples to synagogues, cathedrals to tabernacles, storefronts to living rooms, they are as diverse as America itself; their variety itself attests that the free exercise of religious faith is an indispensable component of American freedom.

The rise of extremist violence, however, has placed that freedom under significant stress. The mass shootings in an African-American church in Charleston, South Carolina, in synagogues in Pittsburgh and San Diego, the Baptist church shooting in Sutherland Park, Texas, and at a Sikh Temple in Wisconsin, as well as arson attacks and bombings of mosques and churches from Minnesota to Utah to Louisiana, are a blight on the fabric of American society. These have underscored the vulnerability of faith-based organizations and the need to provide for the security of houses of worship and the communities they serve.

In order to evaluate whether “faith-based organizations have the resources and training needed to put protective measures in place and exercised on a routine basis,” this Subcommittee has visited, among other sites, the Sikh temple in Oak Creek, Wisconsin that was the site of a massacre; the Jewish community in Whitefish, Montana that was and continues to be threatened with neo-Nazi⁹ violence; churches in Louisiana and Mississippi that have been threatened; a mosque in Minnesota that was bombed; the synagogue in California that was the subject of an armed attack; and other relevant sites. We have been briefed about the security measures undertaken by the Church of Jesus Christ of Latter-day Saints, the Sikh community, the Jewish communities nationally as well as in Minneapolis and San Diego, and the Roman Catholic Church in Mississippi, as well as by Federal, state, and local law enforcement leaders in communities across the nation.

The sheer variety of faith-based organizations, communities, and facilities resists any attempt to draw general conclusions about the state of preparedness of the faith community. As discussed more fully below, however, some common themes emerged from our discussions, briefings, and site visits.

⁹ a member of a group espousing the programs and policies of Hitler's Nazis. Source: Merriam Webster English Dictionary.

First, and not surprisingly, the adequacy of physical security is resource-dependent. Some organizations and congregations, such as the Conference Center for the Church of Jesus Christ of Latter-day Saints, Jewish synagogues and community centers in places such as Minnesota and San Diego that have experienced prior threats or attacks can afford to harden their potentially targeted facilities by installing such features as bullet-proof glass, lock down capability, and surveillance cameras, by hiring security guards, and by forming and training internal security teams. The more sophisticated faith-based organizations are also better equipped to take advantage of Federal grants from entities like FEMA, whose processes can be bewildering to smaller, poorer communities. Smaller, less organized communities, such as the Muslim community in Minneapolis, Minnesota, the Christian community in Opelousas, Louisiana, or the Sikh community in Oak Creek, Wisconsin, may be just as threatened, but may lack the resources to provide adequate protection absent from government or civil society support.

Second, and of particular relevance to resource-challenged organizations, there are programs within DHS and programs sponsored by DHS to assist faith-based organizations. These programs can assist with security audits, with identifying precursor conduct, and, in some cases, with funding to enhance physical security. FEMA grants, infrastructure assessments by PSAs, intelligence briefings by the Secret Service, and situational awareness provided by Fusion Centers are among the services available to vulnerable faith-based organizations.

Third, in many cases, however, faith-based organizations have informed us that they are unaware of the relevant programs and confused about where to go to discover the relevant programs' existence.

These general conditions compel, in our view, the following more specific findings and recommendations:

Protective Security Advisors (PSAs)

Finding:

That the role of the PSAs must be enhanced.

Background:

The PSA program is one of the strongest partnerships the Department has in the field to support hometown security. However, the current number of PSAs in the field is inadequate for the vital missions that they perform.

During our site visits, FBO community members noted that in some states the PSAs do not always reach out to coordinate with faith-based organizations and respond only when requested. Perhaps this restricted rule of engagement accounts for the fact that most communities we visited had never encountered or heard of the PSA. While all the PSAs engaged by this Subcommittee were decidedly devoted to their mission and well-trained professionals, this is not consistent across the country. That said, more PSAs are needed, and their training and preparation need to be standardized across the entire country and focused on proactive engagement with their respective faith communities. As well, and while separate entities, PSAs and Fusion Centers are at their best when working closely together

and should be considered as a team asset to enhance outreach and information sharing with FBOs at the State and local levels.

Recommendation:

- DHS determine specific requirements for PSAs, and if necessary, request additional sustained funding from Congress to hire, train, and increase the actual numbers of PSAs as needed for the security of the FBOs.

Proactive Training for Faith-Based Communities

Finding:

That there is not a consistent approach to preparing and training FBOs for the security of their communities.

Background:

In 2012, the HSAC Subcommittee recommended that “DHS should provide a comprehensive security response to FBOs, such as providing the support for and the training necessary for infrastructure resilience assessments for houses of worship, information on significant events, cybersecurity.” Significant efforts have been undertaken in this regard, but a coherent, comprehensive approach is necessary. This Subcommittee reaffirms this finding.

Recommendation:

- DHS take lead, in conjunction with State and local officials and FBOs, in establishing standardized guidelines for security training.

FEMA Grants.

Finding:

The FEMA Nonprofit Security Grant Program is a vital source of funding for FBOs to bolster their security, but the funding level is insufficient, and the application process is complex, opaque, and long.

Background:

DHS should continue to provide grant funding to bolster FBO information sharing, resilience efforts, and infrastructure protection. Our research demonstrated how important this grant funding was to houses of worship; in many cases being the sole source of funding for needed security measures.

That said, the program is not sufficiently funded to meet the needs of FBOs. According to the FEMA Grant Programs Directorate, for fiscal year 2019, \$60 million was made available through the Nonprofit Security Grant Program (State and Urban Area). For this grant cycle, 2,037 applications were submitted, of which 718 applications were funded.

In addition, the grant process is too complex. Multiple locations cited the complexity of the Federal

grants process as a significant barrier to entry; even successful applicants cited the complexity of the Federal grant process as a hindrance.

Recommendations:

- DHS seek additional funding from Congress to provide increased grant money for FBOs.
- DHS establish an office dedicated to assisting applicants, particularly from small or poorly staffed FBOs, in order to navigate the complexities of the Federal grants process.
 - To avoid any potential conflicts of interest, this office of grant application assistance should be separate from any of the grant-awarding arms of DHS and its staff should play no role in reviewing or awarding grants.
- DHS give the new FBO Director responsibility for the Nonprofit Security Grant Program.

Suspicious Activity Reporting

Finding:

That Suspicious Activity Reporting (SAR)¹⁰ is inadequately coordinated within those Federal entities responsible for processing and reacting to faith-based information.

Background:

We found in our study that Suspicious Activity Reporting (SAR) efforts must be better coordinated among Federal Departments and Agencies. Beyond establishing common standards, Federal departments and agencies need to work together as some systems within DHS and FBI remain disparate. Current efforts are segmented across various departments and agencies and do not seem to be well-coordinated, thus creating what may be an unfocused and diluted effort.

Coordinating efforts would provide one message and one voice at the Federal level to help advance SAR efforts. Such coordination is necessary if SAR is to ever be considered a priority in the United States.

Recommendation:

- DHS address the means for comprehensive coordination and action of SAR across the DHS enterprise and with the relevant agencies and FBI. DHS should also consider working with professional partners who have a trusted process for information sharing between law enforcement and faith communities.

Increase Funding for Engaging FBO Communities

Finding:

DHS has many offices that provide resources to FBOs such as the Office for Civil Rights and Civil Liberties (CRCL), the Cybersecurity and Infrastructure Security Agency (CISA), and FEMA have a

¹⁰ SAR refers to official documentation of observed behavior that is reasonably indicative of pre-operational planning related to terrorism or other criminal activities. Source: DHS Strategic Framework for Countering Terrorism and Targeted Violence, September 2019.

positive reputation in varying degrees in some faith-based communities.

Background:

Based on the site visits, it was established that faith-based communities were aware of CRCL, CISA, and FEMA. The FBOs had positive views of these government offices. However, after conducting site visits and meetings with Subject Matter Experts (SMEs), we determined that the FBOs lack the experience to obtain resources and the capacity to employ them.

Recommendation:

- Funding be established to enhance entities within DHS that will support the unified effort within the Department and increase support for agencies that equitably engage FBO communities.

DHS Private Security Standards

Finding:

That private security companies (PSCs) are a means to provide security to houses of worship and to FBOs.

Background:

One of the means to provide significantly expanded security for FBOs is through approved PSCs where recruitment, vetting, equipping, and training are certified as having met rigid DHS standards.

Under DHS supervision, as envisaged by this recommendation, PSCs are required to be recertified periodically to ensure the highest standards of reliability and performance. As Congress continues its oversight of homeland security, it should grant funding to DHS to be passed to State homeland security offices in order to provide PSCs as a security consideration where public benefits and private resources may not align. To that end, oversight, regulation, and certification/recertification from DHS would be mandated. DHS would further certify to Congress that PSCs are properly vetted and prepared across the board to cooperate with both the FBOs and local law enforcement for the protection of our faith communities.

Several FBOs we visited emphasized the importance of deploying trained and effective security guards to provide a deterrent to potential attacks, protection from such attacks, and reassurance to anxious faith communities that their security needs are being addressed. In the absence of this kind of local security from PSCs, some FBOs are providing their own armed guards from inside their individual communities.

Recommendations:

- DHS develop a pilot program whereby a PSC is selected to lead a trial to provide private security at the disposal of FBOs.
 - If this pilot is successful, DHS could create the capacity to oversee and certify the recruitment, vetting, equipping, and training of PSCs.
- DHS consider creating a standardized training program for private security companies.

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The Role of the Faith-Community in Locally-Based Prevention Efforts

Tasking Three – Evaluating the role the faith-community could/should have in locally-based prevention efforts (e.g., Are there aspects of the current trend of the racially motivated violence, which the faith community can address more effectively than the government or other parts of society?).

Introduction

Historically and currently, the faith communities are vital at every aspect of the local community. Faith organizations grow from and build on their belief that they have a moral imperative to help those in need and improve the human condition as they pursue God to their understanding.

Faith communities are not separate from the communities in which they exist. They are the people who reside, work, and participate in the public arena that make our towns, cities, counties, states, and nation to be what it is. They comprise business leaders, teachers, parents, students, etc. They are also represented in our law enforcement and government agencies, at the local, state, and Federal levels. What affects one, affects the whole of the community. Faith communities are of various cultures and ethnic groups. It is along these lines that negative forces produce adverse conditions that so easily affect the faith community. Sadly, American history reveals the depressing and dreadful accounts of mistreatments, abuse, disrespect, and ostracisms that have led to isolation, fear, and distrust.

Much of the inequity and pain we see harbored in the rural, urban and outlying areas is fueled by white supremacy, poverty, poor health, unemployment, and other disparities. These elements have accounted in immeasurable ways to the devastation, mental and physical anguish, so visibly present where people of color and other cultures dwell. All these factors have and will continue to represent a threat to the many attempts to launch and sustain efforts to avert risk, mitigate and alleviate the loss of resources as we strive to build, fabricate and engineer the creation of safe and healthy communities. In fact, in the absence of government support, faith communities act as public servants to take care of the needs of their constituencies, especially in the psychological well-being of large segments of our society.

Faith-based communities have the unique ability to share information, build trust, and educate and inform the community. They can also raise volunteers, access space when necessary, and have a strong commitment to responding locally. Faith communities can also play a significant role in linking local, state and Federal organizations to mitigate community threats, and to counter negative messages.

Recognizing the faith community's unique assets, organizing how, when, where, why, and who mobilizes should be integrated into any plan that utilizes an action levels system. This would mean that faith communities should be included in the planning process as a means of breaking down barriers to strengthen preparedness. Also, to provide a critical channel for communication with vulnerable and marginalized populations through their social networks. This report offers

recommendations as to what the faith community can provide to more effectively support and improve government community engagement to reduce racially motivated violence and other community threats.

The Subcommittee believes the recommendations provided below, as well as previous recommendations made by the HSAC Subcommittee in 2012 which have not yet been fully implemented, will bolster the role of the faith-based community in locally-based prevention efforts.

FBO Coordination with Law Enforcement

Findings:

The relationships between state and local law enforcement and the FBOs are very “unlevel” across the country, especially outside urban areas. Faith-based communities are more likely to maintain positive relationships with local law enforcement, while they rarely engage with state and Federal authorities. Still, there remains a need for increased connectivity between houses of worship and local authorities.

Background:

This finding clearly points to the need for as much top-down push as possible from DHS, and with State and local law enforcement, in order to emphasize the necessity for stronger dialogue and relationships built on trust between FBOs and law enforcement and first responders. In municipalities, these relationships were typically much closer, but in rural areas where county police and Sheriffs’ departments are stretched across major areas of countryside, these relationships are very difficult to establish and maintain. FBOs suffer from a lack of attention in terms of security assessment, preparations, training, and response.

In our research, we found that houses of worship more frequently build positive relationships with local law enforcement, while mistrust of Federal personnel and lack of government outreach often hinder FBO engagement with Federal entities. This is especially true when local officers work closely with the faith community, and when the composition of local police departments reflects the demographics of the community they serve. When police chiefs do not come from the community they serve, there is a major disconnect between the community and the police officers. In Jackson, Mississippi, the police chief is a local community member, and a number of officers are representative of the community demographics and attend local places of worship.

This contributes to heightened awareness, productivity, and constructiveness within the police force that allows them to engage positively and frequently with faith community members. In this open environment, individuals are more comfortable engaging with the police. In Whitefish, Montana, one of the local police officers grew up in the town and understood and identified with the community. Individuals frequently felt more comfortable going to him with concerns and problems than to others in the police department. Thus, these relationships with local law enforcement should be leveraged to increase FBO connectivity to Federal entities and resources. In addition, local law enforcement needs to be made aware of Federal resources.

Nationally, there is still an overall great need for improved connectivity at the local level; FBOs have not been routinely designating individuals from their administration or congregation to oversee liaison and partnering with local, state, and Federal law enforcement to address security needs and develop a security plan. This has created substantial gaps in coverage for FBOs. FBOs and their members are often not well tied into sources of information from social services, mental health professionals, local police, and other community figures who could assist the FBOs when they recognize troubling behaviors. These ties need to be recognized and increased in order to help them mitigate the risk of radicalization by addressing the root causes of violence. Where we found FBOs with active law enforcement and community liaison activities, we found faith-based communities well prepared for emergencies. FBOs should engage in regular dialogue with local law enforcement to discuss current and developing threats. Local police must be familiar with the places of worship in their community. In the event of an incident, officers can use their knowledge of the building and security team to respond more efficiently.

To facilitate positive relationships with law enforcement, FBOs should consider making part of the normal operation process inviting first responders into places of worship for training, security recommendations, and participation in social gatherings. Members of the faith-based community should also be aware of and participate in local law enforcement programs such as Citizen Police Academies, regular community discussions with law enforcement, and cultural classes for law enforcement officers that are run by community members.

Recommendations:

- DHS encourage FBOs to develop positive relationships with their local police departments.
- DHS, together with State and local officials, through proactive outreach efforts, actively encourage FBOs and houses of worship to designate liaison personnel to work with law enforcement to assess security needs and conduct relevant security planning, training, and implementation.
- DHS leverage positive FBO relationships with local officials by ensuring that local law enforcement authorities are informed about Federal resources.
- DHS, in its departmental outreach activities, encourage FBOs to work with local police and first responder communities to develop real-time information sharing systems and other relevant recommendations for improving security, and implementing lessons learned and best practices.
- DHS, working with State officials, seek to provide local law enforcement with additional earmarked funding to create or expand outreach and connectivity with FBOs, especially in rural areas.

Multi-faith Coordination at the Local Level

Finding:

FBOs are more effective when they are active within the local faith community and maintain relationships with other congregations in their faith community.

Background:

During every site visit, faith leaders expressed a desire for proactive engagement with one another to form solidarity to enhance mutual security. Many local problems can be mitigated through the sharing of best practices amongst local FBOs. The faith-based communities must start seeing each other as allies and resources as they work together to overcome the issues that lead to targeted violence. A venue and designated group are needed to organize and provide faith groups with the opportunities to connect and collaborate.

The local faith communities are a better resource than DHS to reach isolated faith-based communities and share information on Federal and local resources. If the information comes through word of mouth from a trusted faith-based community member, it will be received more effectively than coming directly from DHS. Thus, DHS should leverage the existing faith-based community network as an avenue to connect with FBOs and to distribute information about Federal and local resources.

FBOs can benefit from the multi-faith community as a resource to learn about security strategies, share best practices, cultivate relationships, and host training. Local collaboration with other FBOs can allow a better understanding of the threat and more effective mitigation of risks. For example, in Salt Lake City, Utah, the Church of Jesus Christ of Latter-day Saints maintains a robust security organization to address their needs locally and in their facilitates throughout the country. This faith community is extremely active in providing resources and training for both law enforcement and local FBOs. FBO resources offered include training, risk assessments, and information about security guidelines. Similarly, individuals at the Poway Synagogue were willing to help other FBOs secure their premises.

The multi-faith network can also provide immediate support to places of worship in the aftermath of attacks. For example, the Dar al Farooq mosque in Bloomington, Minnesota was extremely isolated before it was attacked in 2017. After receiving support from the multi-faith community, Dar al Farooq is now one of the most active mosques in the state. Similarly, the multi-faith community showed solidarity with the Escondido Mosque after an arson attack and with the Poway Synagogue after a shooting. Both organizations were extremely appreciative of public support. Additionally, interaction between faiths can help members facilitate conversations and overcome prejudices. A member of the Poway Synagogue recounted how the multi-faith support after the attack inspired him to overcome the anti-Islamic sentiments he held since 9/11 by visiting a local mosque and offering help.

Recommendations:

- FBOs become involved with the multi-faith community and the community at large.
- DHS utilize existing faith-based community networks as an avenue to distribute information about Federal resources.
- FBOs promote local working groups consisting of the various FBOs in individual communities across the country. This will provide the faith-based community with a venue to meet, discuss, and determine best practices in dealing with and mitigating threats.

Steps Individual FBOs Can Take to Enhance Security

Finding:

Securing a congregation is a bottom-up process, and there are no one-size-fits-all security plans. While each place of worship will need to create a system that suits its individual resources, culture, and comfort level, there are concrete steps FBOs can take to enhance security.

Background:

The HSAC Subcommittee wrote in 2012 that “FBOs are encouraged to designate a security point of contact within their community and communicate who that person is with the designated DHS point of contact.” Based on the Subcommittee’s observations at recent site visits to various FBOs across the country, this previous recommendation has largely not been implemented. The Subcommittee has seen progress regarding this recommendation with larger FBOs, but there is a lot of opportunity for growth in medium and smaller sized FBOs.

The community is the first line of defense. An alert and vigilant congregation that is educated to identify and report troubling behaviors is the best defense against attacks. Training is the first step in protecting and defending congregants. Faith leaders can educate congregations on identifying inflammatory “red flags” or concerning posts on social media.

Additionally, the most secure faith-based communities are proactive in seeking government assistance and take responsibility for assuming the initiative in providing for their own security. In part, such communities have learned from tragic history that they need to prepare themselves to be the first responders when disaster strikes. The Jewish community supports organizations such as the Secure Communities Network, and denominational bodies such as the Union of Orthodox Jewish Congregations assists members with seeking security resources; the Christian community supports the Christian Emergency Network. The Sikh community has also become much better organized in the wake of the Oak Creek shootings. To our knowledge, no similarly effective information-sharing platform exists to share information amongst different faith groups including but not limited to Buddhists, Hindus, Muslims, and Sikhs.

Recommendations:

- FBOs build a basic low-cost security plan and seek state and/or Federal funding to implement cameras.
- FBOs utilize the expertise of active or retired law enforcement, military, or security personnel in their congregation.
- FBO leadership and security teams develop working relationships with local law enforcement to proactively improve security and to provide and receive threat information.
- Faith leaders encourage congregation members to share security concerns and threats to their congregation with FBO leaders or security personnel. Security personnel should then address the concerns or report the information to law enforcement.

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Evaluating the Adverse Impacts that Violent Extremists and Domestic Terrorists, Including Those Inspired by Violent White Supremacy Ideologies, Have on Faith-Based and Other Vulnerable Communities

Tasking Four - Evaluating the adverse impacts that violent extremists and domestic terrorists, including those inspired by violent white supremacy ideologies, have on faith-based and other vulnerable communities. Explore the key factors (such as social media and other influencers) that violent extremists are exploiting to promote, promulgate, and in some cases, galvanize violent attacks against faith-based organizations. What more can be done by the Department to prevent these attacks and increase community resistance to mobilization to violence, and what are the best practices and lessons learned for consideration?

Background

On August 13, 2019, in Jackson, Mississippi, then-Acting Secretary Kevin K. McAleenan delivered the fourth tasking to the Homeland Security Advisory Council (HSAC) at a public forum of HSAC's Subcommittee for the Prevention of Targeted Violence Against Faith-Based Communities.

Introduction

The adverse impacts that violent extremists and domestic terrorists, including those inspired by white supremacist ideologies, are having on faith-based and other vulnerable communities, are difficult to overstate. From Oak Creek, Wisconsin to Whitefish, Montana, from Southern California to Sutherland, Texas, from Minneapolis to Pittsburgh, from Louisiana to South Carolina, targeted violent attacks against our faithful and the institutions they represent have struck at the very core of American freedoms, standing out not just for the escalating death toll, but for the cruelty of wounding and killing people at their most vulnerable, assembled for worship in American houses of worship. What was once unthinkable has become almost routine. The increasing influence of white supremacist ideologies in inspiring acts of domestic terror and targeted violence is, moreover, not a matter of political opinion, but a demonstrable fact.

Data from the University of Maryland's Global Terrorism Database indicates that terror attacks around the world have decreased each year since 2014, falling from about 17,000 in 2014 to about 9,600 in 2018.¹¹ These overall numbers can be misleading, however; while ISIS attacks are decreasing in the Middle East and elsewhere, the U.S. has seen a recent surge, as counterterrorism professionals say, directed by a more discernable and violent group of individuals allied with white supremacists, neo-

¹¹ UMD Global Terrorism Database. Fact Sheet: Global Terrorism in 2018.
https://www.start.umd.edu/pubs/START_GTD_TerrorismIn2018Overview_FactSheet_Oct2019.pdf

Nazis and other groups associated with similar beliefs.¹²

The attacks committed by white supremacist extremists against houses of worship have been committed by lone attackers, as opposed to organized groups or through a system of cells. There are, however, similarities to the attacks perpetrated by ISIS and other extremists. (1) They are radicalized and freely communicate as part of a wide-ranging movement. (2) The social media platforms and individuals that frequent and govern these sites have implemented a comprehensive transnational outlook similar to how ISIS inspired and connected with potential radical violent extremists abroad. (3) White supremacist extremists are now sharing manifestos, conspiracy theories, hate literature, and connecting daily with like-minded persons online.

Beyond the conventional social media platforms, white supremacists and other extremists are leveraging lesser-known sites like Gab, 8chan, and EndChan, as well as encrypted channels. Like violent extremists and other adherents to extremist ideologies, their tactic is to exploit the openness of the instrumentalities of freedom – in this case social media and the internet – to destroy freedom itself – in this case the foundational freedom of religious conscience.

Defining the Domestic Terrorism Threat

Findings:

In the wake of recent attacks on faith-based communities, some members of law enforcement have cited the absence of a domestic terrorism statute as hampering their efforts to track and prosecute domestic terrorist groups. This is further complicated by the inconsistencies between and among the various SLTT government entities on terms and definitions within their respective lexicons.

Background:

While the level of terrorist violence globally decreased for the fourth consecutive year in 2018, the United States has suffered an increase for the third consecutive year with 67 attacks, according to the Global Terrorism Database.¹³ This uptick in terrorist violence has been primarily driven by an increase in extremist attacks; ideological motivations have increased in variety, and there are now more perpetrator groups conducting attacks. Global Terrorism Database analysis indicates that six of

¹² Of the 263 domestic terrorism incidents occurring between 2010 and the end of 2017, 92 were committed by right-wing attackers, according to a Washington Post analysis of Global Terrorism Database information.

Source: *The Washington Post*. “In the United States, Right-Wing Violence is on the Rise.”

https://www.washingtonpost.com/national/in-the-united-states-right-wing-violence-is-on-the-rise/2018/11/25/61f7f24a-deb4-11e8-85df-7a6b4d25cfbb_story.html

Additionally, the Anti-Defamation League concluded in a 2019 report that 2018 was the fourth-deadliest year on record for domestic extremist-related killings since 1970.

Source: “Report from the Anti-Defamation League Center on Extremism: Murder and Extremism in the United States in 2018.” <https://www.adl.org/media/12480/downl>

¹³ National Consortium for the Study of Terrorism and Responses to Terrorism.

<https://www.start.umd.edu/news/global-terrorism-decreases-2018-recent-uptick-us-terrorist-attacks-was-sustained>

the terrorist attacks in the United States were lethal. All six of these attacks involved elements of far-right ideologies, primarily white supremacy.

In the last three years, unprecedented violent attacks targeted houses of worship both here and abroad in such places as Pittsburgh, Poway, and in the state of Texas. Dressed in black tactical-style gear and armed with an assault weapon, 26-year-old Devin Kelley opened fire at the First Baptist Church of Sutherland Springs, Texas, killing 26 people and wounding about 20 others in 2017. These tragic events, now baked into the history of contemporary America, represent a rapidly changing paradigm and a new age for domestic terrorism in the United States.

The Justice Department has reported that hate crimes in the country increased by 17 percent from 2016 to 2017, marking the third straight year where these crimes grew in number.¹⁴ According to the FBI Uniform Crime Reporting data released in November 2018, more than half of the hate crimes reported in 2017 were motivated by racial or ethnic bias, while anti-Semitic hate crimes jumped by 37 percent.

Existing Domestic Terrorism-Related Legislation:

In the wake of the Oklahoma City and Atlanta Olympic bombings in the mid-1990s, the U.S. Congress passed several laws intended to confront incidents of extremist domestic violence, credible and direct threats of violence, conspiracies, and attempts. Congress has enacted statutes related to more than 50 Federal domestic terrorism-related crimes, and a related prohibition on “material support” for domestic terrorism. Congress has also established a framework of hate crimes that law enforcement can use for violence targeting vulnerable communities. The FBI has also asserted expansive powers to investigate “domestic terrorism” under the Patriot Act.

Gaps in the Law:

Notwithstanding the existing framework, however, gaps do exist in the law. Law enforcement has been hampered in addressing the rise of white supremacist-inspired attacks by the inability to identify such attacks as acts of domestic terror. The absence of that category has led law enforcement to treat a number of attacks committed by white supremacist extremists as isolated, unconnected incidents. It has also rendered of extremely limited value the Uniform Crime Reporting and other reporting mechanisms, which may record similar events differently. In the absence of the ability to label white supremacist extremist attacks as acts of domestic terrorism, we have been informed by Federal law enforcement that they have been unable to avail themselves of resources dedicated to counterterrorism, such as additional personnel, training, and essential technologies. The extremists who commit violent acts against Houses of Worship and religious institutions will ultimately be indicted on different Federal charges — hate crimes or weapons possession.

Experts we have consulted inform us that designating homegrown groups as domestic terrorism organizations is highly problematic. The reason is grounded in our constitutional values. Law enforcement may not investigate or prosecute based on First Amendment-protected activity. This has left the American law enforcement community with few options other than to explore other avenues

¹⁴ Federal Bureau of Investigation. 2017 Hate Crimes Statistics Report. <https://ucr.fbi.gov/hate-crime/2017>

for prosecuting violent white supremacist extremist offenders through other means.

Notwithstanding these obstacles, the U.S. Department of Homeland Security and many law enforcement agencies across the nation have facilitated public education on vigilance, identifying suspicious activities and active shooter response. By investing in diverse programs to empower our citizens with knowledge and tools allows them to become force multipliers and active participants. However, as discussed in Tasking 2 above, challenges remain, and faith-based institutions do not fully understand what they should be reporting or how to report the information. In addition, little guidance or consideration is given to ensuring that faith-based community members are appropriately respecting the civil liberties of others when identifying suspicious activity. Currently, the quality of the messages being delivered by the Fusion Centers and PSAs to their faith-based communities remains disparate and sometimes simply incoherent. As a result, disseminating information concerning domestic terrorism threats and risks to communities remain a challenge.

Adopting a Domestic Terrorism Statute:

The Domestic Terrorism Prevention Act of 2019, if enacted, would authorize domestic terrorism offices and units within the Department of Homeland Security, Justice Department and the FBI, require Federal law enforcement agencies to regularly assess extremist threats, and provide resources to assist state and local law enforcement to reduce these threats.

The Domestic Terrorism DATA Act, “which focuses on increasing the coordination, accountability, and transparency of the Federal government in collecting and recording data on domestic terrorism, and the No Hate Act — which seeks to “improve local and state hate crime training, prevention, best practices, and data collection initiatives,” – are intended to enable law enforcement to address the rise of extremist groups and the proliferation of their propaganda. Currently, the primary law criminalizing “material support” for terrorism does not apply to investigations or prosecutions when focused on violent white supremacists acting as domestic terrorists. Terms and definitions for domestic violent extremism, white supremacy and white supremacist activity, and domestic terrorism and terrorist activity lack the level of clarity necessary for all parties to act from a common basis. The failure to pass a statute has resulted from constitutional concerns. We recognize that criminalizing purely domestic associative activity raises legitimate constitutional concerns over rights to freedom of speech and association and potential discrimination. We believe that domestic terrorist groups, much like other domestic groups engaged in organized criminal activity such as the mob, La Cosa Nostra, or certain motorcycle gangs, can be prosecuted under the Racketeer-Influenced Corrupt Organizations (“RICO”) and other statutes.

There is no question, however, that law enforcement has been hampered by the failure to define and monitor acts of domestic terrorism. Such acts should be included in the FBI’s annual Uniform Crime Reports. Combatting such acts should be a top law enforcement priority. We believe that a statute defining such acts and providing funds for monitoring the acts can assist law enforcement in ordering its priorities without compromising constitutional values.

Support for the passage of a domestic terrorism statute comes from both the FBO as well as some in the Homeland Security community.

Jared Maples, the Executive Director of the New Jersey Office of Homeland Security & Preparedness stated:

“Bipartisan congressional support of a domestic terrorism statute sends a strong message to violent extremists that our law enforcement community will have the necessary resources to combat threats of extreme hate with the same veracity as those inspired by foreign terrorist organizations. A rise in recruitment efforts and hate-based rhetoric has inspired racially motivated mass violence over the past few years. Individuals with blended and misguided grievances are susceptible to influences of like-minded extremists online, and they have carried out attacks against certain religious and ethnic groups they perceive as their enemies. The shift from inspiration to mobilization can be quick, and attack methods to carry out these atrocities require little or no tactical training.

This alarming and complex trend will not decline by continuing to address domestic threats with the same tools we have used in the past. The New Jersey Office of Homeland Security and Preparedness (NJOHSP) believes a domestic terrorism statute is a critical first step to efficiently and effectively combat this emerging threat head-on.”

Legislative Recommendations:

- Congress work with DHS and DOJ to pass a statute defining such acts and providing funds for monitoring the acts which will assist law enforcement in ordering its priorities without compromising constitutional values.

Recommendations for DHS:

- DHS recommend to the NSC that the Domestic Terrorism Executive Committee (DTEC), an interagency task force, originally established in response to the Oklahoma City bombing, should be made permanent.
- Congress, working with DHS and DOJ, encourage cooperation between Federal, State, local, and Tribal law enforcement to monitor, understand, investigate, and prosecute acts of domestic terrorism through intelligence sharing requirements.
- DHS work with DOJ, Congress, FBOs, and concerned civil rights and civil liberties groups to define¹⁵ and provide funding to monitor acts of domestic terrorism.
- DHS be guided by the Strategic Framework, attached to this Report as Appendix 3, adopted by then-Acting Secretary Kevin McAleenan for countering targeted violence directed at faith-based and other vulnerable communities.
- DHS lead an interagency effort to coordinate all terms associated with these matters to ensure consistency across the Federal government and among SLTT government entities.

¹⁵ This is further complicated by the inconsistencies between and among the various SLTT government entities on terms and definitions within their respective lexicons.

Online Activity and Extremism

Finding:

State and local law enforcement personnel across the nation expressed concern about their inability to effectively respond to online threats.

This inability is due to the lack of knowledge among law enforcement personnel, but also due to lack of manpower, as many rural police departments suffer from declining recruitment.

Background:

During nearly every site visit, state, local, tribal, and territorial (SLTT) law enforcement personnel described the need for awareness of threatening online activity. As one police officer from a rural county told the Subcommittee, “We know that people are posting threats online, and we know that information about future attacks could be posted online, but we just don’t have the ability to see it.” The dilemma, the officer added, is that “one officer sitting at a computer monitoring the internet is one less officer on the street.”

American youth, who are comfortable with communicating in the social media environment, have become prime targets for radicalization. White supremacist violent extremists have developed an extensive presence on the internet through messaging platforms and online images, videos, and publications, which facilitate groups’ abilities to radicalize and recruit individuals receptive to extremist messaging and propaganda.

In today’s social media environment, it has been observed that online radicalization has often surpassed ISIS type propaganda and recruitment. The accessibility of extremist information facilitates indoctrination, particularly on social media platforms where tech companies long ignored the warning signs that their platforms were contributing to the radicalization of far-right extremists.

This remains a persistent challenge for law enforcement and other international security services. Due to the First Amendment, social media giants have been reluctant to ban extremist white supremacists in the United States. Social media platforms have broad latitude, each establishing its own standards for content and methods of enforcement. Their broad discretion stems from the Communications Decency Act. The 1996 law exempts tech platforms from liability for actionable speech by their users. Magazines and television networks, for example, can be sued for publishing defamatory information they know to be false; social media platforms cannot be found similarly liable for the content they host.

Recommendations:

- The Director make funding decisions on all matters related to Departmental faith-based priorities. (e.g., Subcommittee recommendation).
- The Director consult with the faith-based advisory council on funding decisions.
- DHS increase funding and/or training to SLTT law enforcement to facilitate understanding of the online threat landscape and improve capacity to monitor and address online threat information.