



Department of Justice

STATEMENT OF

**BRAD WIEGMANN
DEPUTY ASSISTANT ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

BEFORE THE

COMMITTEE ON APPROPRIATIONS

**SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE
AND RELATED AGENCIES**

U.S. HOUSE OF REPRESENTATIVES

AT A HEARING ENTITLED

**“VIOLENT EXTREMISM AND DOMESTIC TERRORISM IN AMERICA:
THE ROLE AND RESPONSE OF THE DEPARTMENT OF JUSTICE”**

PRESENTED

APRIL 29, 2021

**STATEMENT OF
BRAD WIEGMANN
DEPUTY ASSISTANT ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

**BEFORE THE
COMMITTEE ON APPROPRIATIONS
SUBCOMMITTEE ON COMMERCE, JUSTICE, SCIENCE
AND RELATED AGENCIES**

U. S. HOUSE OF REPRESENTATIVES

AT A HEARING ENTITLED

**“VIOLENT EXTREMISM AND DOMESTIC TERRORISM IN AMERICA:
THE ROLE AND RESPONSE OF THE DEPARTMENT OF JUSTICE”**

APRIL 29, 2021

Good morning Chairman Cartwright, Ranking Member Aderholt, and distinguished Members of the Subcommittee, and thank you for the opportunity to testify on behalf of the Department of Justice. Protecting the American people from terrorism and other national security threats has long been the top priority of the Department. This includes protecting against both international and domestic terrorism.

As the events of January 6th have underscored, domestic terrorism continues to pose a significant threat to the public and the rule of law. The violence at our nation’s Capitol was an intolerable assault on a fundamental institution of our democracy. The shocking violence and destruction of property showed an appalling disregard for our institutions of government, the orderly administration of the democratic process, and the safety of legislators, law enforcement officials, and the public.

Since the Capitol attack, the Department of Justice and the Federal Bureau of Investigation (“FBI”) have launched an extraordinary effort to hold accountable all who engaged in criminal acts at the Capitol on that day. The FBI has opened hundreds of investigations related to the breach of the U.S. Capitol, identified several hundred persons of interest, and made over 400 arrests and that number continues to grow. The investigations span almost the entire country, and agents and prosecutors in multiple States are a vital part of it. The prosecution efforts are being led by the United States Attorney’s Office for the District of Columbia (“USAO-DC”), where the events occurred. The USAO-DC is being assisted by the National Security Division’s Counterterrorism Section and other attorneys from across the Department. Charges include assaulting, resisting or impeding federal officers in violation of 18 U.S.C. § 111; obstructing law enforcement officers incident to commission of a civil disorder in violation of 18 U.S.C. § 231; obstruction of official proceedings in violation of 18 U.S.C. § 1512; unlawful entry on restricted grounds in violation of 18 U.S.C. § 1752; theft

of government property in violation of 18 U.S.C. § 641; illegal possession of a destructive device in violation of 26 U.S.C. § 5861; and conspiracy to commit an offense against the United States in violation of 18 U.S.C. § 371. These offenses carry significant maximum sentences, and several charged defendants have been ordered to be detained pending trial. As the investigation continues, and as sufficient additional evidence is gathered and other criminal perpetrators are identified, we will continue to charge additional defendants with offenses relating to the events of January 6th. The unprecedented speed and scale of the Department's response to these attacks is evidence of the Department's strong commitment to combatting domestic terrorism.

Unfortunately, the January 6th attack was not an isolated incident of domestic terrorism. The FBI has recently assessed that our country faces an elevated threat of violence from domestic violent extremists, some of whom may have been emboldened by the Capitol attack. We have also recently witnessed efforts to intimidate or terrorize members of our communities based only on who they are and what they look like, as has been the case with some horrific recent attacks directed at Asian Americans. The Department, including the FBI, is fully supporting State and local investigations into those attacks, while independently assessing the motivations of the attackers to determine whether such attacks involved federal hate crimes. Whether motivated by racism, an anti-government or anti-authority animus, or social or political grievances, domestic violent extremists will likely continue to pose a serious threat to public safety for the foreseeable future.

In the United States, espousing an extremist ideology is not a crime, nor is expressing hateful views or associating with hateful groups. But where an individual tries to impose or promote an ideology through acts of violence, often on a mass scale, those acts can be among the most serious crimes we confront as a society. At the Department of Justice, we are committed to protecting all Americans from such attacks, regardless of the motivation. No matter who is behind the violence and intimidation, we will use every tool at our disposal to deter and disrupt domestic terrorists and bring them to justice.

The FBI is the lead federal agency for investigating domestic terrorist threats. In my testimony today, I will focus first on how the Department of Justice are organized to handle domestic terrorism cases, working in close collaboration with the FBI. I will then describe the legal authorities we rely on in prosecuting domestic terrorists. Finally, I will explain how we have used those authorities in some of our recent cases.

I.

The Department of Justice uses all of the tools at its disposal — including the authorities exercised by the U.S. Attorney's Offices, the National Security Division, the Civil Rights Division, the Tax Division, the Criminal Division, and other components — to take a whole-of-Department approach to combatting domestic terrorism.

On the front lines of our efforts to prosecute domestic terrorism as well as international terrorism are our 94 U.S. Attorney's Offices. Each U.S. Attorney's Office coordinates a group of federal, State, and local law enforcement in the district, called the Anti-Terrorism Advisory

Council (“ATAC”). The ATAC works in close partnership with its corresponding FBI Joint Terrorism Task Force (“JTTF”) in each FBI field office across the country. The ATACs, in conjunction with the JTTFs, promote training and information-sharing among federal, State, and local law enforcement, as well as private sector partners, in matters relating to terrorism, both international and domestic. This training and information-sharing is critical because there are many more local law enforcement officers on the ground than there are federal agents, and they may be the first to come across individuals planning terrorist acts within their communities. We thus often have federal, State, and local officials evaluating the same threats, including assessing whether federal or State charges are available to disrupt them, with the goal being the prevention of terrorist attacks before they occur. Each U.S. Attorney’s Office has also designated a senior prosecutor to serve as the National Security/ATAC Coordinator. The National Security/ATAC Coordinator serves as the lead counterterrorism prosecutor for the district as well as the primary point of contact for the Department on terrorism matters. Many U.S. Attorneys’ Offices have also designated National Security Sections or Units within the office that are specifically focused on counterterrorism and other national security matters. The National Security/ATAC Coordinator and other national security prosecutors in the U.S. Attorney’s Offices are specially trained in domestic and international terrorism matters and work closely with the JTTFs to investigate and prosecute terrorism matters.

At Main Justice here in Washington, the National Security Division (“NSD”) was created in 2006 to integrate, coordinate, and advance the Department’s counterterrorism and other national security work nationwide. The National Security Division has a Counterterrorism Section with more than 35 attorneys, all of whom are equipped to work on both domestic and international terrorism cases in concert with U.S. Attorney’s Offices. Those NSD attorneys include a Counsel for Domestic Terrorism and four domestic terrorism coordinators who focus on domestic terrorism cases and regularly coordinate with the FBI’s Domestic Terrorism Operations Section. Our National Security Division is closely connected with the U.S. Attorney’s Offices around the country for purposes of all terrorism matters. The Department has recently issued a memorandum to all federal prosecutors that provides “Guidance Regarding Investigations and Cases Related to Domestic Violent Extremism.” The memorandum stresses the need for coordination and consistency across the Department in holding accountable domestic violent extremists who engaged in criminal conduct, explaining that in order to do so, the Department must have the ability to identify and internally track investigations and prosecutions involving conduct related to domestic violent extremism. Accordingly, the memorandum establishes a new, expanded notification requirement for Department trial attorneys for investigations and cases with a nexus to domestic violent extremism. NSD attorneys serve as important resources and partners in litigating legal issues and can also participate actively as co-prosecutors. Domestic terrorism cases share a core of practice, including common motions and defenses, which makes these attorneys’ experience invaluable.

In addition, other divisions of the Department play an important role in countering domestic terrorism. The Civil Rights Division, for example, is responsible for overseeing the prosecution of hate crimes, some of which may also qualify as acts of domestic terrorism. Anti-government extremists who are engaged in domestic terrorism sometimes refuse to pay taxes. The Tax Division is responsible for overseeing prosecution of tax offenses committed by such

individuals. The Criminal Division also plays a vital role in some domestic terrorism prosecutions, particularly when cases are in the courts of appeal and in the Supreme Court.

The Department's efforts also include supporting an interagency, whole-of-government approach to combatting domestic terrorism. For example, the Department coordinates a Domestic Terrorism Executive Committee ("DTEC") that includes representatives of the U.S. Attorney's Offices, the National Security Division, other divisions of Main Justice, the FBI, the Department of Homeland Security ("DHS"), and other law enforcement agencies. The DTEC provides a national-level forum for information-sharing at the leadership level on domestic terrorism matters. The Department of Justice, DHS, and the Office of the Director of National Intelligence recently released an unclassified summary of a joint comprehensive threat assessment on domestic violent extremism. Additionally, the Department is currently participating in a 100-day interagency assessment of our efforts to counter domestic violent extremism, as called for by President Biden. Extensive collaboration within the Department, the whole federal government, and the nationwide law enforcement community requires a significant investment of resources, but ultimately is vital to addressing the threat from domestic terrorism.

In terms of resource allocation, in FY 2021, the FBI has proposed redirecting \$21.6 million and 135 positions (including 67 Special Agents) to address the surge in overall domestic terrorism cases.

Additionally, while the President's Budget request for FY 2022 has not yet been released, the President's request for FY 2022 discretionary funding, which was released in April of this year, provides an additional \$101 million to address the rising threat of domestic terrorism, while respecting civil rights and civil liberties. This increase includes \$45 million for the FBI for domestic terrorism investigations, \$40 million for the U.S. Attorneys to manage increasing domestic terrorism caseloads, \$12 million for additional response capabilities at the United States Marshals Service, and \$4 million to the National Institute of Justice to support research on domestic terrorism threats.

II.

A.

The Department of Justice has prosecuted individuals whose conduct involves domestic terrorism or a threat thereof using a range of criminal statutes. These include weapons charges, *e.g.*, 18 U.S.C. §§ 922, 924; charges relating to use or possession of explosives, *e.g.*, 26 U.S.C. §§ 5845, 5861; threat, hoax, or riot charges, *e.g.*, 18 U.S.C. §§ 871, 875, 876, 1038, 2101; and charges proscribing attacks on federal officials or facilities, *e.g.*, *id.* §§ 111, 115, 351, 844, 930, 1114, 1361, 1751. Hate crimes charges, *e.g.*, *id.* §§ 245, 247, 249, and 42 U.S.C. § 3631; may be appropriate where individuals engage in domestic terrorism that is motivated by biases against a race, religion, ethnicity, or other specified factors. Arson, *id.* § 844, or specific charges relating to violence against animal enterprises, *id.* § 43, may apply to eco-terrorists or animal rights terrorists. Moreover, several statutes reach conduct that may be associated with terrorism, without regard to whether the offense itself involves domestic or international

terrorism. These include statutes relating to aircraft sabotage, 18 U.S.C. § 32; weapons of mass destruction, *e.g., id.* §§ 175, 175b, 175c, 229, 831, 832, 2332a, 2332h, 2332i; arson and bombing of federal property, *e.g., id.* §§ 844, 2332a, 2332f; and causing injury or death to a federal official, *e.g. id.* §§ 111, 115, 351, 1114, 1751; among others. And it is a crime to provide material support or resources to another knowing or intending that they be used in preparation for or carrying out certain terrorism-related offenses. *Id.* § 2339A.

We also work closely with our State and local partners to confront domestic terrorism. Some cases of domestic terrorism do not involve violations of federal law, but are prosecuted by State and local authorities under State law. Other cases may involve violations of both federal law and State law, and the State charge, in some circumstances, may be the most effective way to prosecute an individual. In those circumstances, we support our State and local partners in any way we can.

It is important to emphasize that we prosecute domestic terrorists for their criminal acts, not for their beliefs or based on their associations. In fighting domestic terrorism, we respect the constitutional rights of freedom of speech, association, and assembly of all Americans. The FBI opens cases on suspected criminal violations, not ideologies. The FBI may not investigate solely on the basis of First Amendment-protected activity.

B.

The federal criminal code also includes a definition of “domestic terrorism” that enhances our authority in cases involving this conduct. The definition covers activities that—

(A) involve acts dangerous to human life that are a violation of the criminal laws of the United States or of any State;

(B) appear to be intended—

(i) to intimidate or coerce a civilian population;

(ii) to influence the policy of a government by intimidation or coercion; or

(iii) to affect the conduct of a government by mass destruction, assassination, or kidnapping; and

(C) occur primarily within the territorial jurisdiction of the United States[.]
18 U.S.C. § 2331(5).

Where incorporated into other authorities, this definition provides us with an array of expanded investigative tools and sentencing enhancements in domestic terrorism matters:

- Judges can issue nationwide search warrants in cases involving domestic terrorism, just as they are authorized to do in cases involving international terrorism. Typically, judges can only issue warrants pertaining to their districts.

This expanded authority reduces delays and burdens on investigations with regional or national scope. Fed. R. Crim. P. 41(b)(3).

- Judges may grant orders giving investigators greater access to certain educational and taxpayer records in domestic and international terrorism investigations. 20 U.S.C. §§ 1232g(j)(1)(A), 9573(e); 26 U.S.C. § 6103(i)(7)(C).
- Investigative and law enforcement officers have additional authority to share intercepted communications and derivative evidence, including with appropriate federal, State, local, or foreign officials, when disclosing information revealing a threat of terrorism, including domestic terrorism. *See* 18 U.S.C. § 2517(8).
- Government attorneys also have additional authority to share grand-jury matter, including with appropriate federal, State, local, or foreign officials, when disclosing information to prevent or respond to a threat of terrorism, including domestic terrorism. *See* Fed. R. Crim.P. 6(e)(3)(D).
- Some statutes, particularly ones relating to conduct that impedes our investigations, carry enhanced statutory maximums if the offense involves or is intended to facilitate domestic or international terrorism. *See, e.g.*, 18 U.S.C. § 1001 (material false statements); *id.* § 1505 (obstruction of justice); *id.* § 1028 (fraudulent identification); *cf. id.* § 226 (including definition within an element of the offense for bribery affecting port security).

In addition, the federal criminal code contains a definition of “Federal crime of terrorism,” to mean an offense that “is calculated to influence or affect the conduct of government by intimidation or coercion, or to retaliate against government conduct,” and violates one of the enumerated statutes prohibiting terrorism-related offenses, such as statutes related to weapons of mass destruction. 18 U.S.C. § 2332b(g)(5). That definition includes domestic as well as international terrorism. It enhances our authority with respect to investigations, detention, sentencing, and supervised release. Congress has extended the statute of limitations, *id.* § 3286, and created a rebuttable presumption of pretrial detention for the offenses listed in the definition of “Federal crime of terrorism,” *id.* § 3142(e)(3), better empowering the government to protect the public and hold individuals accountable for those criminal activities. The Sentencing Guidelines then provide a significant sentencing enhancement for offenses that involve, or are intended to promote, a “federal crime of terrorism”—often increasing the guideline range to the statutory maximum. *See* USSG § 3A1.4. The Sentencing Guidelines also provide for a similar upward departure for other offenses that were calculated to influence or affect the conduct of government by intimidation or coercion, to retaliate against government conduct, or to intimidate or coerce a civilian population. *See id.* cmt. n.4. Further, once a sentence has been served, Congress has authorized lifetime supervised release for the offenses listed in the definition of “Federal crime of terrorism,” *see* 18 U.S.C. § 3583(j), which helps to prevent recidivism.

III.

As noted above, the Department's goal is to stop terrorist attacks before they occur, and to bring the perpetrators of such attacks to justice. While we do not always succeed in preventing attacks, we will use whatever legal authorities are available in support of this objective.

Our U.S. Attorney's Offices, Criminal Division, and National Security Division have worked together in recent cases to bring charges under a variety of terrorism-related statutes, including ones prohibiting weapons of mass destruction. In several, we have disrupted, prosecuted, and convicted domestic terrorists before violence occurred:

- Jerry Varnell was arrested in August 2017 after trying to detonate an inoperable Vehicle Borne Explosive Device at the BancFirst building in downtown Oklahoma City to send an anti-government message. He was indicted for attempting to use a weapon of mass destruction, in violation of 18 U.S.C. § 2332a, and attempting to destroy by fire or explosive a property used in interstate commerce, in violation of 18 U.S.C. § 844(i). Varnell was convicted on both counts in February 2019, and, in March 2020, was sentenced to 25 years in prison.
- Cesar Sayoc was arrested in October 2018 for mailing 16 improvised explosive devices to 13 victims throughout the United States, including Democratic politicians and a media outlet. He was charged in the Southern District of New York with use of a weapon of mass destruction, in violation of 18 U.S.C. § 2332a; interstate transportation of explosives, in violation of 18 U.S.C. § 844(d); threatening interstate communications, in violation of 18 U.S.C. § 875(c); illegal mailing of explosives, in violation of 18 U.S.C. § 1716(j)(2); and use of explosives to commit a felony, in violation of 18 U.S.C. § 844(h). Sayoc pleaded guilty to 65 counts in March 2019, and, in August 2019, was sentenced to 20 years in prison.
- Christopher Hasson was arrested in February 2019, on four federal charges, including unlawful possession of unregistered silencers, unlawful possession of firearm silencers unidentified by serial number, possession of firearms by an addict to and unlawful user of a controlled substance, and possession of a controlled substance. According to his plea agreement, Hasson was a Lieutenant in the United States Coast Guard. As detailed in the Government's sentencing memo, Hasson self-identified as a "White Nationalist" for over 30 years and in writings advocated for "focused violence" in order to establish a white homeland. Review of Hasson's e-mail accounts, saved documents, text messages, and Internet searches show that he was inspired by racist murderers, stockpiled assault weapons, studied violence, and intended to exact retribution on minorities and those he considered traitors. In January 2020, Hasson was sentenced in the District of Maryland to 160 months in prison, followed by four years of supervised release.
- Jarrett Smith was arrested in September 2019, on charges of unlawfully distributing instructions for making explosive devices over social media while he was a member of the U.S. Army. The FBI received information that Smith gave out guidance to

others on how to construct improvised explosive devices. He spoke to others on social media about wanting to travel to Ukraine to fight with a violent, far-right military group. In February 2020, Smith pleaded guilty to two counts of distributing information related to explosives, destructive devices and weapons of mass destruction, and, in August 2020, Smith was sentenced in the District of Kansas to 30 months in prison, followed by 3 years of supervised release.

We continue to work on pending domestic terrorism cases as well:

- William Allen was arrested in October 2018 for allegedly sending threatening letters to the President, Secretary of Defense, Director of the CIA, Director of the FBI, Secretary of the Air Force, and Chief of Naval Operations. He was indicted in the District of Utah for threatening to use a biological toxin (ricin) as a weapon, in violation of 18 U.S.C. § 175(a); mailing a threat against the President, in violation of 18 U.S.C. § 871(a), and mailing threatening communications to an officer or an employee of the United States, in violation of 18 U.S.C. § 876(c).
- In late 2018, Robert Rundo, Robert Boman, Tyler Laube, and Aaron Eason were indicted in the Central District of California for rioting, in violation of 18 U.S.C. § 2101, and conspiring to riot, in violation of 18 U.S.C. § 371. Benjamin Daley, Thomas Gillen, Michael Miselis, and Cole White were indicted in the Western District of Virginia in connection with the same conduct. The defendants are purported members of the white supremacist group “Rise Above Movement,” and are alleged to have assaulted multiple people at political rallies, including at the Unite the Right rally in Charlottesville, Virginia. Some have pleaded guilty, and several have been sentenced, including Daley (37 months in prison), Gillen (33 months), Miselis (27 months), and White (14 months).
- Joseph Dibee, an alleged environmental extremist and member of a group known as “The Family,” was indicted in 2006, along with 12 co-conspirators in California, Oregon, and Washington. “The Family” has been linked to over 40 criminal acts and \$45 million in property damage. Dibee was charged with arson, conspiracy to commit arson, conspiracy to destroy an energy facility, and other offenses, in violation of 18 U.S.C. §§ 371, 844(f), (i), (n), 924(c), and 1366. He was returned from Cuba to the United States in August 2018, and his trial is set for June 2021.
- On February 26, 2020, four racially motivated violent extremists, members of the neo-Nazi group “Atomwaffen Division,” were arrested and charged in Seattle with a conspiracy to threaten and intimidate journalists and activists. The defendants included Cameron Brandon Shea, Kaleb Cole, Taylor Parker-Dipeppe, and Johnny Garza. Garza pleaded guilty and, in December 2020, was sentenced in the Western District of Washington to 16 months in prison. Parker-Dipeppe pleaded guilty as well and was sentenced in March 2021 to time served followed by 3 years of supervised release. Shea pleaded guilty in April 2021, and his sentencing is scheduled for June 2021. Cole is scheduled to go to trial in September 2021.

- On June 22, 2020, Ethan Melzer was charged in the Southern District of New York with allegedly planning an attack on his U.S. Army unit by sending sensitive details about the unit – including information about its location, movements, and security – to members of an extremist organization named “Order of the Nine Angles (O9A),” an occult-based neo-Nazi and white supremacist group. No trial date has been set.
- On June 6, 2020, Santa Cruz County (California) sheriff’s deputies attempted to arrest Steven Carrillo at his home for the May 29 murder of a security guard at a federal courthouse. Carrillo allegedly ambushed the officers with gunfire and improvised explosives, killing Sergeant Damon Gutzwiller and seriously wounding two others. Carrillo was eventually arrested and charged with multiple felonies, including murder, multiple counts of attempted murder, and explosives charges. Carrillo is allegedly associated with the anti-government “boogaloo” movement. A trial date has not yet been set.
- On October 8, 2020, six men were arrested and charged federally with conspiring to kidnap the Governor of Michigan, Gretchen Whitmer. According to the federal criminal complaint, Adam Fox, Barry Croft, Ty Garbin, Kaleb Franks, Daniel Harris, and Brandon Caserta conspired to kidnap the Governor from her vacation home in the Western District of Michigan. Garbin pleaded guilty on January 27, 2021, and scheduled to be sentenced in July 2021. Trial for the remaining five defendants is set for October 2021

In addition, the Department’s Civil Rights Division has worked with U.S. Attorney’s Offices, the Criminal Division, and the National Security Division to pursue domestic terrorism cases involving hate crimes or violations of civil rights statutes, including some of the most serious attacks in recent years:

- In June 2015, Dylann Roof killed nine African-American parishioners engaged in religious worship and Bible study at Emmanuel African Methodist Episcopal Church in Charleston, South Carolina. In December 2016, he was convicted of 33 counts of federal hate crimes, civil rights, and firearms charges, including nine capital counts of obstruction of exercise of religion resulting in death, in violation of 18 U.S.C. § 247, and nine capital counts of use of a firearm to commit murder during and in relation to a federal crime of violence, in violation of 18 U.S.C. § 924. In January 2017, the jury sentenced Roof to death on all 18 capital counts. The sentence of death has been imposed by the court but not yet carried out.
- In 2016, Curtis Allen, Patrick Stein, and Gavin Wright were arrested for plotting to attack an apartment complex and mosque used by Somali immigrants in Kansas. In 2018, they were convicted of conspiracy to use a weapon of mass destruction, in violation of 18 U.S.C. § 2332a — a terrorism-related offense — as well as conspiracy to violate the housing rights of their victims, in violation of 18 U.S.C. § 241. They received sentences of between 25 and 30 years imprisonment.

- In August 2017, James Fields Jr. intentionally drove a car into a diverse crowd of counter-protestors at the Unite the Right rally in Charlottesville, Virginia, killing one woman and injuring dozens. In March 2019, he pleaded guilty to one count of a hate crime act that resulted in death and 28 other hate crimes charges, all in violation of 18 U.S.C. § 249. In June 2019, he was sentenced to life imprisonment.
- In October 2018, Robert Bowers killed 11 Jewish congregants gathered to engage in religious worship at the Tree of Life Synagogue in Pittsburgh, Pennsylvania, according to the indictment. Bowers has been indicted with 63 counts of hate crimes and firearm offenses, including 11 counts of obstruction of free exercise of religious beliefs resulting in death, in violation of 18 U.S.C. § 247, and 11 counts of use and discharge of a firearm to commit murder during and in relation to a crime of violence, in violation of 18 U.S.C. § 924. He faces a maximum penalty of death.
- In August 2019, Patrick Crusius allegedly shot and killed 23 and injured several others at a retail store in El Paso, Texas, reportedly targeting Hispanic victims. The individual's alleged manifesto, "The Inconvenient Truth," stated, "This attack is a response to the Hispanic invasion of Texas." In his manifesto, Crusius cited inspiration from Brenton Tarrant, who conducted a like-minded ideological attack killing 51 people in Christchurch, New Zealand, in March 2019. Crusius has been indicted on a total of 90 counts, including 23 counts of hate crimes resulting in death, carrying a maximum penalty of death or life imprisonment. His trial date is pending.
- On February 26, 2021, Richard Holzer was sentenced to over 19 years in prison, followed by 15 years of supervised release. Holzer previously pleaded guilty to federal hate crime and explosives charges for plotting to blow up the Temple Emanuel Synagogue in Pueblo, Colorado, conduct that constituted acts of domestic terrorism. Holzer told undercover FBI agents that he wanted the bombing to send a message to Jewish people that they must leave his town, "otherwise people will die."

The Department also supports efforts to prosecute domestic terrorists under State and local laws. For example, in 2013, the Department secured the first conviction under the District of Columbia's Anti-Terrorism Act. Floyd Corkins was charged for an attempted shooting at the Family Research Council. He was motivated by his disagreement with the organization's stance against gay marriage. He was sentenced to 25 years in prison. Our State and local partners have been successful in prosecuting domestic terrorism cases, too. For example, in January 2019, James Jackson pleaded guilty to murder, terrorism, hate crimes, and weapons offenses under New York law, relating to a racially motivated stabbing of an African-American man. In February 2019, he was sentenced to life in prison.

Some domestic terrorists never get prosecuted because they die in the course of their attack. In June 2017, James Hodgkinson wounded four people at a congressional baseball practice, including House Majority Whip Steve Scalise. In July 2019, Willem van Spronsen set fire to a detention center and a vehicle using improvised incendiary devices in Tacoma, Washington. In December 2019, David Anderson and Francine Graham fatally shot a local law

enforcement officer at a cemetery in New Jersey, and then targeted a nearby kosher supermarket, where the subjects killed three individuals and injured several others. In August 2020, Michael Reinoehl, an antifa activist, killed a person during a protest in downtown Portland, Oregon. Reinoehl was charged with second-degree murder and unlawful use of a weapon but refused to turn himself in after the fatal shooting and became a fugitive. In each of these cases, the perpetrators died before they could be prosecuted, but the Department's role continued. When domestic terrorists are killed during their attacks, the Department's Main Justice divisions and U.S. Attorney's Offices will assist the FBI and other law enforcement to run down possible leads, including any domestic co-conspirators or copycats planning further acts of violence.

Domestic terrorism presents an evolving and persistent threat, and it can be motivated by a wide variety of different ideologies and beliefs, as the foregoing cases demonstrate. As the FBI Director has recently explained, the top threat we currently face from domestic violent extremists continues to be those we identify as racially or ethnically motivated violent extremists, the majority of whom advocate for the superiority of the white race. We have also seen an increase in lethal DVE attacks perpetrated by anti-government or anti-authority violent extremists. The Department's Main Justice Divisions and U.S. Attorney's Offices have been assisting the FBI and local law enforcement with those cases and will continue to do so. Domestic terrorism cases are top priorities.

* * *

The Department is committed to using every tool, and working with every partner, to fight domestic terrorism. I appreciate the opportunity to discuss these issues with you, and I would be pleased to answer your questions.