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March 31, 2023

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Re: FOIA-2022-01353
22-cv-03274 (D.D.C.)
VRB:JMB:BPF

Dear Michael Ding:

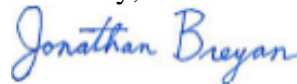
This is a final response to your Freedom of Information Act (FOIA) requests dated and received in this Office on June 13, 2022, in which you requested records from the Offices of the Attorney General (OAG), Deputy Attorney General (ODAG), Public Affairs (PAO), and Legislative Affairs (OLA) concerning *U.S. v. Mattis* from October 1, 2021, to June 6, 2022.

Please be advised that searches have been conducted within OAG, ODAG, PAO, and OLA, and 231 pages containing records responsive to your request were located. Because 152 pages primarily contain the equities of the Executive Office for United States Attorneys (EOUSA), we have referred that material to EOUSA for processing and direct response to you. At this time, I have determined that the remaining seventy-nine pages are appropriate for release with information withheld pursuant to Exemptions 5 and 6 of the FOIA, 5 U.S.C. § 552(b)(5) and (b)(6), and copies are enclosed. Exemption 5 pertains to certain inter- and intra-agency communications protected by the deliberative process privilege. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of personal privacy. Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. § 552(c) (2018). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

If you have any questions regarding this response, please contact Benton Peterson of the United States Attorney's Office for the District of Columbia, at 202-252-2534.

Sincerely,



Jonathan Breyan
Senior Supervisory Attorney
for
Vanessa R. Brinkmann
Senior Counsel

Enclosures

From: (b)(6) (OLA)
Subject: Notes - June 7, 2022 SJC Hearing - Domestic Terrorism after Buffalo Attack
To: Cace, Christina M. (OLA)
Sent: June 7, 2022 7:05 PM (UTC-04:00)
Attached: Notes - June 7, 2022 SJC Hearing - Domestic Terrorism after Buffalo Attack.docx, German Written Testimony.pdf

Christina,

Please find attached notes from today's Senate Judiciary Committee hearing, "Examining the 'Metastasizing' Domestic Terrorism Threat After the Buffalo Attack." I want to flag for you a few notable areas of questioning and testimony during the hearing.

(b)(5)

Please let me know if you have any questions or would like to discuss.

Best,

(b)(6)

(b)(6)

Intern

Office of Legislative Affairs

U.S. Department of Justice

(b)(6)



Written Testimony of

Michael German
Fellow

Brennan Center for Justice
at New York University Law School

Hearing: Examining the 'Metastasizing' Domestic
Terrorism Threat after the Buffalo Attack

Before the United States Senate
Committee on the Judiciary

Tuesday, June 7, 2022

Chair Durbin, Ranking Member Grassley, and members of the Committee, thank you for inviting me to testify regarding the metastasizing threat of white supremacist violence following the deadly attack on the Tops Friendly Market in Buffalo, New York. For too long, law enforcement has deprioritized investigations into white supremacist and far-right militant violence, despite the deadly results. While recent racist attacks have raised public awareness and galvanized Congress to act, the nature and scope of the problem must be better understood in order for effective reforms to be established. The Brennan Center has published three reports describing deficiencies in the law enforcement response to white supremacist and far-right militant violence over the last several years that contain detailed recommendations for reform, which I will summarize below.¹ I appreciate the attention this committee is focusing on this issue and submit this statement to aid your efforts.

The Great Replacement Theory and White Supremacist Violence

The Buffalo attack, which left 10 people dead, was explicitly intended to intimidate and coerce the Black community in New York and across the nation, and therefore clearly meets the statutory definition of domestic terrorism passed by Congress in 2001.² It followed previous mass shootings by avowed white supremacists who are often called “lone wolves,” including a 2019 attack targeting the Latinx community in El Paso, Texas, which killed 23 people, and the 2018 attack on the Jewish community in Pittsburgh, Pennsylvania that killed 11 people. Our sympathies are with the survivors, their families, and all communities victimized by white supremacist and far-right militant violence.

Each of these recent white supremacist mass killers allegedly made prior references to the “great replacement” in statements posted on various online platforms. The “great replacement,” sometimes also called “white genocide,” is a racist and anti-Semitic conspiracy theory that claims that there is a leftist (or sometimes Jewish) plot to systematically displace white Americans in the United States through non-white immigration, race mixing, and increased birth rates in communities of color. It is an old concept that has animated the global white supremacist movement for decades, as it frames white people as victims in need of protection and urges preventative action – conveniently characterized as defensive rather than offensive – to protect white social, political, and economic dominance.³ It

serves to allow followers who are inclined to commit offensive violence against innocents to characterize themselves as honorable defenders of their people rather than criminals.

The “great replacement” became a topic of mainstream media interest when white supremacists marching at the start of the violent 2017 Unite the Right rally in Charlottesville, VA in 2017 were filmed chanting “Jews will not replace us.”⁴ And though the FBI and Justice Department regard white supremacist violence as domestic terrorism, the great replacement theory and white supremacist violence are and always have been international in scope. An Australian white supremacist who in 2018 attacked a mosque in Christchurch, New Zealand killing 50 people titled his manifesto, “The Great Replacement.” It referenced a 2015 white supremacist attack against a Black church in Charleston, South Carolina and a 2011 white supremacist mass killing in Norway as inspiration. The El Paso and Buffalo shooters modeled their attacks on the Christchurch mass shooting and wrote their own manifestos cribbing heavily from the Christchurch attacker’s.

This evidence suggests violent white supremacists are not always “lone wolves,” as they are habitually characterized by law enforcement and the media. They often collaborate with like-minded individuals, learn from studying previous attacks, and seek to inspire others by issuing public statements paying homage to one other as martyrs to the cause. When I was working undercover in the white supremacist movement, its leaders instructed us to employ what they called “lone wolf” tactics when committing criminal acts, as part of a broader “leaderless resistance” strategy.⁵ The strategy directed individuals or small cells to separate themselves from any larger white supremacist group before committing an attack to prevent the government from lodging conspiracy charges that could destabilize the larger movement. Individuals or small cells that properly utilize this strategy can make it impossible for law enforcement to prosecute a broader conspiracy relative to any particular criminal act. But that doesn’t mean that law enforcement can’t learn important details from these investigations that will be useful to anticipate the next attack.

Though the Buffalo shooter was initially called a lone wolf, more recent media reports indicate that investigators are now seeking information about at least six people who he made aware of his plans prior to the attack, including a former federal agent. Fifteen people accepted his invitation to read his manifesto and watch

his livestream of the attack in a Discord chatroom. The shooter's online diary also claimed someone he called "the Sandman" provided assistance in selecting the weapon he should purchase for the task.⁶

But the great replacement theory and the fear of demographic change is not only shared among violent white supremacists. A French white nationalist, Renaud Camus, wrote a book titled "The Great Replacement," claiming there was a globalist plot to replace the white population of France with Muslim immigrants. Camus has repeatedly and publicly disavowed support for violence, however.⁷ The number of non-violent white supremacists that traffic in racist conspiracy theories far exceeds the number who commit violence in furtherance of them. Moreover, an Associated Press/NORC Center for Public Affairs poll conducted before the Buffalo shooting indicated that almost one-third of Americans agreed with the statement that "a group of people is trying to replace native-born Americans with immigrants for electoral gains." Twenty-nine percent of Americans believed immigration increases are "leading to native-born Americans losing economic, political, and cultural influence," according to the poll.⁸

That these core tenets of the "replacement theory" are so widely believed should not be surprising, as politicians and media pundits have long exploited racial resentments and public fears of demographic change to sway voters and build an audience. Back in 2006, for instance, Fox News host John Gibson ran a segment bemoaning a news report that nearly half of the children in the U.S. under five years of age were non-white, and that the U.S. population was projected to be majority Hispanic within twenty-five years. He urged non-Hispanic people to "make more babies."⁹ Fox News hosts have continued to promote these ideas ever since. A recent Yahoo/YouGov poll found that 54 percent of Fox News viewers believe that "a group of people in this country are trying to replace native-born Americans with immigrants and people of color who share their political views."¹⁰

Even within government, white supremacist beliefs are distressingly widespread. Members of Congress and state legislatures have increasingly promoted the types of conspiracy theories discussed above, and even participated in white supremacist events.¹¹ Our immigration policies have long been influenced by racial bias.¹² Law enforcement and the military have acknowledged infiltration of their ranks by white supremacists and far-right militants. At some point we must acknowledge that white supremacy is not an "extremist" belief system, but instead far too mainstream.

It is particularly dangerous when authority figures promote conspiracy theories because individuals hearing these messages may interpret it as government authorization to act in violation of the law.

Social Media, Terrorism Prevention, and Flawed Theories of Radicalization

Unfortunately, counterterrorism efforts since the al Qaeda attacks on 9/11 have focused on a discredited theory of terrorist radicalization that posits that the exposure to and adoption of radical ideas is a reliable predictor of terrorist violence.¹³ This theory has long been disproven through empirical research, but the FBI and its law enforcement and intelligence partners cling to a terrorism prevention strategy based on its flawed premise, because it justifies broad and intrusive investigative and intelligence collection authorities.¹⁴ The prevention strategy relies on massive data collection activities that infringe on all Americans' privacy, countering violent extremism programs that label entire communities as suspect, and "see something, say something" programs that spread mutual suspicion and animosity, dividing Americans against each other. And crucially, there isn't any evidence they work to prevent terrorist attacks.

Yet after each failure, the FBI doubles down on the flawed methodology. Though FBI analysts and other law enforcement officials issued timely warnings about far-right militants who had posted on social media calls for violence at the Capitol on January 6, 2021, FBI and Capitol Police leaders ignored them.¹⁵ But after the attack, the FBI invested another \$27 million to conduct more monitoring of social media to detect potential threats—as if the problem had been insufficient monitoring of social media rather than a failure of the FBI to respond to threats unfolding before in plain view.¹⁶ This additional monitoring wasn't helpful in preventing the Buffalo shooting, or the hundreds of other mass shootings that have taken place in the U.S. since that contract was signed.

It seems intuitive that effective social media monitoring might provide important clues that could help law enforcement anticipate and prevent an attack. After all, the attackers in Buffalo, Pittsburgh, and El Paso all gained access to white supremacist texts online and expressed their hateful and violent intentions on various social media platforms. If someone had reported this online activity to law enforcement, it is presumed the police could have acted to prevent the attack. But as discussed above, racist conspiracy theories like the "great replacement" are commonplace, not

just on social media but in mainstream political discourse. The head of FBI counterterrorism explained her failure to act on a January 5th warning about a social media posting call for “war” at the Capitol on January 6th by stating that, “Thousands and thousands of tips come in just like this one every day. And not all of those get elevated to senior leadership.”¹⁷ Broadscale social media monitoring identifies so many false positives that it drowns out true threats and overwhelms law enforcement responders, just as false fire alarms tend to dull firefighters’ response times.

In fact, this dulling effect may have been a factor in the deficient law enforcement response to earlier warnings regarding the alleged Buffalo shooter. When concerned individuals at his school reported his threatening to engage in a school shooting, law enforcement reportedly had him hospitalized for a psychological evaluation but did little to follow up.¹⁸ The tendency for law enforcement to downplay white supremacist violence as a threat may have played a role as well. One can imagine that the law enforcement response may have been more aggressive if the Buffalo shooter had instead expressed support for ISIS or al Qaeda.

Moreover, social media has proven to be a double-edged sword for white supremacists and far-right militants. While it allows them to spread their message and establish like-minded communities, it also leaves a permanent record of their activities that often is used against them in criminal and civil trials. When popular social media companies have barred white supremacist content for violating terms of service regarding racist and threatening content, those who post such content moved to less-known outlets that sometimes cater to these groups. White supremacists and far-right militants formed communities on Discord, Gab, and Parler, for instance, all of which suffered significant data breaches that exposed this content.¹⁹ The leaked Discord chats of the organizers of the violent Unite the Right rally played a prominent, and likely decisive role in a civil action that held them liable for \$26 million in damages.²⁰

If law enforcement is to be more effective in addressing white supremacist violence, it is essential for law enforcement to better understand how the violent element within the white supremacist movement networks and operates. This requires focusing on the tactics violent white supremacists employ rather than mass surveillance of ideological groups. The FBI should account for, catalog, and investigate all incidents of white supremacist and far-right militant violence to build

an evidence-driven understanding of these crimes, their instrumentalities, and the networks that aid, abet, and perpetrate them. It is also important to recognize that while white supremacist are the most violent and deadly among the perpetrators the FBI categorizes as domestic terrorists, they make up only a small subset of the mass shootings that occur each year. And these mass killings are only a small subset of the total number of U.S. homicides. While the total number of murders each year significantly lower than rates seen in the 1980s, the murder clearance rate has fallen too, to a historic low of just over 50 percent in 2020.²¹ Any terrorism or targeted violence prevention strategy has to recognize that failing to solve violent crimes undermines the overall mission of protecting public safety.

Preventing Another Failure

Fortunately, Congress has already done the work necessary to provide federal law enforcement with all the statutory tools it needs to properly address white supremacist and far-right militant violence. It passed 52 federal crimes of terrorism that apply to domestic acts, and dozens of other civil rights, organized crime, violent crime, and conspiracy statutes that prosecutors regularly use to prosecute twice as many domestic terrorism cases as international terrorism cases, using only one-fifth of the investigative resources.²² The problem is that the Justice Department and FBI choose not to prioritize the investigation and prosecution of white supremacist and far-right violence as a matter of policy and practice. They do not even collect accurate data regarding such attacks.

Instead, the Justice Department and FBI use their domestic terrorism authorities most aggressively against groups that are far less violent and rarely, if ever, commit fatal attacks, such as environmentalists, animal rights activists, peace activists, anti-racism activists, anti-fascists, and most recently revealed, Concerned Women of America.²³ The Justice Department's failed attempt to prosecute more than 200 anti-Trump activists who happened to be near locations where some windows were broken during the 2017 Disrupt J20 post-inauguration protests stands in sharp contrast to the relative handful of federal arrests arising from more than four years of far-right rioting across the country where counter-protesters, journalists, and police officers have been beaten, maced, stabbed, run over, shot, and killed.²⁴

Congress Needs Accurate Data to Enact Sound Policies

Organized white supremacist violence has posed an enduring threat in the United States since its founding, but the Justice Department does not collect or publish data that measures the true nature or scope of this problem. A May 2021 report required by the National Defense Authorization Act of 2020 confirmed that the FBI does not track the annual incidents of lethal and non-lethal violence committed by groups it categorizes as “domestic violent extremists.”²⁵ Though white supremacist and far-right militant attacks represent just a tiny proportion of the violence that takes place in the U.S. each year, these crimes demand extra attention because they pose a persistent threat to vulnerable communities, particularly communities of color, immigrants, LGBTQ people, women, the disabled, and religious minorities. White supremacists and far-right militants also kill law enforcement officers more often than other groups the FBI categorizes as domestic terrorists.²⁶ Moreover, the organized nature of the groups that often commit this violence enables them to quickly replace any member who is arrested and incarcerated and continue committing further acts of violence after any previous crime is successfully prosecuted.

Congress has repeatedly made clear its intent for the Justice Department to investigate and prosecute these crimes. In 1871, Congress passed what was arguably the first domestic terrorism law, the Ku Klux Klan Act.²⁷ It later passed five federal hate crimes statutes to address the bias crimes that many white supremacists commit, and 52 terrorism laws that apply to domestic acts. It passed organized crime, violent crime, and conspiracy statutes that the Justice Department can and does use effectively at times, to prosecute violent white supremacist gangs. These statutes all impose substantial penalties for violations. Congress also funded 200 FBI Joint Terrorism Task Forces across the country, which are designed to leverage state and local laws in the pursuit of terrorists, when federal prosecution, for whatever reason, is unwarranted. All the necessary tools already exist.

Indeed, the Justice Department has been using these tools to charge more than 846 people with crimes related to the January 6th attack, including federal crimes of terrorism.²⁸ Yet, with an estimated 2,500 individuals having participated in the attack, there is still much to be done. Judges presiding over the Capitol breach cases have criticized the Justice Department for their charging decisions, particularly for allowing misdemeanor pleas that limit the sentences they could impose.²⁹ And

militant groups like the Proud Boys have reorganized since January 6th and continue to menace local communities across the U.S. with little intervention from law enforcement.³⁰ Most shockingly, militants involved in the January 6th attack continue to engage in public violence, yet federal prosecutors have not brought new charges.³¹

The Biden administration issued the government's first national strategy on countering domestic terrorism. It recognized that white supremacist and far-right militants posed the "most persistent and violent threats," and highlighted the need for better data to facilitate a comprehensive assessment of the domestic terrorism threat.³² Yet the problem is far from solved. What's needed, and what the Justice Department has so far refused to produce, is a comprehensive national strategy specifically designed specifically to address white supremacist and far-right militant violence, beginning with the collection of accurate data about these attacks across all its programs. Absent such an approach, there will continue to be failure to properly prioritize domestic terrorism resources.

Ironically, the multiple pathways Congress has provided to prosecute white supremacist and far-right militant violence inadvertently have given the Justice Department another way to obscure the true nature of the threat in its reporting. If a white supremacist murdered someone, the FBI could consider the crime an act of domestic terrorism, a hate crime, or simply a violent crime. If the FBI categorized it as domestic terrorism, the case would be treated as a top priority (though second in the counterterrorism program to international terrorism) and would be well-resourced and robustly investigated. But it often puts white supremacist violence into lower-prioritized programs.

If the victim belonged to a protected class, the FBI could categorize the murder as a hate crime, a type of civil rights violation which is the bureau's fifth priority. FBI hate crime investigations typically have a narrow focus, seeking to identify evidence to prove the biased motive for the attack rather than to determine whether the perpetrator was part of a continuing criminal enterprise. But the FBI probably wouldn't conduct such an investigation because the Justice Department has a longstanding policy of deferring investigations of hate crimes to state and local law enforcement, even though some states don't have hate crime laws and many more rarely use them. Only a small percentage (14 percent in 2019) of police agencies even acknowledge that hate crimes occur in their jurisdiction in federal reporting.³³ Crime victim surveys suggest that there are approximately 230,000 violent hate crimes

annually, but despite five federal hate crime statutes, the Justice Department prosecutes only about 25 defendants each year.³⁴

The Biden domestic terrorism strategy recognizes the need for collaboration between federal domestic terrorism prosecutors and hate crimes prosecutors, and the FBI created fusion cells to link domestic terrorism and hate crimes investigations long before the January 6th attack.³⁵ But the Justice Department has not changed its policy of deferring hate crimes investigations to local authorities. It is unclear in the Justice Department guidance implementing the domestic terrorism strategy whether hate crimes prosecuted locally will be accounted for, and of course, it is impossible to count cases not investigated or charged as hate crimes because of a lack of interest, rather than lack of evidence.³⁶

A significant percentage of Justice Department prosecutions of violent white supremacists are not products of Joint Terrorism Task Force investigations or civil rights cases, but federal violent crimes task force investigations. These investigations are sometimes led by the Bureau of Alcohol, Tobacco, and Firearms or the Drug Enforcement Agency rather than the FBI. These cases receive surprisingly little attention, even though serious violent crimes are often alleged, including murders, and dozens of white supremacist gang members are arrested at a time in multi-agency raids. Twenty-four members of Aryan Circle were arrested in Texas in October, 2020, for instance, and 54 members of the New Aryan Empire were arrested in Arkansas in 2019, in just two examples.³⁷ The 2018 arrests of 40 members and associates of the United Aryan Brotherhood in Florida recovered 110 illegal firearms, including two pipe bombs and a rocket launcher.³⁸ These cases probably do not appear in Justice Department domestic terrorism statistics, but certainly, Congress needs this data to understand the full scope of white supremacist violence in the United States in order to establish effective policies to address it.

To be clear, these federal organized crime and violent crime prosecutions are effective tools the Justice Department can and should use to prosecute violent white supremacist and far-right militant groups. Indeed, this methodology could be effective in addressing violent crimes committed by organized groups like the Proud Boys, whose members have been arrested for acts of violence all across the country, including at the U.S. Capitol. But the Justice Department needs to capture the data from these prosecutions, and the intelligence collected during these investigations, to develop a comprehensive national strategy to address this violence.

I have to say these violent crimes prosecutions *probably* do not appear in Justice Department domestic terrorism data because the Justice Department redacts the docket numbers when it discloses non-sensitive prosecution data to the public, making it impossible to cross-check the statistical accomplishments it claims against case records. The Brennan Center sued the Justice Department to obtain these docket numbers in terrorism prosecutions so the public could better understand how the government uses its counterterrorism authorities.³⁹ Though the Justice Department acknowledged that it used this data in reporting to Congress regarding its terrorism prosecutions, in litigation it argued that it needed to withhold docket numbers because a substantial number of the defendants convicted in cases it reports as domestic terrorism prosecutions are not actually terrorists. In contrast, the Department routinely releases defendant information in prosecutions that it considers to be linked to international terrorism, even where the crimes charged bear no clear relation to terrorism. The judge hearing the case wrote that, “the public has an interest in knowing that the [Justice Department’s prosecutions] database contains inaccuracies and that those inaccuracies may have resulted in erroneous public reporting from the Department.”⁴⁰

Without a national strategy focused on documenting the full scope of white supremacist and far-right violence, cases involving these militants will continue to fall through the cracks. Recent examples of far-right violence that appear to have met the statutory definition of domestic terrorism but resulted in no federal charges include the 2018 slaying of a gay Jewish man in California by a member of the violent neo-Nazi group Atomwaffen Division; the 2017 murder of a black man in New York City by a white supremacist intent on starting a race war; and the 2016 vehicular homicide of a black man in Oregon by a member of European Kindred, a white supremacist prison gang.⁴¹ State and local prosecutors charged these perpetrators with hate crimes and, in the New York City case, with violating a state terrorism statute. The crimes likely met the federal definition of domestic terrorism as well, as they were deadly and intended to intimidate a civilian population. These crimes did not go unpunished, and pursuing state charges may have been an appropriate choice in these cases. But the Justice Department does not properly account for them as potential acts of domestic terrorism that need to be recorded in threat assessments that inform a national strategy. The failure to acknowledge the organized and interstate nature of violent white supremacist and far-right militant groups forfeits intelligence that could be used to prepare for and perhaps prevent future attacks.

The FBI has also thwarted congressional demands for data regarding its domestic terrorism program. In 2017, Sen. Durbin introduced the Domestic Terrorism Prevention Act, which would have required the FBI to produce data regarding how it used its domestic terrorism resources.⁴² The bill sought data documenting the number of terrorist incidents and corresponding fatalities, and the number of investigations and prosecutions for each of the FBI's 11 domestic terrorism categories, which included white supremacists, anarchists, environmentalists, far-right militants, and Black Identity Extremists, and others. This data would allow Congress to determine if the FBI was disproportionately investigating categories that produced fewer fatal attacks.

Though the bill had not passed yet, Sen. Durbin requested an FBI briefing on the matter for members of the Senate Judiciary Committee. When the FBI finally provided this briefing in April of 2019, it revealed it had collapsed the white supremacist and Black Identity Extremist categories into a new Racially Motivated Violent Extremist (RMVE) category, and the far-right militia and the anarchist categories into a single Anti-Government and Anti-Authority Violent Extremist category (AGAAVE). These groupings make little operational sense. Subjects of an investigation of white supremacists would rarely overlap or work together with subjects of an investigation into Black Identity Extremists, and likewise for militias and anarchists. Some Proud Boys chapters are openly white supremacist, while others disavow racism, leaving it unclear if different FBI field offices will categorize cases against the same group differently.⁴³ What these misguided groupings would appear to accomplish, however, as Sen. Durbin suggested in a letter to the Justice Department, is obscuring the comparative data his bill sought.⁴⁴ These groupings confuse which groups are receiving investigative attention, as the relatively high rate of violence committed by white supremacists can be used to justify resources for the RMVE category, which can then be used to investigate less violent Black extremists. Likewise, the relatively high rate of violence from far-right militants could be used to direct resources to the AGAAVE category, which could then be used to investigate less-violent anarchists.

Other FBI categories include Animal Rights/Environmental Violent Extremists and Abortion-Related Violent Extremists, which the FBI says includes pro-choice violent extremists. Including these categories among its domestic terrorism program signals to Joint Terrorism Task Force members that they should conduct investigations targeting these groups, despite the fact that there has never been a single homicide

committed by pro-choice, animal rights, or environmental activists in the U.S.⁴⁵ The FBI claims its domestic terrorism investigations are focused on violence and not ideology, but it uses ideologies as categories for its domestic terrorism program promotes. The FBI's establishment of these ideological categories was arbitrary, based its own subjective preferences rather than a complete and objective analysis of domestic terrorism incidents that occur in the U.S., which it admitted it does not collect.⁴⁶

Terrorism investigations should be focused where evidence indicates deadly violence is most likely to occur, not distributed among ideological categories that include protest groups and activists that do not regularly commit deadly violence. Some animal rights and environmental activists have engaged in non-violent civil disobedience and damaged property. These lesser crimes should never be mistaken for terrorism, and most often can better be addressed by local law enforcement. The FBI should not be using its domestic terrorism resources and authorities to target non-violent crimes and civil disobedience, particularly when it fails to properly account for and address all the deadly white supremacist and far-right militant violence within its domestic terrorism program.

National Strategy on Countering Domestic Terrorism Helpful But Insufficient

The Biden administration's domestic terrorism strategy is a positive step toward reform, but it is hampered by the FBI's improper categorization scheme. The strategy highlights the fact that white supremacist and far-right militant violence are the most prevalent and most deadly of the domestic terrorism categories, but it had to wrestle with the FBI's language to make its intent clear. It uses the FBI's language identifying "racially and ethnically motivated violent extremists" but then has to add a parenthetical, "(principally those who promote superiority of the white race)" to make clear that it intends the focus of cases in this category to be white supremacists rather than so-called "Black Identity Extremists," which go unmentioned.⁴⁷ The intelligence community assessment of the domestic terrorism threat that is embedded in the strategy includes a similar caveat, referring to "RMVEs who promote the superiority of the white race" as the most serious transnational threat. But in describing the most lethal threats, it uses "racially and ethnically motivated violent extremists (RMVEs) and militia violent extremists (MVEs)," adopting the FBI's revised category that includes groups other than white supremacists, but abandoning the use of the AGAAVE category to focus on one

element within it.⁴⁸ These tortured addendums and reductions inject unnecessary confusion that could have been avoided if the FBI had not awkwardly combined dissimilar groups into a single category.

The domestic terrorism strategy also references other “ideologies” that may motivate domestic terrorism and specifically mentions animal rights and environmental activism, reinforcing the perception that domestic terrorism investigators and prosecutors should pursue cases targeting these groups despite the lack of deadly violence attributed to them.⁴⁹ The FBI’s establishment of an entire domestic terrorism category focused on animal rights and environmental activism creates a false equivalency with white supremacists and far-right militants that pose significantly more persistent deadly threats.

The FBI has shown a stubborn determination to resist reform efforts and to utilize its domestic terrorism authorities to harass disfavored political activism involving protest activities or non-violent civil disobedience. Compelling FBI managers and Justice Department prosecutors to focus on white supremacist and far-right militant violence they otherwise choose to ignore requires specificity in the language used to set its domestic terrorism strategy, policy, and practices.

Recommendations for A New Approach to Address White Supremacist and Far-Right Violence:

1 Reject Calls to Create a New Domestic Terrorism Crime

Congress and other stakeholders should categorically reject calls for a new federal statute that gives federal law enforcement greater authorities or resources to investigate and prosecute domestic terrorism. As detailed above, such legislation is unnecessary, given the plethora of authorities and resources already available to the Justice Department and FBI. Adding new ones would only intensify existing discriminatory impacts of domestic terrorism investigations and prosecutions that are targeted at groups protesting government policies rather than terrorists.

2 Strengthen Congressional Oversight of Counterterrorism Resources

Domestic terrorism and hate crime data is rife with error, often arbitrary, and based on vague and conflicting categorization schemes. Congress should require the

Justice Department to revamp its data collection policies and practices to ensure that it captures all incidents of white supremacist violence across all its investigative programs so it can better understand the true nature and scope of the impact these crimes have on American communities, and provide this information to Congress in a timely and reliable way.

3 Require the Justice Department to Produce a National Strategy to Fight White Supremacist and Far-Right Violence

The Justice Department needs a comprehensive national strategy to properly prioritize and sufficiently resource investigations and prosecutions of white supremacist and far-right violence, and document the true impact it has on American society. The language in the strategy needs to be specific in order to compel a focus on this most deadly form of domestic terrorism. Generalized language gives law enforcement agencies room to use resources devoted to domestic terrorism or domestic violent extremism to target groups engaging in protest activities and non-violent civil disobedience rather than deadly violence. This misallocation of resources tends to disproportionately result in investigations targeting communities of color, environmentalists, and anti-racist protesters. Congress should require the FBI and Justice Department to allocate domestic terrorism resources based on an objective assessment of the threat to human life posed by each domestic terrorism category, with fewer resources devoted to groups that engage in property crimes like vandalism rather than violence harmful to human life. The FBI should treat all cases in which white supremacist and far-right militants engaged in deadly violence among its top investigative priorities, whether currently classified as domestic terrorism, hate crimes, or violent crimes, rather than deferring these investigations and prosecutions to state and local law enforcement.

4 Reform Police Intelligence Practices to Restore Community Trust

Minority communities are disproportionately victims of many kinds of violence, including at the hands of law enforcement, and are often denied equal protection when they seek justice. A comprehensive strategy to protect these communities from white supremacist terrorism and hate crimes must include measures to address these disparities and to reform police practices. The Justice Department also has an important role in holding law enforcement officials accountable for civil rights violations, but these cases are rarely prosecuted. Recent allegations of police cooperation with or assistance to far-right groups involved in violent protests should be fully investigated.

5 Require the Justice Department to Produce a National Strategy to Address Racism, White Supremacy, and Far-Right Militancy in Law Enforcement

The Justice Department has acknowledged that law enforcement involvement in white supremacist and far-right militia organizations poses an ongoing threat, but it has not produced a national strategy to address it. Not only has the department failed to prosecute police officers involved in patently racist violence, it has only recently begun collecting national data regarding use of force by law enforcement officials.

Congress should direct the Justice Department to:

- Immediately establish a working group to examine law enforcement associations with white supremacist and other far-right militant groups to assess the scope and nature of the problem in a report to Congress.

- Develop an evidence-based national strategy designed to protect the security and civil liberties of communities policed by law enforcement officers who are active in white supremacist or far-right militant organizations. This strategy could include criminal domestic terrorism investigations, civil actions, and reporting to local prosecutors and police departments for administrative action. A national strategy will ensure that U.S. attorneys and FBI offices across the country properly prioritize these investigations and harmonize their tactics to guarantee equal justice for all. The national strategy should include data and metrics to evaluate the effectiveness of the methodologies it employs.

- Require the FBI to survey its domestic terrorism investigations involving white supremacists and other overtly racist or fascist militant groups to document and report to the DOJ all indications of active links between these groups and law enforcement officials.

- Require the FBI to determine whether any law enforcement officials it investigates for civil rights violations or other criminal matters have connections to violent white supremacist organizations or other far-right militant groups, have a record of discriminatory behavior, or have a history of posting explicitly racist commentary in public or on social media platforms. This information should be provided to FBI agents assigned to domestic terrorism matters for investigative and intelligence purposes, and to federal, state, and local prosecutors to consider their inclusion on Brady lists, which would require disclosure of such misconduct to

defendants in cases in which these law enforcement officers testify as witnesses.

- Require the FBI to report any federal, state, or local official assigned to a federal task force who is discovered during initial screenings or periodic background investigations to have active links to any white supremacist or other militant groups, to have engaged in racist behavior, or to have posted overtly racist commentary to on social media to the DOJ and to their departments. Where appropriate based on available evidence, the Justice Department should bar these officials from further participation with federal task forces and report the information to appropriate departmental heads and state and local prosecutors for potential inclusion on Brady lists.

- Analyze the data collected by the FBI in its law enforcement use of force database to evaluate each use of force complaint for indications that racial, ethnic, or political bias motivated the violence.

- Establish a formal mitigation plan to implement when evidence indicates that an unidentified law enforcement officer poses a public security threat or a risk of harm to any protected class or community. Such a plan could include federal, state, or local investigations and prosecutions where warranted by the officers' conduct; civil rights lawsuits and consent decrees; reporting information identifying the officer to other federal, state, or local authorities for appropriate employment action; and placement of identified officers on Brady lists maintained by federal, state, and local prosecutors to ensure that defendants in criminal cases and plaintiffs in civil actions against these officers have appropriate impeachment evidence available.

- Congress should pass the Ending Racial and Religious Profiling Act of 2019 to ban all federal, state, and local law enforcement agencies from profiling based on actual or perceived race, ethnicity, religion, national origin, gender, gender identity, or sexual orientation. Current racial profiling guidelines issued by the Department of Justice are incomplete, unenforceable, and inapplicable to state and local law enforcement. Banning racial profiling through comprehensive legislation would mark a significant step toward mitigating the potential harm caused by racist officers undetected within the ranks.

- Strengthen whistleblower protections for FBI employees and other federal law enforcement agents. Employees of the FBI and other federal law enforcement agencies are in the best position to identify waste, fraud, and abuse of authority in the enforcement of the law. Congress should ensure the employees entrusted to

protect public safety and national security receive protection for properly reporting internal misconduct, with access to federal courts to vindicate these rights. The Federal Bureau of Investigation Whistleblower Enhancement Act of 2015 could serve as a model for such legislation.

- The Domestic Terrorism Prevention Act of 2021 (H.R. 350) includes a provision that requires the FBI to assess the threat posed by white supremacist and neo-Nazi infiltration of law enforcement and the military. This assessment should be informed by data collected from FBI investigations and surveys of federal, state, and local law enforcement agencies, and from data collected for the law enforcement use of force database.

Conclusion

The Justice Department's failure to properly prioritize the investigation and prosecution of white supremacist and far-right terrorism, hate violence, and organized crime undermines public safety and the rule of law and threatens social cohesion. Rethinking this problem requires that Congress increase its oversight to reorient the Justice Department's policies and practices to ensure that attention and resources are allocated to those areas where the threat of violence against individuals and communities is the greatest.

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**Notes on Senate Judiciary Committee Hearing:
“Examining the ‘Metastasizing’ Domestic Terrorism Threat After the Buffalo Attack”**

Date: Tuesday, June 7, 2022

Time: 10:00 a.m.

Majority Witnesses:

Garnell Whitfield, Jr.

Son of Buffalo attack victim.

Robert A. Pape, PhD

University of Chicago Professor of Political Science

Director of the Chicago Project on Security and Threats

Michael German

Fellow, Liberty and National Security Program, Brennan Center for Justice

Former Special Agent, Federal Bureau of Investigation

Minority Witnesses:

Justin E. Herdman

Partner, Jones Day

Former U.S. Attorney, Northern District of Ohio

Professor Jonathan Turley

Shapiro Professor of Public Interest Law, George Washington University Law School

Questions from Senator Durbin:

- **Statement from Senator Durbin during questioning:**
 - The Great Replacement Theory is nothing new. We have seen evidence of it in the activities of the Ku Klux Klan, during Reconstruction and into the 20th Century. After the Great Migration, there was a visceral reaction to African Americans that led to a race riot in St. Louis, MO, and Springfield, IL. This led to the creation of the NAACP.
- **To Dr. Pape:**
 - **Is this a different time?**
 - **Do you find in your research that the U.S. social media approach to information is exacerbating the situation?**
 - **Can we add to that, automatic weapons that are placed in the hands of these mad men inspired by racism? Is that the difference?**

- **To Mr. German:**
 - We have a challenge in respecting the Constitution and the Bill of Rights, but we see the effect reported by law enforcement and across the nation, that many of these statements push people into extreme and violent behavior. **There is no easy way to draw a line here, to respect the Constitution and keep America safe. What are your thoughts?**
- **Statement from Senator Durbin during questioning:**
 - The reason for the Domestic Terrorism legislation that I introduced was a decision under the Trump Administration to no longer have a category of white supremacist crime reported to us. Instead, they merged it into a violent crime general category so that there would be no distinction. I think more information is better, particularly when it does not expand the authority of the government or give it any new tools, but merely reports on the reality of what is happening across America.

Questions from Senator Grassley:

- **To Mr. Herdman:**
 - Besides the Ohio bridge bombing case, you have been involved in the 2020 riots. The FBI lacked the familiarity with Antifa movements or to see riots or new violence coming, something both Barr and Wolf warned about when they were Secretaries. You have also seen threats from white racists, jihadists, actors with anti-law enforcement ideologies. **How do we ensure that the Department of Justice and FBI are nimble enough to respond to threats of violence by different ideologies and how varied is the domestic terrorism threat right now?**
- **To Professor Turley:**
 - **Is it Constitutional and prudential to direct Executive Branch offices to investigate in combatting violence committed pursuant to some extremist ideology more than others?**
- **To Mr. Herdman:**
 - **Is it helpful to design Executive Branch offices around national security threats that exist today, or is it changing so rapidly that there is a benefit to flexibility?**
 - You mentioned many instances in which civilian communities, such as the local Jewish community in Cleveland, were targets of attack. You formed strong partnerships to disrupt those threats. We are seeing now that police are increasingly becoming targeted for extremist violence. **I have introduced a bill to gather more information on attacks on police. What else can we do to combat the rising tide of extremist violence against the police?**

Questions from Senator Leahy:

- **Statement from Senator Leahy during questioning:**

- We are having same conversation that we have been having for years now about domestic terrorism and racist ideologies motivating violence. They are spreading across this country with little or no check against it. Each day and each week we continue to see new incidents perpetrated by individuals with white supremacist ideologies. No one should be afraid of being murdered because they went to a grocery store or went to their place of worship or if they go to work, even here, in the United States Capitol. Yet, this is the reality facing millions of Americans every day.

The heinous mass shooting in Buffalo last month was a painful reminder that domestic terrorism, motivated by white supremacists, is still very present and is spreading in the U.S. That is a fact. The FBI reports that the number of hate crimes in 2020 was the highest recorded in two decades. Nearly half of the domestic terrorism investigations that year involved racially motivated violent extremists. 87% of the subjects of those investigations were white supremacists.

Now we have another unspeakable tragedy where ten were killed while shopping at their local grocery store, something that we all do. Yet, they were killed by an individual motivated by a racist conspiracy theory. There has to be accountability for these crimes. There also have to be some root causes of this growing hate. And, we need not look further than certain political leaders and media pundits that fan the flames of these ideologies. Doing that gives them the sheen of legitimacy and mainstream validation. Lives depend on us extinguishing the flames of hate in our country. We say we will pray for the victims. In my state, we pray that the Congress will come together and pass real laws that will protect us. We have to stand up to misinformation and act together, above politics.

- **To Mr. Whitfield:**

- I was moved listening to your testimony, what you said about your mother. My heart goes out to you and everyone who lost someone at Tops grocery store.
What would you like us to know about your mother, Ruth, and how your family has been impacted by that loss?

Questions from Senator Lee:

- **To Professor Turley:**

- You recently wrote about the cases of two attorneys, Colinford Mattis and Urooj Rahman. Each of these two defendants was faced were facing domestic terrorism charges on allegations that they had thrown a Molotov cocktail into a police vehicle during the Antifa riots in summer 2020. Despite pleading guilty last year to one count of possessing and making an explosive device, which I understood should have carried with it a ten-year minimum sentence, the Biden Administration has just agreed to a new plea agreement that will result in just a few years of prison time. **Professor Turley, are violent attacks on police**

officers with explosive devices, under this circumstance, domestic terror threats?

- **To Mr. Herdman:**

- Any time there is an act of domestic terrorism, it should be prosecuted. Regardless of what ideology happens to flow from it. **One of the concerns I have heard about the Domestic Terrorism Prevention Act, concerns that have been attributed to Department of Justice career attorneys in reviewing the legislation, is they worry that it will constrain Department resources, directing them to one particular ideology over another.** With domestic terrorism, there is a big likelihood that what is big one year might change the next year. Or season to season. So, my concern would be that if we start adopting legislation that directs our activities to one particular ideology, that might leave prosecutors flat-footed when circumstances change. **What would be the practical result, in your review, of various Executive office reorganizations that would be required of the Department of Justice under the Domestic Terrorism Prevention Act?**
- In the aftermath of the extensive violence in Portland, Oregon in 2020, federal prosecutors brought federal charges against 97 defendants. 58 of those have now been dismissed. When I was a federal prosecutor, it would be unusual to dismiss such a large percentage of any category of indictments that had been issued. **Do you have any idea why these cases against those particular violent extremists were dismissed in such high numbers?**

Questions from Senator Whitehouse:

- **To Dr. Pape:**

- **Does history show instances where violence against a population was preceded by propaganda against that population?**
- **Is the propaganda against those populations sometimes deliberate?**

- **To Mr. German:**

- **Are there indications that propagation of the Great Replacement Theory is deliberate?**
- Before authority figures started repeating these theories, going back to their propagation, Dr. Pape suggested that history shows that before there is violence against a population, there is a deliberate campaign of propaganda targeting that same population with the purpose of fomenting that violence. **You have said there are indications that propagation of the Great Replacement Theory is deliberate. If there are indications that it is deliberate, are there indications not only of what authority figures may be spouting it, but about who is creating it and pushing it out into the Internet and into society?**

- **To Dr. Pape:**

- It seems that the Great Replacement Theory has much more currency now. There has been a lot of talk about Fox News, for instance. **Do you think that Fox News**

is creating it [Great Replacement Theory content] as original content, or do you think there are entities or an enterprise of some kind that is feeding the content to Fox News?

Questions from Senator Blackburn:

- **To Mr. Herdman:**
 - When we talk about the requirements that the Domestic Terrorism Prevention Act puts in place on DOJ, DHS, and the FBI, and you are looking at the organizational structure of the agencies involved in this. **Given your experience, talk to me about reorganizing and the changes that are mandated and how that affects resources. And, how does that restructuring affect people in the field?**
 - Looking at the legislation, it appears that it will narrow the focus instead of expand the focus when you are looking at domestic terrorism. **We want to make sure that there are eyes on all forms of domestic terrorism, on all of those threats. The need for flexibility was mentioned. So, pick up from there.**
- **To Professor Turley:**
 - I want to talk to you about free speech. **Talk about how law enforcement can differentiate between political free speech and extremist threats, as they track, investigate, and monitor terrorism.**

Questions from Senator Hirono:

- **To all witnesses:**
 - We have been talking a lot about the kinds of ideologies that drive mass shootings in our country. But, in listening to responses to our questions, I think a large factor in mass shootings has to do a lot with easy the access to guns. **I want to ask each of you, do you agree that easy access to guns is a contributing factor in mass shootings in the U.S.?**
- **Statement from Senator Hirono during questioning:**
 - Based on the relative unanimity acknowledging that easy access to guns contributes to these horrific shootings, we should do something about limiting who can get guns and who has access to guns.
- **To Dr. Pape:**
 - **You noted that violent populism is rising in our country. Do you think that this trend is going to change anytime soon? And if not, why not? And if so, why?**
 - I realize that there are a lot of attitudinal and cultural differences of things that are going on in our country, but if we do not enact something— For example, in Hawaii, there are the most restrictive gun laws and has the lowest incidence of gun violence of any state. There is a cause and effect here. **I agree that if we do not enact gun safety legislation, then it tends to exacerbate the situation, but what if we actually passed some of these laws? I think it would be a help, don't you?**

Questions from Senator Coons:

- **To Dr. Pape:**
 - So much of our political rhetoric now is ramped up at the ends of the political spectrum. And some then lose perspective on the profound impact that the words of elected officials and politicians have. As you have cited, there are examples in history where political figures become popular and are rewarded for their feeding an ideology of hate. For decades, hideous ideologies like the Great Replacement Theory were relegated to the margins of political discourse. Those days seem to be over. You talked about how many of the January 6th insurrectionists who stormed our Capitol, who beat and killed police officers, and threatened to hang our Vice President, were motivated by this Great Replacement Theory. Your research shows a connection between the individuals who choose violence and insurrection, and specifically those who stormed our Capitol, and the counties in the country where the white population is declining when compared to a more diverse population.
 - **Do you believe the mainstreaming of political rhetoric that supports the Great Replacement Theory contributes to violent populism?**
 - **What do those of us who are elected have an obligation to do, in terms of calling out and denouncing this Great Replacement Theory?**
- **To Mr. German:**
 - This is a country that will never outlaw dangerous ideas, but it has to take action against dangerous actions. Finding that balance, I think, is important. **You have spoken about how the Domestic Terrorism Prevention Act will provide critical resources to state and local law enforcement to properly identify, investigate, and prosecute violent actions that might be inspired by these dangerous theories that need to be denounced by mainstream political figures. Help me understand why that is an important component of the law being proposed?**
 - **Do you think Congress and law enforcement can strike a balance that preserves treasured civil liberties while protecting against a rising tide of white supremacist domestic violent terrorism?**
- **Statement from Senator Coons during questioning:**
 - What I hear you saying is, this horrific violent act, this shooting that took so many innocent lives, if we do not do more as mainstream political leaders to stand up and speak out against this Great Replacement Theory, and if we do not do more to empower law enforcement to track, report, investigate, and take action against those who are acting out with violence, then we are failing our Nation.

Statement from Senator Durbin:

- I want to note that the bill I introduced a few weeks ago, the Domestic Terrorism Prevention Act, requires reports to Congress on all domestic terrorism activity, with a

breakdown by specific categories. The categories include: racially and ethnically motivated violent extremism; anti-government and anti-authority violent extremism; animal rights / environment violent extremism; and abortion-related violent extremism. In the bill we brought to the floor, we asked that white supremacist terrorism be restored as a category. It was eliminated as a category under President Trump. So, this notion that we are keeping it all generic is not true. The FBI already delineates, and all we are doing is reestablishing a category.

Questions from Senator Booker:

- **To Mr. Whitfield:**

- You noted in your testimony what it was like growing up as a Black man in America, and how you realized very young, that you are perceived as more dangerous, and it is used as a justification for policing actions. We know that Black men are more likely to be killed by the police. We know that implicit racial bias, study after study shows, that if a Black person and a white person were accused of the same non-violent drug crime, the Black person will get longer sentences. We know that Black women are more likely to die in childbirth because their pain is not taken as seriously. And the subtle dehumanization that comes. But this is not about Black versus white. We are a nation that needs each other far more than we realize. I think on that fateful day in Buffalo, we realized the danger of allowing hatred, in any form, to fester. Because that hate is not just visited upon one; its impact tears at the foundation of our democracy.

- **To Dr. Pape:**

- This is about the hope of our democracy. I never thought that I would be this worried about the future of our country and the main-streaming of these ideas begins to undermine the necessary cohesion for a democracy to function. This is the great question in America's history. Each generation has to answer it in the right way—will we get better at being a multi-cultural democracy. Will we let hate undermine the highest ideals of humanity that this country represents. I feel like we are on a perilous precipice. When I saw that many of the January 6th rioters had antisemitic and racist symbols. We know from your data that these are not militia.
- On the issue of the ease of access to guns causing this violence, we should not ignore that reality, but I am more concerned about the culture of contempt that we have in our country. You said something, and I do not want to create false equivalencies, but I know I would have raised a lot of money if I would have, at a State of the Union address, yelled out an explicative at President Donald Trump. If I had said something like, “you lie!” I know this because it happened to President Obama and that person had one of their best fundraising quarters after bringing that kind of outrage into our sacred civic space.
- Driving this point home, that this is not about us versus them, that this is about the continuation of our democracy. That we are inching closer as this hatred and contempt culture spreads. **You keep talking about the limitations and your**

skepticism of us doing certain things, but what should we ultimately be doing as this body, to try and bring this nightmare to an end?

- **What is your antidote or advice [to break through political logjams]?**
- **Statement from Senator Booker during questioning:**
 - It will take thousands of acts of humble grace to cure some of these pressures. However, I do not know what it will take when the very algorithms that are built into our social media, and when larger corporate entities want to germinate outrage and hate because it sells better, expands platforms, and creates greater audience participation. This is the track that we are in, which germinates hate and has infected this body. So, the only correction I have to you is, though the onus is on this body, if it is just this sector and it is not media, business, culture, and churches, then we are lost. We are each other's greatest promise to get us out of this trap.

Questions from Senator Cruz:

- **Statement during questioning from Senator Cruz:**
 - There ought to be three propositions that come out of this hearing, to which all of us can agree. Number one, violent crime should always be unacceptable and punished severely. Number two, hate is wrong. Number three, the machinery of the federal government should not be used as a tool to target and prosecute your political opponents. All three should be ideas that bring us together, regardless of where you fall on the political spectrum. Unfortunately, we see over and over efforts to politicize acts of violence.

When it comes to white supremacy, when it comes to vicious hate groups like the Klan or the Nazi party, in my view, they are bigoted, racist morons, who should be denounced and despised. I do think my Democratic colleagues have tried hard to erase the history of the Klan—that it was formed by elected Democrats, that its leadership was almost entirely elected democrats, that the authors of the Jim Crow laws were elected democrats. And I think today's Congressional Democrats try to use the charge of white supremacy, which is undoubtedly evil, bigoted, and wrong, and weaponized by their own party, that they try and use that as a proxy to attack a political party that they disagree with. And they do so by diminishing anti-Jewish and anti-Asian violence, violence directed at white people, violence directed at police. My view is violence is always wrong, no matter the political ideology.

Is violence from white supremacist organizations a problem? Absolutely. As is violence from other hate groups. The Brooklyn subway shooter was a known Black supremacist who called for acts of violence. The Waukesha attacker was a viciously left-wing Black-nationalist bigot. In 2016, another Black nationalist gunned down police officers in Dallas—he did so on explicitly racial grounds. In 2019, domestic terrorists gunned down people in a kosher grocery store. San Francisco in the past year has seen a 500%+ increase in anti-Asian violence. Anti-Jewish hate crimes in New York are up 100%+ in the first quarter of 2022. And we have the violence of the Antifa riots and the Black Lives Matter riots that

racked this country. My Democratic colleagues sought to excuse, apologize for, and raise money to bail out of jail violent rioters. **When it comes to violence, the Department of Justice should not treat it as an excuse to simply target the political opponents of the administration in power. Violent crime should be prosecuted across the board, to keep people safe.**

- **To Mr. Herdman:**

- You personally prosecuted the anarchist bridge-bombers, five anarchists who broke off of the Occupy protests, and plotted to bomb a bridge in the Cleveland area. **Can you describe that case and what you encountered there?**
- **Do policies that result in giving a slap on the wrist to violent criminals and violent terrorists, that release people who commit riots with little to no jail time, do they keep us safe from violence?**

Questions from Senator Klobuchar:

- **Statement from Senator Klobuchar during questioning:**

- I want to note that the intelligence community has identified racially or ethnically motivated violent extremists as a category of people most likely to conduct mass-casualty attacks. What was not noted by Senator Cruz is that the FBI reported that, of the racially or ethnically motivated violent extremists it investigated in 2020, 87% were white supremacist.

- **To Mr. Whitfield:**

- I cannot imagine what you and your family are going through. **How can our response to this tragedy help you, your family, and your community heal?**

- **To Mr. German:**

- White supremacist violence is a Nation-wide problem. **Can you talk about why it is important for law enforcement to classify crimes as domestic terrorism when they occur, because of the importance of categorizing and keeping track of them that way?**

- **To Mr. Herdman:**

- The FBI Joint Terrorism Task Force operates with USAOs across the country to address domestic terror. On the Rules Committee that I chaired, investigating the January 6th attack, we found that what led up to the attack was a failure to share information between local, state, and federal law enforcement agencies. It was not the cause, but we learned that we need to do a much better job. **Based on your experience as a former U.S. Attorney, what are the ways that federal law enforcement can work more effectively with state and local law enforcement when it comes to domestic terrorism?**
- In testimony before the Senate Intelligence Committee, in April 2021, FBI Director Wray noted that social media has become in many ways the key amplifier of domestic violent extremism, through the profitable algorithms that help the information spread quickly. **Do you believe social media has made it**

more difficult to combat disinformation that can radicalize people and spur them to violence?

Questions from Senator Padilla:

- **Statement from Senator Padilla during questioning:**
 - I think as we are doing this, we should consider easy access to guns in the U.S. as jointly enabling violent extremists. In Buffalo, the perpetrator's weapon of choice was an AR-15, which enabled him to turn his hatred into carnage.
- **To Mr. German:**
 - Over the years, we have seen a growing reliance on the Internet, and most notably, social media, to spread racist conspiracy theories and to radicalize and recruit domestic terrorists. You shared your belief that racist conspiracy theories are often hiding in plain sight, and that the reporting the threats of these theories to law enforcement could help prevent future attacks. But, you also noted that the FBI receives thousands of tips a day. **In light of this reality, what are your thoughts on how state and local law enforcement can play a more strategic role in identifying credible threats of violence?**
 - The New York AG has announced an investigation into social media companies that were used to live stream the shooting in Buffalo. **What other ways can we disrupt the pathways to radicalization? You have mentioned modifying the criteria for investigation. Anything else?**
 - You have heard me talk about our country being a nation of immigrants, all created equal, deserving equal rights. It is disturbing to me to see right-wing media figures and politicians prompting racism, hatred, and division in the U.S., sometimes subtly, sometimes not subtly at all. You stated that some politicians and media figures tell whites that they are deliberately being replaced by minorities, and they are going to be second-class citizens to minorities. **Expand on how, in your studies, the people and groups that promote the Great Replacement Theory believe they are deserving of that first-class citizenship?**
 - **What rights to whites think they are going to be losing?**

Questions from Senator Blumenthal:

- **Question to all witnesses:**
 - You mentioned domestic terrorism in the 1920s. But, in the 1920s, assault weapons or similar weapons were pretty rare, if used at all. Now, we are flooded with assault weapons. I want to make the connection here between violent extremism, domestic terrorism, white supremacy, and the Replacement Theory. That combine of forces with firearms is unmistakable. It should be an area for action. It does not violate the First Amendment. **If you go down the line of attacks—racist, violent, white supremacists are linked to firearms. It seems to me the Constitutional argument against banning assault weapons, or at least raising the age, or red flag statutes, is pretty specious. We are in a different era than the 1920s.**

List of Federal Riot Cases Charged

Updated: 7.15.20 – 5:50 p.m. (ET)

DATE	DISTRICT	DEFENDANT(S)	Total: 147	CHARGE(S)	PRESS RELEASE
7/15/20	WDNY	Shakell Sanks, Javon Hardy	2	Sanks/Hardy: Arson	2 More Defendants Charged Federally For Their Roles In Arsons During May 30th Violent Protests In Rochester
7/15/20	WDWA	Isaiah Thomas Willoughby	1	Arson	Man charged with arson for setting fire to Seattle's East Police Precinct during Capitol Hill Protest
7/13/20	MDFL	Terrance Lee Hester, Jr.	1	Damaging or destroying by fire a building used in interstate commerce	Tampa Man Arrested For Burning A Building During Civil Disturbance In Tampa
7/13/20	OR	Jacob Michael Gaines	1	Assaulting a U.S. Marshals Service deputy with a construction hammer	Texas Man Charged With Assaulting Deputy U.S. Marshal With Hammer During Weekend Protests in Portland (Photo)
7/7/20	DC	Jerritt Jeremy Pace	1	Multiple offenses related to his attempt to burn down a police precinct	Man Indicted by Federal Grand Jury for Attempting to Burn Down Metropolitan Police Department Station
7/7/20	OR	Rowan Olsen Shant Singh Ahuja Andrew Steven Faulkner Gretchen Margaret Blank Christopher Fellini Cody Porter Taimane Jame Teo	7	OLSEN: Disorderly conduct, creating a hazard on federal property, and failing to obey a lawful order AHUJA: Destruction of federal property FAULKNER, BLANK, FELLINI, TAIMANE, TEO: Assaulting federal officers.	Seven Arrested, Facing Federal Charges After Weekend Riots at Hatfield Federal Courthouse
7/6/20	OR	Abdikareem Hassan	1	Assaulting a federal officer	Portland Man Charged for Assault on a Federal Officer
7/3/20	NV	Keith Leroy Moreno	1	Destroying federal property	Reno Resident Arrested And Charged For Breaking Windows At Reno Federal Courthouse During May 30 Civil Unrest

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7/3/20	NDIL	Fermin Ocampo-Tellez Diego Vargas Michael Gomez	3	Attempting to steal cash from an automated-teller machine in downtown Aurora	Three Individuals Charged With Trying to Steal Cash From Aurora ATM
7/2/20	NDOH	Timothy James Goodner	1	Arson	Maple Heights man indicted on arson charge from May 30 demonstrations in Downtown Cleveland
7/2/20	DC	Jason Charter	1	Destruction of federal property	Man Charged in Federal Court for Attempting to Tear Down Statue of Andrew Jackson in Lafayette Square Amid Protests
7/1/20	CDCA	Micah Tillmon	1	Arson	West Hills Man Arrested on Federal Arson Charge for Allegedly Starting Fire in Santa Monica Restaurant during Civil Disturbance
6/30/20	MN	Matthew Scott White	1	Arson	Minneapolis Man Charged With Arson Of St. Paul Car Rental Agency
6/30/20	MN	Mohamed Hussein Abdi	1	Arson	Maplewood Man Charged With Arson Of St. Paul High School
6/30/20	WDPA	Devin Montgomery	1	Malicious destruction of property using fire or explosives	Pittsburgh Man Charged with Arson for Setting Fire to Unmarked Police Vehicle during May 30 Pittsburgh Protests
6/29/20	MDTN	Jotez Anderson	1	Convicted felon in possession of a firearm	Nashville Man Facing Federal Firearms Charge After Pointing Gun At Police Officers
6/27/20	SDOH	Ronnie Earl Murdock Jr	1	Possession of a firearm by a convicted felon	Convicted felon charged with possessing loaded firearm at Columbus protest
6/27/20	DC	Lee Michael Cantrell Connor Matthew Judd Ryan Lane Graham Lloyd	4	Destruction of federal property	Four Men Charged in Federal Court for Attempting to Tear Down Statue of Andrew Jackson in Lafayette Square Amid Protests
6/26/20	NDOH	Timothy James Goodner	1	Maliciously damaging or destroying by means of fire or explosion any building or property	Maple Heights man charged with damaging by means of fire a parking lot attendant booth during May 30 demonstrations

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6/26/20	NDIL	Christian Rea	1	One count of civil unrest	Aurora Man Arrested On Federal Civil Disorder Charge For Allegedly Throwing An Explosive Device At A Naperville Police Vehicle
6/25/20	WDKY	Christopher Tinsley	1	Conspiracy to commit burglary involving controlled substances	Feds Charge Additional Defendant For Looting Neighborhood Pharmacy During Civil Unrest
6/22/20	EDTN	Dominic Brown	1	Inciting a riot and civil disorder	Heiskell Man Charged With Inciting a Riot and Civil Disorder
6/19/20	MN	Jessica Lynn White	1	Conspiracy to commit arson	Andover Woman Charged With Arson Of St. Paul Car Rental Agency
6/18/20	WDKY	Vontreil Bailey Jean-Pierre Crowdus Frederick D. Eaves Channel Lewis Damion Lemont Hayes Brian N. Dean Tevin R. Patton	7	BAILEY: Conspiracy to commit burglary involving controlled substances. CROWDUS, EAVES, LEWIS: Conspiracy to Commit Burglary Involving Controlled Substances for breaking in and looting. HAYES: Charged with carjacking DEAN: Charged by a Grand Jury Indictment with possession of a firearm by a prohibited person. PATTON: Charged for being a prohibited person in possession of a firearm	Louisville Riot Activity Results In Multiple Federal Indictments For Pharmacy Looting, Carjacking, And Armed Felons
6/18/20	EDPA	David Elmakayes	1	Charged by criminal complaint with malicious damage of property with an	U.S. Attorney McSwain Announces Charges against Philadelphia Man for Blowing Up an ATM and

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				explosive device and possession of a firearm by a convicted felon	Illegal Possession of a Firearm during Protests
6/18/20	SDNY	Victor A. Sanchez-Santa	1	One count of arson	Queens Man Charged In Connection With Arson Of An NYPD Vehicle In Manhattan
6/18/20	EDNC	Richard Rubalcava	1	Two counts of maliciously damaging or destroying, or attempting to damage or destroy, by means of fire or an explosive, any building or other real or personal property affecting interstate or foreign commerce	Raleigh Man Arrested for Setting Multiple Fires to Raleigh Businesses
6/17/20	NV	Stephen T. Parshall, aka “Kiwi,” Andrew Lynam William L. Loomis	1	Conspiracy to cause destruction during protests in Las Vegas and possession of an unregistered destructive device, specifically, a so-called “Molotov cocktail.”	Federal Grand Jury Indicts Three Men For Seeking To Exploit Protests In Las Vegas And Incite Violence
6/17/20	WDTX	Manuel Flores	1	Charge of posting a threatening communication over the Internet	El Paso Man Faces Federal Charge of Posting Threatening Communications over the Internet
6/17/20	MN	Bryce Michael Williams	1	Conspiracy to commit arson at the Minneapolis Police Department’s Third Precinct	Staples Man Charged In Minneapolis Police Third Precinct Arson
6/17/20	NJ	Earlja J. Dudley	1	Attempting to ignite a marked police vehicle	Trenton Man Arrested for Attempting to Ignite Police Vehicle During Trenton Protests
6/17/20	NDGA	Jesse James Smallwood Delveccho Waller Jr., Bruce Thompson Judah Coleman Bailey Dashun Martin	5	Conspiring to commit, and commission and attempted commission of, arson of a police car following a protest stemming from the death of George Floyd.	Gainesville men indicted on federal arson charges for setting fire to police car parked at officer’s residence

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6/17/20	EDPA	Lore-Elisabeth Blumenthal	1	Arson of two Philadelphia Police Department (PPD) vehicles.	U.S. Attorney McSwain Announces Charges Against Philadelphia Woman for Arson of Two Philadelphia Police Cars During Protests
6/16/20	NDCA	Steven Carrillo Robert Alvin Justus, Jr	2	CARRILLO: 18 U.S.C. §§ 1114(1) and 1114(3) and one count of attempted murder. JUSTUS: Aiding and Abetting; Attempted murder	Two Defendants Charged With Murder And Aiding And Abetting In Slaying Of Federal Protective Service Officer At Oakland Courthouse Building
6/16/20	EDPA	Peter Fratus	1	18 U.S.C. 875(c), transmitting in interstate commerce a threat to injure another	U.S. Attorney McSwain Announces Charges Against Massachusetts Man for Sending Racist, Threatening Emails to the Philadelphia Police Commissioner
6/16/20	MN	Dylan Shakespeare Robinson	1	Aiding and abetting arson at the Minneapolis Police Department's Third Precinct	Brainerd Man Charged In Minneapolis Police Third Precinct Arson
6/15/20	MN	Montez Terrill Lee	1	18 USC 844, Arson	Rochester Man Charged With Arson Of Minneapolis Pawn Shop
6/12/20	EDNY	Colinford Mattis Urooj Rahman Samantha Shader	3	Charge the defendants with the use of explosives, arson, use of explosives to commit a felony, arson conspiracy, use of a destructive device, civil disorder, and making or possessing a destructive device.	Two Brooklyn Residents and a Greene County Resident Indicted in Connection with Molotov Cocktail Attacks on NYPD Vehicles
6/12/20	EDNC	Andrew Garcia-Smith	1	One count of maliciously damaging property owned or possessed by an	Second Arrest Made for the Arson of Fayetteville's Historic Market House

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				institution receiving federal financial assistance	
6/12/20	SDTX	Travis Glendon Martin III	1	Civil disorder	Texas man charged for impeding law enforcement during protest
6/12/20	EDVA	John Malcolm Bareswill	1	Making a telephonic threat to use fire to kill, injure, or intimidate any individual, or unlawfully to damage or destroy a building	Man Arrested for Threatening to Burn Down African American Church
6/12/20	NDOH	Brandon Michael Althof Long Devon Bryce Poland	2	One count each of conspiracy to riot and cause civil disorder, conspiracy to use fire to commit a felony, interstate travel to riot and transporting any firearm in furtherance of civil disorder.	Two Pennsylvania men indicted on rioting and firearms charges
6/11/20	EDNY	Michael Rodriguez	1	Setting an unoccupied New York City Police Department vehicle on fire	Individual Charged with Setting NYPD Vehicle On Fire in Brooklyn
6/11/20	DC	Micah Avery	1	Destruction of federal property, resisting a federal officer, and obstructing a law enforcement officer during a civil disorder	District Man Charged in Federal Court for Vandalizing the Lincoln Memorial During Protests
6/11/20	WDWA	Margaret Aislinn Channon	1	18 USC 844, Arson	Tacoma, Washington, woman arrested for allegedly setting five police vehicles on fire during Seattle protest
6/11/20	SDCA	Donte Marcel Anderson Desteny Estrella Leilani Salazar Donley Thompson, Tracy Whitfield Adrian Oscar Duran	5	18 USC 922(j)-- Possession of a stolen firearm; 18 USC 922(u)--Burglary of a federally-licensed firearms dealer (five defendants)	Five Bay Area Residents Face Federal Charges for Vacaville Gun Store Burglary

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6/11/20	NDIL	Paris Mickle Tahkisha Hodge	2	18 U.S.C. 371 & 2113(b); conspiracy to commit bank theft	Two Individuals Charged With Trying to Steal Cash From Chicago ATM
6/11/20	DE	Adrian Wood	1	18 U.S.C. § 231(a)(3); civil disorder	Washington State Man Charged With Smashing Police Car Window
6/10/20	MDFL	Ivan Jacob Zecher	1	18 U.S.C. 922(g)(1) - Possession of a firearm by a convicted felon 26 U.S.C. 5861(d) - Unlawful possession of an unregistered firearm	Jacksonville Man Indicted For Possession Of Molotov Cocktail At Protest
6/10/20	MN	Matthew Lee Rupert	1	Civil disorder, rioting, and arson	Federal Grand Jury Returns Indictment Charging Illinois Man With Arson, Riot
6/10/20	MN	Mckenzy Ann Degidio Dunn	1	18 USC Section 371, conspiracy to commit arson	Third Individual Arrested And Charged With Arson Of St. Paul Health And Nutrition Store
6/10/20	SDCA	Rudy Alvarez	1	26 USC 5861 -- Possession of Unregistered Destructive Device (Molotov Cocktail)	Man Charged with Pointing Laser at Police Helicopter
6/10/20	WDWA	Devinare Antwan Parker	1	USC 5861(d), possession of destructive device	Former North Carolina man charged with possessing destructive device for bringing improvised firearm to protest
6/9/20	SDCA	Zachary Alexander Karas	1	26 USC 5861 -- Possession of Unregistered Destructive Device (Molotov Cocktail)	Man Charged with Possessing Molotov Cocktails at La Mesa Protest
6/9/20	WDWI	Jeremiah Belen	1	18 USC 39A - aiming a laser pointer at an aircraft	Milwaukee Man Charged With Federal Offense

List of Federal Riot Cases Charged

Updated: 7.15.20 – 5:50 p.m. (ET)

					Aiming A Laser Pointer At Law Enforcement Aircraft
6/9/20	MDLA	Terry Lemond Dorsey Kenyatta Sheire Huggins Shamyryn Djhodi Johnson	3	18 USC 844 (arson)	Three Baton Rouge Residents Face Federal Arson Charges in Connection with Area Business Fires
6/9/20	MN	Samuel Elliott Frey Bailey Marie Baldus	2	18 USC 371 and 844(i), arson.	Two Individuals Charged With Arson Of St. Paul Health And Nutrition Store
6/9/20	EDPA	Steven Pennycooke Shawn Collins	2	18 USC 922(g) (Felon in Possession of Firearm)	U.S. Attorney McSwain Announces Charges Against Two Convicted Felons for Illegal Possession of Firearms Amidst Ongoing Protests in Philadelphia
6/9/20	NDAL	Tia Deyon Pugh	1	obstructing, impeding, and interfering with law enforcement during the course of a civil disorder that affected interstate commerce	Mobile Woman Charged After Smashing Police Car Window During Mobile Protests
6/8/20	MN	Branden Michael Wolfe	1	Aiding and abetting arson at the Minneapolis Police Department's Third Precinct	St. Paul Man Charged In Minneapolis Police Third Precinct Arson
6/8/20	WDTX	Cyril Laurence Lartigue	1	26 USC 5861(d), Possession of a Unreg Destructive Device	Federal Criminal Complaint Filed Charging Cedar Park Man with Possession of Unregistered Destructive Device during Protest in Austin
6/8/20	NDTX	Erick Montgomery	1	Theft from a Federal Firearms Licensee (FFL) and possession of stolen firearms.	Dallas Man Charged with Theft of Firearms During Protests
6/8/20	NDNY	Jahjuan Sabb	1	18 USC 875(c), interstate communication of a threat, and 18 USC 842(p)(2)(A), teaching the making or use of an explosive or destructive device, to be used for, or in furtherance of, an activity that constitutes a federal crime of violence.	Troy Man Charged with Threatening Police Over Facebook

List of Federal Riot Cases Charged

Updated: 7.15.20 – 5:50 p.m. (ET)

6/8/20	MDFL	Ivan Jacob Zecher	1	18 U.S. C. 922(g)(1) possession of firearm by convicted felon, and 26 U.S. C. 5861(d) unlawful possession of an unregistered weapon	Jacksonville Man Charged With Possessing Molotov Cocktail At Protest
6/8/20	WDKY	Jean-Pierre Crowdus Frederick D. Eaves Channel Lewis	3	18 USC 2118 Conspiracy to Commit Burglary Involving Controlled Substances	U.S. Attorney's Office Charges Three For Looting Of Neighborhood Pharmacy During Civil Disturbance
6/6/20	WDPA	Matthew Michanowicz	1	One count 26 USC 5861(d); possession of destructive devices	Pittsburgh Man Charged with Possession of a Destructive Device after Placing a Backpack of Homemade Explosives in Downtown
6/5/20	CDIL	Shamar N. Betts	1	18 U.S.C. 2101, Inciting a Riot,	Champaign, Ill., Man Arrested in Mississippi, Charged in Federal Complaint with Using Internet to Incite Rioting in Champaign
6/5/20	WDPA	Brian Bartels	1	One count 18 USC 231(a)(3); obstructing law enforcement incident to a civil disorder	Suburban Pittsburgh Man Charged with Civil Disorder for Destruction of City of Pittsburgh Police Vehicle
6/5/20	EDWI	Tyshaun T. Smith	1	18 USC 844(1) (attempted arson) and 26 USC 5861(c) (possession of a destructive device)	Milwaukee Man Charged With Federal Offenses For Throwing Molotov Cocktail Into Boost Mobile Store
6/5/20	NDOH	Brandon Michael Althof Long Devon Bryce Poland	2	Engaging and conspiring to engage in interstate travel with a firearm with the intent to use fire to participate in civil unrest and riot, use of fire to commit a felony, and rioting	Two Pennsylvania men arrested and charged for traveling to Cleveland to commit acts of violence
6/5/20	EDNC	Charles Anthony Pittman	1	18 USC 844(f), damaging a building by fire.	Arrest Made for the Arson of Fayetteville's Historic Market House
6/5/20	EDNC	Jabari Devon Davis	1	One count of attempting to damage or destroy by fire a vehicle owned or possessed by an institution receiving federal financial assistance	Raleigh Man Arrested for Attempting to Set Fire to Raleigh Police Department Vehicle

List of Federal Riot Cases Charged

Updated: 7.15.20 – 5:50 p.m. (ET)

6/4/20	WDWI	Kyle C. Olson (also known as Charles Quade) Anthony R. Krohn	2	Both charged with 18 USC 922(g)(1); felon in possession of a firearm	Two Wisconsin Men Charged with Illegally Possessing Firearm During Madison Protests
6/4/20	NV	Tyree Walker Devarian Haynes Ricardo Densmore	3	One count of conspiracy to commit arson One count of arson	Three Men Face Federal Arson Charges For Setting Fire To Police Patrol Vehicle During Protest In Downtown Las Vegas
6/4/20	WDMO	Matthew E. Madden	1	18 USC 922(g)(3), drug user in possession of a firearm	KCK Man Arrested for Attacking Officers at Protest Charged with Illegal Firearm
6/4/20	WDNY	Deyanna Davis Semaj Pigram Walter Stewart *Courtland Renford	3	Davis, Pigram, Stewart: Felon in possession of a firearm. *Renford: federal grand jury has returned a separate indictment charging the defendant with arson (see 6/1/20 WDNY Press Release re Renford).	Four Defendants Charged In Two Separate Indictments For Their Roles In Incidents Of Violence Associated With Civil Unrest In Buffalo
6/4/20	NDIL	Adam Walton	1	18 USC 922(g)(1); felon in possession of a firearm	Man Charged in Federal Court With Illegally Possessing Loaded Handgun in Chicago
6/4/20	CDIL	Ca'Quintez Gibson	1	18 U.S.C 2101, Inciting a Riot	Federal Complaint Charges Peoria Man with Using Internet to Incite Rioting in Peoria
6/4/20	AZ	Loren Reed	1	Title 18, United States Code, Section 844(e) for using the internet and telephone to willfully threaten to unlawfully damage or destroy a building by fire	Page Man Charged with Threatening to Burn Page Magistrate Court
6/4/20	NJ	Carlos A. Matchett	1	18 USC 2101 Use of a facility of interstate commerce to organize, promote, encourage, participate in, and carry on a riot	Atlantic City Man Charged with Rioting
6/4/20	SDIN	Antonio Wooden	1	18 U.S.C. 922(g)(2) and (3); fugitive and drug user in possession of a firearm.	Federal charges filed from incident during Saturday's protest/rioting

List of Federal Riot Cases Charged

Updated: 7.15.20 – 5:50 p.m. (ET)

6/3/20	EDMO	Devante Coffie	1	18 U.S.C. 922(u), burglary from firearms dealer	St. Louis County Man Faces a Federal Firearms Charges in Connection to the Burglary of the Southside Pawn Shop
6/3/20	NDIL	Kevin D. Tunstall Johnnie L. Lee	2	One count of illegal possession of a firearm by a convicted felon	Two Convicted Felons Charged in Federal Court With Illegally Possessing Loaded Handguns in Chicago
6/3/20	NDIL	Joseph Hammond	1	18 USC 922(g)(1); felon in possession of a firearm	Chicago Man Facing Federal Firearm Charge After Allegedly Pointing Loaded Gun at Federal Agent
6/3/20	MA	Vincent Eovacious	1	Civil disorder and possession of a Molotov cocktail	Worcester Man Charged with Civil Disorder and Possession of a Destructive Device
6/3/20	UT	Jackson Stuart Tamowski Patton	2	One count of arson for allegedly setting fire to a Salt Lake City Police Department vehicle	Salt Lake City Man Arrested On Federal Arson Charges For Alleged Burning Of Salt Lake City Police Patrol Car
6/3/20	WDKY	Tevin R. Patton	1	Prohibited person in possession of a firearm	U.S. Attorney's Office Prosecuting Armed Felon From Tennessee Arrested During Louisville Protest And Riots
6/3/20	MDFL	John Wesley Mobley, Jr.	1	False impersonation of a federal officer	Convicted Felon Charged With Impersonating A Deputy United States Marshal At George Floyd Protest
6/3/20	WDPA	Melquan Barnett	1	Malicious destruction of property using fire or explosives	Erie Man Charged with Arson for Setting Fire at Erie Coffee Shop during Protest
6/3/20	NV	Stephen T. Parshall aka "Kiwi," Andrew Lynam William L. Loomis	3	All charged with: One count of conspiracy to damage and destroy by fire and explosive; and one count of possession of unregistered firearms, that is, a destructive device	Joint Terrorism Task Force Charges Three Men Who Allegedly Sought To Exploit Protests In Las Vegas And Incite Violence
6/3/20	MDTN	Wesley Somers	1	Malicious destruction of property using fire or explosives	Hendersonville Man Facing Federal Arson Charges In Connection To Metro Courthouse Fire During Protest
6/2/20	NDIL	Timothy O'Donnell	1	18 U.S.C. § 844(i), arson	Chicago Man Arrested on Federal Arson Charge for

List of Federal Riot Cases Charged

Updated: 7.15.20 – 5:50 p.m. (ET)

					Allegedly Setting Fire to Chicago Police Vehicle
6/2/20	NDIL	Brandon Pegues Amber L. Peltzer	2	Pegues: 18 U.S.C. 922(g), felon in possession of a firearm Peltzer: 18 U.S.C. 922(g), felon in possession of a firearm	Two Individuals Charged in Federal Court With Illegally Possessing Loaded Handguns in Downtown Chicago
6/2/20	NJ	Justin Spry	1	Attempt to Damage Government Property by Fire, 18 USC 844(f)(1) and (2) Attempt to Damage Property in Commerce by Fire, 18 USC 844(i)	Middlesex County Man Arrested for Attempting to Set Fire to Trenton Police Vehicle
6/2/20	NDTX	Emmanuel Quinones	1	18 U.S.C. 875(c) (interstate threatening communications)	Man Who Brandished Assault Rifle at Protest Charged With Making Threats
6/2/20	MN	Garrett Patrick Ziegler Fornandous Cortez Henderson	2	The defendants are charged with arson and possession of Molotov cocktails.	Two Individuals Charged With Throwing Molotov Cocktails Into Dakota County Government Building
6/1/20	WDNY	Courtland Renford	1	18 USC 844(i), destroying/attempting to destroy a building used in interstate commerce	Buffalo Man Charged With Arson After Throwing A Burning Basket Into Buffalo City Hall During Weekend Protests
6/1/20	MN	Matthew Lee Rupert	1	18 U.S.C § 231(a)(3) (civil disorders) and 2101 (riots); 26 U.S.C. § 5845(f), 5861(d), and 5871 (unregistered firearms)	Federal Criminal Complaint Charges Illinois Man With Traveling To Minnesota To Riot, Possession Of Explosive Devices
5/31/20	EDNY	*Colin ford Mattis *Urooj Rahman *Samantha Shader EDNY issued a second release on 6/12/20 concerning these three individuals.	0 (Dup)	Mattis/Rahman: causing damage by fire and explosives – police vehicle); 18 U.S.C. 2 (aiding and abetting) Shader: 18 U.S.C. 844(i) (causing damage by fire and explosives – police vehicle	Two Brooklyn Residents and a Greene County Resident Charged in Connection with Molotov Cocktail Attacks on the NYPD

From: DOJ Correspondence (SMO)
Subject: FW: Letter to Attorney General - End Abuses of Domestic Terrorism Enhancements
To: Cace, Christina M. (OLA); Ante, Kira M. (OLA); Gaeta, Joseph (OLA); Wodemariam, Wintta (OLA)
Cc: Hyun, Peter (OLA); Schwartz, Leah F. (OLA); (b)(6) (OLA)
Sent: December 17, 2021 12:40 PM (UTC-05:00)
Attached: Letter to Attorney General - End Abuses of Domestic Terrorism Enhancements.pdf

Good afternoon

Please provide assignment guidance. Thanks.

From: Korten, Brad (b)(6)
Sent: Friday, December 17, 2021 11:52 AM
To: DOJ Correspondence (SMO) <Ex_DOJCorrespondence@jmd.usdoj.gov>
Subject: [EXTERNAL] Letter to Attorney General - End Abuses of Domestic Terrorism Enhancements

Good Morning,

Enclosed is a letter that Congresswoman Bonnie Watson Coleman would like to send to Attorney General Merrick Garland regarding the process in which federal prosecutors use domestic terrorism enhancement charges and how it seems to be disproportionately impacting Black and Brown Americans. Please let us know that you have received this letter and we hope to receive responses to the questions as soon as possible. Thank you for your time and assistance in this. Have a great holiday season and a happy and healthy new year!

Best Regards,

Brad Korten
Senior Policy Advisor
Office of Rep. Bonnie Watson Coleman (NJ-12)
168 Cannon House Office Building
Office: (202) 225-5801 | Direct: (b)(6) | Cell: (b)(6)

Congress of the United States

Washington, DC 20515

December 17, 2021

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Attorney General Merrick Garland,

This past June you gave remarks on the first National Strategy for Countering Domestic Terrorism and spoke about the efforts to prevent similar attacks and to affirm the “values on which our justice system depends.” Particularly after the events of January 6th, we know that this work is critical to maintaining our democratic norms and to preventing domestic terror. At the same time, we must draw attention to an equally troubling issue: the weaponization of prosecutorial tactics, like the domestic terrorism enhancement, that harm Black and Brown Americans disproportionately.

The country has seen a rise in acts of domestic terror, particularly against minority communities. On the surface, the pursuit of justice in such cases should seem straightforward. The Department of Justice pursues domestic terrorism enhancements on offenses that meet the statutory definition laid out in 18 U.S.C. § 2331(5): acts within the United States that are dangerous to human life, violate the laws of the U.S. or a state, and “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.” While this definition allows prosecutors to seek enhanced punishments against veritable acts of terror, it also often enables prosecutors to pursue domestic terrorism enhancements against defendants whose more minor offenses, like the destruction of property or disorderly conduct, would be otherwise considered far less egregious. We believe that the broad guidelines create a loophole for weaponization of domestic terrorism enhancement that disparately affects minority communities.

Under the previous administration, the DOJ wavered on bringing federal charges against far-right protestors in places like Charlottesville, Seattle, Sacramento, and Anaheim, even after the events in Charlottesville resulted in the death of a counter-protestor. By contrast, federal prosecutors did not hesitate to pursue over 200 felony conspiracy cases against protestors at a January 20, 2017 protest, “where some in the crowd broke store windows and set a limousine on fire.”^[1] This trend is not simply historical. Minorities suffer far more severe penalties, like lifetime imprisonment, for crimes for which white offenders receive a minimal sentence.

For example, clear abuse of this enhancement is evident in the prosecution of Colinford Mattis and Urooj Rahman, two Brooklyn-based lawyers, one Black and one Muslim, who participated in the Black Lives Matter protests last June. Rahman threw a Molotov cocktail at an unoccupied police vehicle. The act injured no one and the two have no previous records, yet the prosecution decided to pursue the domestic terrorism enhancement. At the same time, the world just witnessed Kyle Rittenhouse, who asserted he was justified in killing unarmed Americans with deadly weapon that he did not legally own. Rittenhouse, nor other defendants in similar vigilante cases, are not currently facing domestic terror enhancements. Dylann Roof, who killed nine people in a historically Black church, also did not face these charges. These acts constitute domestic terrorism under 18 U.S.C. § 2331(5). The double standard is self-evident. This dichotomy is even more conspicuous when we consider that only two of the hundreds of January 6th insurrectionists have faced such an enhancement, though we have clear, videotaped evidence of assault of the Capitol and multiple officers of the law. These acts were directly in line with the statutory definitions of domestic terrorism and were clearly intended to influence government conduct by intimidation or coercion, meaning that the enhancement could be applied to even non-terrorism offenses.

These examples represent only a fraction of the ways in which our justice system is used toward unjust ends. Broad characterizations of minorities' characters, backgrounds, opinions, and beliefs are assumed as tantamount to evidence, often conferring guilt rather than presuming innocence. For Noor Salman, the widow of the Pulse nightclub shooter, these false characterizations landed her in prison for over a year, separating from her child, before she was acquitted of providing material support to a terrorist organization. The clear lack of due process is an appalling violation of human rights, as well as of our own Constitution.

The Department of Justice must take immediate, actionable steps to alleviate the cruel and unusual effect of domestic terror enhancements on minority populations. To accomplish this, we recommend that the Department:

1. Assess the cases in progress, the facts of those cases, and the prosecutors and judges overseeing those cases. The DOJ must seek to thwart discriminatory prosecutorial tactics, as well as partial judgments, that violate basic human rights and that pursue excessively severe punishments for the predicate offenses.
2. Begin tracking and reporting clear data on all cases for which terrorism enhancements are sought, including the publication of docket numbers to link prosecutions to actual cases, providing the demographics and facts of each case, and assessing these cases for discrimination. We also request that the DOJ transmit this data to Congress and make this data available to the public.
3. Carry out stronger analysis and oversight of its sentencing guidelines and how they are leveraged in order to ensure that these guidelines do not create loopholes for abuse, weaponization, dual use, or subversion.
4. Develop and implement stronger diversity and inclusion programs, including conscious and unconscious bias training, for its employees, federal prosecutors, and judges. Create methodologies to promote more women and Americans from diverse backgrounds.

In seeking justice, we must continue to be alert to how tools and strategies can often be weaponized disproportionately against minorities, particularly Black and Brown communities. We must seek to create stricter guidelines and stronger oversight for prosecution. These issues must be addressed with the greatest urgency. We look forward to working with you and your Department to develop and implement processes to protect Americans against the weaponization of these and other prosecutorial tactics. We look forward to your response.

Sincerely,



BONNIE WATSON COLEMAN
Member of Congress



RASHIDA TLAIB
Member of Congress



DWIGHT EVANS
Member of Congress



SETH MOULTON
Member of Congress

¹¹ German, Michael and Sara Robinson, "Wrong Priorities on Fighting Terrorism," Brennan Center for Justice, New York University School of Law, https://www.brennancenter.org/sites/default/files/2019-08/Report_Wrong_Priorities_Terrorism.pdf

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

DATE	DISTRICT	DEFENDANT(S)	Total: 303	CHARGE(S)	PRESS RELEASE
12/26/20	WDKY	Larynzo Johnson	1	Civil disorder	Louisville Man Charged Federally After Shooting Officers During Civil Unrest
12/22/20	WDNY	Keyondre Robinson	1	Assaulting, Resisting, Or Impeding Certain Officers	Buffalo Man Pleads Guilty To Assaulting A Federal Officer During May Civil Unrest In Buffalo
12/21/20	NV	Marty Clark	1	One Count Of Arson And One Count Of Malicious Damage To Federal Property	Las Vegas Man Faces Federal Arson Charges For Allegedly Setting Fire To A U.S. Courthouse
12/17/20	EDNC	Alexander Pridgen	1	Willfully damaging government property	Greenville Man Indicted for Hurling an Object Into a Window of the Federal Bankruptcy Court During Protests
12/17/20	EDAR	Brittany Dawn Jeffrey Emily Nowlin Renea Goddard Aline Espinosa-Villegas	4	Malicious Destruction Of Property Belonging To An Entity Receiving Federal Funding, Conspiracy To Commit Those Acts, And Possession Of A Destructive Device	Four Defendants Facing Federal Charges After Fire Bombings of Police Vehicles
12/10/20	EDVA	Matthew Lee Frezza	1	Possession Of An Assault Rifle, Handgun, Ballistic	Convicted Felon Sentenced for

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

				Vest, And Eight Magazines Of Ammunition	Possessing Firearms During Civil Unrest
12/4/20	WDKY	John Johnson	1	Assaulting federal task force officers	NFAC Leader “Grandmaster Jay” Charged With Assaulting Law Enforcement Officers
11/23/20	EDVA	Amanda Robinson	1	Aiming a laser pointer at a police aircraft	Woman Pleads Guilty to Aiming Laser Pointer at Police Aircraft
11/19/20	SDCA	Rudy Alvarez of Lemon Grove	1	Aiming The Beam Of A Laser Pointer	Federal Jury Convicts Man For Pointing Laser At San Diego Police Helicopter
11/18/20	WDTX	Cameron Emerson Casey Rankin	1	Illegally possessing a firearm after previously being judicially committed to a mental institution	Federal Grand Jury in San Antonio Indicts Self-Proclaimed Boogaloo Bois Member for Illegally Possessing a Firearm after Previously Being Committed to a Mental Institution
11/12/20	CO	Logan Scott Debyle	1	Aiming a laser pointer at a Denver Police Department (DPD) helicopter	Denver Man Charged With Aiming Laser Pointer At Denver Police Department Helicopter During Protest On November 4
10/30/20	WDTX	Cameron Emerson Casey Rankin		one count of being a prohibited person in possession of a firearm as a result of previously	Self-Proclaimed Boogaloo Bois Member Residing

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

				being committed to a mental institution	<u>in San Antonio Arrested and Charged Federally with Illegally Possessing a Firearm</u>
10/29/20	EDPA	Carlos Matchett Khalif Millerd Anthony David Ale Smith Ayoub Tabri	4	Arson	<u>U.S. Attorney McSwain Announces Charges Against Four Men for Arson of Philadelphia Police and Pennsylvania State Police Vehicles During Violent Civil Unrest</u>
10/26/20	OR	Skyler Roy Rider	1	Civil Disorder and Assaulting a Federal Office	<u>Hillsboro Oregon Resident Charged with Assaulting a Deputized Portland Police Officer</u>
10/23/20	OR	Ty John Fox	1	Civil Disorder	<u>Astoria Man Accused of Civil Disorder for Throwing A Large Cylindrical Firework at Police</u>
10/23/20	MN	Ivan Harrison Hunter	1	Charged with participating in a riot	<u>Self-Described Member Of “Boogaloo Bois” Charged With Riot</u>
10/22/20	OR	Adrian Ruben De Los Rios	1	Engaging in multiple acts of vandalism and violence including throwing rocks at	<u>Minneapolis Resident Accused of Engaging in Multiple Acts of Vandalism and</u>

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

				police officers engaged in lawful crowd dispersal during a civil disorder event	Violence Including Throwing Rocks at Police During Civil Disorder in Portland
10/22/20	OR	Jeffrey Richard Singer	1	two-count indictment with Civil Theft of Government Property.	Portland Man Accused of Civil Disorder
10/21/20	OR	Maurice Lonnie Monson	1	Felon in Possession of Body Armor	Portland Man Accused of Illegal Possession of Body Armor
10/15/20	WDWA	Tyre Waye Means Jr.	1	Arson, possession of a stolen firearm, and two counts of unlawful possession of a firearm.	Seattle Man Charged With Stealing Police Rifle, Setting Patrol Car On Fire During May 30 Riot In Downtown Seattle
10/14/20	WDTN	Justin Coffman	1	Being a drug user in possession of firearms, and has been indicted in state court for the criminal offense of possession of a hoax device	Tennessee Man Charged in Both Federal and State Courts for Unlawful Possession of Firearms and Possession of a Hoax Device During Civil Unrest
10/13/20	CDCA	Nathan Wilson	1	malicious damage to property owned by an institution or organization receiving federal financial assistance.	California Man Faces Federal Charges for Allegedly Setting Santa Monica Police Department Vehicle

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

					on Fire During Civil Disturbances in May
10/9/20	NV	Zachary Sanns	1	one count of false personation of an officer or employee	Man Indicted For Impersonating Federal Law Enforcement Officer During A Protest In Downtown Las Vegas
10/9/20	OR	Travis Austin Hessel	1	Civil Disorder after he attempted to punch a Portland Police officer	Portland Resident Accused Of Civil Disorder
10/7/20	OR	Essence Maya Sylvester Alexis Richter	2	Two misdemeanors: Failing to Obey a Lawful Order and Disorderly Conduct on Federal Property.	Portland Residents Accused of Obstructing Federal Officers Protecting Federal Property
10/6/20	OR	Cyan Waters Bass	1	Arson	Portland Resident Charged with Arson After Lighting Fires at the Justice Center During a Protest
10/5/20	OR	Christian Burke	1	1-count information alleging misdemeanor assault on a federal officer	Portland Resident Accused of Throwing Rocks at Federal Officers Protecting Federal Property
10/5/20	WDWI	Marquon Clark	1	Attempted Arson	Man Charged With Attempted Arson During Civil Unrest In Wisconsin In June

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

9/28/20	OR	Meganne Elizabeth English-Mills	1	charged with jumping onto the back of a police officer who was arresting someone	<u>Oregon Resident Accused Of Interfering With Police Making Arrests During Civil Disorder In Portland</u>
9/28/20	OR	John Phillip Wenzel Halston Eugene Hamilton Michael Lee Pilgrim	3	WENZEL: Civil Disorder HAMILTON/ PILGRIM: Violation of National Defense Airspace (misdemeanor)	<u>Three Oregonians Accused of Crimes During Civil Disorder Events in Portland</u>
9/27/20	WDKY	Cortez Lamont Edwards	1	felon in possession of a firearm.	<u>Feds Charge Armed Felon Threatening Louisville Police</u>
9/25/20	OR	Charles Randolph Comfort	1	Civil Disorder	<u>Vermont Man Accused of Repeatedly Assaulting Police Officers During Civil Disorder in Portland</u>
9/23/20	WDWI	Anessa Fierro Willie Johnson	2	Arson	<u>Two Charged with Arson During Civil Unrest in Madison, Wisconsin</u>
9/22/20	WDPA	Brian Bartels	1	Arson	<u>Suburban Pittsburgh Man Pleads Guilty to Destroying a Pittsburgh Police Vehicle during May 30th Protest</u>

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

9/17/20	NV	Alejandro Avalos Alexander Kostan Reginald Lewis Kelton K. Simon Jeanette R. Wallace	5	One count of depredation against property of the United States.	Five Individuals Face Federal Charges For Damaging U.S. Courthouse During May 30, 2019 Protest In Las Vegas
9/16/20	DC	Cody Michael Turner	1	Arson and Destruction of Government Property	Maryland Man Charged with Arson in Federal Court for Igniting Police Cars on Fire Outside of the United States Supreme Court
9/16/20	OR	Gavaughn Gaquez Streeter-Hillerich	1	Two counts of using fire to maliciously damage and attempt to damage a building housing the Portland Police Bureau's North Precinct	Portland Man Charged in June 26, 2020 Arson at Portland Police Bureau North Precinct
9/16/20	WDWA	Al M. Talaga	1	Felon In Possession Of Firearms	Auburn, Washington, Man Charged For Being A Felon In Possession Of Firearms
9/11/20	MN	Shador Tommie Cortez Jackson	1	Arson	Minnesota Man Charged With Arson Of Target Headquarters Images included in affidavit
9/11/20	WDNY	Kyle Bradley Davis	1	Civil disorder	Third Defendant Charged With Civil Disorder For Attacking Police Officer With A Laser During Violent Protests In The City Of Rochester
9/10/20	WDPA	Jordan Coyne	1	Obstructing law enforcement during civil disorder	Pittsburgh Man Indicted For Throwing Projectiles At Police

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

					<u>Officers And Damaging A Police Vehicle During May 30th Pittsburgh Protest</u>
9/9/20	NE	Steven M. Fitch	1	Unlawful possession of a destructive device	<u>Council Bluffs Man Charged With Being In Possession Of Molotov Cocktail During Recent Omaha Protests</u>
9/9/20	OR	Laurielle Yvette Aviles	1	Civil disorder	<u>Portland Resident Charged With Civil Disorder After Punching Local Police Officer</u>
9/9/20	WDNY	Adam Green Dallas Williams-Smothers	2	Civil disorder	<u>Two Defendants Charged With Civil Disorder For Attacking Police During September 5th Violent Protests In The City Of Rochester</u>
9/9/20	WDWA	Kelly Thomas Jackson	1	two counts of unlawful possession of a destructive device	<u>Edmonds, Washington, Man Charged With Arson And Unlawful Possession Of A Destructive Device In Connection With May 30 Protest</u>
9/8/20	WDPA	Tyvarh Nicholson	1	obstruction of law enforcement during civil disorder and possession of an unregistered firearm/destructive device	<u>Pennsylvania Man Facing Federal Charges For Actions During May 30, 2020 Erie Protest</u>
9/8/20	OR	Pedro Aldo Ramos, Jr. Alexandra Eutin William Grant Reuland	3	All: civil disorder	<u>Three Portlanders Charged With Civil Disorder After Assaulting Local Police Officers</u>
9/8/20	SC	Abraham Jenkins, Kelsey Jackson, Tearra Guthrie, Orlando King,	6	civil disorder; arson; civil disorder; violation of the Anti-Riot Act and	<u>Six Facing Federal Charges For Crimes Committed During</u>

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

		Karlos Gibson-Brown, Marcello Woods		being a felon in possession of a firearm; felon in possession of a firearm and ammunition; destroying a Police Department vehicle by means of fire for riot-related conduct	Protests Throughout South Carolina
9/4/20	WDWA	Jacob D. Little	1	Possession of a stolen firearm	Everett, Washington, Man Charged Federally For Possessing Firearm Stolen From Seattle Police Department Vehicle During May 30 Riot
9/4/20	OR	Kevin Phomma	1	Civil disorder	Portland Man Charged With Civil Disorder After Assaulting Police Officers With Bear Spray
9/3/20	OR	Eva Warner	1	Civil disorder	Beaverton Woman Charged With Civil Disorder After Targeting Police Officers With High-Powered Laser
9/3/20	OR	Hugo Ryan Berteau-Pavy	1	Civil disorder	Portland Man Charged With Civil Disorder After Targeting Police Officers With High-Powered Laser
9/3/20	OR	Kristopher Michael Donnelly	1	Civil disorder	Washington State Man Charged With Civil Disorder After Assaulting Portland Police Officer
9/3/20	EDWI	Michael M. Karmo Cody E. Smith	2	KARMO: Felon in Possession of a Firearm. SMITH: Aiding and Abetting a Felon's Possession of Firearms; Possession of Firearms and Ammunition by a Prohibited Person – Misdemeanor Domestic Violence; Possession of Firearms and Ammunition by a Prohibited Person –	Two Missouri Men Charged With Firearms Offenses

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				Unlawful User of a Controlled Substance.	
9/2/20	WDWA	Kyle Robert Tornow	1	Making a threat to damage or destroy a building	Seattle Man Arrested For Making Bomb Threat To Portland, Oregon, Police Precinct
9/2/20	OR	Jesse Herman Bates	1	Civil disorder	Seattle Man Charged with Civil Disorder After Shooting Portland Firefighter with Ball Bearing
9/2/20	OR	Michelle Peterson O'Connor	1	Civil disorder	Portland Woman Charged with Civil Disorder After Throwing Helmet at Police Officer
9/2/20	OR	Lonnie Vantewa Albert	1	Assaulting two federal officers	Portland Man Charged With Repeatedly Assaulting Federal Officers With Vehicle
8/28/20	WDWA	Sami C. Horner	1	Unlawful possession of a destructive device	Washington Man Charged With Unlawful Possession Of Destructive Device At Capitol Hill Protest That Turned Violent
8/27/20	WDWA	Desmond David-Pitts	1	Arson	Alaska Man Charged Federally With Setting Fire At Seattle Police East Precinct
8/25/20	MN	Dylan Shakespeare Robinson Davon De-Andre Turner Byrce Michael Williams Branden Michael Wolfe	4	ALL: conspiracy to commit arson	Four Indicted In Minneapolis Police Third Precinct Arson
8/25/20	OR	Dakota Kurtis Means	1	Forcibly assaulting, impeding, and intimidating a federal employee	Portland Man Charged With Intimidating A Federal Employee Near Hatfield Federal Courthouse

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8/24/20	CO	Felix Missael Alva	1	Alien in possession of a firearm	Mexican National Arrested for Being An Alien In Possession Of A Firearm During Denver Protests
8/19/20	RI	Nicholas L. Scaglione	1	Arson	Second Person Charged With Arson of Providence Police Cruiser During June Riot
8/19/20	UT	Larry Raynold Williams	1	Arson	Fifth Defendant Faces Federal Charges For Alleged Role In Salt Lake City Police Department Vehicle Arson Case
8/19/20	OR	Dakotah Ray Horton	1	Assaulting a federal officer	Portland Man Charged With Assaulting Deputy U.S. Marshal With Baseball Bat During July Riot At Federal Courthouse
8/14/20	RI	Luis Joel Sierra	1	Arson	Providence Man Charged With Arson Of Providence Police Cruiser During Recent Riot
8/14/20	EDNY	Sam Resto	1	Arson	Queens Man Charged With Arson Of NYPD Vehicle
8/13/20	SDNY	Corey Smith Elaine Carberry	2	Conspiracy to commit arson and Arson	Brooklyn Residents Charged With Arson Of An NYPD Vehicle In Manhattan
8/13/20	UT	Lateesha Richards	1	Arson	New Defendant Appears On Federal

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					Charges For Alleged Role In Salt Lake City Police Arson Case
8.6.20	NJ	Killian F. Melecio Kadeem A. Dockery	2	Conspiracy to commit arson and Arson	Two Additional Individuals Arrested for Attempting to Ignite Police Vehicle Following Trenton Protests
8/6/20	WDNY	Christopher Tindal	1	Conspiracy to commit arson and Arson	Rochester Man Arrested On Arson Charges Related To May 30 Protests In Rochester
8/5/20	EDVA	John Malcolm Bareswill	1	Pleaded guilty to a criminal information charging a telephonic threat to use fire to kill, injure, or intimidate any individual, or unlawfully to damage or destroy a building	Man Pleads Guilty To Threatening To Burn Down African American Church
8/5/20	EDNY	Jeremy Trapp	1	Sabotaging a New York City Police Department (“NYPD”)	Brooklyn Man Charged with Sabotage of NYPD Vehicle
8/4/20	CDCA	Mario Ernesto Alvarado	1	Arson	Sylmar Man Indicted on Arson Charge Alleging He Set Hollywood Pizza Restaurant Ablaze During Civil Disturbances in May
8/4/20	MDTN	Shelby Ligons	1	Arson	Nashville Woman Is Second To Face Federal Arson Charges In Connection With Metro Courthouse Fire
8/3/20	OR	Isaiah Jason Maza, Jr,	1	Assaulting federal officer	Portland Man Charged with Assaulting Deputy U.S. Marshal with

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					<u>Explosive Device During Courthouse Protest</u>
7/31/20	OR	Gabriel Agard-Berryhill	1	Arson	<u>Portland Man Charged in July 28, 2020 Arson at Mark O. Hatfield U.S. Courthouse</u>
7/30/20	MA	John Boampong	1	One count each of assaulting a federal officer, interfering with a law enforcement officer during the commission of a civil disorder, and being a prohibited person under felony indictment in possession of a firearm and ammunition	<u>Boston Man Charged with Assaulting Officers With a Firearm During June 1 Civil Disorder in Boston</u>
7/29/20	WDPA	George Allen Nicholas Lucia Andrew Augustyniak-Duncan Raekwon Dac Blankenship Devin Montgomery Brandon Benson Da'Jon Lengyel Christopher West	8	ALLEN, LUCIA, AUGUSTYNIAK-DUNCAN, BLANKENSHIP: Obstruction of law enforcement during civil disorder. MONTGOMERY: Malicious destruction of a law enforcement vehicle by fire. BENSON: Attempted bank burglary LENGYEL, WEST: Conspiracy and use of fire to destroy vehicle of organization that receives federal funds (Pittsburgh police car).	<u>Eight Indicted for Criminal Activity During May 30, 2020 Pittsburgh Protest</u>
7/28/20	OR	Edward Thomas Schinzing	1	Arson	<u>Portland Man Charged in May 29, 2020 Arson at Justice Center</u>
7/27/20	OR	Carly Anne Ballard David Michael Bouchard Josslynn Kreutz Dakota Eastman Ezra Meyers	22	BALLARD, BOUCHARD: Assaulting federal officers KREUTZ, EASTMAN, MEYERS,	<u>22 Arrested, Facing Federal Charges After Weekend Protest at Federal Courthouse in Portland</u>

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		<p>Mark Rolycanov Ronald Bernard Hickey Rebecca Gonzales- Mota Stephen O'Donnell Thomas Johnson Nathan Oderdonk- Snow Joshua Webb Pablo Avvacato Doug Dean Richard Lindstet Michael Stephenson Caleb Willis Noelle Mandolfo Travis Williams Patrick Stanford Coree Jefree Tyler Gabriel</p>		<p>ROLYCANOV: Failing to obey lawful orders. HICKEY: Harassing and stalking federal employees. GONZALES-MOTA, O'DONNELL, JOHNSON, ODERNONK-SNOW, WEBB, AVVACATO, DEAN: Assaulting federal officers. LINDSTET: Operating a drone in restricted airspace. STEPHENSON, WILLIS, MANDOLFO, WILLIAMS, STANFORD, JEFREE, GABRIEL: Assaulting federal officers.</p>	
7/24/20	OR	<p>Jennifer Kristiansen Zachary Duffly Wyatt Ash-Milby Caleb Ehlers Paul Furst Jerusalem Callahan Joseph Ybarra Marnie Sager Ella Miller Taylor Lemons Giovanni Bondurant Gabriel Houston Joseph Lagalo Baily Dreibelbis Nicholas Kloiber David Hazan Hailey Holden Cameron Knuetson</p>	18	<p>KRISTIANSEN, LEMONS, BONDURANT, HOUSTON: Assaulting a federal officer. DUFFLY: Creating a disturbance. ASH-MILBY: Trespassing on federal property. EHLERS, FURST: Failing to comply with a lawful order. CALLAHAN: Willfully damaging government property YBARRA: Arson SAGER, MILLER: Failing to comply with a lawful order LAGALO, DREIBELBIS, KLOIBER, HAZAN, HOLDEN, KNUETSON: Failing to</p>	<p>18 Arrested, Facing Federal Charges After Weeknight Protests at Federal Courthouse in Portland</p>

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				comply with a lawful order.	
7/24/20	EDPA	Raphael Shaw	1	Entering a bank with intent to commit a felony	U.S. Attorney McSwain Announces Detention of Alleged Burglar Accused of Stealing \$104,000 During Recent Rioting in Philadelphia
7/23/20	UT	Christopher Isidro Rojas	1	Arson	Third Defendant Arrested On Federal Arson Charges For Alleged Burning Of Salt Lake City Police Patrol Car
7/23/20	WDTX	Leeroy Felan	1	Providing false information to federal agents and assisting arsonists in evading arrest	Carrizo Springs Man Arrested for Assisting Arsonists in Evading Capture in Connection with Demonstrations after George Floyd Death in Minneapolis
7/22/20	EDNC	Richard Rubalcava	1	Two counts of maliciously damaging or destroying, or attempting to damage or destroy, by means of fire or an explosive, any building or other real or personal property affecting interstate or foreign commerce.	Raleigh Man Indicted for Setting Multiple Fires to Raleigh Businesses During Riots
7/15/20	WDNY	Shakell Sanks, Javon Hardy	2	SANKS/HARDY: Arson	2 More Defendants Charged Federally For Their Roles In Arsons During May 30th Violent Protests In Rochester
7/15/20	WDWA	Isaiah Thomas Willoughby	1	Arson	Man charged with arson for setting fire to Seattle's East Police

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					Precinct during Capitol Hill Protest
7/13/20	MDFL	Terrance Lee Hester, Jr.	1	Damaging or destroying by fire a building used in interstate commerce	Tampa Man Arrested For Burning A Building During Civil Disturbance In Tampa
7/13/20	OR	Jacob Michael Gaines	1	Assaulting a U.S. Marshals Service deputy with a construction hammer	Texas Man Charged With Assaulting Deputy U.S. Marshal With Hammer During Weekend Protests in Portland (Photo)
7/7/20	DC	Jerritt Jeremy Pace	1	Multiple offenses related to his attempt to burn down a police precinct	Man Indicted by Federal Grand Jury for Attempting to Burn Down Metropolitan Police Department Station
7/7/20	OR	Rowan Olsen Shant Singh Ahuja Andrew Steven Faulkner Gretchen Margaret Blank Christopher Fellini Cody Porter Taimane Jame Teo	7	OLSEN: Disorderly conduct, creating a hazard on federal property, and failing to obey a lawful order AHUJA: Destruction of federal property FAULKNER, BLANK, FELLINI, PORTER, TEO: Assaulting federal officers.	Seven Arrested, Facing Federal Charges After Weekend Riots at Hatfield Federal Courthouse
7/6/20	OR	Abdikareem Hassan	1	Assaulting a federal officer	Portland Man Charged for Assault on a Federal Officer
7/3/20	NV	Keith Leroy Moreno	1	Destroying federal property	Reno Resident Arrested And Charged For Breaking Windows At Reno Federal Courthouse During May 30 Civil Unrest
7/3/20	NDIL	Fermin Ocampo-Tellez Diego Vargas Michael Gomez	3	Attempting to steal cash from an automated-teller machine in downtown Aurora	Three Individuals Charged With Trying to Steal Cash From Aurora ATM
7/2/20	NDOH	Timothy James Goodner	1	Arson	Maple Heights man indicted on arson charge from May 30 demonstrations in Downtown Cleveland

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7/2/20	DC	Jason Charter	1	Destruction of federal property	Man Charged in Federal Court for Attempting to Tear Down Statue of Andrew Jackson in Lafayette Square Amid Protests
7/1/20	CDCA	Micah Tillmon	1	Arson	West Hills Man Arrested on Federal Arson Charge for Allegedly Starting Fire in Santa Monica Restaurant during Civil Disturbance
6/30/20	MN	Matthew Scott White	1	Arson	Minneapolis Man Charged With Arson Of St. Paul Car Rental Agency
6/30/20	MN	Mohamed Hussein Abdi	1	Arson	Maplewood Man Charged With Arson Of St. Paul High School
6/30/20	WDPA	Devin Montgomery	1	Malicious destruction of property using fire or explosives	Pittsburgh Man Charged with Arson for Setting Fire to Unmarked Police Vehicle during May 30 Pittsburgh Protests
6/29/20	MDTN	Jotez Anderson	1	Convicted felon in possession of a firearm	Nashville Man Facing Federal Firearms Charge After Pointing Gun At Police Officers
6/27/20	SDOH	Ronnie Earl Murdock Jr	1	Possession of a firearm by a convicted felon	Convicted felon charged with possessing loaded firearm at Columbus protest
6/27/20	DC	Lee Michael Cantrell Connor Matthew Judd Ryan Lane Graham Lloyd	4	All: Destruction of federal property	Four Men Charged in Federal Court for Attempting to Tear Down Statue of Andrew Jackson in Lafayette Square Amid Protests
6/26/20	NDOH	Timothy James Goodner	1	Maliciously damaging or destroying by means of fire or explosion any building or property	Maple Heights man charged with damaging by means of fire a parking lot attendant booth during May 30 demonstrations
6/26/20	NDIL	Christian Rea	1	One count of civil unrest	Aurora Man Arrested On Federal Civil

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					Disorder Charge For Allegedly Throwing An Explosive Device At A Naperville Police Vehicle
6/25/20	WDKY	Christopher Tinsley	1	Conspiracy to commit burglary involving controlled substances	Feds Charge Additional Defendant For Looting Neighborhood Pharmacy During Civil Unrest
6/22/20	EDTN	Dominic Brown	1	Inciting a riot and civil disorder	Heiskell Man Charged With Inciting a Riot and Civil Disorder
6/19/20	MN	Jessica Lynn White	1	Conspiracy to commit arson	Andover Woman Charged With Arson Of St. Paul Car Rental Agency
6/18/20	WDKY	Vontreil Bailey Jean-Pierre Crowdus Frederick D. Eaves Channel Lewis Damion Lemont Hayes Brian N. Dean Tevin R. Patton	7	BAILEY: Conspiracy to commit burglary involving controlled substances. CROWDUS, EAVES, LEWIS: Conspiracy to Commit Burglary Involving Controlled Substances for breaking in and looting. HAYES: Charged with carjacking DEAN: Charged by a Grand Jury Indictment with possession of a firearm by a prohibited person. PATTON: Charged for being a prohibited person in possession of a firearm	Louisville Riot Activity Results In Multiple Federal Indictments For Pharmacy Looting, Carjacking, And Armed Felons
6/18/20	EDPA	David Elmakayes	1	Charged by criminal complaint with malicious damage of property with an explosive device and possession of a firearm by a convicted felon	U.S. Attorney McSwain Announces Charges against Philadelphia Man for Blowing Up an ATM and Illegal

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					Possession of a Firearm during Protests
6/18/20	SDNY	Victor A. Sanchez-Santa	1	One count of arson	Queens Man Charged In Connection With Arson Of An NYPD Vehicle In Manhattan
6/18/20	EDNC	Richard Rubalcava	1	Two counts of maliciously damaging or destroying, or attempting to damage or destroy, by means of fire or an explosive, any building or other real or personal property affecting interstate or foreign commerce	Raleigh Man Arrested for Setting Multiple Fires to Raleigh Businesses
6/17/20	NV	Stephen T. Parshall, aka “Kiwi,” Andrew Lynam William L. Loomis	1	Conspiracy to cause destruction during protests in Las Vegas and possession of an unregistered destructive device, specifically, a so-called “Molotov cocktail.”	Federal Grand Jury Indicts Three Men For Seeking To Exploit Protests In Las Vegas And Incite Violence
6/17/20	WDTX	Manuel Flores	1	Charge of posting a threatening communication over the Internet	El Paso Man Faces Federal Charge of Posting Threatening Communications over the Internet
6/17/20	MN	Bryce Michael Williams	1	Conspiracy to commit arson at the Minneapolis Police Department’s Third Precinct	Staples Man Charged In Minneapolis Police Third Precinct Arson
6/17/20	NJ	Earlja J. Dudley	1	Attempting to ignite a marked police vehicle	Trenton Man Arrested for Attempting to Ignite Police Vehicle During Trenton Protests
6/17/20	NDGA	Jesse James Smallwood Delvecchio Waller Jr., Bruce Thompson Judah Coleman Bailey Dashun Martin	5	Conspiring to commit, and commission and attempted commission of, arson of a police car following a protest stemming from the death of George Floyd.	Gainesville men indicted on federal arson charges for setting fire to police car parked at officer’s residence

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6/17/20	EDPA	Lore-Elisabeth Blumenthal	1	Arson of two Philadelphia Police Department (PPD) vehicles.	U.S. Attorney McSwain Announces Charges Against Philadelphia Woman for Arson of Two Philadelphia Police Cars During Protests
6/16/20	NDCA	Steven Carrillo Robert Alvin Justus, Jr	2	CARRILLO: 18 U.S.C. §§ 1114(1) and 1114(3) and one count of attempted murder. JUSTUS: Aiding and Abetting; Attempted murder	Two Defendants Charged With Murder And Aiding And Abetting In Slaying Of Federal Protective Service Officer At Oakland Courthouse Building
6/16/20	EDPA	Peter Fratus	1	18 U.S.C. 875(c), transmitting in interstate commerce a threat to injure another	U.S. Attorney McSwain Announces Charges Against Massachusetts Man for Sending Racist, Threatening Emails to the Philadelphia Police Commissioner
6/16/20	MN	Dylan Shakespeare Robinson	1	Aiding and abetting arson at the Minneapolis Police Department's Third Precinct	Brainerd Man Charged In Minneapolis Police Third Precinct Arson
6/15/20	MN	Montez Terrill Lee	1	18 USC 844, Arson	Rochester Man Charged With Arson Of Minneapolis Pawn Shop
6/12/20	EDNY	Colinford Mattis Urooj Rahman Samantha Shader	3	Charge the defendants with the use of explosives, arson, use of explosives to commit a felony, arson conspiracy, use of a destructive device, civil disorder, and making or	Two Brooklyn Residents and a Greene County Resident Indicted in Connection with Molotov Cocktail Attacks on NYPD Vehicles

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				possessing a destructive device.	
6/12/20	EDNC	Andrew Garcia-Smith	1	One count of maliciously damaging property owned or possessed by an institution receiving federal financial assistance	Second Arrest Made for the Arson of Fayetteville's Historic Market House
6/12/20	SDTX	Travis Glendon Martin III	1	Civil disorder	Texas man charged for impeding law enforcement during protest
6/12/20	EDVA	John Malcolm Bareswill	1	Making a telephonic threat to use fire to kill, injure, or intimidate any individual, or unlawfully to damage or destroy a building	Man Arrested for Threatening to Burn Down African American Church
6/12/20	NDOH	Brandon Michael Althof Long Devon Bryce Poland	2	One count each of conspiracy to riot and cause civil disorder, conspiracy to use fire to commit a felony, interstate travel to riot and transporting any firearm in furtherance of civil disorder.	Two Pennsylvania men indicted on rioting and firearms charges
6/11/20	EDNY	Michael Rodriguez	1	Setting an unoccupied New York City Police Department vehicle on fire	Individual Charged with Setting NYPD Vehicle On Fire in Brooklyn
6/11/20	DC	Micah Avery	1	Destruction of federal property, resisting a federal officer, and obstructing a law enforcement officer during a civil disorder	District Man Charged in Federal Court for Vandalizing the Lincoln Memorial During Protests
6/11/20	WDWA	Margaret Aislinn Channon	1	18 USC 844, Arson	Tacoma, Washington, woman arrested for allegedly setting five police vehicles on fire during Seattle protest

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6/11/20	EDCA	Donte Marcel Anderson Desteny Estrella Leilani Salazar Donley Thompson, Tracy Whitfield Adrian Oscar Duran	5	18 USC 922(j)-- Possession of a stolen firearm; 18 USC 922(u)- -Burglary of a federally- licensed firearms dealer (five defendants)	Five Bay Area Residents Face Federal Charges for Vacaville Gun Store Burglary
6/11/20	NDIL	Paris Mickle Tahkisha Hodge	2	18 U.S.C. 371 & 2113(b); conspiracy to commit bank theft	Two Individuals Charged With Trying to Steal Cash From Chicago ATM
6/11/20	DE	Adrian Wood	1	18 U.S.C. § 231(a)(3); civil disorder	Washington State Man Charged With Smashing Police Car Window
6/10/20	MDFL	Ivan Jacob Zecher	1	18 U.S.C. 922(g)(1) - Possession of a firearm by a convicted felon 26 U.S.C. 5861(d) - Unlawful possession of an unregistered firearm	Jacksonville Man Indicted For Possession Of Molotov Cocktail At Protest
6/10/20	MN	Matthew Lee Rupert	1	Civil disorder, rioting, and arson	Federal Grand Jury Returns Indictment Charging Illinois Man With Arson, Riot
6/10/20	MN	Mckenzy Ann Degidio Dunn	1	18 USC Section 371, conspiracy to commit arson	Third Individual Arrested And Charged With Arson Of St. Paul Health And Nutrition Store
6/10/20	SDCA	Rudy Alvarez	1	26 USC 5861 -- Possession of Unregistered Destructive Device (Molotov Cocktail)	Man Charged with Pointing Laser at Police Helicopter
6/10/20	WDWA	Devinare Antwan Parker	1	USC 5861(d), possession of destructive device	Former North Carolina man charged with possessing destructive

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					<u>device for bringing improvised firearm to protest</u>
6/9/20	SDCA	Zachary Alexander Karas	1	26 USC 5861 -- Possession of Unregistered Destructive Device (Molotov Cocktail)	<u>Man Charged with Possessing Molotov Cocktails at La Mesa Protest</u>
6/9/20	WDWI	Jeremiah Belen	1	18 USC 39A - aiming a laser pointer at an aircraft	<u>Milwaukee Man Charged With Federal Offense Aiming A Laser Pointer At Law Enforcement Aircraft</u>
6/9/20	MDLA	Terry Lemond Dorsey Kenyatta Sheire Huggins Shamyrin Djhodi Johnson	3	18 USC 844 Arson	<u>Three Baton Rouge Residents Face Federal Arson Charges in Connection with Area Business Fires</u>
6/9/20	MN	Samuel Elliott Frey Bailey Marie Baldus	2	Both: Arson.	<u>Two Individuals Charged With Arson Of St. Paul Health And Nutrition Store</u>
6/9/20	EDPA	Steven Pennycooke Shawn Collins	2	18 USC 922(g) Felon in Possession of Firearm	<u>U.S. Attorney McSwain Announces Charges Against Two Convicted Felons for Illegal Possession of Firearms Amidst Ongoing Protests in Philadelphia</u>
6/9/20	NDAL	Tia Deyon Pugh	1	Obstructing, impeding, and interfering with law enforcement during the course of a civil disorder that affected interstate commerce	<u>Mobile Woman Charged After Smashing Police Car Window During Mobile Protests</u>
6/8/20	MN	Branden Michael Wolfe	1	Aiding and abetting arson at the Minneapolis Police Department's Third Precinct	<u>St. Paul Man Charged In Minneapolis Police Third Precinct Arson</u>
6/8/20	WDTX	Cyril Laurence Lartigue	1	26 USC 5861(d), Possession of a Unreg Destructive Device	<u>Federal Criminal Complaint Filed Charging Cedar Park Man with Possession of Unregistered Destructive Device during Protest in Austin</u>

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6/8/20	NDTX	Erick Montgomery	1	Theft from a Federal Firearms Licensee (FFL) and possession of stolen firearms.	Dallas Man Charged with Theft of Firearms During Protests
6/8/20	NDNY	Jahjuan Sabb	1	18 USC 875(c), interstate communication of a threat, and 18 USC 842(p)(2)(A), teaching the making or use of an explosive or destructive device, to be used for, or in furtherance of, an activity that constitutes a federal crime of violence.	Troy Man Charged with Threatening Police Over Facebook
6/8/20	MDFL	Ivan Jacob Zecher	1	18 U.S. C. 922(g)(1) possession of firearm by convicted felon, and 26 U.S. C. 5861(d) unlawful possession of an unregistered weapon	Jacksonville Man Charged With Possessing Molotov Cocktail At Protest
6/8/20	WDKY	Jean-Pierre Crowdus Frederick D. Eaves Channel Lewis	3	18 USC 2118 Conspiracy to Commit Burglary Involving Controlled Substances	U.S. Attorney's Office Charges Three For Looting Of Neighborhood Pharmacy During Civil Disturbance
6/6/20	WDPA	Matthew Michanowicz	1	One count 26 USC 5861(d); possession of destructive devices	Pittsburgh Man Charged with Possession of a Destructive Device after Placing a Backpack of Homemade Explosives in Downtown
6/5/20	CDIL	Shamar N. Betts	1	18 U.S.C. 2101, Inciting a Riot	Champaign, Ill., Man Arrested in Mississippi, Charged in Federal Complaint with Using Internet to Incite Rioting in Champaign
6/5/20	WDPA	Brian Bartels	1	One count 18 USC 231(a)(3); obstructing law enforcement incident to a civil disorder	Suburban Pittsburgh Man Charged with Civil Disorder for Destruction of City of Pittsburgh Police Vehicle
6/5/20	EDWI	Tyshaun T. Smith	1	18 USC 844(1) (attempted arson) and 26 USC 5861(c) (possession of a destructive device)	Milwaukee Man Charged With Federal Offenses For Throwing

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					Molotov Cocktail Into Boost Mobile Store
6/5/20	NDOH	Brandon Michael Althof Long Devon Bryce Poland	2	Engaging and conspiring to engage in interstate travel with a firearm with the intent to use fire to participate in civil unrest and riot, use of fire to commit a felony, and rioting	Two Pennsylvania men arrested and charged for traveling to Cleveland to commit acts of violence
6/5/20	EDNC	Charles Anthony Pittman	1	18 USC 844(f), damaging a building by fire.	Arrest Made for the Arson of Fayetteville's Historic Market House
6/5/20	EDNC	Jabari Devon Davis	1	One count of attempting to damage or destroy by fire a vehicle owned or possessed by an institution receiving federal financial assistance	Raleigh Man Arrested for Attempting to Set Fire to Raleigh Police Department Vehicle
6/4/20	WDWI	Kyle C. Olson (also known as Charles Quade) Anthony R. Krohn	2	Both charged with 18 USC 922(g)(1); felon in possession of a firearm	Two Wisconsin Men Charged with Illegally Possessing Firearm During Madison Protests
6/4/20	NV	Tyree Walker Devarian Haynes Ricardo Densmore	3	One count of conspiracy to commit arson One count of arson	Three Men Face Federal Arson Charges For Setting Fire To Police Patrol Vehicle During Protest In Downtown Las Vegas
6/4/20	WDMO	Matthew E. Madden	1	18 USC 922(g)(3), drug user in possession of a firearm	KCK Man Arrested for Attacking Officers at Protest Charged with Illegal Firearm
6/4/20	WDNY	Deyanna Davis Semaj Pigram Walter Stewart *Courtland Renford	3	DAVIS, PIGRAM, STEWART: Felon in possession of a firearm. *RENFORD: federal grand jury has returned a separate indictment charging the defendant with arson (see 6/1/20 WDNY Press Release re Renford).	Four Defendants Charged In Two Separate Indictments For Their Roles In Incidents Of Violence Associated With Civil Unrest In Buffalo
6/4/20	NDIL	Adam Walton	1	18 USC 922(g)(1); felon in possession of a firearm	Man Charged in Federal Court With Illegally Possessing Loaded Handgun in Chicago

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6/4/20	CDIL	Ca'Quintez Gibson	1	18 U.S.C 2101, Inciting a Riot	Federal Complaint Charges Peoria Man with Using Internet to Incite Rioting in Peoria
6/4/20	AZ	Loren Reed	1	Title 18, United States Code, Section 844(e) for using the internet and telephone to willfully threaten to unlawfully damage or destroy a building by fire	Page Man Charged with Threatening to Burn Page Magistrate Court
6/4/20	NJ	Carlos A. Matchett	1	18 USC 2101 Use of a facility of interstate commerce to organize, promote, encourage, participate in, and carry on a riot	Atlantic City Man Charged with Rioting
6/4/20	SDIN	Antonio Wooden	1	18 U.S.C. 922(g)(2) and (3); fugitive and drug user in possession of a firearm.	Federal charges filed from incident during Saturday's protest/rioting
6/3/20	EDMO	Devante Coffie	1	18 U.S.C. 922(u), burglary from firearms dealer	St. Louis County Man Faces a Federal Firearms Charges in Connection to the Burglary of the Southside Pawn Shop
6/3/20	NDIL	Kevin D. Tunstall Johnnie L. Lee	2	Both: one count of illegal possession of a firearm by a convicted felon	Two Convicted Felons Charged in Federal Court With Illegally Possessing Loaded Handguns in Chicago
6/3/20	NDIL	Joseph Hammond	1	18 USC 922(g)(1); felon in possession of a firearm	Chicago Man Facing Federal Firearm Charge After Allegedly Pointing Loaded Gun at Federal Agent
6/3/20	MA	Vincent Eovacious	1	Civil disorder and possession of a Molotov cocktail	Worcester Man Charged with Civil Disorder and Possession of a Destructive Device
6/3/20	UT	Jackson Stuart Tamowski Patton	2	One count of arson for allegedly setting fire to a Salt Lake City Police Department vehicle	Salt Lake City Man Arrested On Federal Arson Charges For Alleged Burning Of Salt Lake City Police Patrol Car
6/3/20	WDKY	Tevin R. Patton	1	Prohibited person in possession of a firearm	U.S. Attorney's Office Prosecuting Armed

List of Federal Riot Cases Charged

Updated: 1.5.21 – 6:30 p.m. (ET)

					Felon From Tennessee Arrested During Louisville Protest And Riots
6/3/20	MDFL	John Wesley Mobley, Jr.	1	False impersonation of a federal officer	Convicted Felon Charged With Impersonating A Deputy United States Marshal At George Floyd Protest
6/3/20	WDPA	Melquan Barnett	1	Malicious destruction of property using fire or explosives	Erie Man Charged with Arson for Setting Fire at Erie Coffee Shop during Protest
6/3/20	NV	Stephen T. Parshall aka “Kiwi,” Andrew Lynam William L. Loomis	3	All: one count of conspiracy to damage and destroy by fire and explosive; and one count of possession of unregistered firearms, that is, a destructive device	Joint Terrorism Task Force Charges Three Men Who Allegedly Sought To Exploit Protests In Las Vegas And Incite Violence
6/3/20	MDTN	Wesley Somers	1	Malicious destruction of property using fire or explosives	Hendersonville Man Facing Federal Arson Charges In Connection To Metro Courthouse Fire During Protest
6/2/20	NDIL	Timothy O’Donnell	1	Arson	Chicago Man Arrested on Federal Arson Charge for Allegedly Setting Fire to Chicago Police Vehicle
6/2/20	NDIL	Brandon Pegues Amber L. Peltzer	2	PEGUES: 18 U.S.C. 922(g), felon in possession of a firearm PELTZER: 18 U.S.C. 922(g), felon in possession of a firearm	Two Individuals Charged in Federal Court With Illegally Possessing Loaded Handguns in Downtown Chicago
6/2/20	NJ	Justin Spry	1	Attempt to Damage Government Property by Fire, 18 USC 844(f)(1) and (2) Attempt to Damage Property in Commerce by Fire, 18 USC 844(i)	Middlesex County Man Arrested for Attempting to Set Fire to Trenton Police Vehicle
6/2/20	NDTX	Emmanuel Quinones	1	18 U.S.C. 875(c) (interstate threatening communications)	Man Who Brandished Assault Rifle at Protest Charged With Making Threats

List of Federal Riot Cases Charged

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6/2/20	MN	Garrett Patrick Ziegler Fornandous Cortez Henderson	2	The defendants are charged with arson and possession of Molotov cocktails.	Two Individuals Charged With Throwing Molotov Cocktails Into Dakota County Government Building
6/1/20	WDNY	Courtland Renford	1	18 USC 844(i), destroying/attempting to destroy a building used in interstate commerce	Buffalo Man Charged With Arson After Throwing A Burning Basket Into Buffalo City Hall During Weekend Protests
6/1/20	MN	Matthew Lee Rupert	1	18 U.S.C § 231(a)(3) (civil disorders) and 2101 (riots); 26 U.S.C. § 5845(f), 5861(d), and 5871 (unregistered firearms)	Federal Criminal Complaint Charges Illinois Man With Traveling To Minnesota To Riot, Possession Of Explosive Devices
5/31/20	EDNY	*Colin ford Mattis *Urooj Rahman *Samantha Shader EDNY issued a second release on 6/12/20 concerning these three individuals.	0 (Dup)	MATTIS/RAHMAN: causing damage by fire and explosives – police vehicle); 18 U.S.C. 2 (aiding and abetting) SHADER: 18 U.S.C. 844(i) (causing damage by fire and explosives – police vehicle	Two Brooklyn Residents and a Greene County Resident Charged in Connection with Molotov Cocktail Attacks on the NYPD