

From: "Braden, Myesha (ODAG)" (b) (6)

To: "Nadia Aziz" (b) (6)

Subject: Verifying topics for Wednesday

Date: Mon, 14 Nov 2022 12:33:55 -0500

Importance: Normal

Hi, Nadia

Is there anything more from the groups about what will be on the Wednesday's agenda. For now, I have:

1. LDF – election security
2. SPLC – public education re: hate crime data release* (Leadership Conference – advanced copy)
3. HRC – anti-LGBTQ violence
4. ACLU – racial profiling guidance

Also, if you have recent reports, letters, PRs, etc., on the org positions relevant to these concerns, please share them.

Best,

Myesha

Myesha Braden
Associate Deputy Attorney General
Office of the Deputy Attorney General
United States Department of Justice

(b) (6)

From: Moosy, Robert (CRT) (b)(6)
Sent: Thur 4/20/2023 9:52:34 AM (UTC-04:00)
To: Smith, Johnathan (CRT) (b)(6); Clarke, Kristen (CRT) (b)(6); Simon, Eliza (CRT) (b)(6); Felte, James (CRT) (b)(6)
Subject: FW: an article lauding your Justice Department hate crime work

From: Michael Lieberman (b)(6) @splcenter.org>
Sent: Thursday, April 20, 2023 8:35 AM
To: Moosy, Robert (CRT) <(b)(6)>
Subject: [EXTERNAL] an article lauding your Justice Department hate crime work

Good morning Robert,
Is it time to reinvigorate our coffee and Danish meet up across from Justice?
I hope we can do that soon.

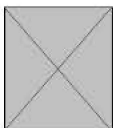
[Happy to say good things about your work in this article about the Leadership Conference new hate crime report yesterday.](#)

He added, "No Justice Department has been as outspoken as [this one led by] Attorney General [Merrick] Garland."

Lieberman noted that the current DOJ is comprised of experienced civil rights attorneys like Associate Attorney General Vanita Gupta and Assistant Attorney General Kristen Clarke.

"They know about hate crime, they've written about hate crime, and now they're in a position to speak out knowledgeably about hate crime and that is crucially important," he said.

Onward!
Michael



Michael Lieberman he/him/his

Senior Policy Counsel, Hate & Extremism | Policy

Southern Poverty Law Center & SPLC Action Fund

T (b)(6)

(b)(6) @splcenter.org | splcenter.org | splcactionfund.org

From: "Braden, Myesha (ODAG)" (b) (6)

To: "Miller, Marshall (ODAG)" (b) (6)

Cc: "Pietranton, Kelsey (PAO)" (b) (6)

Subject: Hate Crime Data Release Plans and BJS Estimation Procedures

Date: Wed, 07 Dec 2022 19:56:49 -0500

Importance: Normal

Attachments: 2021_CDE_compared_w-2020,2019_quick+OHupd.xlsx

Hi, Marshall

Alex Piquero provided the following information about the relationship of estimation procedures to the hate crime data:

- The hate crime data is incident-based and not estimated like the crime data released in October. Therefore, no estimates were produced concerning this data and, in any case, doing so would have been very challenging.
 - The FBI and BJS are researching how hate crimes are defined, tracked, measured, and coded across states to determine if reporting is consistent from place to place. As more agencies submit their crime data through NIBRS, the FBI and BJS will continue to explore the feasibility of producing estimates and, if so, what estimates should be produced.
- Monday's data will show both that the overall volume of reported hate crime offenses decreased from 2020 to 2021 and, relatedly, the number of reporting agencies also decreased.
 - A few large law enforcement agencies (New York City, Los Angeles, Phoenix, San Jose, Miami-Dade), as well as some states (California and Florida), did not make the transition to NIBRS in time to submit data prior to the reporting deadline of March 14, 2022, and were not included in the 2021 reported totals.
- The folks in CRT-POL prepared a comparison table that is attached hereto. It shows:
 - The numbers are down the *most* in the following categories:
 - Anti-Jewish (down 52.56%)
 - Anti-Black (down 22.22%)
 - Anti-Hispanic/Latino (down 16.25%)
 - Anti-Muslim (down 12.37%)
 - There is a surprising 140.45% spike in Anti-Sikh bias.
 - Anti-AANHPI hate continues to experience a rise, with a further 15% increase.
 - Sexual Orientation hate crimes showed a 1.98% increase, even though 21.48% fewer agencies reported hate crimes than last year.
 - We experienced an overall 11.62% drop in the number of reported hate crimes.

Year	Total Incidents	# LEAs submitted	Total LEAs in country
2021	7303	11887	18812
2020	8052	15138	18625
2019	7103	15772	18674

During yesterday's call with FBI, BJS, CRT, EOUSA, and OPA, the components discussed the following plans in preparation for the data release:

- FBI conducted a Beta release on Monday that gave 5 organizations (the Leadership Conference, American Jewish Committee, ADL, SPLC, Sikh Coalition, and the Arab American Institute) 24-hour access to the 2021 hate crime data.

- FBI is coordinating with OPA to conduct a press call at 8:30am on 12/12/23 before the data is released. FBI-CJIS, FBI-CID and someone from either OASG or CRT will participate in the call.
- FBI will publish a press release as the data is made public, targeting DOJ regulars and outlets that have made specific outreach concerning the hate crime data.
- FBI CJIS is preparing FAQs that will be linked to the web-site data. (They will share the FAQs with OPA, CRT, EOUSA, and OJP.)
- CRT will host a call with 10 or so civil rights stakeholders either the evening of the data release or the morning after.
- OJP within the coming days/weeks, OJP will publish a blog post outlining upcoming hate crime grant awards under the Till and Shepherd/Byrd programs.

Best,

Myesha

Myesha Braden
Associate Deputy Attorney General
Office of the Deputy Attorney General
United States Department of Justice

(b) (6)

Category	2021	2020	change	% change	2020
agencies participating	11887	15138	-3251	-21.48%	15138
total reported hate crimes	7303	8263	-960	-11.62%	
race/ethnicity/ancestry	4496	5227	-731	-13.99%	5227
Anti-White	948	869	79	9.09%	869
Anti-Black	2233	2871	-638	-22.22%	2871
Anti American Indian	125	96	29	30.21%	96
Anti-Asian	305	279	26	9.32%	279
Anti-Native Hawaiian/Pacific Islander	33	15	18	120.00%	15
Anti-Hispanic/Latino	433	517	-84	-16.25%	517
religion	1013	1244	-231	-18.57%	1244
Anti-Jewish	324	683	-359	-52.56%	683
Anti-Muslim	96	110	-14	-12.73%	110
Anti-Sikh	214	89	125	140.45%	89
Sexual Orientation	1132	1110	22	1.98%	1110
Gender Identity	266	266	0	0.00%	266
Disability	136	130	6	4.62%	130
Gender	72	75	-3	-4.00%	75
Multiple Bias	188	211	-23	-10.90%	211

2019 change % change

15588 -450 -2.9%

3954 1273 32.2%

643 226 35.1%

1972 899 45.6%

94 2 2.1%

161 118 73.3%

23 -8 -34.8%

539 -22 -4.1%

1536 -292 -19.0%

963 -280 -29.1%

180 -70 -38.9%

54 35 64.8%

1191 -81 -6.8%

189 77 40.7%

144 -14 -9.7%

67 8 11.9%

206 5 2.4%

2021	305	279	26	9.32%
	33	15	18	120.00%
AAPI	338	294	44	15.0%

2020	279	161	118	73.3%
	15	23	-8	-34.8%
AAPI	294	184	110	59.8%

From: "Braden, Myesha (ODAG)" (b) (6)

To: "Monteiro, Paul (CRS)" (b) (6)

Subject: RE: hate crimes sync

Date: Wed, 07 Dec 2022 19:57:47 -0500

Importance: Normal

Inline-Images: image001.jpg

Hi, Paul.

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- OJP within the coming days/weeks, OJP will publish a blog post outlining upcoming hate crime grant awards under the Till and Shepherd/Byrd programs.

If CRS has anything to add, please send it to me so I can inform the group.

Best,

Myesha

From: Monteiro, Paul (CRS) (b) (6)

Sent: Wednesday, December 7, 2022 4:27 PM

To: Braden, Myesha (ODAG) (b) (6)

Subject: hate crimes sync

Good afternoon, Myesha – thanks for your time this morning. (b) (6)

(b) (5)

D. Paul Monteiro

Director | Community Relations Service

U.S. Department of Justice

(b) (6) O

(b) (6) M

Pronouns: he/him/his



CRS services are available virtually!

Click [here](#) or visit justice.gov/crs to learn more.

OBTAINED BY AMERICA FIRST LEGAL FOUNDATION

Date: Tuesday, November 1, 2022 at 4:55 PM

To: "Clarke, Kristen (CRT)" <(b)(6)>

Cc: Lynn Tolerson <(b)(6)@splcenter.org>

Subject: RE: Touching Base

Hi Kristen,

Thanks so much for reaching out. I would be delighted to find time to talk. Unfortunately, I'm leaving the country tomorrow and will return early next week. If next week is not too late, I would appreciate the time. I've copied my assistant Lynn on this message, in the hopes that she can work with your team to schedule.

All my best,
Margaret

From: Clarke, Kristen (CRT) <(b)(6)>

Sent: Friday, October 28, 2022 1:19 PM

To: Margaret Huang <(b)(6)@splcenter.org>

Subject: Touching Base

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Margaret,

I hope this message finds you well. I am writing to see if we can find time for a 15 minute call. I wanted to flag some of our work on prison conditions and other work in the Deep South for your awareness, and see if there are federal civil rights matters of concern that we should be tracking.

I look forward to hearing from you.

Kristen

Kristen Clarke
Assistant Attorney General
Civil Rights Division
U.S. Department of Justice

tomorrow

From: Michael Lieberman (b)(6) @splcenter.org>
Sent: Tuesday, December 6, 2022 5:53 PM
To: Moosy, Robert (CRT) (b)(6)
Cc: Smith, Johnathan (CRT) <(b)(6)>
Subject: [EXTERNAL] RE: Hate Crimes Data release

Hi Robert,
Hope you are well – you, too, Johnathan.

Yes, I appreciated getting an embargoed copy.
I just finished my draft backgrounder and talking points and would love to talk to you about the report.

Is now good? Or tomorrow morning sometime?

I have the topic for the meeting of civil rights groups with DAG Monaco on Friday.
Michael



Michael Lieberman he/him/his

Senior Policy Counsel, Hate & Extremism | Policy

Southern Poverty Law Center

T (b)(6)

(b)(6) splcenter.org | www.splcenter.org

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From: Moosy, Robert (CRT) (b)(6)
Sent: Tuesday, December 6, 2022 5:31 PM
To: Michael Lieberman (b)(6) @splcenter.org>
Cc: Smith, Johnathan (CRT) <(b)(6)>
Subject: Hate Crimes Data release

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Michael,



U.S. Department of Justice Civil Rights Division

ASSISTANT ATTORNEY GENERAL KRISTEN CLARKE CIVIL RIGHTS TOUR – SELMA and MONTGOMERY, AL MARCH 4-6, 2023

Monday, March 6, 2023 – Montgomery, AL

- Attorney General's Advisory Committee – Subcommittee on Civil Rights
131 Clayton St.
Time: 9:00 a.m. – 9:30 a.m.
Press: Closed
- USAO Staff – Criminal and Civil Division Staff
U.S. Attorney's Office
131 Clayton St.
Time: 9:30 a.m. – 10:00 a.m.
Press: Closed
- Legacy Museum: From Enslavement to Mass Incarceration and the National Memorial for Peace and Justice.
Time: 10:15 a.m. – 12:15 p.m. (approximately)
Press: Closed
Museum: 400 N. Court St. – 10:15 a.m. – 11:15 a.m.
Memorial: 417 Caroline St.- 11:20 a.m. – 12:20 p.m.
- Southern Poverty Law Center
400 Washington Avenue
Time: 12:30 p.m. – 1:30 p.m.
Press: Closed
- Southern Poverty Law Center Civil Rights Memorial Center
400 Washington Ave.
Time: 1:35 p.m. – 3:00 p.m.
- Equal Justice Initiative – Meeting with Bryan Stevenson
Peace and Justice Center at the Memorial
417 Caroline St.
Time: 3:30 p.m. – 4:30 p.m.
Press: Closed

Points of Contact (Traveling):

From: "Braden, Myesha (ODAG)" (b) (6)

To: "Nadia Aziz" (b) (6)

Subject: Verifying topics for Wednesday

Date: Mon, 14 Nov 2022 12:33:55 -0500

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1. LDF – election security
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Also, if you have recent reports, letters, PRs, etc., on the org positions relevant to these concerns, please share them.

Best,

Myesha

Myesha Braden
Associate Deputy Attorney General
Office of the Deputy Attorney General
United States Department of Justice

(b) (6)

**AGENDA
FOR THE DEPUTY ATTORNEY GENERAL**

FROM: Civil Rights Division

SUBJECT: Monthly Civil Rights Division Meeting

MEETING DATE: October 31, 2023

ATTENDEES: AAG Kristen Clarke; PDAAG Sparkle Sooknanan; DAAGs Robert Moossy, Jennifer Mathis, Katie Wolfe, and Johnathan Smith; Senior Counselor Diana Sen, CoS Alex Rias

1. Voting Rights Updates: CRT will provide an update on recent voting rights work, including the Section 2 litigation in Galveston County, Texas; updates from federal Courts of Appeal; election monitoring, and partnership with the USAO community.
 - a. *Galveston County*: Since we last met, we had a big win in our redistricting matter in Galveston, Texas. On October 13, a district court judge ruled that the redistricting plan used by the governing body of Galveston County violates Section 2 of the Voting Rights Act. The court held that the plan eliminates the county's only majority-minority district, thereby denying Black and Latino voters an equal opportunity to participate in the political process and elect a candidate of their choice. The court's ruling followed a two-week bench trial in August 2023. The defendants have since filed a motion to stay the district court's decision pending appeal in the Fifth Circuit. and the Fifth Circuit has entered an administrative stay and issued an order setting an extremely expedited briefing schedule on the merits: Defendant's opening brief due October 26; our response due November 2; oral argument is November 7.
 - b. *Appellate*: The Division has been filing amicus briefs in courts of appeals where there are opportunities. I have previously highlighted our briefs on the private right of action issue. We have also been arguing for a robust interpretation of the Section 8(i) of the National Voter Registration Act. Section 8(i) is often called the "Public Disclosure Provision" because it requires that states make voter registration lists and all records relating to election officials' voter list maintenance activities available to the public. We filed a brief in the Eleventh Circuit (in *Greater Birmingham Ministries v. Secretary of State for the State of Alabama*) where the plaintiffs are seeking voter registration data related to individuals who

have been removed from the rolls due to a felony conviction. We also filed an amicus brief in the First Circuit (in *Public Interest Legal Foundation v. Bellows*) where the plaintiffs are seeking disclosure of the Maine voter file. (b) (5)

- c. *Election Monitoring*: We will be conducting election monitoring with federal observers in Union County on November 7 pursuant to the consent decree in *United States v. Union County* (D.N.J.). (b) (5)
- and will provide information about the specific jurisdictions involved as it becomes available.
- d. *ADA*: DRS will be issuing letters of finding to four Texas counties—Smith, Upton, Colorado, and Runnels—finding that these counties violated Title II of the ADA by failing to ensure that key information on their election websites, such as sample ballots, voter registration information, and precinct maps, is accessible to people with vision and manual disabilities.
- e. *USAO Partnership*: We're coordinating with EOUSA to convene a call within the next couple of weeks between the Division and the Voting Rights Working Group of the Civil Rights Subcommittee of the Attorney General's Advisory Committee.

2. Engagement with Muslim, Arab, Sikh, and South Asian communities: CRT will provide an update on its ongoing efforts to engage MASSA communities in light of the Middle East conflict and the recent spike in hate crimes and incidents directed towards those communities.

- a. *MASSAH meeting*: Our next meeting with MASSAH groups is scheduled for November 6. We expect (b) (5)

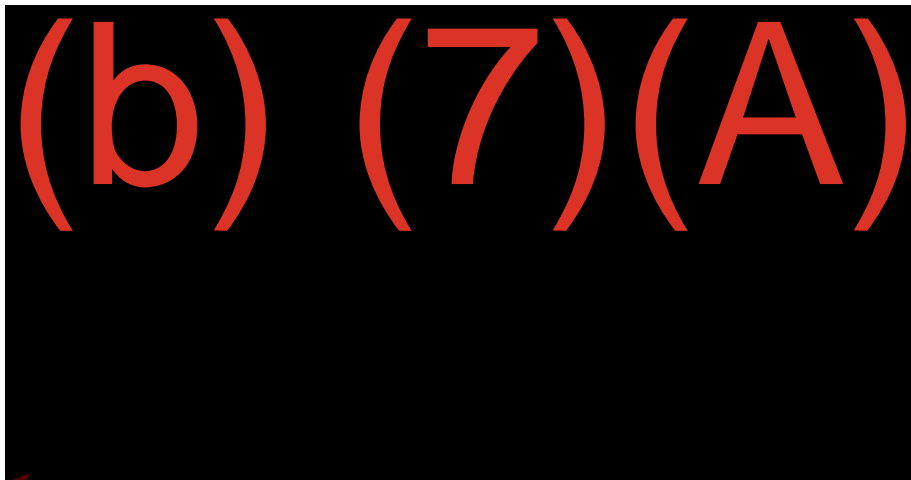
But the situation continues to evolve and we are prepared to make adjustments as necessary.

- b. AAG Clarke has been in touch with some Jewish leaders and Johnathan has heard from some Muslim leaders and we will continue to keep the lines of communication open. We are also in close coordination with DHS CRCL.
- c. Yesterday, on Monday (10/30) we hosted a RLUIPA event in Newark, NJ with the USAO. That meeting included many Jewish and Muslim groups, and was another opportunity to broadly engage with groups.
3. Law Enforcement Pattern or Practice Work: CRT provide an update on its recent pattern-or-practice investigations (Trenton, New Jersey; Lexington, Mississippi) and a readout from the Consent Decree Conference.
- a. *Trenton*: Last Tuesday, October 17, we announced SPL's pattern or practice investigation of the Trenton, New Jersey Police Department

(b) (7) (A)

- iii. AAG Clarke participated virtually in the press conference announcing the investigation on the 17th. The SPL team was on the ground in Trenton and met with the City, police command staff, and community groups. The Mayor pledged full cooperation.
- b. *Lexington*: We are targeting November 8 to roll out our pattern or practice investigation of the Lexington, Mississippi Police Department.
- i. Lexington is a town of 1600 people, about 80% Black, outside Jackson, Mississippi.
- ii. The Police Department has 8 officers. More than half of American police departments have fewer than 10 officers, so is useful to have a small jurisdiction on our docket.

(b) (7) (A)



- c. *United States v. Albuquerque* (D.N.M.): On October 27, 2023, the Division and the City plan to file a joint motion seeking partial termination of certain provisions of the consent decree with which APD has been in full compliance for at least two years and that APD has been self-assessing. The provisions cover: a Multi-Agency Task Force; Specialized Tactical Units; Specialized Investigative Units; the Field Training Evaluation Program; Public Information on Civilian Complaints; Recruiting, Selection, and Promotion; and Officer Assistance and Support.
- d. *Consent Decree Conference*: Last week, AAG Clarke gave the keynote speech at the 2023 Consent Decree Conference, and SPL lawyers presented a panel on DOJ Investigations and Consent Decree Enforcement.
 - i. The conference brought together judges handling police consent decrees in New Orleans, Baltimore, Seattle, and Puerto Rico, academics, advocates, police chiefs and commissioners, independent monitors, and others, to discuss our work on police reform.
 - ii. Topics included, among other things, “The Role of the Judge in Consent Decree Compliance, Sustainment, and Termination,” “The Importance of Community and Officer Engagement in Consent Decree Drafting,” “Best Practice in Police Reform—the Baltimore Consent Decree,” “Reimagining Civilian Oversight,” and our own panel, “Emerging Issues in DOJ Investigations and Consent Decree Enforcement.”
 - iii. AAG Clarke spoke on novel features of our recent investigations, including mental health, First Amendment issues, and partial termination of consent decrees.

- iv. It was a productive exchange of ideas, and provided concrete evidence that our police reform work is having significant impact.

4. Hate Crimes Symposium: CRT will provide an update on its upcoming hate crimes symposium.
- a. From November 7-9, 2023, the Criminal Section will hold a hate crimes symposium focusing on the investigation and prosecution of federal hate crimes. More than 100 AUSAs and CRM Trial Attorneys are anticipated to attend as well as agents from the FBI's Hate Crimes/Domestic Terrorism Fusion Cell. While the presenters will primarily involve CRM attorneys, AUSAs, attorneys from the National Security Division, and staff from the SPLC will also present.
5. Combating Redlining Initiative: CRT will provide an update on its implementation of the Attorney General's Combating Redlining Initiative.
- a. *Ameris*: On Thursday, the AG joined me in Jacksonville, Florida to announce the resolution of our latest redlining settlement with Ameris bank. That settlement takes us to \$107 million through our Combating Redlining Initiative.
- b. *Combating Redlining Initiative 2-Year Anniversary Event*: On November 9, we will be hosting a stakeholder meeting here at the MJB to celebrate the successes of our CRI and to discuss next steps. We also are planning to release our ECOA report then as well as a short video talking about this work.
- c. *Colony Ridge*: (b) (5), (b) (7)(A) [REDACTED] This matter involves the targeting of Hispanic borrowers in Texas, and has attracted national media attention.
6. Language Access: CRT will provide an update on its implementation of the Attorney General's November 2022 language access memorandum.
- a. Last November, the AG issued a memorandum to all executive agencies pursuant to EOs 13166 and 12250, directing agencies to update their language access plans within the next six months. Over that period of time, CRT's Federal Coordination and Compliance Section provides a

series of meetings, workshops, and technical assistance to dozens of agencies and hundreds of federal employees.

- b. Over the last several months FCS staff have worked to review, edit, and help agencies finalize their language access plans. (As you may recall, DOJ released its updated language access plan this summer.) We are planning a virtual event for November 15 to mark the one-year anniversary of the AG's memorandum. We have asked federal agencies to be prepared to post their updated language access plans on their websites by November 15.
7. FACE Act: CRT will provide an update on recent FACE Act litigation and efforts.
- a. The most recent FACE Act trials involved an invasion of a reproductive health clinic in DC. There were originally 10 defendants. One pled guilty. The Court divided the defendants into two groups for trial. Five went were convicted on August 29 and remanded to custody, because the jury found they had committed a crime of violence. Three more were convicted on September 15 and remanded to custody. One defendant, Harlow, was severed for health reasons. Her bench trial is proceeding as we speak.
 - b. On October 12, Caroline Davis pled guilty to two misdemeanor FACE Act violations in Nashville. She will testify about the other 10 defendants in the *Zastrow* case going to trial in January.
 - c. Trial is scheduled for February in the *Freestone* case involving four defendants who vandalized reproductive health centers in Florida.
 - d. Trial of eight defendants who blockaded an abortion clinic near Detroit is set for February in another *Zastrow* case.
8. BOP Misconduct and Accountability: CRT will provide an update on recent prosecutions involving BOP.
- a. CRT has several BOP misconduct cases coming up:
 - i. Trial is scheduled for January 15, 2024, for a BOP Correctional Officer Robert Smith at the Federal Correctional Institution Aliceville, Alabama. He was indicted on two counts of sexual abuse of inmates for engaging in sexual acts with two inmates under his custodial authority.

ii. There are two sentencings coming up in the Eastern District of Kentucky in December for former BOP officers who pled guilty to violation of 2243(b), for engaging in sexual misconduct with an inmate. (Barrett and Sparks, ED Ky.) These cases were handled by the U.S. Attorney's Office in the E.D. Ky.

b. In early November, CRT will be doing a virtual training on our criminal and civil sexual misconduct work. We are expecting over 500 participants, including AUSAs and FBI agents.

9. Law Enforcement Sensitive

**AGENDA
FOR THE DEPUTY ATTORNEY GENERAL**

FROM: Civil Rights Division

SUBJECT: Monthly Civil Rights Division Meeting

MEETING DATE: October 31, 2023

ATTENDEES: AAG Kristen Clarke; PDAAG Sparkle Sooknanan; DAAGs Robert Moossy, Jennifer Mathis, Katie Wolfe, and Johnathan Smith; Senior Counselor Diana Sen, CoS Alex Rias

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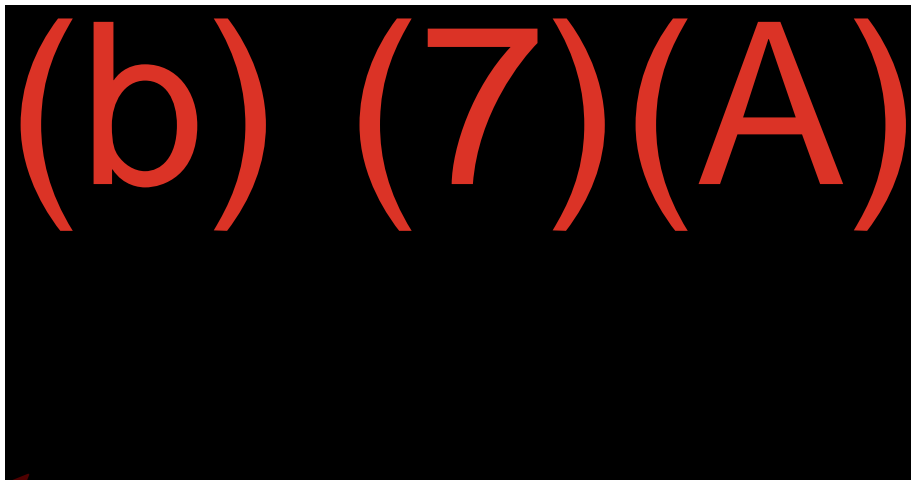
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(b) (7) (A)

- iii. AAG Clarke participated virtually in the press conference announcing the investigation on the 17th. The SPL team was on the ground in Trenton and met with the City, police command staff, and community groups. The Mayor pledged full cooperation.
- b. *Lexington*: We are targeting November 8 to roll out our pattern or practice investigation of the Lexington, Mississippi Police Department.
- i. Lexington is a town of 1600 people, about 80% Black, outside Jackson, Mississippi.
- ii. The Police Department has 8 officers. More than half of American police departments have fewer than 10 officers, so is useful to have a small jurisdiction on our docket.

(b) (7) (A)



- c. *United States v. Albuquerque* (D.N.M.): On October 27, 2023, the Division and the City plan to file a joint motion seeking partial termination of certain provisions of the consent decree with which APD has been in full compliance for at least two years and that APD has been self-assessing. The provisions cover: a Multi-Agency Task Force; Specialized Tactical Units; Specialized Investigative Units; the Field Training Evaluation Program; Public Information on Civilian Complaints; Recruiting, Selection, and Promotion; and Officer Assistance and Support.
- d. *Consent Decree Conference*: Last week, AAG Clarke gave the keynote speech at the 2023 Consent Decree Conference, and SPL lawyers presented a panel on DOJ Investigations and Consent Decree Enforcement.
 - i. The conference brought together judges handling police consent decrees in New Orleans, Baltimore, Seattle, and Puerto Rico, academics, advocates, police chiefs and commissioners, independent monitors, and others, to discuss our work on police reform.
 - ii. Topics included, among other things, “The Role of the Judge in Consent Decree Compliance, Sustainment, and Termination,” “The Importance of Community and Officer Engagement in Consent Decree Drafting,” “Best Practice in Police Reform—the Baltimore Consent Decree,” “Reimagining Civilian Oversight,” and our own panel, “Emerging Issues in DOJ Investigations and Consent Decree Enforcement.”
 - iii. AAG Clarke spoke on novel features of our recent investigations, including mental health, First Amendment issues, and partial termination of consent decrees.

- iv. It was a productive exchange of ideas, and provided concrete evidence that our police reform work is having significant impact.

4. Hate Crimes Symposium: CRT will provide an update on its upcoming hate crimes symposium.
- a. From November 7-9, 2023, the Criminal Section will hold a hate crimes symposium focusing on the investigation and prosecution of federal hate crimes. More than 100 AUSAs and CRM Trial Attorneys are anticipated to attend as well as agents from the FBI's Hate Crimes/Domestic Terrorism Fusion Cell. While the presenters will primarily involve CRM attorneys, AUSAs, attorneys from the National Security Division, and staff from the SPLC will also present.
5. Combating Redlining Initiative: CRT will provide an update on its implementation of the Attorney General's Combating Redlining Initiative.
- a. *Ameris*: On Thursday, the AG joined me in Jacksonville, Florida to announce the resolution of our latest redlining settlement with Ameris bank. That settlement takes us to \$107 million through our Combating Redlining Initiative.
- b. *Combating Redlining Initiative 2-Year Anniversary Event*: On November 9, we will be hosting a stakeholder meeting here at the MJB to celebrate the successes of our CRI and to discuss next steps. We also are planning to release our ECOA report then as well as a short video talking about this work.
- c. *Colony Ridge*: (b) (5), (b) (7)(A) [REDACTED] This matter involves the targeting of Hispanic borrowers in Texas, and has attracted national media attention.
6. Language Access: CRT will provide an update on its implementation of the Attorney General's November 2022 language access memorandum.
- a. Last November, the AG issued a memorandum to all executive agencies pursuant to EOs 13166 and 12250, directing agencies to update their language access plans within the next six months. Over that period of time, CRT's Federal Coordination and Compliance Section provides a

series of meetings, workshops, and technical assistance to dozens of agencies and hundreds of federal employees.

- b. Over the last several months FCS staff have worked to review, edit, and help agencies finalize their language access plans. (As you may recall, DOJ released its updated language access plan this summer.) We are planning a virtual event for November 15 to mark the one-year anniversary of the AG's memorandum. We have asked federal agencies to be prepared to post their updated language access plans on their websites by November 15.
7. FACE Act: CRT will provide an update on recent FACE Act litigation and efforts.
- a. The most recent FACE Act trials involved an invasion of a reproductive health clinic in DC. There were originally 10 defendants. One pled guilty. The Court divided the defendants into two groups for trial. Five went were convicted on August 29 and remanded to custody, because the jury found they had committed a crime of violence. Three more were convicted on September 15 and remanded to custody. One defendant, Harlow, was severed for health reasons. Her bench trial is proceeding as we speak.
 - b. On October 12, Caroline Davis pled guilty to two misdemeanor FACE Act violations in Nashville. She will testify about the other 10 defendants in the *Zastrow* case going to trial in January.
 - c. Trial is scheduled for February in the *Freestone* case involving four defendants who vandalized reproductive health centers in Florida.
 - d. Trial of eight defendants who blockaded an abortion clinic near Detroit is set for February in another *Zastrow* case.
8. BOP Misconduct and Accountability: CRT will provide an update on recent prosecutions involving BOP.
- a. CRT has several BOP misconduct cases coming up:
 - i. Trial is scheduled for January 15, 2024, for a BOP Correctional Officer Robert Smith at the Federal Correctional Institution Aliceville, Alabama. He was indicted on two counts of sexual abuse of inmates for engaging in sexual acts with two inmates under his custodial authority.

ii. There are two sentencings coming up in the Eastern District of Kentucky in December for former BOP officers who pled guilty to violation of 2243(b), for engaging in sexual misconduct with an inmate. (Barrett and Sparks, ED Ky.) These cases were handled by the U.S. Attorney's Office in the E.D. Ky.

b. In early November, CRT will be doing a virtual training on our criminal and civil sexual misconduct work. We are expecting over 500 participants, including AUSAs and FBI agents.

9. Law Enforcement Sensitive

From: "Schedule, DAG (SMO)" (b) (6)

To: "Washington, Tracy T. (OASG)" (b) (6) >, "Henthorne, Betsy (OASG)" (b) (6) >

Subject: Quarterly Civil Rights Meeting

Date: Mon, 14 Nov 2022 09:44:40 -0500

Importance: Normal

Attachments: unnamed

POC: Myesha Braden
Attendees:
ODAG: DAG Monaco, Marshall Miller, Myesha Braden
OAG: Christine Berger
OASG: Vanita Gupta, Sparkle Sooknanan
CRT: Kristen Clarke, Shaylyn Cochran
ACLU: Hina Shamsi, Chris Anders
AAI: Maya Berry
AAAJ: Marita Etcubanez
ARC: Jason Kimelman Block
Brennan Center: Kristin Dunham
HRC: David Stacy
HRW: Laura Pitter
Lawyers Committee: Damon Hewitt, Arthur Ago
Muslim Advocates: Sumayyah Waheed
LDF: Lisa Cylar Barrett, Janai Nelson
NCJW: Faith Williams
RAC: Barbara Weinstien
Southern Poverty Law Center: Michael Lieberman
Leadership Conference: Maya Wiley, Nadia Aziz, Chanel Sherrod, Jesselyn McCurdy

Note: This meeting is limited to the invited attendees only. You are not authorized to forward this invitation. If you believe other individuals should be included, please contact the ODAG Front Office.

-- Do not delete or change any of the following text. --

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Meeting password: (b) (6)

Tap to join from a mobile device (attendees only)

(b) (6) United States Toll (Washington D.C.)

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(b) (6) United States Toll (Washington D.C.)

[Global call-in numbers](#)

Join from a video system or application

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Join using Microsoft Lync or Microsoft Skype for Business

Dial (b) (6)

If you are a host, [click here](#) to view host information.

Need help? Go to <https://help.webex.com>

OBAINED BY AMERICA FIRST LEGAL FOUNDATION

From: Smith, Johnathan (CRT) (b)(6)

Sent: Wed 3/8/2023 12:04:23 PM (UTC-05:00)

To: Smith, Johnathan (CRT) (b)(6); Simon, Eliza (CRT) (b)(6)

Bcc: Clarke, Kristen (CRT) (b)(6); Simon, Eliza (CRT) (b)(6); Weiner, Robert (CRT) (b)(6); Moosy, Robert (CRT) (b)(6); Rosenbaum, Steven (CRT) (b)(6); Killebrew, Paul (CRT) (b)(6); Mathis, Jennifer (CRT) (b)(6)

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JJohnson@defendla.org[JJohnson@defendla.org];
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jasmin.mize@splcenter.org[jasmin.mize@splcenter.org];
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(b)(6)@gmail.com (b)(6)@gmail.com];
Lwright@defendla.org[Lwright@defendla.org];
jjohnson@lawyeringproject.org[jjohnson@lawyeringproject.org];
(b)(6)@gmail.com (b)(6)@gmail.com];
brittany@brittanypacknett.com[brittany@brittanypacknett.com];
eriley@nationalactionnetwork.com[eriley@nationalactionnetwork.com];
bencrump@bencrump.com[bencrump@bencrump.com];
tmallory@malloryconsulting.net[tmallory@malloryconsulting.net];
roland@rolandmartin.com[roland@rolandmartin.com];
gwen@mckpr.com[gwen@mckpr.com];
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amir.ali@macarthurjustice.org[amir.ali@macarthurjustice.org]

Subject: FW: Justice Department Finds Civil Rights Violations by the Louisville Metro Police Department and Louisville/Jefferson County Metro Government

Attachment: 2023.3.8 LMPD findings report.pdf

Good afternoon all,

On behalf of Assistant Attorney General Kristen Clarke at the Civil Rights Division – U.S. Department of Justice, please see below for a press release announcing that following a comprehensive investigation, the Justice Department has determined that the Louisville Metro Police Department (LMPD) and the Louisville/Jefferson County Metro Government (Louisville Metro) engage in a pattern or practice of conduct that violates the U.S. Constitution and federal law. The Department also announced that it has entered into an agreement in principle with Louisville Metro and LMPD, which have committed to resolving the department's findings through a court-enforced consent decree with an independent monitor, rather than contested litigation.

The press release is available below and also can be accessed at this link: [Justice Department Finds Civil Rights Violations by the Louisville Metro Police Department and Louisville/Jefferson County Metro Government | OPA | Department of Justice](#).

We would like to invite you to a brief virtual meeting with the Justice Department Civil Rights Division at 4:00 today. Members of the Division will discuss highlights from this Letter of Findings issued today concluding that Louisville Metro Government and the Louisville Metro Police Department engage in a pattern or practice of conduct that violates the Constitution and laws of the United States. (Some of you may also receive an invitation to another meeting concerning this letter of findings; that meeting will focus in particular on the portion of the letter relating to the Americans with Disabilities Act and emergency responses to people with behavioral health disabilities. Also, please note that this meeting is separate from the virtual community meeting open to members of the public scheduled for 7:00 PM this evening.)

Please RSVP to this email if you plan to attend. You can join the meeting by using this link: [\(b\)\(6\)](https://www.(b)(6)) Additional dial-in information about the Zoom meeting is also included below.)

Best regards,

Johnathan

Johnathan Smith (he/him)

Deputy Assistant Attorney General and Acting Chief of Staff

Civil Rights Division

U.S. Department of Justice

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JUSTICE NEWS

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE
Wednesday, March 8, 2023

Justice Department Finds Civil Rights Violations by the Louisville Metro Police Department and Louisville/Jefferson County Metro Government

Following a comprehensive investigation, the Justice Department announced today that the Louisville Metro Police Department (LMPD) and the Louisville/Jefferson County Metro Government (Louisville Metro) engage in a pattern or practice of conduct that violates the U.S. Constitution and federal law. The Department also announced that it has entered into an agreement in principle with Louisville Metro and LMPD, which have committed to resolving the department's findings through a court-enforceable consent decree with an independent monitor, rather than contested litigation.

Specifically, the Justice Department finds that LMPD:

- Uses excessive force, including unjustified neck restraints and the unreasonable use of police dogs and tasers;
- Conducts searches based on invalid warrants;
- Unlawfully executes search warrants without knocking and announcing;
- Unlawfully stops, searches, detains, and arrests people during street enforcement activities, including traffic and pedestrian stops;
- Unlawfully discriminates against Black people in its enforcement activities;
- Violates the rights of people engaged in protected free speech critical of policing; and
- Along with Louisville Metro, discriminates against people with behavioral health disabilities when responding to them in crisis.

The Department also identified deficiencies in LMPD's response to and investigation of domestic violence and sexual assault, including its responses to allegations that LMPD officers engaged in sexual misconduct or domestic violence. Deficiencies in policies, training, supervision, and accountability contribute to LMPD and Louisville Metro's unlawful conduct.

"The Justice Department has concluded that there is reasonable cause to believe that Louisville Metro and LMPD engage in a pattern or practice of conduct that violates the constitutional rights of the residents of Louisville — including by using excessive force, unlawfully discriminating against Black people, conducting searches based on invalid warrants, and violating the rights of those engaged in protected speech critical of policing," said Attorney General Merrick B. Garland. "This unacceptable and unconstitutional conduct erodes the community trust necessary for effective policing. It is also an affront to the vast majority of officers who put their lives on the line to serve Louisville with honor. And it is an affront to the people of Louisville who deserve better. The Justice Department will work closely with Louisville Metro and LMPD to negotiate toward a consent decree and durable reforms that protect both the safety and civil rights of Louisville's residents."

"The findings are deeply troubling and sobering, and they compromise LMPD's ability to serve and protect the people of Louisville," said Associate Attorney General Vanita Gupta. "We are committed to working with Louisville on a path forward to constitutional policing and stronger police-community trust. Although police reform won't happen overnight, focused effort and sustained commitment will bring us closer to transformed relationships, safe communities, and this nation's promise of justice and equality under the law."

"People in Louisville deserve policing that is constitutional, fair and non-discriminatory," said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division. "Our investigation found that the police department and city government failed to adequately protect and serve the people of Louisville, breached the public's trust, and discriminated against Black people through unjustified stops, searches, and arrests. The police used excessive force, subjecting people to unlawful strikes, tasings, and canine bites. The police sought search warrants without justification and carried out no-knock warrants unlawfully, evading the constitution, defying federal law, and putting ordinary citizens in harm's way. Today marks a new day and a new chapter for the people of Louisville."

LMPD and Louisville Metro cooperated fully with the department's investigation. The Justice

Department provided a comprehensive, written report of its investigative findings to Louisville Metro and LMPD. The report acknowledges the changes already made by Louisville Metro and LMPD, and it identifies additional remedial measures that the department believes are necessary to fully address its findings.

The Department of Justice opened this investigation on April 26, 2021. The investigation was conducted by career attorneys and staff in the Civil Rights Division and the U.S. Attorney's Office for the Western District of Kentucky. The investigation included numerous onsite tours; interviews of LMPD officers, supervisors, and command staff; ride-alongs; review of thousands of documents; and review of thousands of hours of body-worn camera footage. Department attorneys and staff also met with community members, advocates, service providers, and other stakeholders in the Louisville Metro area.

The department conducted this investigation pursuant to the 34 U.S.C. § 12601 (Section 12601), which prohibits law enforcement officers from engaging in a pattern or practice of conduct that deprives people of rights protected by the Constitution or federal law, the Safe Streets Act of 1968, Title VI of the Civil Rights Act of 1964, and Title II of the Americans with Disabilities Act.

The findings announced today are the result of the department's civil pattern or practice investigation and are separate from the department's criminal cases against former LMPD officers for federal crimes related to the tragic death of Breonna Taylor. These findings are also separate from the department's ongoing investigation into the Commonwealth of Kentucky under the Americans with Disabilities Act. Additional information can be found at: www.justice.gov/opa/pr/justice-department-launches-civil-rights-investigation-kentucky-s-mental-health-service-0.

The department will be conducting outreach to members of the Louisville community for their views on remedies to address the department's findings. Individuals may also submit recommendations by email at Community.Louisville@usdoj.gov or by phone at 1-844-920-1460.

This is one of eight investigations into law enforcement agencies opened by the Justice Department's Civil Rights Division under Section 12601 during this Administration. The department has ongoing investigations into the Minneapolis Police Department; the Phoenix Police Department; the Mount Vernon (NY) Police Department; the Louisiana State Police; the New York City Police Department's Special Victims Division; the Worcester (MA) Police Department; and the Oklahoma City Police Department.

Additional information about the Civil Rights Division is available on its website at www.justice.gov/crt. Additional information about the U.S. Attorney's Office for the Western District of Kentucky is available at www.justice.gov/usao-wdtky.

Information specific to the Civil Rights Division's police reform work can be found here: www.justice.gov/crt/file/922421/download.

The Justice Department will hold a virtual community meeting at 7:00 p.m. ET. Members of the public are encouraged to attend to learn more about the findings. Please join the meeting via this link www.zoomgov.com/webinar/register/WN_pmezYy52QZusNmr_nLPRAA.

Join ZoomGov Meeting

[\(b\)\(6\)](https://(b)(6))

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U.S. Department of Justice Civil Rights Division

ASSISTANT ATTORNEY GENERAL KRISTEN CLARKE CIVIL RIGHTS TOUR – SELMA and MONTGOMERY, AL

Monday, March 6, 2023 – Montgomery, AL

AAG Clarke will participate in a meeting with U.S. Attorneys at the U.S. Attorney's Office. She will also meet with the leadership of the Southern Poverty Law Center and tour the SPLC Civil Rights Museum. She will also meet with the Equal Justice Initiative leadership and tour the Legacy Museum as well as visit the National Memorial for Peace and Justice.

- U.S. Attorney's Office -AGAC Subcommittee
131 Clayton St.
Time: 9:30 a.m. – 9:50 a.m.
Press: Closed
- Southern Poverty Law Center and Civil Rights Center
400 Washington Avenue
Time: 10:30 a.m. – 12:25 p.m.
Press: Closed
- Tour the Legacy Museum: From Enslavement to Mass Incarceration and the National Memorial for Peace and Justice.
Time: 12:30 p.m. – 3:25 p.m. (approximately)
Press: Closed
Museum: 400 N. Court St. – 12:30 p.m. – 2:30 p.m. - suggested
Memorial: 417 Caroline St.- 2:30 p.m. – 3:25 p.m. - suggested

Equal Justice Initiative – Meet with Bryan Stevenson
Peace and Justice Center at the Memorial
417 Caroline St.
Time: 3:30 p.m. – 4:30 p.m.
Press: Closed



U.S. Department of Justice

Civil Rights Division

ASSISTANT ATTORNEY GENERAL

KRISTEN CLARKE

CIVIL RIGHTS TOUR – SELMA and MONTGOMERY, AL

U.S. Attorneys:

Ms.	Stewart	Sandra	Mid District, AL	(b)(6) - (b)(6)
Mr.	Costello	Sean	South District, AL	(b)(6)

To: Clarke, Kristen (CRT)(b) (6) Smith, Johnathan (CRT)(b) (6) Sooknanan,
Sparkle (CRT)(b) (6)
From: Moosy, Robert (CRT)(b) (6)
Sent: Fri 10/27/2023 6:59:17 PM (UTC-04:00)
Subject: NAC Hate Crimes Symposium
[113071 - CLE AgendaFinal.docx](#)

If it's not too late, we should mention this at the DAG Meeting?

Hate Crimes Symposium at the NAC. From November 7-9, 2023, the Criminal Section will hold a hate crimes symposium focusing on the investigation and prosecution of federal hate crimes. More than 100 AUSAs and CRM Trial Attorneys are anticipated to attend as well as agents from the FBI's Hate Crimes/Domestic Terrorism Fusion Cell. While the presenters will primarily involve CRM attorneys, AUSAs, attorneys from the National Security Division, and staff from the SPLC will also present.

CIVIL RIGHTS HATE CRIME SYMPOSIUM
November 7-9, 2023
Columbia, South Carolina

AGENDA

TUESDAY, NOVEMBER 7, 2023

8:00 - 8:30 a.m.

REGISTRATION

8:30 - 8:45 a.m.

NAC WELCOME REMARKS

Chris Canova

Jessica A. Ginsburg

8:45 - 9:00 a.m.

INTRODUCTION AND WELCOME

Kristen Clarke

9:00 - 9:45 a.m.

**PROSECUTION OF THE MEN WHO KILLED
AHMAUD ARBERY (CLE Eligible)**

Bobbi Bernstein

Christopher Perras

The prosecution team in *United States v. McMichael et. al* will deliver a presentation about the prosecution of three men responsible for the death of Ahmaud Arbery, a young Black man who was shot and killed while jogging through the defendants' mostly-white neighborhood. The presenters will discuss the underlying facts of the case and the trial team's decision-making process through the investigation and trial. Topics covered will include a discussion of how the team developed evidence of bias motivation, how the team made charging decisions, and issues that arose during voir dire and during trial.

9:45 - 10:00 a.m.

BREAK

10:00 - 10:35 a.m.

**PROSECUTION OF THE MEN WHO KILLED
AHMAUD ARBERY -CONTINUED (CLE Eligible)**
Bobbi Bernstein
Christopher Perras

The prosecution team in *United States v. McMichael et. al* will deliver a presentation about the prosecution of three men responsible for the death of Ahmaud Arbery, a young Black man who was shot and killed while jogging through the defendants' mostly-white neighborhood. The presenters will discuss the underlying facts of the case and the trial team's decision-making process through the investigation and trial. Topics covered will include a discussion of how the team developed evidence of bias motivation, how the team made charging decisions, and issues that arose during voir dire and during trial.

10:35 – 10:40 a.m.

BREAK (Cafe closed)

10:40 - 12:25 p.m.

**LEGAL OVERVIEW OF FEDERAL HATE CRIME
STATUTES (CLE Eligible)**
Angela Miller

Angela Miller will discuss the statutes commonly used to prosecute federal hate crimes. Specifically, the lecture will focus upon the four substantive hate crime statutes (18 U.S.C. §§ 245, 247, 249, and 42 U.S.C. § 3631) and the civil rights conspiracy statute (18 U.S.C. § 241). It will cover the jurisdictional and substantive elements needed to prove each statute, as well as the conspiracy provisions of § 249 that were recently added by the Emmett Till Antilynching Act. The presentation will also touch upon common defenses.

12:25 – 12:30

BREAK (Café closed)

12:30 - 1:00 p.m.

BEYOND HATE (CLE Eligible)
Maura White

Federal Hate Crime statutes require proof that the defendant acted “because of” one of the characteristics set forth in the relevant hate crime statute (race, color, LGBT status, etc.) In this NAC Talk, Maura White will address the common misconception that the government must prove that the defendant acted with longstanding prejudice or bias, explaining instead that the legal requirement is merely that the defendant would not have acted as he or she did in the absence of the protected characteristic.

1:00 - 2:00 p.m.

LUNCH

2:00 - 3:00 p.m.

**SOUTHERN POVERTY LAW CENTER:
INTELLIGENCE REPORT (No CLE sought)**
R.G. Cravens

This presentation will provide an overview of important, disturbing trends and developments within the anti-LGBTQ movement, including the surge in threats and violence against transgender people, children, and their caregivers. By focusing on commonalities in rhetoric, symbols, locations, and actors involved in violent anti-LGBTQ attacks and targeted intimidation, this presentation will help investigators and prosecutors identify potential evidence and motivations for bias crime.

3:00 - 3:15 p.m.

**REMARKS FROM THE AGAC CIVIL RIGHTS
SUBCOMMITTEE (No CLE sought)**
The Honorable Dena J. King
The Honorable Henry Leventis
The Honorable Philip Sellinger

3:15 - 3:30 p.m.

BREAK

3:30 - 3:50 p.m.

AAPI ISSUES (No CLE sought)
Anita Channapati

Anita Channapati will discuss hate crimes committed against Asian Americans and Pacific Islander victims. She will discuss the historic context and how bias against these victims was exacerbated by the pandemic. She will also explain the steps the Department is taking to vindicate the rights of AAPI victims.

3:50 - 4:10 p.m.

**USING 18 U.S.C. § 241 TO COMBAT VOTER
DECEPTION (No CLE sought)
Mark D. Blumberg
Sarah Howard**

Election Deception: Can our civil rights statutes cut a path through deceit designed to interfere with voters or does the 1st Amendment leave us at the mercy of tricksters and con-artists? Sarah Howard and Mark Blumberg will discuss United States v. Mackey and the tools available to prosecutors to curb certain efforts to suppress the vote.

4:10 - 4:15 p.m.

BREAK (Café closed)

4:15 - 4:45 p.m.

**INVESTIGATION OF CIVIL RIGHTS COLD CASES
UNDER THE EMMETT TILL ACTS (No CLE sought)
Maraya Best**

Maraya Best will discuss the Emmett Till Unsolved Civil Rights Crimes Act, explaining how the Cold Case Unit of the Civil Rights Division staffs and investigates death-resulting civil rights crimes that occurred before 1980. Ms. Best will describe the challenges to bringing justice in these cold case matters. She will explain what USAOs should do if a Till Act case is referred to them and the resources available in these investigations.

4:45 - 5:00 p.m.

QUESTION AND ANSWER PANEL (No CLE sought)

5:00 p.m.

RECESS

WEDNESDAY, NOVEMBER 8, 2023

8:30 - 10:00 a.m.

HATE CRIME MASS SHOOTINGS (CLE Eligible)

Moderator: Christopher Perras

Shan P. Patel

Annamartine Salick

Timothy Visser

This panel will examine several recent hate-crime mass shootings, including the Buffalo supermarket shooting and the El Paso Walmart shooting, with a focus on the Department's role in the immediate aftermath of these shootings. Panelists will address several common challenges, including: (1) coordinating with state and federal partners; (2) building rapport with victims and their families; (3) developing bias-motivation evidence; (4) anticipating and addressing mental health defenses; and (5) dealing with emotional trauma.

10:00 - 10:20 a.m.

BREAK

10:20 - 10:40 a.m.

LINK BETWEEN DOMESTIC TERRORISM AND HATE CRIMES (No CLE sought)

Jacob Warren

This presentation will spotlight the overlap between hate crimes and domestic terrorism and will address how domestic terrorism prosecutors in the Department's National Security Division partner with hate crimes prosecutors from the Civil Rights Division and AUSAs to investigate and prosecute these cases.

10:40 - 11:00 a.m.

JUVENILE PROSECUTIONS
Tara Allison (No CLE sought)

Compared to other kinds of federal crimes, a larger-than-average proportion of hate crimes are committed by juveniles, particularly cross-burnings and defacement of houses of worship. There is a process for holding juveniles responsible in delinquency proceedings or trying them in federal court as adults. This intervention may help to prevent juveniles from committing crimes in the future. This talk will discuss the benefits and challenges of juvenile prosecutions.

11:00 - 12:30 p.m.

**RELIGIOUSLY-MOTIVATED HATE CRIMES:
ATTACKS ON HOUSES OF WORSHIP AND
WORSHIPPERS (CLE Eligible)**

Moderator: Sheldon L. Beer

Kyle Boynton

Mary J. Hahn

Janea Lamar

Soo Song

This panel will examine cases involving religious bias, running the gamut from mass shooting cases to arsons at houses of worship, to threats, and graffiti. The panel will examine how to select the most appropriate charges, challenges in proving interstate commerce, and issues that arise in trials and investigations.

12:30 - 1:30 p.m.

LUNCH

1:30 - 2:00 p.m.

**CUTTING THROUGH THE CONFUSION –WHAT IS A
CRIME OF VIOLENCE? WHAT HATE CRIMES
QUALIFY (AS OF THIS MOMENT!) (CLE Eligible)**
Bobbi Bernstein

During this NAC talk, Bobbi Bernstein will describe the ever shifting and increasingly complex legal landscape prosecutors must navigate to determine what crimes fall within the definition of a “crime of violence.” Whether an offense qualifies as a “crime of violence” has important implications for charging decisions, detention determinations, and sentencing. The presentation will provide an overview of the law and a review of which of our federal hate crimes (currently) qualify as crimes of violence

2:00 - 3:15 p.m.

**UNITED STATES V. JOHN RUSSEL HOWALD:
CREATIVE PATHS TO PROSECUTING 18 U.S.C. 249
CASES BASED ON SEXUAL ORIENTATION (CLE
Eligible)**

**Moderator: Mark D. Blumberg
Eric Peffley
Ethan Plaut**

The trial team will discuss the challenges in the investigation and prosecution of Defendant Howald, who went to Basin, Montana, with a self-described “mission” to rid the town of its lesbian and gay community. Armed with three rifles and two pistols, Howald shot at a woman who identified as a lesbian, attempting to kill her. He then turned away from her property to target others but was interrupted before he did so. The panel will discuss how they decided to frame the charge, challenges of proving interstate commerce, and crime of violence issues.

3:15 - 3:30 p.m.

BREAK

3:30 - 3:45 p.m.

**TALKING TO VICTIMS IN THE LGBT+ COMMUNITY
(No CLE sought)**

Kathryn E. Gilbert

Cultural competence and appropriate terminology are crucial to interviewing members of the Lesbian, Gay, Bisexual, Transgender, and Queer/Questioning+ community. This talk will offer an overview of key considerations.

3:45 - 4:00 p.m.

**OVERCOMING HURDLES TO PROSECUTING
TRANSGENDER VIOLENCE (No CLE sought)**

Laura Gilson

Three men recorded themselves assaulting a transgender woman by shooting paintballs at her because of her gender identity and then shared the recording over social media. This NAC talk explores how federal prosecutors investigated the defendants for violating 18 U.S.C. § 249(a)(2) and the challenges that they encountered during the prosecution.

4:00 - 4:10 p.m.

INTRODUCTION TO SECTION BREAKOUTS
Jim Felte (No CLE sought)

4:10 - 5:00 p.m.

TEAM BREAKOUTS (No CLE sought)
Sheldon L. Beer
Bobbi Bernstein
Forrest Christian

AUSAs will have an opportunity to meet with the Deputy Chief and CRT attorneys who work in their jurisdiction. Attendees will have the opportunity to discuss issues in a small group setting, including discussing their District's experience with the United Against Hate outreach events.

5:00 p.m.

RECESS

5:30 - 6:30 p.m.

RECEPTION

THURSDAY, NOVEMBER 9, 2023

8:30 - 8:45 a.m.

**FACE PROSECUTIONS IN THE POST-DOBBS ERA
(No CLE sought)
Laura-Kate Bernstein**

This presentation will focus on recent Freedom of Access to Clinic Entrances Act (FACE) litigation and the challenges being raised to the FACE Act in the wake of Dobbs v. Jackson Women's Health Organization. The presenter will discuss the misconception, common among defendants, that Dobbs renders the FACE Act unconstitutional. She will also address the recent use of civil rights conspiracy statutes in FACE Act prosecutions.

8:45 - 10:00 a.m.

**THREATS AND SOLICITATIONS IN HATE CRIME
CASES (CLE Eligible)
Kathryn E. Gilbert**

This presentation will address which types of threatening communications and solicitations may be prosecutable under federal civil rights and other criminal statutes. Some hate speech, while abhorrent and offensive, is protected by the First Amendment. Kate Gilbert will discuss the line between crimes and speech. Her discussion will include an overview of the Supreme Court's recent decision in *Counterman v. Colorado* and practical tips for investigating and prosecuting threats and solicitations.

10:00 - 10:15 a.m.

BREAK

10:15 - 11:45 a.m.

**PROFESSIONAL RESPONSIBILITY IN HATE CRIME
PROSECUTIONS (Ethics CLE sought)
Barbara Kay Bosserman
Kyle Boynton**

This presentation will focus on ethics issues that arise in hate crime cases, including issues that arise in contacts with represented persons, rules regarding pretrial publicity, conflicts of interest, candor to the tribunal, and confidentiality.

11:45 - 12:00 p.m.

WRAP UP AND CLOSING (No CLE sought)

To: jesseks@aclu.org[jesseks@aclu.org]; Chase Strangio[cstrangio@aclu.org]; jblock@aclu.org[jblock@aclu.org]; Jpizer@lambdalegal.org[Jpizer@lambdalegal.org]; Sbuchert@lambdalegal.org[Sbuchert@lambdalegal.org]; Tborelli@lambdalegal.org[Tborelli@lambdalegal.org]; Garkles@transgenderlegal.org[Garkles@transgenderlegal.org]; Sarah.Warbelow@hrc.org[Sarah.Warbelow@hrc.org]; Shannon Minter[sminter@nclrights.org]; Rberg@nclrights.org[Rberg@nclrights.org]; Jlevi@glad.org[Jlevi@glad.org]; Scott.Mccoy@splcenter.org[Scott.Mccoy@splcenter.org]; Diego.Soto@splcenter.org[Diego.Soto@splcenter.org]
Cc: Simon, Eliza (CRT) (b)(6); Powers, John (CRT) (b)(6); Nurse, Abigail (CRT) (b)(6)
From: Smith, Johnathan (CRT) (b)(6)
Sent: Wed 6/14/2023 1:55:07 PM (UTC-04:00)
Subject: meeting request

Dear All,

I hope this email finds you well. Assistant Attorney General Kristen Clarke of the Civil Rights Division would like to convene a small meeting of advocates leading the legal challenges to gender-affirming care bans across the country. With apologies for the short notice, we are hoping you might be able to join us (virtually) for this conversation on Thursday, June 22 from 1-2 pm. Please RSVP to (b)(6) and we will follow up with the meeting details. Also, if there is anyone else who should receive this invitation (or if there are any major scheduling conflicts), please let us know.

Best regards,
Johnathan

Johnathan Smith (he/him)
Deputy Assistant Attorney General and Acting Chief of Staff
Civil Rights Division
U.S. Department of Justice

(b)(6)
(b)(6)
(m)

OBTAI BY AMERICA FIRST LEGAL FOUNDATION

From: "(b) (6)" (USAEO)" (b) (6)
To: "Mody, Saeed (OASG)" (b) (6), "Pearl, Elizabeth (OJP)" (b) (6)
Cc: "Smith, Christina (ATJ)" (b) (6)
Subject: RE: Engaging with Stakeholders on Policing and Criminal Justice EO
Date: Thu, 03 Nov 2022 12:55:36 -0400
Importance: Normal
Embedded: ATJ_and_EOUSA_DOJ_ARC_submissions

Just had a few minutes to look at the EOUSA and ATJ sections, which starts at the end of page 19 (titled: Raising awareness of Reentry Barriers & Federal Court-Based Reentry Models)

The information is from a previous version and will need to be updated. Christina submitted a new version of the language for us on October 18 (see attached). Do you want me to update the information in track changes?

From: Mody, Saeed (OASG) (b) (6)
Sent: Monday, October 17, 2022 11:11 AM
To: (b) (6); (b) (6); Smith, Christina (ATJ) (b) (6); (b) (6) & (b) (7)(C); (b) (6) & (b) (7)(C); Bingham, Lauren C. (CIV) (b) (6); >; Cutlar, Shanetta (COPS) (b) (6); >; Kempler, Alissa (CRM) (b) (6); >; Segovia, Theresa (CRS) (b) (6); >; Cochran, Shaylyn (CRT) (b) (6); >; Ryan, Monica E (b) (6); >; (b) (6) (USAEO) (b) (6); >; Weiner, Robert (CRT) (b) (6); >; Dunham, Timothy M. (TD) (FBI) (b) (7)(E); >; Lauria, Jolene A. (JMD) (b) (6); >; (b) (6) (NSD) (b) (6); >; Sumner, Patricia (OIG) (b) (6); >; O'Neill, Sean (OIP) (b) (6); >; Fisher, Christopher M. (OJP) (b) (6); >; Antell, Kira M. (OLA) (b) (6); >; Iverson, Dena (PAO) (b) (6); >; Young, Brian A. (OPCL) (b) (6); >; Chaney, Christopher B. (OTJ) (b) (6); >; Randall, Allison (OVW) (b) (6); >; Jahn, Danielle C. (PARDON) (b) (6); >; Darden, Silas (USMS) (b) (6), (b) (7)(C), (b) (7)(F); (b) (6), (b) (7)(C), (b) (7)(F) USMS (b) (6), (b) (7)(C), (b) (7)(F) (b) (6) (USAEO) (b) (6); >; Weiner, Robert (CRT) (b) (6)
Cc: Henthorne, Betsy (OASG) (b) (6); >; Davies, Susan M. (OLP) (b) (6); >; Robinette, Kathryn A. (OLP) (b) (6); >; Gannon, Anne (ODAG) (b) (6); >; Eichenholtz, Seth (ODAG) (b) (6); >; Robertson, Ashley E. (ODAG) (b) (6); >; BenAry, Michael (ODAG) (b) (6)
Subject: RE: Engaging with Stakeholders on Policing and Criminal Justice EO

Good morning,

I hope the attached document has been helpful as you continue your stakeholder engagement on the EO. It is important that we keep track of our follow up stakeholder engagement, so please keep a record of who you met with and on what section.

Please let me know if you have any questions.

Thank you,

Saeed

From: Mody, Saeed (OASG)
Sent: Friday, September 30, 2022 2:49 PM
To: (b) (6); (b) (6); Smith, Christina (ATJ) (b) (6); (b) (6) & (b) (7)(C)

(BOP) (b) (6) & (b) (7)(C); Bingham, Lauren C. (CIV) (b) (6); Cutlar, Shanetta (COPS)
(b) (6); Kempler, Alissa (CRM) (b) (6); Segovia, Theresa (CRS)
(b) (6); Cochran, Shaylyn (CRT) (b) (6); Ryan, Monica E
(b) (6); (b) (6) (USAE) (b) (6); Weiner, Robert (CRT)
(b) (6); Dunham, Timothy M. (TD) (FBI) (b) (7)(E); Lauria, Jolene A. (JMD)
(b) (6); (b) (6) (NSD) (b) (6); Sumner, Patricia (OIG)
(b) (6); O'Neill, Sean (OIP) (b) (6); Fisher, Christopher M. (OJP)
(b) (6); >; Antell, Kira M. (OLA) (b) (6); Iverson, Dena (PAO)
(b) (6); Young, Brian A. (OPCL) (b) (6); Chaney, Christopher B. (OTJ)
(b) (6); Randall, Allison (OVW) (b) (6); Jahn, Danielle C. (PARDON)
(b) (6); Darden, Silas (USMS) (b) (6), (b) (7)(C), (b) (7) (F); (b) (6), (b) (7)(C), (b) (7) (F) (USMS)
(b) (6), (b) (7)(C), (b) (7) (F)

Cc: Henthorne, Betsy (OASG) (b) (6); Davies, Susan M. (OLP) (b) (6);
Robinette, Kathryn A. (OLP) (b) (6); Gannon, Anne (ODAG) (b) (6);
Eichenholtz, Seth (ODAG) (b) (6); Robertson, Ashley E. (ODAG)
(b) (6); BenAry, Michael (ODAG) (b) (6)

Subject: Engaging with Stakeholders on Policing and Criminal Justice EO

Good afternoon,

Over the past few weeks, the Associate Attorney General met with the groups listed below to discuss the Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety. The meetings also included DOJ staff from ODAG, OASG, and OLP. These stakeholders provided feedback on EO provisions that they had specific concerns about or could provide expertise on. The Associate told the groups there would be follow up engagement so that they could further provide input on implementation. As we all know, stakeholder engagement is an integral part of the EO implementation process for all sections, not just the sections that explicitly require it.

The attached document includes notes from the Associate's meetings and is divided by EO section. There is also a summary of all sections on p. 3. For any section where a group has expressed interest, it is important that one of the lead components on a particular EO provision contact the organization and provide them an opportunity to meaningfully provide feedback. This will likely look different depending on the section, but these groups are eager to provide specific thoughts and concerns. If there are any provisions of the EO that you do not intend to engage with stakeholders, please let us know.

If you have any questions, please do not hesitate to contact me, Susan Davies, and Betsy Henthorne.

Thank you,

Saeed

The Associate met with the following groups:

- FLEOA (Federal Law Enforcement Officers Association) – September 8
 - Larry Cosme (President) – (b) (6)
- FOP (Fraternal Order of Police) – August 15
 - Tim Richardson (Sr. Legislative Liaison) – (b) (6)
- IACP (International Association of Chiefs of Police) – August 11
 - Gene Voegtlin (IACP Outreach Director) – (b) (6)
 - Sarah Guy (Senior Advisor) – (b) (6)
- MCCA (Major Cities Chiefs Association) – August 12
 - Laura Cooper (Exec. Director) – (b) (6)
- MCSA (Major County Sheriffs of America) – August 11
 - Megan Noland (President) – (b) (6)
 - Ben Bawden – (b) (6)
- NAPO (National Association of Police Organizations) – August 11
 - Bill Johnson (Exec. Director) – (b) (6)

- NOBLE (National Organization of Black Law Enforcement) – August 19
 - Dwayne Crawford (Exec. Director) – (b) (6)
- NSA (National Sheriff's Association) – September 9
 - Carrie Hill (Director) – (b) (6)
- PERF (Police Executive Research Forum) – August 15
 - Chuck Wexler (Exec. Director) – (b) (6)
- LCCHR (Leadership Conference on Civil and Human Rights) – August 15
 - Leadership Conference – Maya Wiley (Exec. Director) – (b) (6) (Second LCCHR POC Kanya Bennett (Director of Government Affairs) – (b) (6))
 - Lawyers' Committee – Damon Hewitt
 - Center for Policing Equity – Hilary Rau
 - Advancement Project
 - National Action Network (NAN) – Ebonie Riley
 - Collier Collective, LLC
 - ACLU – Cynthia Roseberry
 - Southern Poverty Law Center – LaShawn Warren
 - National Action Network (NAN)
 - NAACP LDF – Lisa Cylar Barrett
 - National Urban League
 - NAACP
 - Innocence Project – Rebecca Brown
 - Vera Institute
 - Center for Innovations in Community Safety
 - Bazelon Center for Mental Health Law – Lewis Bossing
 - Color of Change – Sakira Cook
 - Project on Government Oversight – Brandon Brockmyer
 - Justice Roundtable – Danielle Neal

- NOBLE (National Organization of Black Law Enforcement) – August 19
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 - Innocence Project – Rebecca Brown
 - Vera Institute
 - Center for Innovations in Community Safety
 - Bazelon Center for Mental Health Law – Lewis Bossing
 - Color of Change – Sakira Cook
 - Project on Government Oversight – Brandon Brockmyer
 - Justice Roundtable – Danielle Neal

To: Felte, James (CRT) (b)(6); Fitzgerald, Paige (CRT) (b)(6); Bosserman, Barbara (CRT) (b)(6); Lopez, Louis (CRT) (b)(6); Smith, Johnathan (CRT) (b)(6); Foran, Sheila (CRT) (b)(6); Siegel, Nicole (CRT) (b)(6); Simon, Eliza (CRT) (b)(6)
From: Moossy, Robert (CRT) (b)(6)
Sent: Tue 6/6/2023 4:24:58 PM (UTC-04:00)
Subject: FW: SPLC Year in Hate and Extremism report

FYI.

POL and CrimSec: Anything in here relevant or useful for next week's briefing?

From: Michael Lieberman <michael.lieberman@splcenter.org>

Sent: Tuesday, June 6, 2023 4:21 PM

To: Moossy, Robert (CRT) (b)(6); Foran, Sheila (CRT) (b)(6)

Subject: [EXTERNAL] SPLC Year in Hate and Extremism report

Robert and Sheila,

Hot off the presses, here's SPLC's seminal annual report, [Year in Hate and Extremism](#).

Here's the [accompanying press release](#) and the [social media toolkit](#).

We're promoting the report on [Twitter](#), [Facebook](#) and [Instagram](#).

As I mentioned, if you're interested, I'd be happy to work with you to arrange a special briefing for select CRT staff on our findings with report authors and SPLC Intelligence Project subject matter experts. Let me know if that's of interest.

I also sent this to Saeed.

Will you please share with other members of the interdepartmental hate crime task force?

Thanks!
Michael



Here are some highlights from the report:

- The fear of “white extinction,” which was once central to just the white nationalist movement, has been alarmingly mainstreamed. The “great replacement” theory is a conspiracy that is inherently white supremacist and antisemitic; a false narrative that asserts that non-white immigrants are systematically replacing white people. This lie is being widely perpetuated in media and political narratives.
- The public spectacle of hatred fosters a climate of political violence and acceptance of it by a disturbing number of Americans. A 2022 [poll conducted by the SPLC and Tulchin Research](#) found 41% of Republicans agree that “some violence might be necessary to protect the country from radical extremists,” compared to 34% of Democrats and 29% of independents — and 44% of all Americans agree the “U.S. seems headed toward a civil war in the near future.”
- Active militia groups have declined from 92 groups in 2021 to 61 groups in 2022. This reduction in militia mobilization is the result of members and leaders being held accountable by groups like SPLC, the public, the media and federal prosecutors for their role in organizing and participating in the Jan. 6 deadly attack. But the continued growth of groups like the Proud Boys and the mainstreaming of hate make it clear that the violent threat from hard-right extremist groups persists.
- Schools have become a primary target for locally driven extremist mobilization. This year, for the first

time, we are designating reactionary anti-student inclusion groups, like Moms for Liberty, as **anti-government extremist groups**. We define anti-government extremist groups as organizations or a collection of individuals that – based on its official statements or principles, the statements of its leaders, or its activities – believe the federal government is tyrannical and traffics in conspiracy theories. A consistent tactic of these groups has been to attack public education and to attempt to ban books from classrooms and libraries based on what they deem inappropriate – because the content addresses race, LGBTQ issues and gender.

Here are [policy recommendations](#) that accompany the report:

Speak Out and Act Against Hate, Political Violence and Extremism

- It is impossible to overstate the importance of elected officials, business leaders and community officials using their public platforms to condemn and act against political violence, attacks on democratic institutions, racism, antisemitism, hate crimes and vandalism against houses of worship and other minority institutions.
- Ensure that the planners and perpetrators of the deadly Jan. 6 insurrection at the Capitol – and those who financed and inspired them to act – are held accountable, with serious consequences.
- Raise awareness and enforce federal and state laws against private militias and paramilitary training – and those restricting firearms in the state capitol/government buildings and near polling places and protecting election workers.

Make Federal and State Hate Crime Data Collection Mandatory

- After 30 years of incomplete data and underreporting under the federal Hate Crimes Statistics Act (HCSA), make hate crime reporting to the FBI (Federal Bureau of Investigation) and to the appropriate state agency mandatory.
- Until such legislation can be enacted, condition federal and state funds for law enforcement agencies on reporting credible data or taking meaningful steps to address hate violence.
- In close coordination with community stakeholders, implement and fund programs authorized by the COVID-19 Hate Crime Act, including state hate crime hotlines to increase victim reporting and assistance.

Policy Recommendations for Government Prevention and Response to Extremism

- Expand interagency coordination for tracking and assessing the nature and magnitude of domestic extremism and require regular public reports.
- Fund community-informed, immediate and long-term support services for communities targeted and impacted by bias-motivated harms. Fund and develop community-based resilience and early intervention programs for youth that center social-emotional learning and not punishment.
- Fund safe, innovative academic research on promising evidence-based prevention programs that promote social cohesion and community wellness] as well as help communities build resilience to radicalizing narratives and conspiracies. Ensure these programs center on communities' needs first.

Enforce Hate Crime Laws

- Enforce existing federal and state hate crime laws – and expand training for judges, prosecutors, and law enforcement officials on alternative sentencing and restorative justice initiatives.

Address Long-term Contributors to Hate and Extremism

- Ensure adequate funding for the wide array of government initiatives and public-private partnerships announced at the September 2022 White House United We Stand Summit
- Provide equitable access to government funds for security infrastructure to house of worship and community institutions targeted with violence, including Historically Black Colleges and Universities and LGBTQ centers.
- Provide government support for civics education, digital literacy initiatives, culturally competent and linguistically accessible conflict resolution programs, and initiatives to reduce structural racism.

Confront White Supremacy in the Military and in Law Enforcement

- Address extremism in the military at every stage: screening recruits, clarifying prohibitions against advocating for, or involvement in, supremacist or extremist activity for active-duty personnel, and tailored efforts for veterans to transition to civilian life, including counseling, mental health and social welfare services.
- Reinstate a senior position, reporting to the Defense Secretary, to oversee and coordinate efforts to address extremism in the military.

- Mandate more extensive service-wide data collection and reporting, including an annual climate survey on extremism.
- Expedite the renaming of Army bases and hundreds of other military assets currently named for traitorous Confederate leaders.
- Prevent the hiring, promotion or retention of law enforcement personnel who actively promote unlawful violence, white supremacy or other bias against persons because of their personal characteristics. Mandate an annual report on these actions.

Confront Reactionary Anti-Student Inclusion and Censorship Campaigns

- Promote inclusive education and democracy-building school initiatives that celebrate our nation's diversity.
- Fiercely oppose efforts to impose educational gag orders on teaching painful truths about our nation's racialized history.

Promote Online Safety and Hold Tech and Social Media Companies Accountable

- Demand that social media companies should not enable the funding or amplifying of white supremacist ideas or provide a safe haven for extremists.
- Require public transparency and accountability with respect to how harmful content exists on platforms.
- Require disclosure about who is paying for specific online political advertisements.
- Provide data about who is benefiting from monetization of extremist media content including via video livestreaming, book production and merchandising, and crowdfunding campaigns.
- Implement rules and regulations to prevent political violence, including election-related incitement, and ensure compliance with civil rights laws prohibiting discrimination that are consistent with the Constitution.

And here are [Frequently Asked Questions about our definitions for designating hate and antigovernment groups](#)



Michael Lieberman he/him/his

Senior Policy Counsel, Hate & Extremism | Policy

Southern Poverty Law Center & SPLC Action Fund

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From: Michael Lieberman

Sent: Tuesday, June 6, 2023 12:32 PM

To: (b)(6); (b)(6)

TO: Robert Moossy and Sheila Foran

Subject: SPLC Year in Hate and Extremism report being released today

Hi Robert and Sheila,
I hope you are both well.

Just a quick heads up that our seminal annual report *Year in Hate and Extremism* is being released this afternoon. Here's a quick embargoed peek, but I will send our press release, report, and map with designations later today.

Civil Rights & Reform Team Agenda
11/15/2022

Follow-Ups:

- Civil Rights Organization Quarterly Meeting
 - LDF – election security
 - SPLC – public education re: hate crime data release* (Leadership Conference – advanced copy)
 - HRC – anti-LGBTQ violence
 - Leadership Conference - FBI/DHS categories re “racially motivated violent extremism”
 - ACLU – racial profiling guidance
- Racial Profiling Guidance
 - ACLU/Leadership Conference Request
 - 2nd Round of Clearance
 - DHS sign-off

Updates:

- BOP/DOL initiative
- GBVNAP

To: jesseks@aclu.org[jesseks@aclu.org]; Chase Strangio[cstrangio@aclu.org]; jblock@aclu.org[jblock@aclu.org]; Jpizer@lambdalegal.org[Jpizer@lambdalegal.org]; Sbuchert@lambdalegal.org[Sbuchert@lambdalegal.org]; Tborelli@lambdalegal.org[Tborelli@lambdalegal.org]; Garkles@transgenderlegal.org[Garkles@transgenderlegal.org]; Sarah.Warbelow@hrc.org[Sarah.Warbelow@hrc.org]; Shannon Minter[sminter@nclrights.org]; Rberg@nclrights.org[Rberg@nclrights.org]; Jlevi@glad.org[Jlevi@glad.org]; Scott.Mccoy@splcenter.org[Scott.Mccoy@splcenter.org]; Diego.Soto@splcenter.org[Diego.Soto@splcenter.org]
Cc: Simon, Eliza (CRT) (b)(6); Powers, John (CRT) (b)(6); Nurse, Abigail (CRT) (b)(6)
From: Smith, Johnathan (CRT) (b)(6)
Sent: Wed 6/14/2023 1:55:07 PM (UTC-04:00)
Subject: meeting request

Dear All,

I hope this email finds you well. Assistant Attorney General Kristen Clarke of the Civil Rights Division would like to convene a small meeting of advocates leading the legal challenges to gender-affirming care bans across the country. With apologies for the short notice, we are hoping you might be able to join us (virtually) for this conversation on Thursday, June 22 from 1-2 pm. Please RSVP to (b)(6) and we will follow up with the meeting details. Also, if there is anyone else who should receive this invitation (or if there are any major scheduling conflicts), please let us know.

Best regards,
Johnathan

Johnathan Smith (he/him)
Deputy Assistant Attorney General and Acting Chief of Staff
Civil Rights Division
U.S. Department of Justice

(b)(6)
(b)(6)
(m)

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From: "Pietranton, Kelsey (PAO)" (b) (6)
To: "Figures, Shomari (OAG)" (b) (6), "Walker, Burden (OAG)" (b) (6), "Henthorne, Betsy (OASG)" (b) (6), "Braden, Myesha (ODAG)" (b) (6), "Mody, Saeed (OASG)" (b) (6), "Pride Jr, Theron P. (OASG)" (b) (6)
Cc: "Bruck, Andrew (ODAG)" (b) (6), "Thomas, Tina M. (ODAG)" (b) (6), "Chandler, Adam (ODAG)" (b) (6)

Subject: FW: Groups

Date: Mon, 21 Nov 2022 19:01:52 -0500

Importance: Normal

Hi All,

Reaching out re: the below ask to invite advocacy groups to the holiday party. I understand that those who attend the CRT (and immigration) quarterly have already been put on the list so is there anybody else we would like to be sure to include?

Below is the latest list I've seen of orgs invited to the CRT quarterly (note: this could be old). This doesn't include the ADL and HRC, would we want to include them? Any other orgs we should include?

I'm assuming presidents and or executive directors? Let me know if folks would like to huddle up on this tomorrow.

Thanks!
Kelsey

ACLU
Arab American Institute
Asian Americans Advancing Justice
Bend the Arc
Brennan Center for Justice
Human Rights Campaign
Human Rights Watch
Lawyers' Committee for Civil Rights Under Law
NAACP Legal Defense Fund
Religious Action Center of Reform Judaism
Southern Poverty Law Center
Leadership Conference

From: Coley, Anthony D. (PAO) (b) (6)
Sent: Monday, November 21, 2022 6:33 PM
To: Pietranton, Kelsey (PAO) (b) (6)
Cc: Iverson, Dena (PAO) (b) (6), Hornbuckle, Wyn (PAO) (b) (6)
Subject: Fwd: Groups

Hey Kelsey, Can you take this, working with OASG and ODAG to make sure we have the right universe of folks?

Begin forwarded message:

From: "Watson, Theresa (OAG)" (b) (6)
Date: November 21, 2022 at 6:25:33 PM EST
To: "Klapper, Matthew B. (OAG)" (b) (6)

Cc: "Coley, Anthony D. (PAO)" (b) (6)

Subject: Re: Groups

Pull together a list by tomorrow.

Sent from my iPhone

On Nov 21, 2022, at 3:52 PM, Klapper, Matthew B. (OAG) (b) (6) wrote:

Not sure, but agree with your instinct.

From: Coley, Anthony D. (PAO) (b) (6)

Sent: Monday, November 21, 2022 3:49 PM

To: Klapper, Matthew B. (OAG) (b) (6)

Subject: Groups

Hey are there the heads of any external groups (e.g., ADL, NAACP, HRC) on the holiday party invite list? If there's room, I'd make the argument that we should invite them? Can have Kelsey work with the appropriate folks to pull together a list for your review...

(24-cv-695) -0041

To: "Mody, Saeed (OASG)" (b) (6)

Cc: "Henthorne, Betsy (OASG)" (b) (6)

Subject: FW: community stakeholder call re Colorado Springs

Date: Mon, 21 Nov 2022 14:18:01 -0500

Importance: Normal

FYI

From: Iverson, Dena (PAO) (b) (6)

Sent: Monday, November 21, 2022 2:12 PM

To: Gupta, Vanita (OASG) (b) (6)

Subject: FW: community stakeholder call re Colorado Springs

Dena Iverson

Principal Deputy Director, Office of Public Affairs

U.S. Department of Justice

(b) (6) - Office

(b) (6) - Cell

(b) (6) - Dena Iverson email

From: Bradford, Aryele (PAO) (b) (6)

Sent: Monday, November 21, 2022 1:09 PM

To: Coley, Anthony D. (PAO) (b) (6)

Pietranton, Kelsey (PAO) (b) (6) Iverson, Dena (PAO) (b) (6)

Hornbuckle, Wyn (PAO) (b) (6) >

Subject: community stakeholder call re Colorado Springs

Below is the invitee list the FBI sent me for the call tonight. I'll share the holding statement once I have it.
Thanks!

Organization Name	POC
ACLU	James Esseks, Chase Strangio
Advocates for Youth	Vice President of Policy, Partnerships, & Organizing Diana Thu-Thao Rhodes (she/her)
African American Office of Gay Concerns	Gary Paul Wright
Attorney at Law	Leslie Farber
Callen-Lorde Community Health Center	Caitlin Quigley
Center for American Progress	Sharita Gruberg - Senior Director LGBTQ Research & Communications Project
Center for American Progress	Director, LGBTQI+ Research and Communications Project Caroline Medina (they/she)
Center for Constitutional Rights	Chinyere Ezie (she/her), Rafaela Uribe
Center for Constitutional Rights	Rafaela Uribe
Family Equality	Laura Brennan
Family Equality	Chief Policy Officer Shelbi Day (she/her)
GLAD	Qwin Mbabazi
GLAD	Mary Bonauto, Jennifer Levi

GLAD	Amanda Johnston
GLAD	Chief Legal Strategist Michael Johnson (he/him)
Hampton Roads Pride	Patty Pruitt
Hampton Roads Pride	Rudy Almanzor
HJ Tobin Policy Consulting	Harper Jean Tobin
Human Rights Campaign (HRC)	Sarah Warbelow, David Stacy, Jason Starr
Human Rights Campaign (HRC)	Joni Madison
Impact Fund	Jocelyn Larkin
InterAct	S. Fraser
Keshet	Idit Klein
LA LGBT Center	Roger Coggan
Lambda Legal	Jenny Pizer, Richard Saenz
Lambda Legal	Deputy Legal Director for Policy Kristine Kippins (she/her)
Mass Equality	Tanya Neslusan
Montgomery County Government, LGBTQ Community Liaison, Office of Community Partnerships	Dr. Amena Johnson
National Black Justice Coalition (NBJC)	David Johns - ED
National Black Justice Coalition (NBJC)	DED Victoria Kirby York (Pronouns: VKY/she/they)
National Black Justice Coalition (NBJC)/Trans People of Color Coalition	Founder & Director of Trans People of Color Coalition Kylar Broadus (he/him)- NBJC board member
National Center for Lesbian Rights	Federal Policy Director Julie Gonen (she/her)
National Center for Trans Equality	Rodrigo Heng-Lehtinen
National Center for Trans Equality	Kris Tassone
National LGBTQ Task Force	Liz Seaton
National Women's Law Center	Director of Health Equity Reproductive Rights and Health Dorianne Mason (she/her)
NCLR	Shannon Minter
NWLC	Ma'Ayan Anafi, Margie Delao
Out and Equal	Erin Uritus
Out to Innovate	TJ Ronningen- Chair
PFLAG	Shaun Connors- Regional Chapter Engagement Manager
PFLAG	Brian K. Bond- Executive Director
PFLAG National	Diego Miguel Sanchez- Director of Advocacy, Policy & Partnerships
PFLAG National	Patrick Cochran
Pride in Federal Service/ Pride Outside	Anthony Musa
Quinnipiac University School of Law	Kevin Barry
Southern Poverty Law Center	Nina Patel
Southern Poverty Law Center	Senior Staff Attorney Jen Vail (she/her)
SPARTA	Bree Fram
SPLC	Scott McCoy
Sylvia Rivera Law Project	Stefanie Rivera
The Association of LGBTQ Journalists	Sharif Durhams- President, Adam Pawlus
Trans Legal Defense & Education Fund	David Brown
Trans Youth Equality Foundation	Susan Maasch - Executive Director
Transgender American Veterans Association	Ann Murdoch, Avalisa Ellicott, Cassandra Williamson

Transgender Law Center	Shelby Chestnut
Transgender Legal Defense & Education Fund	Legal Fellow Andrea Green (she/her)
Trevor Project	Sam Ames
UCLA Law	Federal Policy Director Elana Redfield
USCG	CDR Amanda Fisher, Chief District 13 External Affairs
Whitman Walker Health (DC)	Amy Nelson- Director Patient Legal Services, Kellan Baker

Aryele N. Bradford

Spokeswoman | Office of Public Affairs

Department of Justice

(b) (6) Arylene Braddford email

d:(b) (6)

c:(b) (6)

BREAKOUT SESSIONS THIS WEEK.

What was the stand-down approach?

- The stand-down approach was ½ day of video content on MS Teams (combination of pre-recorded leadership messages, insider threat training, and video content from the recommended bibliography), followed by supervisor breakouts (43 were conducted in total) and self-study from the recommended bibliography and library links (Anti-Defamation League, DHS, University of Maryland, and the Southern Poverty Law Center.) We also accommodated our West Coast outstation by posting the MS Teams session on SharePoint midday so they could review after their supervisor breakouts.

What were the key areas of emphasis?

- Key areas of emphasis were the meaning of the active duty and civilian oaths, how extremist groups target and recruit from DoD, and the “line” between Constitutionally protected free speech and creating a work environment free from extremist influence that could lead to violent action.