

The Ugliness of White Supremacy Extremists

Field Notes from 2019

Compiled and Edited by

Michael Erbschloe

Connect with Michael on LinkedIn



©2019 Michael Erbschloe

Table of Contents

Section	Page Number
About the Editor	3
Introduction	4
The Aryan Brotherhood of Texas	9
The Domestic Terrorism Prevention Act	11
Resolution Condemning White Supremacist Terrorism	12
Selected Testimony before the U.S. House of Representatives in the hearing Confronting White Supremacy (Part I): The Consequences of Inaction	14
Selected Testimony before the U.S. House of Representatives on FBI Efforts to Combat an Increasing Threat of White Supremacy and White Extremism	25
Selected Testimony before the U.S. House of Representatives on Confronting White Supremacy (Part II): Adequacy of the Federal Response	30
Three Members of White Supremacist Group Sentenced for 2017 “Unite the Right” Rally Charlottesville	37
Selected Legislative Comments on Gilroy, El Paso, Dayton	40
The Historic FBI Investigation of the Klu Klux Klan	44
History - Civil Wrongs and Civil Rights: U.S. Marshals Upholding the Constitution	54

About the Editor

Michael Erbschloe has worked for over 30 years performing analysis of the economics of information technology, public policy relating to technology, and utilizing technology in reengineering organization processes. He has authored several books on social and management issues of information technology that were published by McGraw Hill and other major publishers. He has also taught at several universities and developed technology-related curriculum. His career has focused on several interrelated areas:

- Technology strategy, analysis, and forecasting
- Teaching and curriculum development
- Writing books and articles
- Publishing and editing
- Public policy analysis and program evaluation

Books by Michael Erbschloe

Extremist Propaganda in Social Media: A Threat to Homeland Security (CRC Press)

Threat Level Red: Cybersecurity Research Programs of the U.S. Government (CRC Press)

Social Media Warfare: Equal Weapons for All (CRC Press)

Walling Out the Insiders: Controlling Access to Improve Organizational Security (CRC Press)

Physical Security for IT (Elsevier Science)

Trojans, Worms, and Spyware (Butterworth-Heinemann)

Implementing Homeland Security in Enterprise IT (Digital Press)

Guide to Disaster Recovery (Course Technology)

Socially Responsible IT Management (Digital Press)

Information Warfare: How to Survive Cyber Attacks (McGraw Hill)

The Executive's Guide to Privacy Management (McGraw Hill)

Net Privacy: A Guide to Developing & Implementing an e-business Privacy Plan (McGraw Hill)

Introduction

The Ku Klux Klan (KKK, the Klan), founded in 1865 in Pulaski, Tennessee, was established as a direct response to the South's defeat in the Civil War. As a secret vigilante group, the Klan targeted black freedmen and their allies; it sought to restore white supremacy by threats and violence, including beatings, lynchings, and murder. Blacks lived in fear of groups like the Klan who exerted reign of terror across the South where their crimes were rarely prosecuted.

In the 1870s, the U.S. Congress took action to curtail the violence and the organization by using Enforcement Acts to prosecute Klansmen. The Klan experienced a resurgence in 1915 with the release of the W.D. Griffith's film "Birth of a Nation" and the murder trial and subsequent lynching of Jewish-American factory owner Leo M. Frank. Revived near Atlanta, Georgia, the new KKK's rapid growth was based not only on the idea of white supremacy, but also on anti-immigration, anti-Catholicism, Prohibition, and anti-Semitism. The KKK reached its peak nationwide in the 1920s.

After WWII, the name Ku Klux Klan was used by numerous groups throughout the South who opposed the civil rights movement and desegregation. These groups used cross burnings, beatings, bombings, and murder to intimidate civil rights activists and local black communities. During this period, the groups often forged alliances with police departments and state offices to further their cause. The U.S. government revived the Force Acts in 1963, when Mississippi officials refused to prosecute KKK members for the murder of three civil rights workers, James Earl Chaney, Andrew Goodman, and Michael Schwerner.

During the late 1960s and 1970s, the KKK shifted its focus to one opposing affirmative action, immigration, and court-ordered school busing. In 1971, KKK members blew up school buses in Pontiac, Michigan in an attempt to stop a court-ordered school desegregation plan. Today, researchers estimate that there are as many as 150 Klan chapters active in the U.S. with between 5,000 and 8,000 members nationwide. That was just the beginning.

An April 6, 2017 report from the General Accountability Office stated that white supremacists, anti-government extremists, radical Islamist extremists, and other ideologically inspired domestic violent extremists have been active in the United States for decades. Examples of attacks include the 1993 World Trade Center bombing by radical Islamists, in which 6 persons were killed; and the 1995 Oklahoma City bombing of the Alfred P. Murrah federal building by anti-government far right individuals, in which 168 lives were lost. The September 11, 2001, attacks account for the largest number of fatalities in the United States in a single or closely-related attack resulting from violent extremism in recent decades. While the September 11, 2001, attacks were perpetrated by foreign violent extremists, from September 12, 2001 through December 31, 2016, attacks by domestic or "homegrown" violent extremists in the United States resulted in 225 fatalities, according to the ECDB. Of these, 106 were killed by far right violent extremists in 62 separate incidents, and 119 were victims of radical Islamist violent extremists in 23 separate incidents. Since then hundreds of people have been killed by domestic terrorist, crazy deranged evil white guys.

In 2018, there were 50 domestic extremist murders, all of which were committed by perpetrators with ties to right-wing extremists, and 78% of which were committed by white supremacists.

Right-wing extremism is also responsible for 73% of extremist killings over the last decade, compared to 23% for Islamist extremism and 3% for left-wing extremism. The FBI also found a 17% increase in reported hate crimes in 2017 from the previous year and a 31% increase since 2014.

Under the Trump Administration, DHS appears to have significantly reduced resources and infrastructure that would address the increasing threat of white supremacist extremism. Reportedly, DHS recently disbanded a group of analysts focused on domestic terrorism in the Office of Intelligence and Analysis, reducing the number of analytic reports on white supremacists.

Violent White Supremacist Extremists (WSE) are defined as individuals who seek, wholly or in part, through unlawful acts of force or violence, to support their belief in the intellectual and moral superiority of the white race over other races. The mere advocacy of political or social positions, political activism, use of strong rhetoric, or generalized philosophic embrace of violent tactics may be constitutionally protected activities. A DHS reference aid discussed trends with WSE targeting and tactics, historical attack data and examples of lethal attacks in the United States since 2012, their geographic location, mobilization to violence as lone offenders or members of small cells, social media use, and common behavioral indicators during their radicalization to violence.

Key Points

- **Targets and Tactics:** WSE violence often targets racial, ethnic, and religious minorities, as well as government and law enforcement officials. Attacks are often against targets of opportunity rather than pre-meditated plots against previously identified targets. Since 2010, firearms were the most common weapon used in recent WSE attacks followed by knives and other edged weapons.
- **Attack Numbers:** Between 2000 and August 2016, there were 28 attacks in the United States committed by WSEs, which collectively resulted in 51 fatalities.
- **Geographic Dispersal:** Given social media's ability to virtually connect WSEs and the decline in the membership and influence of historically prominent WSE groups, WSEs are increasingly geographically dispersed throughout the nation.
- **Lone Offenders and Small Cells:** Most recent attacks have been by male lone offenders or small cells, who are not acting under the formal direction of an organized group.
- **Social Media:** While typically constitutionally protected speech, there has been an exponential growth online over the past few years in WSE themes and messages. Many WSEs use social media, as well as websites promoting WSE narratives, to share their views and connect with like-minded individuals.

Examples of Lethal Attacks

- **Charleston, SC:** Dylan Roof on 17 June 2015 shot and killed nine individuals at a historic black church. He published his manifesto online ahead of time in which he chronicled his disdain for minorities, especially African-Americans. Police arrested Roof the following day, and he was sentenced to death in January 2017 in a federal court after a jury convicted him of murder and hate crime charges.

- Overland Park, KS: Fraizer Glenn Miller, who hated and desired to kill Jews, on 13 April 2014 shot and killed three people who were outside two Jewish centers. He was sentenced to death in November 2015 after being found guilty of capital murder, aggravated assault, and discharging a firearm into an occupied building.
- Oak Creek, WI: Wade Michael Page—who was a member of the racist skinhead group Hammerskins—on 5 August 2012 shot and killed six individuals and wounded four others at a Sikh temple. Page also wounded a police officer who arrived at the scene. After he was shot in the stomach by another officer, Page committed suicide.

Behavioral Indicators of Possible Radicalization to Violence

A US Government review of recently mobilized violent extremists produced the below list of common, observable activities many of the individuals engaged in during their radicalization to violence. Some of the observed activities include constitutionally protected activity, which by itself may not be indicative of criminal activity associated with terrorism. Posting on the internet or social media sites one's desire to pursue acts of violence in the United States on behalf of WSE goals;

Communicating with known or suspected US or overseas-based violent extremists in person or on websites promoting WSE narratives or social media sites;

Attempting to recruit or radicalize others to pursue acts of violence in the United States on behalf of WSE goals;

Seeking religious or political justification for engaging in or supporting violence in the United States;

Performing internet research for target selection and/or acquisition of technical capabilities, without a reasonable explanation, could be indicative of planning for attacks in the United States;

Newly engaging in firearms or physical training while expressing a desire to pursue plotting in the United States on behalf of WSE goals;

Conducting suspicious financial transactions to obtain the funds to acquire weapons, explosives, or precursors to build improvised explosive devices;

Destroying electronic media and deactivating social media accounts that individuals previously used to post their support for WSE goals;

Using cover stories to mask nefarious activities, such as plans to engage in or support violence; and

Giving away or selling possessions such as cars and electronics, maxing out credit cards, taking out money from student loan accounts, or borrowing money from friends and relatives, in conjunction with an expressed desire to pursue acts of violence in the United States on behalf of WSE goals.

In May of 2012 an FBI press release reported that it was a gruesome and hateful crime—three men with white supremacist tattoos punching and kicking the face and body of an African-

American man at a bus stop in Houston last summer simply because of the color of his skin. All three were recently convicted of the attack, following an investigation by the FBI and its partners.

It's not an isolated case. It seems like a throwback to a different era, but white supremacy—which sees whites as inherently superior to those of other races—still exists in America today. Having those kinds of beliefs is not against the law...as a matter of fact, it's protected by the First Amendment. But white supremacy becomes a crime—and for the FBI, a form of what we call extremism—when it is furthered through threatened or actual use of force or violence or other illegal activity.

The Bureau has been investigating the criminal activities of white supremacy extremists like Ku Klux Klan members since as early as 1918. Today's extremists are more challenging than ever. They're affiliated with a variety of white supremacy groups, and they can be motivated by any number of religious or political ideologies. There are also more lone offenders and small, violent factions of larger groups at work, which makes detection of these crimes tougher.

White supremacy extremists specifically target racial, ethnic, and religious minorities; the federal government; and in some instances, even each other. Their tactics include assault, murder, threats and intimidation, and bombings. They also commit other kinds of crimes—like drug trafficking, bank and armored car robberies, and counterfeiting—to fund their hate-filled activities.

Over the years, the federal government has successfully charged white supremacy extremists using a number of federal statutes, including civil rights violations, racketeering, solicitation to commit crimes of violence, firearms violations, explosives violations, counterfeiting and forgery, and witness tampering.

The FBI has led or participated in several significant investigations involving violence or attempted violence by self-admitted white supremacists. A few examples:

In February 2012, an Arizona man was sentenced to federal prison after pleading guilty to possessing and transporting improvised explosive devices near the U.S.-Mexico border. [Details](#)

In January 2012, the last of four Arkansas defendants charged with firebombing the home of an interracial couple was sentenced to federal prison. [Details](#)

In December 2011, a Washington man was sentenced to 32 years in prison for attempting to bomb a Martin Luther King, Jr. Unity Day march in Spokane. [Details](#)

In May 2010, an Oregon man pled guilty to mailing a hangman's noose to the home of the president of a local NAACP chapter in Ohio. [Details](#)

Moving forward, there are three keys to turning back the ongoing scourge of white supremacy extremism:

An increased emphasis on the lawful gathering, analyzing, and sharing of intelligence on current and emerging trends, tactics, and threats.

Continued collaboration with our local, state, tribal, and federal partners, especially on our Joint Terrorism Task Forces around the nation.

And most importantly, the support of Americans who find these types of crimes abhorrent and antithetical to our way of life.

The Aryan Brotherhood of Texas

On August 10, 2017 the last of 89 members/associates of Aryan Brotherhood of Texas and Aryan Circle sentenced to 20 years in federal prison; represents the largest case prosecuted in US focusing on white supremacist prison gang members. The Investigation targeted white supremacists with long and violent criminal histories who were selling illegal drugs in North Texas communities.

Prosecutors in the Northern District of Texas wrapped up what was believed to be the largest prosecution in the nation's history of individuals connected to violent white supremacist gangs, announced John Parker, U.S. Attorney for the Northern District of Texas.

This investigation was led by the Texas Department of Public Safety (DPS-CID) Gang Unit and the Dallas Police Department Criminal Intelligence Unit with assistance from U.S. Immigration and Customs Enforcement's (ICE) Homeland Security Investigations (HSI); the Garland (Texas) Police Department Neighborhood Police Officer Unit; the Collin County (Texas) Sheriff's Office; and the Texas police departments of Mesquite, Sherman, Denison and Sulphur Springs.

The 89th and last defendant to be sentenced in this case, Jeramy Weatherall, 29, of Dallas, Texas, was sentenced by U.S. District Judge Jane J. Boyle to 20 years in federal prison, following his guilty plea in March 2017 to one count of possession of methamphetamine with the intent to distribute.

Out of 91 defendants charged, 89 were convicted, one remains a fugitive and was believed to be in Mexico, and one died before trial began. Those convicted received a combined total of 1,070+ years in federal prison. Casey Rose, 36, of Mesquite, Texas, was sentenced to life in federal prison, following his conviction at trial in September 2015 on conspiracy, drug trafficking and firearm charges.

"The Aryan Brotherhood of Texas and the Aryan Circle have essentially been decimated in North Texas," said U.S. Attorney Parker. "The outstanding collaborative work of the Texas Department of Public Safety and the Dallas Police Department helped ensure that each of the 89 defendants who were arrested have now been convicted and sentenced."

"Strong law enforcement partnerships and the hard work of all those involved led to a successful investigation and the resulting prosecutions," said Department of Public Safety Region 1 Commander Jack Webster. "We continue to work with our law enforcement partners to proactively protect the citizens of Texas in an ever-changing threat environment."

"The Dallas Police Department is proud to have participated in this investigation that resulted in 89 convictions of dangerous gang members who terrorized communities with their criminal activity," said Interim Dallas Police Chief David Pughes. "It is a great example of the success of local and Federal Law Enforcement working together with the United States Attorney to ensure that the worst career criminals are brought to justice."

The defendants were members of the Aryan Brotherhood of Texas (ABT), the Aryan Circle, the "Irish Mob," the "Dirty White Boys," the "White Knights," and the "Peckerwood" – all of which

are violent white supremacist gangs. Each of these gangs is an organized crime group, but in recent years, the white supremacy ideology of each of these groups has taken a backseat to traditional criminal ventures, such as drug-dealing. The defendants in this case included several high-ranking members of these organizations.

Particularly noteworthy is that collectively, the defendants were held accountable for 956 kilograms (about 2,108 pounds) of methamphetamine, with a conservative street value of just under \$10 million, as well as possessing and using 88 firearms and dangerous weapons.

Combined, the 89 defendants had been previously convicted of 736 crimes. Of the 736 previous convictions, 234 were drug-related offenses; 76 were violent offenses; 36 were gun offenses; 37 were burglaries; seven were sex or child abuse offenses; and one was a murder conviction. Fifteen of the defendants were deemed “career offenders” under the U.S. Sentencing Guidelines. Some defendants had as many as 25 prior convictions. And only six of the 89 had no prior convictions.

Assistant U.S. Attorney P. J. Meitl, Northern District of Texas, was in charge of these prosecutions.

The Domestic Terrorism Prevention Act

On March 27, 2019 U.S Senator Tim Kaine joined Senator Dick Durbin to introduce legislation to address the growing threat of white supremacists and other violent right-wing extremists. The Domestic Terrorism Prevention Act would enhance the federal government's efforts to prevent domestic terrorism by requiring federal law enforcement agencies to regularly assess this threat and provide training and resources to assist state, local, and tribal law enforcement in addressing it.

“The rise of white supremacy is an undeniable threat to the safety of our communities. In 2017, violent white supremacists brought their hate to Virginia when they marched through the streets of Charlottesville. As the threat of violent white supremacy continues to mount, we must do more to ensure law enforcement has the training and resources they need to detect, deter, and investigate these acts of terrorism,” Kaine said.

According to a May 2017 intelligence bulletin by the Federal Bureau of Investigation (FBI) and the Department of Homeland Security (DHS), white supremacist extremism poses a persistent threat of lethal violence, and white supremacists were responsible for 49 homicides in 26 attacks from 2000 to 2016—more than any other domestic extremist movement.

The bill requires the Justice Department (DOJ), DHS, and FBI to monitor, analyze, investigate, and prosecute domestic terrorist activity. The agencies would be tasked with (1) issuing joint annual reports to the House and Senate Judiciary, Homeland Security, and Intelligence Committees that assess the domestic terrorism threat posed by white supremacists; (2) analyzing domestic terrorism incidents that occurred in the previous year; and (3) providing transparency through a public quantitative analysis of domestic terrorism-related assessments, investigations, incidents, arrests, indictments, prosecutions, convictions, and weapons recoveries. The DOJ, DHS, and FBI offices would be required to focus their limited resources on the most significant domestic terrorism threats, as determined by the number of domestic terrorism-related incidents outlined in the joint report.

The bill requires DOJ, DHS, and the FBI to provide training and resources to assist state, local, and tribal law enforcement in understanding, detecting, deterring, and investigating acts of domestic terrorism. The legislation also requires the FBI's Joint Terrorism Task Forces and state, local, and regional fusion centers, which coordinate with DHS, to (1) share intelligence to address domestic terrorism activities; (2) conduct annual, intelligence-based assessments of domestic terrorism activities in their jurisdictions; and (3) formulate and execute a plan to combat domestic terrorism activities in their jurisdictions. Finally, the legislation would establish an interagency task force to combat white supremacist and neo-Nazi infiltration of the uniformed services.

Resolution Condemning White Supremacist Terrorism

On April 9, 2019 Congressman Malinowski introduced a Resolution condemning white supremacist terrorism and the anti-immigrant rhetoric that inspires it. The bill addresses the deadly white supremacist attacks on Jewish and Muslim communities that have been motivated by virulent anti-immigrant propaganda.

The gunmen responsible for the terrorist attacks against a synagogue in Pittsburgh and a mosque in Christchurch, New Zealand both echoed white supremacist rhetoric claiming that immigrants are “invading” the United States and other Western countries. This resolution condemns that baseless allegation and the leaders who repeat and propagate it, while recognizing that immigration has strengthened the United States.

To reinforce the opposition to this vile rhetoric, the “whereas” clauses of the resolution are taken entirely from President Ronald Reagan’s final speech as president, in which he extolled the benefits of immigration to the United States.

“It is time to take the transnational threat of white supremacist terrorism as seriously as we’ve rightly taken the threat posed by other international terrorist organizations. It is time to give our law enforcement and intelligence agencies the mandate and resources they need to keep us safe from this threat. And it is time to stop tolerating words spoken by any political leader that echo the propaganda of terrorists that immigration poses some intrinsic threat to our society. Those words are not only cruel. Those words can kill,” said Congressman Tom Malinowski.

“Too often in recent memory, horrific acts of violence and terror have been carried out by avowed white supremacists inspired by anti-immigrant rhetoric and propaganda. However, these events are not anything new; they carry with them a long history of hatred that has festered in this country. This hatred is now emboldened more than it had been for generations, and we are witnessing its horrific consequences” said Congressman Elijah E. Cummings. “I am proud to stand with my colleagues as we condemn this hateful violence and propaganda, and I pledge to continue to work to ensure that those responsible for white supremacist violence are held to account and brought to justice.”

“We cannot ignore the rise in extremist violence in our country and around the world. Rather, we must acknowledge the hateful motivations behind the recent spate of deadly attacks committed by white supremacists. Our nation must take these threats seriously and invest the necessary federal resources to prevent them,” said Congressman Ted Deutch.

“We must confront hate and put a stop to the spread of disinformation that only serves to divide us. Unfortunately, white supremacist and hate-filled rhetoric and attacks built on these ugly sentiments have become all too common. This resolution is another step toward combatting hate that leads to violence, and I am proud to cosponsor it,” said Congresswoman Nita Lowey.

“White nationalist terrorism poses a clear threat here in the United States and around the world. I’m proud to join Representative Malinowski in condemning this horrific ideology that has resulted in so much vile, hate-filled violence. As Chairman of the Foreign Affairs Committee,

I'll continue working on ways to combat the scourge of white supremacy anywhere it exists," said Congressman Eliot Engel.

The bill had over 60 original co-sponsors including: Elijah Cummings (D-MD), Jerrold Nadler (D-NY), Barbara Lee (D-CA), Nita Lowey (D-NY), Eliot Engel (D-NY), Zoe Lofgren (D-CA), Mark Takano (D-CA) Earl Blumenauer (D-OR), Debbie Wasserman-Shultz (FL-CA), Kim Schrier (D-WA), Joseph Morelle (D-NY), Veronica Escobar (D-TX), David Trone (D-MD), Gilbert Ray Cisneros (D-CA), Katie Porter (D-CA), Ilhan Omar (D-MN), Dean Philips (D-MN), Debbie Mucarsel-Powell (D-FL), Raja Krishnamoorthi (D-IL), Denny Heck (D-WA), Salud Carbajal (D-CA), Mikie Sherrill (D-NJ), Frank Pallone (D-NJ), Colin Allred (D-TX), Ron Kind (D-WI), Lori Trahan (D-MA), Jamie Raskin (D-MD), Donald Norcross (D-NJ), Sean Casten (D-IL), Eleanor Holmes Norton (D-DC), TJ Cox (D-CA), Lizzie Fletcher (D-TX), Alexandria Ocasio Cortez (D-NY), Katie Hill (D-CA), Bill Pascrell (D-NJ), Janice Schakowsky (D-IL), Adriano Espaillat (D-NY), James McGovern (D-MA), Madeleine Dean (D-PA), Ayanna Pressley (D-MA), Steve Cohen (D-TN), Julia Brownley (D-CA), Sylvia Garcia (D-TX), Jason Crow (D-CO), Hank Johnson Jr. (D-GA), Nydia Velazquez (D-NY), Jeff Van Drew (D-NJ), Abigail Spanberger (D-VA), Betty McCollum (D-MN), Ann McLane Kuster (D-NH), Yvette Clarke (D-NY), Gregory Meeks (D-NY), Andre Carson (D-IN), Harley Rouda (D-CA), Dina Titus (D-NV), Jim Cooper (D-TN), Debra Haaland (D-NM) and Danny Davis (D-IL).

Selected Testimony before the U.S. House of Representatives Committee on Oversight and Reform Subcommittee on Civil Rights and Civil Liberties in the hearing Confronting White Supremacy (Part I): The Consequences of Inaction

On May 15, 2019 **Roy L. Austin, Jr.** (A partner at the law firm Harris, Wiltshire & Grannis, LLP in Washington, DC. He is the former Deputy Assistant to the President for Urban Affairs, Justice & Opportunity, a former Deputy Assistant Attorney General, Civil Rights Division, U.S. Department of Justice and a former hate crimes' prosecutor.) testified in the hearing Confronting White Supremacy (Part I): The Consequences of Inaction.

Among many points he asserted that disappointingly, we do not have the slightest idea how many hate crimes there are in America. And we have never known. The numbers currently kept by the FBI are largely useless. While a small handful of states and law enforcement agencies seem to take the collection of hate crime numbers seriously, the majority of states and vast majority of law enforcement agencies either do not bother to report or do not bother to report accurate numbers. The best inference that can be drawn from the current data is that in the environment created by the current presidential administration, things have gotten worse/hate crimes have increased.

What is particularly shocking about this is that law enforcement agencies regularly speak about the importance of using data to perform better and keep the country safer. Increasingly, law enforcement agencies want to use artificial intelligence to engage in what they call predictive policing. But artificial intelligence with bad data is nothing more than junk science – also described as garbage in, garbage out. If we as a country were serious about using science and data to stop crime and particularly hate crimes. We would fix our data tomorrow. It's not that hard.

The importance of collecting good data could hardly be overstated. While every crime is significant, the harm can be exponential when the subject targeted the victim based on his or her actual or perceived race, ethnicity, religion, national origin, gender, sexual orientation, gender identity or disability. The pain or fear from hate crime reaches a broader community; the act is anathema to who we are as a nation built on diversity. While we and every Black church in America mourned the murder of nine Black people in Emanuel AME in Charleston, S.C., the congregation of every Black church asked whether they might be next. While we and every Synagogue in America mourned the murder of eleven Jewish people at the Tree of Life Synagogue in Pittsburgh, P.A., the parishioners of every synagogue in America asked whether they might be next. And sadly, the parishioners of the Chabad of Poway Synagogue in San Diego, C.A. know that the fear is justified.

Basically, the Federal Government seems happy to get whatever it gets from jurisdictions and put those numbers out publicly. But what do these numbers mean? What policy decisions can be made based on these numbers? What enforcement decisions can be made based on these numbers? Sadly, the answers to all of these questions is close to “nothing” or “none.”

My criticism of the numbers is not meant to criticize the individuals who work for the FBI's Criminal Justice Information Services Division (CJIS). As someone who worked with this team both when I was at the Department of Justice and the White House, I know it to be a team of smart and hard-working individuals who care deeply about their work collecting crime data. This team is willing to provide individualized training to any agency that needs help reporting hate crime numbers—but few take them up on this offer. The problems are structural. The team is under-resourced for work this important and where there are no incentives for providing this data, their task is largely impossible. This problem would be relatively easy to fix – make federal government funding contingent on providing accurate hate crime data. But, where we do not even mandate that law enforcement agencies provide general crime statistics, it will require serious leadership to move the ball in this direction on hate crime statistics.

What exacerbates the problem is the fact that the federal government does not even publish its own hate crimes numbers. The FBI works on hate crimes cases around the country with the Civil Rights Division and U.S. Attorney's Offices and none of those DOJ components regularly publishes in an easily accessible location any data about those cases. How can the federal government expect state and local law enforcement to publish data when it does not do so itself?

It only requires a quick look at the FBI Hate Crimes statistics to realize how unhelpful they are. The first thing one might notice is that the most up to date statistics are from 2017. We are now almost halfway through 2019 and we still do not have national statistics for 2018. Second, there are approximately 18,000 law enforcement agencies in the United States and around 2,000 agencies did not respond to the FBI request for hate crime information – and they suffered no consequences for not doing so. From the 16,149 agencies that at least responded, there were only 7,175 reported hate crime incidents – Of course this is more than 1,000 more than there were in 2016, which had almost 300 more than there were in 2015.

Of the reported incidents in 2017, California reported 1,094 incidents; New York reported 552; but Alabama reported just 9 incidents; and Mississippi reported just 1 incident. (UCR Table 12). For unclear reasons, the State of Hawaii does not participate at all. What also stands out are the number of large and good sized cities that report that they did not have a single hate crime in 2017 (Table 14): Mobile, AL; Tempe, AZ; Chula Vista, CA; Glendale, CA; Miami, FL; St. Petersburg, FL; Savannah-Chatham Metropolitan, GA; Cedar Rapids, IA; Des Moines, IA; Overland Park, KS; Baton Rouge, LA; Springfield, MO; Las Vegas, NV; Newark, NJ; Winston-Salem, NC; Oklahoma City, OK; Tulsa, OK; Columbia, SC; Brownsville, TX; Corpus Christi, TX; Garland, TX; Grand Prairie, TX; Irving, TX; Provo, UT; Roanoke, VA; and Cheyenne, WY.

How else do I know that these numbers are laughable bad. The same Department of Justice that publishes the Uniform Crime Report (UCR) also publishes the National Crime Victimization Survey (NCVS). According to the NCVS there were over 200,000 hate crimes in 2017. Of those, the victims said that they reported over 100,000 to the police and of those, in more than 15,000 victimizations, the victim said that the police acknowledged that it was a hate crime. How do we get from 200,000 to 7,175 – only through intentional irresponsibility? Here are some suggestions for how the federal government could improve the current system:

1. Stop vilifying Muslims, LGBTQ individuals and immigrants and stop calling white supremacists fine people. This should be obvious, but sadly it needs to be said.
2. Treat all hate crimes the same – It should not matter who the perpetrator is or who the victim is. If a crime is motivated in whole or in part by an offender’s bias against a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity, it is a hate crime and call it one.
3. Stop using bad data to make law enforcement policy and decisions – Until our data is better, do not rely on that data or lack of data to infringe on people’s First Amendment rights. We do not need new legislation to help us prosecute hate crimes. Until proven otherwise, we have the laws we need.
4. Encourage people to report – The government could sponsor a public service campaign to encourage victims and witnesses to report hate crimes.
5. Instruct students in school about hate crimes and teach kids how yesterday’s hate-filled vandalism or Facebook rant, becomes today’s cross burning, becomes tomorrow’s murder.
6. Make reporting mandatory – Congress should pass a law that makes law enforcement agencies that fail to provide accurate hate crimes’ data ineligible for federal law enforcement grants and equipment from the Department of Justice or any other federal agency.
7. Audit reports – The FBI should have a team that audits the reports provided by law enforcement agencies to ensure accuracy.
8. Publish the data quarterly – The FBI’s hate crime statistics are collected quarterly. If the FBI actually published quarterly, it would not only provide data in a more timely fashion, but it would give more transparency to the effort. By publishing quarterly, individuals who are aware of hate crimes would be better equipped to force their jurisdiction to correct mistakes.
9. Work with affinity groups to encourage reporting – Hate crime collection can be challenging because it requires work with communities who are often distrustful of law enforcement because of bad prior experiences or lack of language access. Affinity groups may be better positioned to collect the information and report it to law enforcement even in situations where the victim does not want to participate in a prosecution.
10. Get federal agencies to report – The FBI, Civil Rights Division and the U.S. Attorneys’ Offices should be required to report at least quarterly and those reports should be prominently displayed.
11. Better reports – Considering all of the improvements in how data can be displayed, the FBI’s UCR website is woefully outdated. The data should be displayed in a way that is easily navigable with maps and charts to help make the information more digestible.

We cannot fully understand hate crimes without good data. We will also not be able to determine what works and does not work to end hate crimes if we do not improve the data. There is no good reason not to address this problem immediately.

Also on May 15, 2019 Ms. **Susan Bro** Co-Founder, President and Board Chair, Heather Heyer Foundation testified before the House Committee on Oversight and Reform Subcommittee on Civil Rights and Civil Liberties

Chairman Raskin, Ranking Member Roy, Members of the Committee, thank you for the opportunity to appear before you today. My name is Susan Bro and I am the mother of Heather

Heyer. I am the co-founder and president of the Heather Heyer Foundation, which was created to honor the memory of Heather, a young civil rights activist who dedicated her life to promoting equal rights for all people. The foundation has established a scholarship program to provide financial assistance to individuals passionate about positive social change.

Allow me to tell the story of why I am testifying before you today. Several years ago, as a black student in Charlottesville City Schools studied Civil War history, she questioned why there were statues celebrating Confederate war heroes in the city parks. She began a petition to have them removed. She gathered enough signatures to bring to the city council. In February 2017, the Charlottesville City Council voted to remove the statues.

A local self-proclaimed white supremacist organized a protest to the statue's removal. He was joined by national leaders from a variety of white supremacist movements, including the KKK, The Traditionalist Worker Party, the Alt Right, and neo-Nazis from 35 states. The call was sent out under the pretense of protecting freedom of speech and white rights.

They opened the weekend with a tiki torch march on the University of Virginia lawn on the evening of Friday, August 11, 2017, clashing violently with students and faculty. The night rang with chants of "Blood and Soil" and "Jews will not replace us!" They also chanted, "You will not replace us," and "Into the ovens!"

Saturday's protest was to begin at noon on August 12, 2017. As early as 8:30 in the morning, hate-filled protestors began to arrive and converge on the downtown park by the statue. Some arrived with knuckles taped for fighting, carrying shields, bats, wooden poles, and wearing helmets. Some arrived with semi-automatic weapons. Some carried knives. Violent clashes with counter-protestors erupted throughout the day.

My daughter, Heather, was part of a group of peaceful counter-protestors who stayed away from the areas of violence. They gathered along the opposite side of the downtown mall from the areas of fighting while chanting and singing songs of solidarity. As Virginia Governor Terry McAuliffe declared a state of emergency, the Virginia State Police declared the assembly unlawful and the park by the statue began to clear out.

My daughter was caught on film talking to one of the helmeted girls as they were packing up their cars and leaving. Heather asked her why she was there and if she could talk about why she felt hate for others. The girl simply answered, "No comment," to every question.

Heather's group was joined by other counter protestors who were relieved it was all over and the haters were leaving. The group decided to head up Fourth Street to meet up at the downtown mall for celebrating. What they did not know was a young man from Ohio was sitting at the top of the hill of that street watching them.

Earlier in the day, he was filmed chanting Nazi slogans and marching with a Nazi shield, while wearing the white polo and khakis requested by organizers. He had started down the street in his car a few minutes before and then backed up to sit a moment. Seeing a diverse crowd, he

Thank You for previewing this eBook

You can read the full version of this eBook in different formats:

- HTML (Free /Available to everyone)
- PDF / TXT (Available to V.I.P. members. Free Standard members can access up to 5 PDF/TXT eBooks per month each month)
- Epub & Mobipocket (Exclusive to V.I.P. members)

To download this full book, simply select the format you desire below

