

**TESTIMONY OF ALEJANDRA L. CARABALLO**  
**SUBCOMMITTEE ON CIVIL RIGHTS AND CIVIL LIBERTIES**  
**HOUSE COMMITTEE ON OVERSIGHT AND REFORM**

**December 13, 2022**

**“Confronting White Supremacy (Part VII)”**

Good morning, Chairman Raskin, Ranking Member Mace, and members of the Subcommittee. I am Alejandra Caraballo, a clinical instructor at Harvard Law School’s Cyberlaw Clinic and LGBTQ+ rights advocate. I have worked in LGBTQ rights advocacy for years as a civil rights attorney and I have monitored anti-LGBTQ+ extremist content online as part of my advocacy work. This has come at a great personal cost to my personal safety and that of my family’s, especially over the past year.

Thank you for the opportunity to appear before you in my personal capacity to discuss the pressing issues of rising white supremacy in the context of anti-LGBTQ+ hate and the ways that social media have amplified this issue and made it worse.

In the balance of my testimony, I will seek to document in more detail this nexus between white supremacy and the recent rise in extreme threats against LGBTQ+, and I will then end by offering some recommendations for how Congress could, while respecting constitutional limitations, better hold social media companies accountable for their role in this rise in extremism while also aiding law enforcement and other groups in limiting the scope of extremist conduct that endangers and harms vulnerable marginalized groups such as the LGBTQ+ community.

On the weekend of December 2<sup>nd</sup>, 2022, several extremist events occurred that targeted the LGBTQ+ community. This wave of bigoted action was due to actions taken by the Proud Boys, the antisemitic Goyim Defense League, Patriot Front, and other white supremacist groups.<sup>1</sup> This weekend of hate comes just weeks after five people were murdered and at least 19 injured in a shooting at an LGBTQ+ club in Colorado Springs, Colorado.<sup>2</sup> Earlier in the week, a new Department of Homeland

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<sup>1</sup> Center on Extremism, *Weekend of Anti-LGBTQ++ Extremism Highlights Heightened Threat to Community* | ADL, ADL (2022), <https://www.adl.org/resources/blog/weekend-anti-LGBTQ+-extremism-highlights-heightened-threat-community> (last visited Dec 9, 2022).

<sup>2</sup> Casey Parks, *Club Q shooting follows year of bomb threats, drag protests, anti-trans bills*, WASHINGTON POST, November 21, 2022, <https://www.washingtonpost.com/dc-md-va/2022/11/20/club-q-shooting-LGBTQ+-harassment/> (last visited Dec 9, 2022).

Security bulletin warned of threats against LGBTQ+, Jewish and migrant communities.<sup>3</sup> The weekend itself started with a Texas man who was arrested for making death threats against a Boston physician who provides gender-affirming care to transgender patients.<sup>4</sup> In Columbus, Ohio, armed militia members and Proud Boys showed up to forcibly shut down a holiday themed drag queen story hour at the First Unitarian Church of Columbus.<sup>5</sup> In Lakeland, Florida, the neo-Nazi group NatSoc Florida carried swastika flags and banners that called drag queens “pedophiles with AIDS.”<sup>6</sup> In New York, a drag queen story hour at Lincoln Center was targeted by members of the “Goyim Defense League.” Finally, a drag event in Southern Pines, North Carolina was subjected to weeks of threats and was disrupted by power loss due to intentional sabotage at a power substation.<sup>7</sup> The events in Ohio, North Carolina, Florida and New York featured well-worn, baseless accusations of “grooming” and child abuse and underscore the ongoing amplified threat to a community already on edge.<sup>8</sup>

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<sup>3</sup> National Terrorism Advisory System Bulletin - November 30, 2022 | Homeland Security, <https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-november-30-2022> (last visited Dec 9, 2022); DHS warns of domestic terror threats to LGBTQ+, Jewish and migrant communities, <https://www.nbcnews.com/politics/national-security/dhs-warns-terror-threats-LGBTQ+-jewish-migrant-rcna59426> (last visited Dec 9, 2022).

<sup>4</sup> Leo Sands, *Man charged with threatening doctor caring for trans patients, LGBTQ+ kids*, WASHINGTON POST, December 4, 2022, <https://www.washingtonpost.com/nation/2022/12/04/LGBTQ+-children-boston-doctor-threats/> (last visited Dec 9, 2022).

<sup>5</sup> “Holi-Drag Storytime” for children canceled because of right-wing protesters, NBC NEWS, <https://www.nbcnews.com/news/us-news/holi-drag-storytime-children-canceled-right-wing-protesters-rcna59990> (last visited Dec 9, 2022).

<sup>6</sup> Protesters display Nazi flags outside Lakeland charity event featuring drag shows, THE LEDGER, <https://www.theledger.com/story/news/local/2022/12/04/group-displays-nazi-symbols-outside-drag-event-in-lakeland/69699763007/> (last visited Dec 9, 2022).

<sup>7</sup> Chelsea Donovan, *Drag show in Southern Pines ramps up security after backlash*, WRAL.COM (2022), <https://www.wral.com/drag-show-in-southern-pines-ramps-up-security-after-backlash/20596538/> (last visited Dec 11, 2022); Investigators scouring online conspiracy theories for motive in N.C. substation attack, NBC NEWS, <https://www.nbcnews.com/news/us-news/investigators-scouring-online-conspiracy-theories-motive-nc-substation-rcna60834> (last visited Dec 11, 2022).

<sup>8</sup> Melissa Block, *Accusations of “grooming” are the latest political attack — with homophobic origins*, NPR, May 11, 2022, <https://www.npr.org/2022/05/11/1096623939/accusations-grooming-political-attack-homophobic-origins> (last visited Dec 9, 2022); See also What is “Grooming?” The Truth Behind the Dangerous, Bigoted Lie Targeting the LGBTQ++ Community | ADL, <https://www.adl.org/resources/blog/what-grooming-truth-behind-dangerous-bigoted-lie-targeting-LGBTQ+-community> (last visited Dec 9, 2022).

The LGBTQ+ community has been targeted for such extreme hate by the Proud Boys and overtly white supremacist and neo-Nazi organizations. This has been a long winding road of escalating rhetoric and tactics that were first galvanized on social media and spread to the physical world. Prominent social media accounts such as Chaya Raichick, the creator of the Libs of Tiktok account, Matt Walsh, “Gays Against Groomers,” Chris Rufo, and Chris Elston perpetuate incendiary language manifests into real-world violence. There is a direct connection between these accounts and violent threats against people, events, and institutions they target. The framing and language used often mirrors a more accessible version that found on extremist sites. Their audience of millions are eager to engage, with replies to these accounts’ tweets often featuring threats, including violent memes bullets and woodchippers. Social media companies have failed to intervene in meaningful ways, allowing the active spread of hate speech through these companies’ algorithmic amplification.

Lastly, I want to highlight the great personal cost that monitoring the rise of hate speech and acts of prejudicial violence have had on me, particularly as a visible trans woman. I, along with my parents, were doxed and had our personal information published, including my address, contact information, social security number and driver’s license number. I have been threatened by anonymous online accounts that have stated they wanted to “tie [me] to a f\*\*\*ing post and set [me] on fire.” I have met with the FBI regarding these threats against me, an utterly surreal experience. No one should go through this for vocally defending their community, but I will not be intimidated, and I will continue to speak out against the hate and violence being perpetrated against my community.

## I. RISING ANTI-LGBTQ+ HATE

In 2018, overall anti-LGBTQ+ sentiment seemed to be waning with the American public’s acceptance of same-sex marriage hitting all-time highs and the number of anti-LGBTQ+ bills being introduced hitting a nadir.<sup>9</sup> While certain anti-LGBTQ+ policies by the Trump administration created some particular flashpoints , overall

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<sup>9</sup> Sara Atske, *Majority of Public Favors Same-Sex Marriage, but Divisions Persist*, PEW RESEARCH CENTER - U.S. POLITICS & POLICY (2019), <https://www.pewresearch.org/politics/2019/05/14/majority-of-public-favors-same-sex-marriage-but-divisions-persist/> (last visited Dec 9, 2022); Travis Mitchell, *Americans’ Complex Views on Gender Identity and Transgender Issues*, PEW RESEARCH CENTER’S SOCIAL & DEMOGRAPHIC TRENDS PROJECT (2022), <https://www.pewresearch.org/social-trends/2022/06/28/americans-complex-views-on-gender-identity-and-transgender-issues/> (last visited Dec 9, 2022).

anti-LGBTQ+ sentiment seemed to be declining.<sup>10</sup> However, by 2020, there began to be increasing amounts of anti-LGBTQ+ legislation, and, in particular, anti-trans legislation.<sup>11</sup> At this point, the LGBTQ+ community still lagged behind in access to critical services and remained at heightened risk for numerous negative socioeconomic outcomes.<sup>12</sup> However, this notable increase in anti-LGBTQ+ sentiment was largely due to the rising tide of a vocal and hateful minority.

### a. Online Anti-Transgender Hate

Starting in 2019, numerous anti-trans groups have sprung up, including Genspect, Transgender Trend, Society for Evidence Based Gender Medicine (SEGM), and Parents with Inconvenient Truth About Trans (PITT). As it became increasingly unacceptable to attack LGBTQ+ community as a whole,<sup>13</sup> attention was redirected onto trans people.<sup>14</sup> Early defeats of bathroom bills in North Carolina in 2016 led to trans issues going largely quiet for a few years.<sup>15</sup> However, anti-trans efforts were renewed as part of a broader rise in transphobia in the United Kingdom (UK) among

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<sup>10</sup> Selena Simmons-Duffin, *Transgender Health Protections Reversed By Trump Administration*, NPR, June 12, 2020, <https://www.npr.org/sections/health-shots/2020/06/12/868073068/transgender-health-protections-reversed-by-trump-administration> (last visited Dec 11, 2022); Trump's controversial transgender military policy goes into effect, NBC NEWS, <https://www.nbcnews.com/feature/nbc-out/trump-s-controversial-transgender-military-policy-goes-effect-n993826> (last visited Dec 11, 2022); A List of Trump's "Unprecedented Steps" for the LGBTQ Community, HUMAN RIGHTS CAMPAIGN, <https://www.hrc.org/news/the-list-of-trumps-unprecedented-steps-for-the-lgbtq-community> (last visited Dec 11, 2022).

<sup>11</sup> Anti-trans laws are on the rise. Here's a look at where — and what kind., WASHINGTON POST (2022), <https://www.washingtonpost.com/lifestyle/2022/10/14/anti-trans-bills/> (last visited Dec 9, 2022).

<sup>12</sup> M. V. LEE BADGETT, SOON KYU CHOI & BIANCA D.M. WILSON, *LGBT Poverty in the United States*, (2019), <https://williamsinstitute.law.ucla.edu/publications/lgbt-poverty-us/> (last visited Dec 9, 2022).

<sup>13</sup> However, violence against LGBTQ+ people remained an ever-present threat as murders of trans people and bias motivated attacks began to increase. Andrew R. Flores et al., *Victimization rates and traits of sexual and gender minorities in the United States: Results from the National Crime Victimization Survey, 2017*, 6 SCIENCE ADVANCES eaba6910 (2020); <https://www.science.org/doi/10.1126/sciadv.aba6910> (last visited Dec 11, 2022); see also HUMAN RIGHTS CAMPAIGN, *An Epidemic of Violence 2022*, <https://reports.hrc.org/an-epidemic-of-violence-2022> (last visited Dec 11, 2022).

<sup>14</sup> Dale O'Leary and Peter Sprigg, *Understanding and Responding to the Transgender Movement*, FRC, <https://www.frc.org/get.cfm?i=IS15F01> (last visited Dec 11, 2022).

<sup>15</sup> Anti-trans laws are on the rise. Here's a look at where — and what kind., WASHINGTON POST (2022), <https://www.washingtonpost.com/lifestyle/2022/10/14/anti-trans-bills/> (last visited Dec 9, 2022).

“gender critical feminists”, who opposed the legal recognition of trans people and accompanying protections. These anti-trans organizing efforts were mainly spurred among upper middle-class white women on Mumsnet, a forum for mothers in the UK, and subsequently sparked contemporary interest in opposing trans rights that was not rooted in religion. This interest in gender critical “feminism” in the UK cross-pollinated with that of radical feminist groups in the United States (US) like the Women’s Liberation Front (WoLF). Such groups began to form coalitions with more traditional religious organizations that opposed LGBTQ+ rights such as the Alliance Defending Freedom, Heritage Foundation, Focus on the Family, and the Family Resource Council.<sup>16</sup>

Users of online forums such as the gender critical subreddit on Reddit were key drivers of developing and crowdsourcing views, talking points, and messaging that would attack and dehumanize trans people. Users of this subreddit<sup>17</sup> would often post daily negative stories about trans people, commiseration over anti-trans views, and strategies to convince others to share their anti-trans views. By mid-2020, this subreddit was deemed to violate Reddit’s terms of service and was permanently banned. The users left and formed Ovarit, a Reddit clone that featured much of the same anti-trans content but with much less moderation.<sup>18</sup> These online forums distinguished themselves from the more virulently anti-LGBTQ+ online forums such as 4chan’s /pol image board or Kiwi Farms by maintaining an air of feminism and being otherwise supportive of gay rights. However, these forums focused on anti-trans hate often serve as radicalization pathways for otherwise moderate middle-class women, particularly in the UK.<sup>19</sup> One notable case study is JK Rowling, the author of the Harry Potter series, who has increasingly focused on trans issues to the

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<sup>16</sup> Rani Baker, *Fake ‘radical feminist’ group a paid political front for anti-LGBT organization*, LGBTQ+ NATION, <https://www.LGBTQ+nation.com/2017/04/fake-radical-feminist-group-paid-political-front-anti-lgbt-organization/> (last visited Dec 9, 2022).

<sup>17</sup> A subreddit is a small community within the broader Reddit website that is dedicated to a particular topic. For example, the football subreddit is r/nfl and is an online community dedicated to covering all things related to the NFL.

<sup>18</sup> Kaitlyn Tiffany, *The Secret Internet of TERFs*, THE ATLANTIC (2020), <https://www.theatlantic.com/technology/archive/2020/12/reddit-ovarit-the-donald/617320/> (last visited Dec 9, 2022).

<sup>19</sup> Craig McLean, *The Growth of the Anti-Transgender Movement in the United Kingdom. The Silent Radicalization of the British Electorate*, 51 INTERNATIONAL JOURNAL OF SOCIOLOGY 473 (2021), <https://doi.org/10.1080/00207659.2021.1939946> (last visited Dec 11, 2022); Clayman Conversations: Three scholars examine the TERF Industrial Complex | The Clayman Institute for Gender Research, <https://gender.stanford.edu/news/clayman-conversations-three-scholars-examine-terf-industrial-complex> (last visited Dec 11, 2022);

exclusion of all else, even neglecting to promote films based on her work on her social media.<sup>20</sup> In many ways, Rowling is the typical profile of formerly moderate center-left women who have radicalized over anti-transgender animus. This new wave of anti-trans sentiment has, in parallel, helped fuel conspiracy theories and anti-Semitism

Behind much of the intellectual framework of the gender critical movement is Jennifer Bilek. Bilek regularly influences discourse in gender critical spaces by pushing conspiracy theories that Jewish billionaires such as the Pritzker family<sup>21</sup>, were behind the recent popular awareness of trans people in an attempt to push people into “transhumanism” and profit through the pharmaceutical industry.<sup>22</sup> Bilek’s conspiracy theories are based on her belief in the existence of a so-called “transhumanism movement”, which promotes the separation of humans from their physical bodies through the use of technology. Anti-LGBTQ hate researcher, Heron Greenesmith characterized it as:

“[F]ears of an elite ‘transhumanist’ cabal, using transgender advocacy as a dystopian social engineering experiment, have gained recent popularity among the radical right, thanks to white nationalist Scott Howard’s 2020 book, *The Transgender-Industrial Complex*, and are recycled regularly on far-right conspiracy platforms like Infowars.”

Bilek regularly publishes conspiracy theories that are closely connected with anti-Semitic conspiracy theories. This is likely where the first cross-pollination<sup>23</sup> of anti-trans figures with far-right extremist anti-Semitism began in earnest. The Buffalo shooter’s manifesto contained several anti-Semitic memes that spread a conspiracy

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<sup>20</sup> Sarah Wheaton, *The metamorphosis of J.K. Rowling*, POLITICO, <https://www.politico.com/news/2022/07/03/the-metamorphosis-of-j-k-rowling-00043835> (last visited Dec 11, 2022).

<sup>21</sup> JB Pritzker, Jennifer Pritzker, & Synthetic Sex Identities, TABLET MAGAZINE (2022), <https://www.tabletmag.com/sections/news/articles/billionaire-family-pushing-synthetic-sex-identities-ssi-pritzkers> (last visited Dec 11, 2022).

<sup>22</sup> Ben Lorber & Heron Greenesmith, *Antisemitism Meets Transphobia - Progressive.org*, THE PROGRESSIVE MAGAZINE, 2021, <https://progressive.org/magazine/antisemitism-meets-transphobia-greesmith-lorber/> (last visited Dec 9, 2022).

<sup>23</sup> Cross-pollination refers to the concept of independent groups and movement sharing ideas in ways that influence their own.

theory that trans people were a plot by Jewish people to undermine western society and birth rates as part of the broader great replacement conspiracy theory.<sup>24</sup>

More recently, gender critical activists have been getting into public arguments on social media with far-right figures over the appropriation of their anti-trans beliefs.<sup>25</sup> This friction has come to the fore due to the broadly anti-feminist and misogynistic beliefs of many of the far-right figures that have adopted the terminology from the gender critical movement. For example, Christopher Rufo has begun adopting the language used by Bilek in his own writing about LGBTQ+ people such as “synthetic sex identities” that seeks to invalidate LGBTQ+ identities as inherently being fake and invalid.<sup>26</sup>

### **b. Extremist Boards Begin Targeting LGBTQ+ People**

In 2020, amid the rise in adoption of increasingly bizarre conspiracy theories such as QAnon, users of 4chan’s /pol<sup>27</sup> board began planning out a psyop called “Operation Pridefall” with the explicit aim of increasing hate and animus against LGBTQ+ people specifically by using out of context pictures and puppet accounts to spread disinformation and anti-LGBTQ+ sentiment.<sup>28</sup> For example, pictures of people in bondage gear outside of the Folsom Street Fair, an adults-only kink and BDSM festival, are often shared with the inaccurate assertion that the pictures are from pride parades or events. The goals of this disinformation, as stated on the

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<sup>24</sup> Ninian Frenguelli, *Transphobia in the Buffalo Shooter’s Manifesto*, VOX - Pol (2022), <https://www.voxpol.eu/transphobia-in-the-buffalo-shooters-manifesto/> (last visited Dec 11, 2022).

<sup>25</sup> While the specific social media posts are far too numerous to adequately cite, this piece by noted anti-trans gender critical activist, Meghan Murphy, highlights the growing tension between gender critical activists and far more militant far-right figures who oppose LGBTQ rights and women’s rights. Meghan Murphy, *On gender, the fight against trans ideology, and men*, FEMINIST CURRENT (2022), <https://www.feministcurrent.com/2022/11/14/on-gender-the-fight-against-trans-ideology-and-men/> (last visited Dec 11, 2022).

<sup>26</sup> A Parent’s Guide to Radical Gender Theory, (2022), <https://christopherrufo.com/resource/radical-gender-theory/> (last visited Dec 11, 2022).

<sup>27</sup> 4chan is separated into smaller subcommunities or “boards” that are abbreviations of the name of the board along with a slash. The /pol board for instance is the “politically incorrect” board that often features virulent anti-Semitism, homophobia, racism, and anti-Muslim posts. Stephane J. Baele, Lewys Brace & Travis G. Coan, *Variations on a Theme? Comparing 4chan, 8kun, and Other chans’ Far-Right “/pol” Boards*, 15 PERSPECTIVES ON TERRORISM 65 (2021), <https://www.jstor.org/stable/26984798> (last visited Dec 9, 2022).

<sup>28</sup> Simon Doherty, *Inside Operation Pridefall: 4chan’s Attempt to Bring Down Pride 2020*, VICE (2020), <https://www.vice.com/en/article/7kpbba/operation-pridefall-4chan-gay-pride-2020> (last visited Dec 9, 2022).

forum, were to get the general population to begin to associate negative views with LGBTQ+ people and to tie them to pedophilia.<sup>29</sup> While this particular psyop did not achieve its goals at the time, it created a blueprint for others to mainstream anti-LGBTQ+ views later through things such as the “groomer libel.” While these extremist boards have long been known for their hatred of LGBTQ+ people, the particular organized trolling and psyops were relatively new.

Among many of the discussions on these boards, a common theme centered around how the Weimar Republic and the so-called “degeneracy” of LGBTQ+ people of the era were justifications for the Nazis’ rise to power. This sentiment was often accompanied by a meme titled “And then one day, for no reason at all, people voted Hitler into power”, which was the tagline for the neo-Nazi anti-Semitic propaganda film, “Europa: The Last Battle.”<sup>30</sup> This meme often includes pictures and screenshots of news articles about immigrants, LGBTQ+ people, Jewish people, and other minority groups targeted by users of the extremist boards.<sup>31</sup> This meme encompassed the view that Hitler was a natural reaction to all of the negative things they viewed about society. The goal of the meme is to spread neo-Nazi propaganda and hate and to normalize positive views of the Nazis among users of the image board. Images used in these memes and psyops were have broken into the mainstream in 2022 as part of broader attacks against LGBTQ+ people. One particularly disturbing moment was when a picture of a burlesque dancer with a little girl that had been shared in this meme format was broadly recirculated by prominent conservative figures such as Babylon Bee owner Seth Dillon and Florida Governor Ron Desantis’ press secretary Christina Pushaw.<sup>32</sup>

### **c. Broader Online Extremism**

Online image boards and forums such as 4chan, 8chan, KiwiFarms, Daily Stormer, and others have long been influential hubs for white supremacists and extremists, and there is a growing sense of their impact on the physical world through increasing

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<sup>29</sup> Users on the boards often refer to people offline who do not spend as much time deeply online on extremist boards as “normies.”

<sup>30</sup> David Gilbert, *QAnon Is Becoming Even More Antisemitic*, VICE (2021), <https://www.vice.com/en/article/jg8y73/qanon-is-becoming-even-more-antisemitic> (last visited Dec 11, 2022).

<sup>31</sup> See Appendix for examples of this particular meme.

<sup>32</sup> Claire Goforth, *Ron DeSantis’ spokesperson thought she had evidence of children participating in ‘drag shows’—it’s an old Hitler meme*, THE DAILY DOT (2022), <https://www.dailydot.com/debug/desantis-spokesperson-tweets-drag-queen-cisgender-burlesque-dancer/> (last visited Dec 11, 2022).



real-world violence.<sup>33</sup> In 2019, this violence manifested itself acutely in several mass shootings such as the New Zealand Christchurch shooting and the El Paso shooting where the shooters were inspired by and radicalized on 8chan.<sup>34</sup> As a result, Cloudflare pulled its services to 8chan after immense public pressure.<sup>35</sup> This was not the first time that online extremist sites were responsible for radicalizing physical violence in the form of mass shootings, but these attacks that left a combined 74 people dead showed the ability for sites such as 8chan to radicalize users and inspire mass violence.

While isolated from the broader public, the means of radicalization on 8chan was far from unique but can offer a case study in how repeated exposure to violent and extremist memes results in radicalization of online users of websites.<sup>36</sup> Recent events such as the Buffalo mass shooting show how young adult users of the site who often grow up on these platforms praising mass shootings, violent and racist imagery, can be essentially brainwashed into perpetuating real-world violence.

Subtler forms of radicalization become much more dangerous when brought onto mainstream social media to amplify narratives that stoke fear, anger, and disgust in users. These emotions are many of the same ones that drive the content on extremist

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<sup>33</sup> Stephane J. Baele, Lewys Brace & Travis G. Coan, *Variations on a Theme? Comparing 4chan, 8kun, and Other chans' Far-Right "/pol" Boards*, 15 PERSPECTIVES ON TERRORISM 65 (2021), <https://www.jstor.org/stable/26984798> (last visited Dec 9, 2022).

<sup>34</sup> Ignore The Poway Synagogue Shooter's Manifesto: Pay Attention To 8chan's /pol/ Board, BELLINGCAT (2019), <https://www.bellingcat.com/news/americas/2019/04/28/ignore-the-poway-synagogue-shooters-manifesto-pay-attention-to-8chans-pol-board/> (last visited Dec 9, 2022).

<sup>35</sup> Cloudflare's DDoS mitigation and CDN services often served as a means of subsidizing and maintaining uptime for these extremist sites. Lily Hay Newman, *Cloudflare Ditches 8chan. What Happens Now?*, WIRED, 2019, <https://www.wired.com/story/cloudflare-8chan-support-ddos/> (last visited Dec 9, 2022).

<sup>36</sup> Kristina Davis & Lyndsay Winkley, *Online forums pave evolution of hate views; 8chan and other sites incubate far-right extremism that shaped alleged Poway killer.*, LOS ANGELES TIMES, May 5, 2019, at B.1, <https://www.proquest.com/docview/2219865290/citation/F08B751120D4537PQ/1> (last visited Dec 11, 2022); Cathrine Thorleifsson, *From cyberfascism to terrorism: On 4chan/pol/ culture and the transnational production of memetic violence*, 28 NATIONS AND NATIONALISM 286 (2022).; Diana Rieger et al., *Assessing the Extent and Types of Hate Speech in Fringe Communities: A Case Study of Alt-Right Communities on 8chan, 4chan, and Reddit*, 7 SOCIAL MEDIA + SOCIETY (2021), <https://www.proquest.com/docview/2615041082?parentSessionId=%2BvZURTvObKrW%2Fbsi n3qnVg%2Fh%2B%2BzH7%2BUMkvIKjpQj%2Brk%3D&pq-origsite=primo&> (last visited Dec 11, 2022);

sites. An example of a conspiracy theory that began on more extremist sites and broke into the mainstream is the QAnon conspiracy theory.

QAnon is a bizarre and esoteric conspiracy theory about the existence of an elite cabal of pedophiles in positions of power that engage in ritual sacrifice of children and a belief that former president Donald Trump was secretly combatting them behind the scenes.<sup>37</sup> The hallmarks of this conspiracy theory read like a retread of the blood libel used against Jews. While this conspiracy theory was initially isolated to 8chan in its early years starting in October 2017, it spread like wildfire on mainstream social media platforms, such as Facebook, towards the beginning of the COVID-19 pandemic.<sup>38</sup>

#### **d. COVID-19 Pandemic Inflection Point**

The COVID-19 pandemic played a profound role in radicalizing numerous Americans in a variety of ways.<sup>39</sup> Cut off from family, friends, coworkers, and other social ties, many Americans became pulled into increasingly bizarre conspiracy theories spread on social media.<sup>40</sup> In the early days of the pandemic, the QAnon conspiracy theory quickly spread online and a broader moral panic about child sex trafficking began to take hold through random viral posts. An example is the viral post about Wayfair using furniture shipments to traffic children.<sup>41</sup> The precursor to this type of child sex trafficking conspiracy theory was the “pizzagate” conspiracy theory in late 2016 that claimed a pizza parlor in Washington, DC was secretly

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<sup>37</sup> Kevin Roose, *What Is QAnon, the Viral Pro-Trump Conspiracy Theory?*, THE NEW YORK TIMES, September 3, 2021, <https://www.nytimes.com/article/what-is-qanon.html> (last visited Dec 9, 2022).

<sup>38</sup> Valerie Strauss, *Analysis | How QAnon is spreading during the pandemic — and more lessons on fake news*, WASHINGTON POST, September 23, 2020, <https://www.washingtonpost.com/education/2020/09/23/how-qanon-is-spreading-during-pandemic-more-lessons-fake-news/> (last visited Dec 9, 2022).

<sup>39</sup> Benjamin J. Dow et al., *The COVID-19 pandemic and the search for structure: Social media and conspiracy theories*, 15 SOC PERSONAL PSYCHOL COMPASS (2021), <https://onlinelibrary.wiley.com/doi/10.1111/spc3.12636> (last visited Dec 9, 2022).

<sup>40</sup> *Id.*

<sup>41</sup> Jessica Contrera, *A QAnon con: How the viral Wayfair sex trafficking lie hurt real kids*, WASHINGTON POST, <https://www.washingtonpost.com/dc-md-va/interactive/2021/wayfair-qanon-sex-trafficking-conspiracy/> (last visited Dec 9, 2022).

engaged in trafficking children.<sup>42</sup> These types of wild conspiracy theories began to spread on mainstream social media such as Tiktok, Twitter, Facebook, and Instagram, paving the way for a broader moral panic that became ripe for extremists to cultivate into targeted attacks on the LGBTQ+ community.<sup>43</sup>

## II. The Insurrection, School Board Protests, and Growing Extremism

Groups like the Proud Boys and the Oathkeepers were key extremist groups that played a role in the January 6<sup>th</sup> insurrection.<sup>44</sup> The leaders of both the Oathkeepers, Stewart Rhodes, and the Proud Boys, Enrique Tarrio, were charged with seditious conspiracy for their roles in the insurrection.<sup>45</sup> While the Proud Boys organization has only been around since 2016 after being started by former Vice News co-founder, Gavin McInnes, its membership numbers have continued to grow across the US even after the insurrection saw most of their leadership federally charged with seditious conspiracy.<sup>46</sup> Since the insurrection, the Proud Boys decentralized model has allowed individual semi-autonomous local cells that operate independently while sharing a common unified mission and worldview.<sup>47</sup> The Proud Boys would

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<sup>42</sup> Gregor Aisch, Jon Huang & Cecilia Kang, *Dissecting the #PizzaGate Conspiracy Theories*, THE NEW YORK TIMES, December 10, 2016, <https://www.nytimes.com/interactive/2016/12/10/business/media/pizzagate.html>, <https://www.nytimes.com/interactive/2016/12/10/business/media/pizzagate.html> (last visited Dec 9, 2022).

<sup>43</sup> Cecilia Kang & Sheera Frenkel, *'PizzaGate' Conspiracy Theory Thrives Anew in the TikTok Era*, THE NEW YORK TIMES, June 27, 2020, <https://www.nytimes.com/2020/06/27/technology/pizzagate-justin-bieber-qanon-tiktok.html> (last visited Dec 9, 2022).

<sup>44</sup> Who Are the Key Figures of Interest in the Jan. 6 Inquiry?, THE NEW YORK TIMES, March 9, 2022, <https://www.nytimes.com/explain/2022/03/09/us/jan-6-inquiry-figures> (last visited Dec 9, 2022).

<sup>45</sup> Denise Lu & Eleanor Lutz, *How Oath Keepers Are Accused of Plotting to Storm the Capitol*, THE NEW YORK TIMES, January 20, 2022, <https://www.nytimes.com/interactive/2022/01/19/us/oath-keepers-capitol-riot.html> (last visited Dec 9, 2022); Alan Feuer, Adam Goldman & Luke Broadwater, *Proud Boys Charged With Seditious Conspiracy in Capitol Attack*, THE NEW YORK TIMES, June 6, 2022, <https://www.nytimes.com/2022/06/09/us/politics/proud-boys-charged-seditious-conspiracy-capitol-attack.html> (last visited Dec 9, 2022).

<sup>46</sup> Who Are the Key Figures of Interest in the Jan. 6 Inquiry?, THE NEW YORK TIMES, March 9, 2022, <https://www.nytimes.com/explain/2022/03/09/us/jan-6-inquiry-figures> (last visited Dec 9, 2022).

<sup>47</sup> Kristina Hummel, *Pride & Prejudice: The Violent Evolution of the Proud Boys*, COMBATING TERRORISM CENTER AT WEST POINT (2021), <https://ctc.westpoint.edu/pride-prejudice-the-violent-evolution-of-the-proud-boys/> (last visited Dec 11, 2022).

continue to play a role continuing into 2021 as protests around schoolboards became front and center.

### **a. Schoolboard Protests**

Beginning in early 2021, there was a rise in protests aimed at school boards that pushed for a toxic mix of anti-vaccine, anti-masking, and anti-CRT views.<sup>48</sup> School board members were inundated with threats school board meetings often began to boil over into shouting, threats, and even physical violence.<sup>49</sup> The threats became so severe that the DOJ decided to step in after several pleas from national education groups that sought assistance to combat the growing violent threats.<sup>50</sup> The reaction was swift, with several prominent conservative groups and elected officials, including members of this committee, dismissing threats against school board officials and educators and accusing the DOJ and Biden administration of “silencing opposition.”<sup>51</sup> The reality is that such a response were the direct result of actual violent threats and extremist groups such as the Proud Boys showing up to school board meetings.<sup>52</sup>

From the beginning, groups like the Proud Boys and Moms for Liberty played a prominent role in the escalation of hateful rhetoric and violent threats at school board meetings.<sup>53</sup> White nationalists and far-right militia groups played a significant role in this as well, using online platforms and social media to spread their messages and

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<sup>48</sup> Roudabeh Kishi, *From the Capitol Riot to the Midterms: Shifts in American Far-Right Mobilization Between 2021 and 2022*, ACLED (2022), <https://acleddata.com/2022/12/06/from-the-capitol-riot-to-the-midterms-shifts-in-american-far-right-mobilization-between-2021-and-2022/> (last visited Dec 9, 2022).

<sup>49</sup> Erica L. Green, *Justice Dept. Will Address ‘Disturbing Spike’ in Threats Against School Personnel*, THE NEW YORK TIMES, October 5, 2021, <https://www.nytimes.com/2021/10/05/us/politics/school-threats-justice-department.html> (last visited Dec 9, 2022).

<sup>50</sup> *Id.*

<sup>51</sup> Erica L. Green, *Justice Dept. Will Address ‘Disturbing Spike’ in Threats Against School Personnel*, THE NEW YORK TIMES, October 5, 2021, <https://www.nytimes.com/2021/10/05/us/politics/school-threats-justice-department.html> (last visited Dec 9, 2022).

<sup>52</sup> Sheera Frenkel, *Proud Boys Regroup, Focusing on School Boards and Town Councils*, THE NEW YORK TIMES, December 14, 2021, <https://www.nytimes.com/2021/12/14/us/proud-boys-local-issues.html> (last visited Dec 9, 2022).

<sup>53</sup> *Proud Boys Crashed School Board Meetings to Protest Critical Race Theory*, VICE (2021), <https://www.vice.com/en/article/dyvk7a/masked-proud-boys-show-up-at-a-school-board-meeting-to-protest-critical-race-theory> (last visited Dec 9, 2022).

organize events.<sup>54</sup> For example, in Loudoun County, Virginia, unfounded rumors that spread in local parents' groups on Facebook about an alleged trans student sexually assaulting a girl in a bathroom led to a firestorm of several heated schoolboard protests that descended into violence.<sup>55</sup> The initial rumors spread in local Facebook parents' groups. The school was unable to provide adequate details to the public due to protections on the student's privacy which led to accusations of a "cover-up" by school board officials. This is a common theme in similar news stories as recently evidenced by a controversy in Vermont of a trans girl who was subjected to a massive media disinformation campaign after the school could not comment on the bullying she suffered at the hands of her teammates.<sup>56</sup> This local issue was further inflamed by national media coverage, ratcheting the tension up even further. The national notoriety of these events occurring at the local level, such as in high schools, is the visible eruption of a stew of violence and prejudice that has been ominously growing in the US.<sup>57</sup>

Much of the animus and anger behind the school board meetings were driven by anti-Critical Race Theory (CRT) activism in the wake of the George Floyd protests. Online media figures such as Christopher Rufo claimed falsely that the infiltration of "Critical Race Theory" in school curriculums was resulting in anti-American views being perpetuated by American public schools.<sup>58</sup> This anger over CRT became a pretense for white nationalist and white supremacist groups to organize and recruit members to oppose so-called CRT allegedly being promoted by school boards. While many parents may have had valid concerns about their child's curriculum, the driving force for much of the threats of violence were a key belief that the United States was no longer a country centered around whiteness and inflamed tensions

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<sup>54</sup> *Id.*

<sup>55</sup> Hannah Natanson, *School board meeting in Loudoun draws protests, angry speakers*, WASHINGTON POST, October 27, 2021, [https://www.washingtonpost.com/local/education/angry-parents-students-loudoun-school-board/2021/10/26/801e4374-3676-11ec-9bc4-86107e7b0ab1\\_story.html](https://www.washingtonpost.com/local/education/angry-parents-students-loudoun-school-board/2021/10/26/801e4374-3676-11ec-9bc4-86107e7b0ab1_story.html) (last visited Dec 9, 2022); Tess Owen,

<sup>56</sup> Samantha Riedel, *Right-Wing Media Spent the Week Vilifying a Trans Girl Without Gathering the Facts*, THEM (2022), <https://www.them.us/story/trans-teen-vermont-locker-room-right-wing-media> (last visited Dec 11, 2022).

<sup>57</sup> Alan Feuer, *'I Don't Want to Die for It': School Board Members Face Rising Threats*, THE NEW YORK TIMES, November 5, 2021, <https://www.nytimes.com/2021/11/05/us/politics/school-board-threats.html> (last visited Dec 11, 2022).

<sup>58</sup> Benjamin Wallace-Wells, *How a Conservative Activist Invented the Conflict Over Critical Race Theory*, THE NEW YORKER, 2021, <https://www.newyorker.com/news/annals-of-inquiry/how-a-conservative-activist-invented-the-conflict-over-critical-race-theory> (last visited Dec 9, 2022).

toward communities of color, LGBTQ+ people, and others that have been historically marginalized.

### III. The “Groomer Libel” and the Rise in Anti-LGBTQ+ Violence

Beginning in late 2021 and early 2022, multiple prominent online social media influencers began to take the energy around the schoolboard protests and shift towards a broader attack against LGBTQ+ people. In particular, the term “groomer” became popularized by James Lindsay and the Twitter account, “Libs of Tiktok” which is run by Chaya Raichik (“Ms. Raichik”).<sup>59</sup> The term “grooming” is a reference to the practice of an adult gaining the trust of a minor child for the purposes of sexually abusing them.<sup>60</sup> This term was hijacked and then used to smear LGBTQ+ people and any discussions involving sexual orientation and gender identity with students or children.<sup>61</sup> The objective was to conflate LGBTQ+ people with sexual grooming and pedophilia, an age-old attack that has been used against LGBTQ+ people for decades. However, this new twist and language was popularized in the spring of 2022 when Ron DeSantis adopting such language to push the “Don’t Say Gay” bill, which resulted in a massive spike in its usage upon its passage.<sup>62</sup> This coincided with a massive uptick in violence against LGBTQ+ people.

The number of violent threats towards LGBTQ+ events and venues have begun to increase substantially, often associated with online social media activity by anti-LGBTQ+ social media accounts highlighting these events to their audience. In particular, a few accounts have been a nexus between online extremism and directed threats, harassment, and confrontational protests. Among the most prominent of these accounts has been the Libs of TikTok Twitter account operated by Chaya Raichik. Beyond the Libs of TikTok account, several others such as Matt Walsh,

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<sup>59</sup> Hannah Natanson & Moriah Balingit, *Teachers who mention sexuality are ‘grooming’ kids, conservatives say*, WASHINGTON POST, April 8, 2022, <https://www.washingtonpost.com/education/2022/04/05/teachers-groomers-pedophiles-dont-say-gay/> (last visited Dec 9, 2022); Taylor Lorenz, *Meet the woman behind Libs of TikTok, secretly fueling the right’s outrage machine*, WASHINGTON POST, December 7, 2022, <https://www.washingtonpost.com/technology/2022/04/19/lib-s-of-tiktok-right-wing-media/> (last visited Dec 9, 2022).

<sup>60</sup> Grooming: Know the Warning Signs | RAINN, <https://www.rainn.org/news/grooming-know-warning-signs> (last visited Dec 9, 2022).

<sup>61</sup> Hannah Natanson, *supra* at note 39.

<sup>62</sup> Digital Hate: Social Media’s Role in Amplifying Dangerous Lies About LGBTQ++ People, CENTER FOR COUNTERING DIGITAL HATE, HUMAN RIGHTS CAMPAIGN, August 10, 2022.

Christopher Rufo, Chris Elston, “Gays Against Groomers,” and a plethora of others who have taken advantage of monetization pathways to support their anti-LGBTQ social media campaigns.

These social media accounts often operate under the guise of protecting against the “sexualization of children.”<sup>63</sup> However, these kinds of attacks are nothing new and are simply a rebrand of the same tired homophobic tropes of history that attempt to cast LGBTQ+ people as pedophiles and dangers to children.<sup>64</sup>

#### **a. Libs of TikTok Social Media Account**

Many of the events targeted by Ms. Raichik on her social media accounts have resulted in extremist groups such as the Proud Boys, far right militias, and neo-Nazi groups showing up to events to physically intimidate and even attack eventgoers. Many of the events are cancelled as a result of being mentioned by Ms. Raichik on her accounts due to the resulting torrent of harassment and threats.<sup>65</sup> However, these attacks are not isolated to just LGBTQ+ events, as teachers, school administrators, and other social media users, are subject to threats and harassment after being featured by Ms. Raichik in a social media post.

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<sup>63</sup> Roudabeh Kishi, *From the Capitol Riot to the Midterms: Shifts in American Far-Right Mobilization Between 2021 and 2022*, ACLED (2022), <https://acleddata.com/2022/12/06/from-the-capitol-riot-to-the-midterms-shifts-in-american-far-right-mobilization-between-2021-and-2022/> (last visited Dec 9, 2022).

<sup>64</sup> Maggie Astor, *Transgender Americans Feel Under Siege as Political Vitriol Rises*, THE NEW YORK TIMES, December 10, 2022, <https://www.nytimes.com/2022/12/10/us/politics/anti-transgender-lgbtq-threats-attacks.html> (last visited Dec 11, 2022); Brandon Tensley & CNN, “We’re seeing a relaunch of an old story”: Exploring the movement to ban books with LGBTQ characters, CNN (2022), <https://www.cnn.com/2022/09/22/us/lgbtq-book-bans-race-deconstructed-newsletter-reaj/index.html> (last visited Dec 11, 2022); see also B. Drummond Ayres Jr, *Miami Votes 2 to 1 to Repeal Law Barring Bias Against Homosexuals*, THE NEW YORK TIMES, June 8, 1977, <https://www.nytimes.com/1977/06/08/archives/miami-votes-2-to-1-to-repeal-law-barring-bias-against-homosexuals.html> (last visited Dec 11, 2022).

<sup>65</sup> Brody Levesque, *Drag brunch cancelled after violent threats in Texas*, WASHINGTON BLADE: LGBTQ NEWS, POLITICS, LGBTQ RIGHTS, GAY NEWS (2022), <https://www.washingtonblade.com/2022/09/13/disney-themed-drag-brunch-cancelled-after-violent-threats-in-texas/> (last visited Dec 11, 2022); Connor Perrett, *Drag shows are the latest battleground in the right wing anti-gay disinformation campaign about “grooming,”* BUSINESS INSIDER, <https://www.businessinsider.com/drag-queens-children-lgbtq-right-wing-libsoftiktok-idaho-patriot-front2022-6> (last visited Dec 11, 2022); Woodland’s Mojo’s Lounge & Bar cancels Drag Happy Hour after several threats, DAILY DEMOCRAT (2022), <https://www.dailydemocrat.com/2022/06/30/woodlands-mojos-lounge-bar-cancels-drag-happy-hour-after-several-threats> (last visited Dec 11, 2022).

### i. Targeted Attacks on Drag and Pride Events

On May 30<sup>th</sup>, 2022, Ms. Raichik created her “Mega Drag Thread” that highlighted several drag events throughout the country. This thread served as an incitement to her followers to attack and protest drag events listed in the thread. Several events were targeted, many were cancelled, and others were subjected to physical threats and violence. It is important to note that protesting is a guaranteed right that should be enjoyed by all. The main issue are not the protests themselves but rather the preceding violent threats and the appearance of armed protestors who only seek to intimidate rather than genuinely express their views peacefully.

- On May 30<sup>th</sup>, she tweeted about an event in Dallas at the Mr. Misster bar.<sup>66</sup> On June 4<sup>th</sup>, the day of the event, several local extremist groups showed up to confront attendees. At various points, the extremists shouted violent threats including asking the police to “go in there and put bullets in all their heads. . . that’s what the badge is for.”<sup>67</sup> The organizer for the protest, Kelly Neidert was subsequently suspended from Twitter for posting that pride attendees should be “rounded up.”<sup>68</sup>
- On May 30<sup>th</sup>, Ms. Raichik tweeted about a drag queen story hour in San Lorenzo, California. As a result, several Proud Boys stormed the event, frightening the children while yelling at the drag queen and accusing them of being a pedophile. One of the Proud Boys who was visible in video of the confrontation was wearing a t-shirt with a depiction of an AK-47 with the statement “kill your local pedophile.”<sup>69</sup>

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<sup>66</sup> Libs of TikTok [@libsoftiktok], *A bar in Dallas, Texas is advertising a drag show for children including the opportunity for some kids to perform with the drag queens on stage. This is the drag queen host.* <https://t.co/L14WloK5ie>, TWITTER (2022),

<https://twitter.com/libsoftiktok/status/1531425823441362944> (last visited Sep 21, 2022).

<sup>67</sup> Elm Fork John Brown Gun Club [@EFJBGC], *Christian Fascist leader John Doyle encourages police to “go in there and put bullets in all theirs heads” “that’s what the badge is for”* <https://t.co/4Xk6z29nA0>, TWITTER (2022),

<https://twitter.com/EFJBGC/status/1533590583356313601> (last visited Sep 21, 2022).

<sup>68</sup> Tammye, *Right-wing agitator suspended on Twitter*, DALLAS VOICE (2022),

<https://dallasvoice.com/right-wing-agitator-suspended-on-twitter/> (last visited Sep 21, 2022).

<sup>69</sup> Analysis by Brandon Tensley CNN, *Analysis: Proud Boys crashed Drag Queen Story Hour at a local library. It was part of a wider movement*, CNN,

<https://www.cnn.com/2022/07/21/us/drag-LGBTQ+-rights-race-deconstructed-newsletter-reaj/index.html> (last visited Sep 21, 2022).




- On June 7<sup>th</sup>, Ms. Raichik tweeted about Coeur D'Alene's "Pride in the Park."<sup>70</sup> On June 11<sup>th</sup>, the day of the event, 31 neo-Nazi members of the group Patriot Front were arrested inside of a U-Haul van attempting to riot and engage in mass violence at the "Pride in the Park" event.<sup>71</sup> An outbreak of hate fueled violence was narrowly averted. Instead of condemning the extremists arrested at the park, Ms. Raichik repeated her typical pattern of denial while saying that she was being unfairly blamed for inciting the attempted violent attack.<sup>72</sup>
- On June 8<sup>th</sup>, Ms. Raichik tweeted about a drag event in Woodland, California being hosted by Mojo's Lounge Bar on June 30<sup>th</sup>.<sup>73</sup> As a result, threats resulted in cancellation of the planned drag event. However, this did not stop alleged Proud Boys from showing up outside of the venue to threaten staff and patrons.<sup>74</sup> At one point, the Proud Boys attempted to enter the venue and staff were forced to use pepper spray in self-defense against them.<sup>75</sup>

These are some of the most egregious examples that were directly tied to Ms. Raichik's "Mega Drag Thread," however, this is by no means a full account of the harassment and threats faced by several other venues and event organizers featured in the thread. Several other events targeted by the account were forced to cancel as

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<sup>70</sup> Libs of TikTok [@libsoftiktok], "Family friendly drag dance party" being promoted by the Satanic Temple in Idaho. We are living in hell, TWITTER (2022), <https://twitter.com/libsoftiktok/status/1534209938297438209> (last visited Sep 21, 2022).

<sup>71</sup> Associated Press, *Patriot Front leader among those arrested near Idaho Pride*, POLITICO, <https://www.politico.com/news/2022/06/12/patriot-front-arrests-idaho-pride-00039089> (last visited Sep 21, 2022).

<sup>72</sup> Libs of TikTok [@libsoftiktok], *The media framed me for a protest that took place at an Idaho pride event but it turns out that the FBI and police were aware of this scheduled protest before I ever posted about the event.* , TWITTER (2022), <https://twitter.com/libsoftiktok/status/1541855276063678466> (last visited Sep 21, 2022).

<sup>73</sup> Libs of TikTok [@libsoftiktok], *An LGBT youth group is holding a drag show happy hour for all ages at a bar in Woodland, CA. They encourage kids to bring money to tip the drag queens.* <https://t.co/DHEIup5Wb3>, TWITTER (2022), <https://twitter.com/libsoftiktok/status/1534681863679184896> (last visited Sep 21, 2022).

<sup>74</sup> Alec Regimbal, *Alleged Proud Boys members disrupt NorCal drag show event*, SFGATE (2022), <https://www.sfgate.com/bayarea/article/Group-disrupts-drag-show-in-Woodland-California-17279280.php> (last visited Sep 21, 2022).

<sup>75</sup> Luke Cleary [@LukeCleary], *Alleged Proud Boys members attempt to get into The Mojo in Woodland, CA and are met with pepper spray. The bar had planned an all ages Drag Show tonight, which was postponed due to security concerns* <https://t.co/7Boln64uJ6>, TWITTER (2022), <https://twitter.com/LukeCleary/status/1542713196636540932> (last visited Sep 21, 2022).

a result of the threats and harassment made against them. It has become a regular occurrence that drag events promoted by Ms. Raichik’s social media accounts result in Proud Boys, far-right militias, and neo-Nazi groups showing up to protest them. A recent drag event in Texas that was first highlighted by the Texas GOP Twitter account and shared by Ms. Raichik resulted in several neo-Nazis showing up to protest outside waving SS and Swastika flags.<sup>76</sup> Most recently, the drag event in Southern Pines, North Carolina was mentioned by Ms. Raichik and was the target of weeks of threats and harassment that resulted in Proud Boys.

**ii. Attacks on LGBTQ+ Teachers and Schools that Provide Resources to LGBTQ+ Students**

In addition to drag events and gender affirming care clinics, Ms. Raichik has continued to go after random LGBTQ+ social media users on TikTok. At least one of the subjects of Ms. Raichik’s tweets have lost their jobs as a result of the torrent of harassment directed towards them. In April, Ms. Raichik called for any “teacher who comes out to their students should be fired on the spot.”<sup>77</sup> In line with this explicit anti-LGBTQ+ stance, Ms. Raichik has repeatedly targeted LGBTQ+ teachers who discuss being supportive of their students on TikTok. In one instance, a tweet about Tyler Wrynn, an English teacher in Oklahoma who was discussing his support of LGBTQ+ students, resulted in him getting death threats and harassment.<sup>78</sup> Ms. Raichik’s tweets often directly tag the school district. The school district accounts are then inundated immediately in harassing posts and violent threats.

The bomb threats being made against BCH after incitement from Ms. Raichik’s tweets were not the first time her tweets incited such terrorism. In May 2022, Ms. Raichik tweeted about a school in Kiel, Wisconsin that had opened an investigation after a trans student filed a Title IX complaint because they were being bullied based

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<sup>76</sup> Veterans group provides security amid protest at Pflugerville drag brunch, KXAN AUSTIN (2022), <https://www.kxan.com/news/local/pflugerville/photo-shows-group-with-nazi-flag-protesting-at-pflugerville-drag-brunch/> (last visited Sep 26, 2022).

<sup>77</sup> Madeline Peltz, *Viral Twitter account “Libs of TikTok” calls for all openly LGBTQ+ teachers to be fired*, MEDIA MATTERS FOR AMERICA, <https://www.mediamatters.org/twitter/viral-twitter-account-libs-tiktok-calls-all-openly-LGBTQ+-teachers-be-fired> (last visited Sep 26, 2022).; Libs of Tik Tok on Twitter: "These are the people teaching your kids... Any teacher who comes out to their students should be fired on the spot.... ", (2022), <https://web.archive.org/web/20220410175711/https://twitter.com/libsoftiktok/status/1510840044247998468?s=20&t=hanEXDjkgo7W7b7iLtQdiA> (last visited Sep 21, 2022).

<sup>78</sup> Meet the woman behind Libs of TikTok, secretly fueling the right’s outrage machine, WASHINGTON POST, <https://www.washingtonpost.com/technology/2022/04/19/libsof-tiktok-right-wing-media/> (last visited Sep 26, 2022).

on their trans status.<sup>79</sup> Afterwards, the school received several bomb threats that caused the school to shut down early and move to remote learning for the semester.<sup>80</sup> This did not stop the bomb threats against the town of Kiel, and they escalated to other city government buildings. Finally, after weeks of non-stop threats, the school dropped the Title IX investigation. A few days later, a California man was arrested by the FBI for threatening to murder a teacher at the school.<sup>81</sup>

Beyond the directed attacks at teachers and schools, Ms. Raichik often reposts videos of LGBTQ+ social media users and mocks them for talking about pronouns. She also mocks many of the users who discuss having mental illness such as dissociative identity disorder. These kinds of repeated posts incite hatred against LGBTQ+ people and people with disabilities. Her account makes these kinds of tweets nearly every day.

### **b. Threats Against Children's Hospitals**

Ms. Raichik along with several other prominent social media accounts such as Matt Walsh, Christopher Rufo, Chris Elston, and Christina Buttons have targeted several hospitals such as Boston Children's Hospital, Lurie Children's Hospital, Akron Children's Hospital, Johns Hopkins All Children's Hospital and Barbara Bush Children's Hospital. Their social media posts often tag the provider in the tweets, resulting in harassment against the hospital account along with violent threats against the providers there.<sup>82</sup> These attacks are not only causing immediate risk to providers, but they are also severely disrupting access to medical care for

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<sup>79</sup> Libs of TikTok [@libsoftiktok], *This is unreal. A Wisconsin school district filed a Title IX complaint against 3 middle school students, accusing them of sexual harassment for using incorrect pronouns when addressing another student.* <https://t.co/GEEjXoEnxW>, TWITTER (2022), <https://twitter.com/libsoftiktok/status/1525168605536456704> (last visited Sep 21, 2022).

<sup>80</sup> Bomb threats, canceled events, empty schools: How a bullying probe in Kiel paralyzed the Wisconsin town's democracy, PBS WISCONSIN, <https://pbswisconsin.org/news-item/bomb-threats-canceled-events-empty-schools-how-a-bullying-probe-in-kiel-paralyzed-the-wisconsin-towns-democracy/> (last visited Sep 21, 2022).

<sup>81</sup> California man arrested for allegedly threatening to kill Kiel Area School District staff, WFRV LOCAL 5 - GREEN BAY, APPLETON (2022), <https://www.wearegreenbay.com/news/local-news/california-man-arrested-for-allegedly-threatening-to-kill-kiel-area-school-district-staff/> (last visited Sep 21, 2022).

<sup>82</sup> See Appendix with screenshots demonstrating networked harassment and hateful conduct by Libs of TikTok.

transgender patients.<sup>83</sup> One of the driving forces of this incited terror against Children’s Hospitals is the use of incendiary terms such as “mutilation” were used to incite further anger at BCH. As a result of this campaign against BCH, the hospital and providers there received a torrent of violent threats and harassment targeting them.<sup>84</sup> These threats are further amplified by extremely incendiary rhetoric by television show hosts such as Tucker Carlson who has been particularly heinous in his coverage of gender affirming care.<sup>85</sup>

In light of these attacks and the current escalation and spread of such inflammatory, false and harmful hate-driven rhetoric the American Medical Association, American Academy of Pediatricians, and Children’s Hospital Association are now calling on the DOJ to investigate the unprecedented threats and harassment being made against providers as a result of social media disinformation.<sup>86</sup>

- On August 11th, 2022, Ms. Raichik posted several tweets targeting Boston Children’s Hospital (“BCH”).<sup>87</sup> Several of these tweets made false

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<sup>83</sup> Andrea Marks, *After Far-Right Harassment, Trans People Are Fighting to Keep Their Health Care*, ROLLING STONE (2022), <https://www.rollingstone.com/culture/culture-news/trans-health-care-disrupted-right-wing-harassment-1234600910/> (last visited Oct 3, 2022).

<sup>84</sup> Brian Gutierrez, *AFFIDAVIT OF SPECIAL AGENT BRIAN GUTIERREZ IN SUPPORT OF AN APPLICATION FOR SEARCH WARRANTS*, 5. Docket number: 1:22-mj-05280 (D. Mass). (“Specifically, BCH and GeMS were accused of engaging in child abuse involving *pedophilia, grooming, and mutilation of children*. This conduct has included harassing phone calls and emails, individual violent and death threats, and threats of mass casualty attacks at BCH.”)

<sup>85</sup> Tucker Carlson Says Hospitals Should Expect Threats Over Trans Care, (2022), <https://www.advocate.com/news/2022/9/23/tucker-carlson-says-hospitals-should-expect-threats-over-trans-care> (last visited Dec 11, 2022); Taylor Lorenz, Elizabeth Dwoskin & Peter Jamison, *Twitter account Libs of TikTok blamed for harassment of children’s hospitals*, WASHINGTON POST, September 7, 2022, <https://www.washingtonpost.com/technology/2022/09/02/lgbtq-threats-hospitals-libsof-tiktok/> (last visited Dec 11, 2022).

<sup>86</sup> See attached letter, Health care organizations urge protection for physicians and patients, AMERICAN MEDICAL ASSOCIATION, <https://www.ama-assn.org/press-center/press-releases/health-care-organizations-urge-protection-physicians-and-patients> (last visited Oct 3, 2022).

<sup>87</sup> Amanda Marcotte, *The right’s exploding war on medical care has a new target: Children’s hospitals*, SALON (2022), <https://www.salon.com/2022/09/07/how-childrens-hospitals-became-the-rights-newest-target-of-hate/> (last visited Sep 21, 2022); Mia Gingerich, *On Twitter, “Libs of TikTok” is driving threats against a children’s hospital*, MEDIA MATTERS FOR AMERICA, <https://www.mediamatters.org/twitter/twitter-libsof-tiktok-driving-threats-against-childrens-hospital> (last visited Sep 21, 2022); Libs of TikTok [@libsoftiktok], *Boston Children’s Hospital (@BostonChildrens) is now offering “gender affirming hysterectomies” for young girls* <https://t.co/JOH5fFtGJ0>, TWITTER (2022), <https://twitter.com/libsoftiktok/status/1557775959217950725> (last visited Sep 21, 2022).

accusations misrepresenting the hospital's practices by stating that the hospital conducts "hysterectomies for young girls."<sup>88</sup>

- On August 15<sup>th</sup>, 2022, Vice News reported that extremists were making threats to "execute" the doctors at BCH.<sup>89</sup>
- On August 25<sup>th</sup>, 2022, Ms. Raichik released a recording she made with call operators at Children's National Hospital. Shortly after, the hospital was inundated with threats and harassment.<sup>90</sup>
- On August 30<sup>th</sup>, 2022, a bomb threat was made against BCH. Law enforcement responded to the threat by sweeping the hospital and placing it on lockdown.<sup>91</sup>
- On September 15, 2022, the US Attorney for Massachusetts announced that they had arrested Catherine Leavy of Westfield, Massachusetts for calling in the bomb threat. Ms. Leavy told a hospital operator over the phone "[t]here is a bomb on the way to the hospital, you better evacuate everybody you sickos."<sup>92</sup> This was not the only bomb threat made against BCH as another was subsequently made on September 9<sup>th</sup>.<sup>93</sup>
- On September 20<sup>th</sup>, 2022, Matt Walsh tweeted a thread about Vanderbilt Medical Center (VMC) and their gender affirming care program. Within hours, violent threats poured in and many of the providers had to cancel in

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<sup>88</sup> Yacob Reyes, *PolitiFact - No, Boston Children's Hospital doesn't provide hysterectomies for children*, POLITIFACT, <https://www.politifact.com/factchecks/2022/aug/12/tweets/no-boston-childrens-hospital-doesnt-provide-hyster/> (last visited Sep 21, 2022); Libs of TikTok [@libsoftiktok], *So they're lying about the threats, lying about increasing security, and lying about age requirements for surgeries. And the media and fact-checkers are all just going along with it while labeling anyone opposed to genital mutilation of minors a terrorist.*, TWITTER (2022), <https://twitter.com/libsoftiktok/status/1559742742917365760> (last visited Sep 21, 2022).

<sup>89</sup> David Gilbert, *Far-Right Extremists Are Threatening to 'Execute' Doctors at a Children's Hospital*, VICE (2022), <https://www.vice.com/en/article/epzv9a/libsoftiktok-trans-children-boston-hospital> (last visited Dec 11, 2022).

<sup>90</sup> Peter Jamison, *Children's hospital threatened after Libs of TikTok recording on trans hysterectomies*, WASHINGTON POST, September 2, 2022, <https://www.washingtonpost.com/dc-md-va/2022/08/26/childrens-national-hospital-trans-hysterectomies/> (last visited Dec 11, 2022).

<sup>91</sup> Peter Jamison, *Children's hospital threatened after Libs of TikTok recording on trans hysterectomies*, WASHINGTON POST, September 2, 2022, <https://www.washingtonpost.com/dc-md-va/2022/08/26/childrens-national-hospital-trans-hysterectomies/> (last visited Dec 11, 2022).

<sup>92</sup> *Id.*

<sup>93</sup> Thea DiGiammerino & Staff Reports, *New Threat Brings Police to Boston Children's Hospital*, NBC BOSTON, <https://www.nbcboston.com/news/local/boston-childrens-hospital-bomb-threat/2830295/> (last visited Sep 21, 2022).

person appointments with patients.<sup>94</sup> Later that evening, Tucker Carlson featured the names and pictures of the board members of VMC. Online extremists on 4chan celebrated by stating that he was “naming the Jews.”<sup>95</sup>

- On November 16<sup>th</sup>, 2022, Boston Children’s was again the target of bomb threats and was forced to evacuate. This particular threat was directly aimed at the GeMS clinic that provides gender affirming care.<sup>96</sup>

When first made aware of these threats against providers at BCH, Ms. Raichik, along with Matt Walsh and Christopher Rufo questioned their validity and sought to undermine public news reporting around the bomb threat made on August 30<sup>th</sup>.<sup>97</sup> Rather than expressing any concern about the harm being inflicted on a *children’s hospital*, while serving a 7-day lockout on Twitter for previous hateful conduct, Ms. Raichik doubled down and promised to target even more hospitals.<sup>98</sup> The threats became so severe, the US Attorney’s Office in Boston assigned a special hotline to assist with the threats and the FBI became involved in investigating the threats being made.<sup>99</sup>

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<sup>94</sup> Andrea Marks, *After Far-Right Harassment, Trans People Are Fighting to Keep Their Health Care*, ROLLING STONE (2022), <https://www.rollingstone.com/culture/culture-news/trans-health-care-disrupted-right-wing-harassment-1234600910/> (last visited Dec 11, 2022).

<sup>95</sup> Alejandra Caraballo [@Esqueer\_], *4chan users were absolutely giddy when they saw that Tucker Carlson named the Vanderbilt board members because they wanted him to “name the Jews.” CW: Antisemitism.* <https://t.co/KvpfVk5Gq6>, TWITTER (2022), [https://twitter.com/Esqueer\\_/status/1572782132916883459](https://twitter.com/Esqueer_/status/1572782132916883459) (last visited Dec 11, 2022).

<sup>96</sup> Boston Children’s Hospital is target of another bomb threat, emailer warned bombs placed in transgender unit, BOSTON HERALD (2022), <https://www.bostonherald.com/2022/11/16/boston-childrens-hospital-is-target-of-another-bomb-threat-emailer-warned-bombs-placed-in-transgender-unit/> (last visited Dec 11, 2022).

<sup>97</sup> Libs of TikTok [@libsoftiktok], *BREAKING: email obtained by @realchrisrufo shows the Boston Police confirming they DID NOT receive a 911 call about a bomb threat at Boston Children’s Hospital. Many questions remain. Will any journalists investigate?* <https://t.co/LbRsw7FEDW>, TWITTER (2022), <https://twitter.com/libsoftiktok/status/1570107192875057157> (last visited Sep 21, 2022).

(“Getting suspended by Twitter has made me realize my biggest mistake: I only called one hospital. I should’ve called dozens because I promise you, Children’s National is not the only one. I promise to learn from my mistake and uncover more of what our Big Tech overlords don’t want us to know. I will do better in the future.”)

<sup>98</sup> Libs of TikTok, *Twitter suspended me for telling the truth*, <https://www.libsoftiktok.com/p/twitter-suspended-me-for-telling> (last visited Sep 21, 2022).

<sup>99</sup> U.S. Attorney Rachael Rollins on her newly launched hotline for reporting hate, <https://www.wbur.org/radioboston/2022/08/17/massachusetts-rachael-rollins-hate-hotline> (last visited Sep 21, 2022).

It's not just the providers of gender affirming care that are affected by this violence, it's everyone who works there and all of the patients and families who seek treatment. During the bomb threat at BCH, Patricia MacArthur-Doval told NBC Boston that "'I'm afraid to leave . . . I don't know what's going on. I have a child that is in the NICU.'" This is causing a real human toll on innocent people. These attacks are not stopping, BCH is continuing to experience bomb threats and death threats directed at providers months after the initial social media posts by Ms. Raichik.

### **c. The Proud Boys Nexus**

The Proud Boys have served as a particular throughline that has tied the escalating rhetoric online targeting LGBTQ+ people and the presence of extremists at LGBTQ+ events in the physical world. Their distinctive use of yellow and black clothing, "FAFO" logos, and bandanas with skulls covering their faces, have become a common site at various LGBTQ+ events throughout the country. The Proud Boys shifted from the January 6<sup>th</sup> insurrection to schoolboard activities and then to anti-LGBTQ activities. The Proud Boys often organize events or protests against the "sexualization" of children and "groomers."<sup>100</sup> Many of the LGBTQ+ events where far-right extremist groups were present have involved members of the Proud Boys.<sup>101</sup> In many ways, they act as the street enforcers for the online anti-LGBTQ figures that push hateful rhetoric and tropes. Many Proud Boys members are well-known local extremists with ties to militias and neo-Nazi organizations.

As noted above, several events featured by the Libs of TikTok account have resulted in the presence of Proud Boys at LGBTQ+ events, in particular the San Lorenzo Library where Proud Boys disrupted a drag queen story hour and wore shirts depicting an AK-47 and stating "kill your local pedophile."<sup>102</sup> As another example, the social media account "Gays Against Groomers"<sup>103</sup> has often organized events

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<sup>100</sup> Roudabeh Kishi, *From the Capitol Riot to the Midterms: Shifts in American Far-Right Mobilization Between 2021 and 2022*, ACLED (2022), <https://acleddata.com/2022/12/06/from-the-capitol-riot-to-the-midterms-shifts-in-american-far-right-mobilization-between-2021-and-2022/> (last visited Dec 11, 2022).

<sup>101</sup> Philip Bump, *Analysis | The Proud Boys keep popping up at LGBTQ events*, WASHINGTON POST, November 22, 2022, <https://www.washingtonpost.com/politics/2022/11/22/proud-boys-keeping-popping-up-anti-lgbtq-events/> (last visited Dec 11, 2022).

<sup>102</sup> Deputies: Proud Boys disrupted drag queen storytelling at San Lorenzo library, <https://www.cbsnews.com/sanfrancisco/news/men-disrupt-drag-queen-storytelling-at-san-lorenzo-library-shouting-homophobic-slurs/> (last visited Dec 11, 2022).

<sup>103</sup> Gays Against Groomers is an organization founded by Jaimee Michell, a graphic designer for X Strategies, LLC, a conservative political strategy firm.

where Proud Boys have been present and prominent, including a local protest in Ft. Lauderdale on December 3<sup>rd</sup>, 2022, and a Redlands, California city council meeting where Proud Boys served as personal security and escorts.<sup>104</sup> After launching attacks against VMC, Matt Walsh held an anti-trans rally featuring several well-known anti-LGBTQ individuals and the Proud Boys were among those in the crowd.<sup>105</sup>

#### IV. Social Media's Role and Responsibility

While the individuals who post inflammatory and hateful rhetoric targeting LGBTQ+ community are directly responsible for some of the ensuing threats and violence, social media companies are not blameless for the spread of hate and incitement to violence. There are a multitude of factors for the latitude of social media companies on this issue, including the algorithmic amplification of negative content, the monetization of content that targets marginalized identities, the lackluster moderation scaled to the scope of the problem, and a revenue model dependent solely on engagement metrics to drive advertising. Finally, an important aspect is the woefully inadequate access to data by researchers to provide transparency on how social media company practices are affecting users.<sup>106</sup> Social media sites like Facebook, Instagram, YouTube, Twitter, and TikTok have been the biggest factor in spreading online hate and pushing users towards radicalization, but they have rarely been held accountable for their actions due to a myriad of reasons. The spread of white supremacist views and anti-LGBTQ hate is a systemic problem that requires a systemic solution to resolve.

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<sup>104</sup> Gays Against Groomers Headline Anti-LGBTQ+ Rally in Ft. Lauderdale, (2022), <https://www.advocate.com/youth/2022/12/04/gays-against-groomers-headline-anti-lgbtq-rally-ft-lauderdale> (last visited Dec 11, 2022); School Board member defends against criticism over welcoming Proud Boys' support, SUN SENTINEL, <https://www.sun-sentinel.com/news/education/fl-ne-brenda-fam-proud-boys-20221209-qs4bbk64ijgvvk5s5brdc5i43q-story.html> (last visited Dec 11, 2022); Out-of-town conservative group draws in large crowd at Redlands City Council meeting, KVCR NEWS (2022), <https://www.kvcrnews.org/news/2022-12-08/out-of-town-conservative-group-draws-in-large-crowd-at-redlands-city-council-meeting> (last visited Dec 11, 2022).

<sup>105</sup> Special to the LA Blade, *Matt Walsh anti-trans rally: death threats, Proud Boys & extremists*, LOS ANGELES BLADE: LGBTQ NEWS, RIGHTS, POLITICS, ENTERTAINMENT (2022), <https://www.losangelesblade.com/2022/10/27/matt-walsh-anti-trans-rally-death-threats-proud-boys-extremists/> (last visited Dec 11, 2022).

<sup>106</sup> Mark MacCarthy, *Transparency is essential for effective social media regulation*, BROOKINGS (2022), <https://www.brookings.edu/blog/techtank/2022/11/01/transparency-is-essential-for-effective-social-media-regulation/> (last visited Dec 11, 2022).



### a. Engagement Metrics and Algorithmic Amplification

The use of engagement metrics to determine revenue from advertising has had a particularly toxic effect on the incentives of social media companies by prioritizing engagement above all else.<sup>107</sup> In essence, social media companies are primarily making their ad-dependent business model a function of how well their algorithms can drive user engagement. While positive emotions can often drive engagement, for example, liking a friend's wedding photo or a favorite team winning a big game, negative emotions often drive a significant portion of user engagement.<sup>108</sup> Even though advertisers typically want positive emotions associated with their brand, other entities such as political actors are driven by negative emotions of fear, anger, and disgust, particularly when those emotions are triggered by animosity against political out-groups.<sup>109</sup> Engagement metrics are one of the biggest factors in how advertising rates are determined for social media companies without much disambiguation of whether that engagement was attained through amplification of positive or negative content.

The nexus between engagement driven by negative emotions and political out-group animosity is a clear link towards how social media companies derive their business model from content that primarily targets marginalized groups. For example, content related to trans people was dominated by far-right sources that often held extremely

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<sup>107</sup> Luke Munn, *Angry by design: toxic communication and technical architectures*, 7 HUMANITIES & SOCIAL SCIENCES COMMUNICATIONS 1 (2020); Five points for anger, one for a 'like': How Facebook's formula fostered rage and misinformation, WASHINGTON POST (2021), <https://www.washingtonpost.com/technology/2021/10/26/facebook-angry-emoji-algorithm/> (last visited Dec 11, 2022); Mark A. Wood, *Antisocial media and algorithmic deviancy amplification: Analysing the id of Facebook's technological unconscious*, 21 THEORETICAL CRIMINOLOGY 168 (2017), <https://heinonline.org/HOL/P?h=hein.journals/thcr21&i=164> (last visited Dec 11, 2022).

<sup>108</sup> Luke Munn, *Angry by design: toxic communication and technical architectures*, 7 HUMANITIES & SOCIAL SCIENCES COMMUNICATIONS 1 (2020).

<sup>109</sup> Jihyang Choi, Sang Yup Lee & Sung Wook Ji, *Engagement in Emotional News on Social Media: Intensity and Type of Emotions*, 98 JOURNALISM & MASS COMMUNICATION QUARTERLY 1017 (2021), <https://doi.org/10.1177/1077699020959718> (last visited Dec 11, 2022).; Steve Rathje, Jay J. Van Bavel & Sander van der Linden, *Out-group animosity drives engagement on social media*, 118 PROCEEDINGS OF THE NATIONAL ACADEMY OF SCIENCES e2024292118 (2021), <https://www.pnas.org/doi/10.1073/pnas.2024292118> (last visited Dec 11, 2022); Will Oremus et al., *How Facebook shapes your feed*, WASHINGTON POST, <https://www.washingtonpost.com/technology/interactive/2021/how-facebook-algorithm-works/> (last visited Dec 11, 2022).

negative views towards trans people.<sup>110</sup> Nearly 37% of all interactions on transgender content on Facebook from 2019-2020 were driven by transphobic publications such as LifeSiteNews, Daily Wire, and Daily Caller.<sup>111</sup> Many of these same sites often pay to promote their content on social media.

### **b. The Monetization of Hate**

Many of the worst actors cited throughout this testimony and others are often able to build a sustainable income by monetizing their content on social media and earn a living. A person with explicitly anti-LGBTQ views can monetize their anti-LGBTQ videos on YouTube, grow their audience on Twitter, sell their merch on Shopify, receive donations on Patreon, gain subscription revenue from Substack, and advertise on Facebook. This ecosystem that has emerged over the past few years has allowed the subsidization of hate and extremist content online. In effect, it is making hate profitable for individuals who are no longer constrained by social or economic pressures from targeting vulnerable minority groups. Without adequate norm-setting within online spaces that makes this unacceptable as a practice at the personal level, this kind of monetization will continue to incentivize more and more people to earn a living by spreading hate and division. In short, hate pays.

## **V. Recommendations**

The First Amendment is a sacred and valuable right held by the American People. The limitations placed on Congress by this amendment ensure that Congress cannot target particular speech, no matter how distasteful it must be. Consistent with this, Congress must look at constitutional ways of holding social media companies accountable and limiting the scope of extremist conduct that endangers and harms vulnerable marginalized groups such as the LGBTQ+ community. There are plenty of ways that Congress can do so through its regulatory and lawmaking authority.

1. Provide additional funding towards federal law enforcement to investigate domestic terror threats and require more proactive data collection and reports by law enforcement at all levels on the extent of domestic extremism.

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<sup>110</sup> Transgender Facebook content dominated by right-wing sources, study finds, NBC NEWS, <https://www.nbcnews.com/feature/nbc-out/transgender-facebook-content-dominated-right-wing-sources-study-finds-n1234252> (last visited Dec 11, 2022).

<sup>111</sup> *Id.*

2. Require full disclosure and transparency of the algorithms used by social media companies to curate content so that external researchers and academics may be better able to understand the ways that algorithms amplify and spread negative content.
3. Extend data broker restrictions recently enacted to protect federal Judges so as to cover all Americans. Private info should not be widely bought and sold for private individuals to be doxed, harassed, and threatened.
4. Provide more funding towards research on how online hate is propagated and the effects it has on the public.