



SPLC
Southern Poverty
Law Center

Testimony of Susan Corke
Director, Intelligence Project
Southern Poverty Law Center
before the
House Committee on Homeland Security
“Countering Violent Extremism, Terrorism, and Antisemitic Threats in New
Jersey”
October 3, 2022

I am Susan Corke, director of the Southern Poverty Law Center’s Intelligence Project. Thank you for the opportunity to testify before you today on “Countering Violent Extremism, Terrorism, and Antisemitic Threats in New Jersey.”

This hearing comes at a precarious time for American democracy. There has been a disturbing rise in antisemitic incidents in New Jersey and elsewhere in the country. This uptick in hate-fueled activity is part of a larger hard-right movement that stokes the fires of antisemitism, promoting racism, fear, and extremist violence. Antisemitism, in addition to being a toxic form of prejudice in its own right, is also an animating feature of white nationalist ideology and is in many instances a leading indicator of societal ills that threaten the rights of all.

Established in 1971, the SPLC has been tireless in identifying and rooting out hate and extremist groups to create a fair, inclusive, and unified nation. We are a nonprofit advocacy organization serving as a catalyst for racial justice throughout the South and beyond. We work in partnership with communities of color and allies to dismantle white supremacy, strengthen intersectional movements through transformative policies and initiatives, and advance human rights of all people. Through “Learning for Justice,” our organization provides free resources to caregivers and educators to help advance human rights and inclusive democracy.

The Intelligence Project, which I direct at SPLC, has deep expertise in monitoring the activities of domestic hate groups and other extremists – including the Ku Klux Klan, the neo-Nazi movement, racist skinheads, antigovernment militias, and others. We currently track hundreds of extremist groups operating across the country and publish investigative reports, share key intelligence, and offer expert analysis to the media and public.

We have monitored and assessed how the vile ecosystem that fuels hate and extremism has changed. The current far-right movement is more diffuse than a geographic census of groups. It flourishes online and seeks young recruits and political access. In a dangerous shift over the past

year, extremist groups like the Proud Boys are getting involved in local politics and creating alliances around other far-right issues like anti-vax, anti-CRT, and anti-LGBTQ.

We are continually evolving our work to better expose, prevent, counter, and remedy hate and extremism in America. To push white supremacy out of the mainstream and remedy harms in communities, we believe it is vital to be able to better spot warning signs and intervene earlier by supporting grassroots partners with resources.

Our dedicated research and analysis of the hate spreading across America requires that we invest wisely in the technology needed to track white supremacy across the digital frontier. We seek to use our research and expertise with policymakers to hold the perpetrators of hate and extremism accountable. We are building capacity for more proactive and long-term prevention of extremism through the adoption of public health models. We also see hope as we listen to the stories of those fighting back against white supremacy and extremism, those who use activism to build community strength.

Antisemitism: The “Energizing Principle” Behind White Nationalism

Eric Ward, senior advisor to the Western States Center and a core SPLC partner, has written widely on antisemitism.¹ In recent testimony before the Senate Committee on Homeland Security and Governmental Affairs, he said, “... [a]ntisemitism is the loom on which other hatreds are woven, so essential that it’s easy to ignore. If we seek to counter domestic extremism, we must recognize that antisemitism remains the energizing principle behind white nationalism.”²

White supremacy has gone mainstream, which increasingly threatens people of color and our communities, our education system, and democracy itself. The “great replacement” narrative has become thoroughly mainstream on the political right over the past few years. This racist conspiracy, which says there is a systematic, global effort to replace white, European people with nonwhite, foreign populations, provides the central framework, rooted in antisemitic ideology, for the white supremacist movement. The theory has motivated numerous deadly, terror attacks.

In a SPLC/Tulchin poll³ released June 1, 2022, we found that nearly 7 in 10 Republicans believe that demographic changes in the U.S. are deliberately driven by liberal politicians. Inherent in this central racist tenet of white supremacy is the false belief that this is part of an effort to gain political power by “replacing more conservative white voters.” In some manifestations of the great replacement theory, believers blame Jews for the supposed genocide of the white race.

White nationalists seek to return to an America that predates the implementation of the Civil Rights Act of 1964 and the Immigration and Nationality Act of 1965. There is also a core belief among many antisemitic or racist organizations that the Civil Rights Movement was beyond the capability of African Americans and that their progress was due to the Jewish financiers and puppet-masters. These racist aspirations to resist diversity and liberalism are frequently articulated as the

¹ Eric K. Ward, *Skin in the Game: How Antisemitism Animates White Nationalism*, **Pol. Rsch. Assocs.** (Jun. 29, 2017), (<https://politicalresearch.org/2017/06/29/skin-in-the-game-how-antisemitism-animates-white-nationalism>).

² *Hearing on Domestic Extremism in America: Examining White Supremacist Violence in the Wake of Recent Attacks Before the S. Comm. On Homeland Sec. & Gov’t Affs.*, 117th Cong. 6 (2022) (statement of Eric K. Ward, Exec. Dir. At W. States Ctr.), <https://westernstatescenter.medium.com/written-testimony-submitted-to-the-senate-hearing-on-domestic-extremism-in-america-examining-3a8ea9c86953>

³ *SPLC Releases Poll Finding Extensive Mainstreaming of Extremist Narratives*, **S. Poverty L. Ctr.** (June 1, 2022), <https://www.splcenter.org/presscenter/splc-releases-national-poll-finding-extensive-mainstreaming-extremist-narratives>

desire to form a white ethnostate – with violence as the likely means to accomplish it. In sum, the hard right in America is steeped in white supremacy and sees America’s increasing diversity as a threat that must be countered in politics, in law, in court, in the media – and with violence.

In 2021, the Anti-Defamation League documented a 25% increase in antisemitism in New Jersey from 2020.⁴ That was the highest number recorded since ADL began tracking incidents in 1979. In recent years, we have seen how antisemitic beliefs inspire deadly violence. Antisemitism led to a deadly shooting at a Jewish market in Jersey City, New Jersey (my former home city); another mass killing at the Tree of Life synagogue in Pittsburgh, Pennsylvania; and a hostage-taking at a synagogue in Colleyville, Texas.

SPLC tracked twenty-six hate and antigovernment groups in New Jersey last year. The twelve hate groups include a statewide chapter of the Proud Boys.⁵ In 2019, SPLC tracked and reported on the alarming case – at the intersection of antisemitism and racism - of Richard Tobin, an 18-year-old living in Brooklawn, New Jersey, who orchestrated a campaign dubbed “Operation Kristallnacht” for the neo-Nazi white supremacist group, The Base.⁶ In reporting on the trial, the Department of Justice stated that in documents filed in this case and statements made in court, “Tobin admitted that in September 2019, he was a member of a white supremacist group, “The Base,” and during that time, he communicated online with other members and directed them to destroy and vandalize properties affiliated with African Americans and Jewish Americans.”⁷

SPLC also reported that Tobin had steeped himself in extremist material online, including the infamous livestreamed video from the Christchurch Mosque shooter on March 15, 2019, set to the song “Another One Bites the Dust.” SPLC received and reported on exclusive and never-before-heard recordings from The Base which revealed their tactics and terrorist plots. Through the conviction of Base members for their violent plots, our SPLC analysis is that the group suffered insurmountable setbacks and is now defunct; but its members have likely continued to act as part of the white power movement, either as members of other groups or participants in informal online extremist communities.

A particular shift over the past year has been that extremist groups, like the Proud Boys have been getting involved in local politics and creating alliances to promote other far-right issues (e.g., running hard right candidates for school board, threatening volunteer school board members, and running divisive local anti-vax and anti-inclusive accurate history curricula campaigns.)

One of the strongest far-right reactionary campaigns now is being led by anti-LGBTQ activists, targeted especially at trans people through legislation and demonization – attacks that dovetail with QAnon-based conspiracy theories and show a willingness of many GOP activists to entertain the most radical ideas in their midst.

New Jersey is home to chapters of a number of the most notorious groups on the hard right, including the Proud Boys, the Patriot Front, the Oath Keepers, as well as those that are unique to New Jersey, such as the New Jersey European Heritage Association (NJEHA).

⁴ Sophie Nieto-Munoz, *Reports of Antisemitism in N.J. reached record levels in 2021, group says*, **N.J. Monitor** (April 27, 2022, 7:02 AM), <https://newjerseymonitor.com/briefs/antisemitism-in-nj-reached-record-levels-in-2021-report-says/>.

⁵ *In 2021, We Tracked 733 Hate Groups Across the U.S.*, **S. Poverty L. Ctr.**, <https://www.splcenter.org/hate-map> (last visited Sept. 30, 2022).

Proud Boys

The Proud Boys is an authoritarian, ultranationalist group that believes in what they call “western chauvinism” – the notion that Western culture and white men are superior to all others.⁶ They believe society should be hierarchically ordered, and those who do not conform to their idealized heteronormative, Christian, patriarchal society – including LGBTQ people, feminists, Muslims, and others – should be intimidated into silence or punished by violence.

Since the Proud Boys formed in 2016, their political activism has focused on mitigating the perceived threats posed by the left and supporting the agenda of former President Donald Trump and the broader hard-right movement. During the organization’s early years, this meant hosting rallies across the country where they would arrive ready to attack counter protesters, resulting in events that frequently descended into violence.

In 2020, the group mobilized around the far right “Stop the Steal” campaign. To overturn the results of that year’s presidential election, the Proud Boys participated in the January 6 insurrection and were among the first to enter the Capitol building. More than forty members currently face charges in relation to their alleged actions that day, including at least two men from New Jersey.⁷ Rather than leading to a decrease in Proud Boy chapters and their influence, the number of active Proud Boys chapters jumped to 72 in 2021, up from 43 in 2020.

The events of 2020 sparked a broader hard-right focus on masking and COVID-19 policies, inclusive education, LGBTQ rights and inclusion, and what they characterize as “critical race theory” – along with a renewed effort to engage in local politics. Proud Boys have aided this campaign by attending school board meetings, city council meetings, and other local events, where they attempt to intimidate those who hold views they oppose. In December 2021, for example, members of the Proud Boys attended a Woodbridge, New Jersey, city council meeting – where members were discussing inclusive school curricula – to protest what they called “sexual degeneracy” and “the rewriting of history along with racial guilt.”⁸

In recent months, the Proud Boys have shifted their attention toward a tightly focused campaign of transphobia, homophobia, and misogyny. In the first six months of 2022 alone, Proud Boys counterprotested or harassed people on at least twenty-eight separate occasions at LGBTQ and reproductive justice events around the country. Their actions have included carrying guns outside LGBTQ story hour events at libraries, harassing adult patrons at a brunch featuring drag queens, and repeatedly referring to drag queens and LGBTQ people as “pedophiles” and “groomers.”

The Proud Boys’ on-the-ground activism reinforces a larger campaign, being waged in state legislatures and our nation’s courts, to deprive LGBTQ people, women, and all people who can become pregnant from fully controlling their bodily autonomy. New Jersey Proud Boys have praised other members of their organization who have forced establishments – fearing violence – to cancel LGBTQ events. “We’re so proud to call these men our brothers,” the New Jersey chapter

⁶ *Proud Boys*, **S. Poverty L. Ctr.**, <https://www.splcenter.org/fighting-hate/extremist-files/group/proud-boys> (last visited Sept. 30, 2022).

⁷ Kevin Shea, *A Year Later, most of the 2 dozen N.J. residents charged in Capitol attack await trial*, **N.J.com** (Jan. 7, 2022, 7:11 AM), <https://www.nj.com/news/2022/01/a-year-later-most-of-the-2-dozen-nj-residents-charged-in-capitol-attack-await-trial.htm>.

⁸ Carley Baldwin, *Proud Boys, BLM Spar at Woodbridge Council Meeting*, **Patch** (Dec. 17, 2021, 11:17 AM), <https://patch.com/new-jersey/woodbridge/proud-boys-blm-spar-woodbridge-council-meeting>.

posted to their Telegram channel following the Memphis Museum of Science and History cancellation of the Memphis Proud Drag Show & Dance Party after a group of Proud Boys began protesting outside the museum.

Activities of Patriot Front in New Jersey

Patriot Front is a white nationalist hate group that seeks to build a white ethnostate.⁹ Thomas Rousseau founded the group after the deadly violence at the “Unite the Right” rally in Charlottesville, Virginia, in August 2017. Patriot Front focuses on in-person action. The group is responsible for the vast majority of hate group flyering in the U.S., outpacing other groups in placing racist flyers by a factor of 10 to 1.¹⁰

Patriot Front also conducts banner drops and holds permit-less rallies in cities across the U.S. Patriot Front uses permit-less rallies as a tactic to avoid scrutiny by law enforcement and public officials. For example, in July 2022, approximately 100 members of Patriot Front marched through the narrow streets of downtown Boston without a permit, forcing pedestrians into traffic lanes. As the group marched, members of Patriot Front allegedly assaulted Charles Murrell, a Black activist and artist.

Patriot Front members in New Jersey are part of a chapter that extends into Pennsylvania, Delaware, and Maryland. Patriot Front members in New Jersey also work closely with group members in New York to post racist propaganda and conduct banner drops. All Patriot Front members are required to post a certain amount of propaganda each month. Members must purchase Patriot Front propaganda at a premium from Rousseau, who is based in Haslet, Texas.

Patriot Front members in New Jersey send their flyering orders through a chapter leader based in Pennsylvania, who oversees and coordinates the activities of members across state lines. New Jersey members of Patriot Front also must get approval from their chapter leader in Pennsylvania to target areas for racist flyering runs and banner drops.

According to the SPLC’s map of hate group flyering in the U.S., Patriot Front members have posted thirty-four separate, distinct pieces of racist propaganda in New Jersey between January 1, 2022, and August 30, 2022. This is a slight decrease in activity from the same time period in 2021 when Patriot Front members circulated forty-five pieces of racist propaganda. In 2020, Patriot Front members posted twenty-eight pieces of racist propaganda during the same time period.

Patriot Front members in New Jersey also must get approval from their chapter leader to destroy public murals and memorials. In June 2021, Patriot Front members destroyed a statue to George Floyd in Newark. The same night, Patriot Front members destroyed a bust of George Floyd in Brooklyn, New York. Suspects have not been identified in the vandalism, and the investigations are ongoing. In 2021, Patriot Front members destroyed thirty-two murals that celebrate Black history, Hmong culture, LGBTQ pride, as well as memorials to Black victims of police brutality.

New Jersey members of Patriot Front show up to permit-less rallies and conduct racist flyering runs across the U.S. As SPLC’s *Hatewatch* reported earlier this year, a Patriot Front member from New

⁹ *Patriot Front*, S. Poverty L. Ctr., <https://www.splcenter.org/fighting-hate/extremist-files/group/patriot-front> (last visited Sept. 30, 2022).

¹⁰ *Map of Hate Group Flyering in the U.S.*, S. Poverty L. Ctr., <https://www.splcenter.org/flyering-map> (last visited Sept. 30, 2022).

Jersey died in a car crash while on a propaganda run in Utah in February 2021.¹¹ The accident occurred after the driver fell asleep at the wheel, causing the minivan he was driving to careen into a ditch and flip over. All the occupants of the vehicle were leaders in Patriot Front, most from Texas and one from New Jersey. All six passengers and the driver were taken to local hospitals. Patriot Front founder Rousseau was on board and had to undergo emergency surgery. Patriot Front member and medic Kevin Bersuch from New Jersey died.

Activities of New Jersey European Heritage Association (NJEHA)

The NJEHA is a white nationalist group that has operated in the state since 2018. The group holds rallies, harasses people at demonstrations and civic events, and has led prolific racist, anti-Black, and antisemitic flyering campaigns.

However, NJEHA drastically decreased posting racist propaganda in the first eight months of 2022. From January 1, 2022, to August 30, 2022, NJEHA members posted nine pieces of racist propaganda across the U.S., with three incidents in New Jersey. In comparison, NJEHA members placed 348 pieces of racist propaganda across the U.S. during the same period in 2021, which included 81 flyering incidents in New Jersey.

The drop in flyering incidents most likely shows that the group is adjusting its tactics to focus on real-world harassment campaigns. From June to September 2022, NJEHA has held five rallies in which four to six members participated, including:

- June 18: The group held a rally outside of Joint Base McGuire-Dix Lakehurst in New Jersey against what they labeled “Jewish supremacist control of American foreign policy...”
- July 30: NJEHA members verbally harassed people at a Pride event in Bordentown, New Jersey, and displayed a banner with anti-trans slurs.
- August 6: the group held a rally outside a marijuana dispensary in Bordentown, New Jersey, and displayed a banner that used antisemitic messaging about the perceived Jewish control over access to legal and illegal drugs in the U.S.
- August 30: NJEHA members distributed racist flyers to a rally of Trump supporters in Bedminster, New Jersey.
- September 4: NJEHA members held a march in South Plainfield, New Jersey.

As NJEHA members decrease the amount of racist propaganda they post, members have started to work closely with members of Patriot Front in New Jersey. NJEHA propaganda is often located next to Patriot Front propaganda. Members of NJEHA have marched in permit-less marches orchestrated by Patriot Front, including in Washington, D.C., on December 4, 2021.

Oath Keepers

SPLC has been tracking for years the anti-government, heavily armed extremist Oath Keepers group and their leader, Stewart Rhodes.¹² SPLC has repeatedly warned that Rhodes and many of his followers are a threat to communities across the country, given their stated intentions to undermine our democratic institutions.

¹¹ Jason Wilson & Jeff Tischauser, *Patriot Front Leader Involved in Fatal Utah Car Crash*, **S. Poverty L. Ctr.** (Mar. 2, 2022), <https://www.splcenter.org/hatewatch/2022/03/25/patriot-front-leader-involved-fatal-utah-car-crash>.

¹² *Oath Keepers*, **S. Poverty L. Ctr.**, <https://www.splcenter.org/fighting-hate/extremist-files/group/oath-keepers> (last visited Sept. 30, 2022).

Last week, the Department of Justice began jury selection in the seditious conspiracy trial of Oath Keepers leader Stewart Rhodes, along with members Thomas Caldwell, Kenneth Harrelson, Kelly Meggs, and Jessica Watkins.

The group parroted false claims that the 2020 presidential election was stolen, but it was not the first time the organization had engaged in election conspiracies mongering. Oath Keepers had previously worked to interfere with elections, like at their so-called “Operation Sabot” in 2016, when they patrolled at polling locations and at “Operation DefendJ20” in 2017 when Oath Keepers, Three Percenters, and the far-right Bikers for Trump groups descended on the Capitol to “protect” Trump supporters.

Since the inception of the group in 2009, the Oath Keepers has steeped itself in conspiracy theories and trained for a revolution against the state. Like the rest of the antigovernment militia movement, Oath Keepers use fear of gun confiscation, globalization, and other antigovernment conspiracy theories (often rooted in coded antisemitism) to organize outside legitimate channels. The group uses a military-style hierarchical structure, arms training, and emergency response events to engage members.

Since 2015 there have been multiple Oath Keeper chapters that have actively operated in New Jersey, in communities from Morriston to Northvale, Southampton Township to Cape May, and Manville to Newton. Notably, former New Jersey State Assembly Republican candidate Ed Durfee attended the events outside the Capitol on January 6. Durfee has been a member of Oath Keepers since 2009, a regional director for the organization at times, and as a volunteer, he contributed to the organization’s national efforts. Durfee followed a similar path to the organization as founder Stewart Rhodes, first dipping his toes in the extremist politics of Libertarian Ron Paul and energized in opposition to the election of President Barack Obama.

The group has long focused their recruitment efforts on elected officials, veterans, first responders, active military, and law enforcement. Rhodes himself did a short stint in the army, attended Yale University Law School, and formerly was a politically active Ron Paul staff member. Rhodes was later disbarred in Montana and admonished by the Arizona bar for his unethical practices.

Rhodes’ inflammatory calls to action were shocking prior to January 6 and are shocking now. He did not call for a military uprising but a militia one, stating, "When is the military going to march on D.C. and clean out that den of vipers? ... To be free, Americans must be armed, and the bulk of the military power must be in the hands of the people themselves within sovereign states.”

Rhodes and other leaders have consistently pushed the idea of a “second civil war” in the buildup to January 6. Prior to the insurrection, four Oath Keepers had been convicted of crimes ranging from stockpiling bombs to threatening public officials. The organization had engaged in a number of stand-offs with the government between 2011 and 2020, from Arizona to Montana and Virginia. They used these events served as test cases, culminating in the attack on the nation’s capital. In the weeks before, Oath Keepers trained at the state level, recruiting so-called security for the November 21, 2020, Stop the Steal rally in Atlanta, Georgia. They urged volunteers to bring long guns, batons, and body armor.

The threat Oath Keepers and similar organizations pose to our communities is perhaps best said by 86-year-old Jack Hines, a WWII veteran. After an Oath Keepers event in 2010, Hines said his fear was that Rhodes or some other Oath Keeper leader will declare an emergency, mobilizing its membership to mount an armed insurrection against the government. “I think that’s one of the most dangerous things I’ve ever heard of in my life,” Hines said. “That’s court-martial material, asking soldiers to take a dual oath. I don’t see it any other way.”

As of now more than twenty Oath Keeper members or associates have been arrested and charged for allegedly taking part in the raid that occurred at the U.S. Capitol on January 6. The Oath Keepers and Proud Boys being charged with seditious conspiracy for the actions on and before January 6th, are the first sedition conspiracy charges in the country since 2010, and one of only four incidents of such charges in 80 years.

Our democracy suffered a terrible, deadly attack on Jan. 6, 2021, when Oath Keepers joined together with other extremists to attempt to stop the peaceful transfer of power through violence and intimidation. Today, Oath Keepers is in disarray, its leadership being held accountable for the destruction it caused, and the organizational brand tarnished with the images of January 6.

It is of the utmost importance that Oath Keepers – and all those who helped plan and perpetrate the deadly January 6 attack – be held accountable. Without such accountability, our democracy will continue to be at risk, with false and nefarious attacks on our elections and voting rights. We must do everything we can to prevent that and to protect free and fair elections to ensure a truly inclusive democracy.

Mainstreaming of White Supremacy

For many decades, the hard-right, anti-democracy movement pushed forward, edging its way back into politics in order to mainstream their hateful ideas and emerge from the extreme fringes, where they had been relegated by the incredible efforts of civil and human rights leaders. These leaders had worked to shift culture and policy in favor of equity and inclusion. Using age-old tactics of fear and grievance, enabled and enriched by new technology, the hard-right found new momentum along with political favor with Trump and hard-right elected officials who used their microphones to platform hate. The Fox TV network and its headliner Tucker Carlson helped to spread and normalize these anti-democratic and hateful ideologies among millions of American households.

After four years of national alignment with the Trump Administration, these groups have not gone back to the shadows. They have coalesced into a hard-right movement and have evolved their tactics. Hard-right hate and antigovernment extremists returned to their bread-and-butter focus on attacking local democratic institutions and rallying against the government. They are targeting local public health boards, school boards, libraries, and elections administration. Groups like the John Birch Society are peddling anti-science disinformation and propaganda, forming protests and rallies, and causing disturbances in front of hospitals, public officials’ homes, schools, and libraries. The John Birch Society has had a notable presence around the country, and states like New Jersey are experiencing a significant organizing presence by radical organizations claiming to be the voice for all parents.

The hard right has been involved in local education fights for many decades. The movement has a foundation in fighting against desegregation, busing, affirmative action in admissions, and the creation of ethnic/Black studies programs. A decade ago, these groups and their predecessors were

fighting comprehensive sex education and evolution curriculum. Last year hard rightists took to local government venues to take on COVID-19 public health measures. Today these groups have again taken on city hall and are using local venues to spout anti-LGBTQ messages.

As COVID-19 has waned, these organizations have not vacated their focus on local government but have instead targeted teachers and librarians by pushing book bans and challenging educators' employment for the content of their lessons. Hard right anti-democracy candidates ran in school board races in the spring and are focusing on these races again this fall. The loud bullying tactics have had a chilling impact, resulting in teacher shortages and uncontested races in some places. These intimidation tactics discourage and even prevent people, particularly communities of color and other targeted groups, from fully participating in local political life. In many instances — especially the assault on education — they are designed to chill any discussion of racism and other forms of discrimination.

The infiltration of the hard right in local politics has exemplified how the anti-democracy hard right rejects equality and pluralism. This movement is working to create communities in which white people hold more political, social, and economic power than others, just by virtue of the group they belong to by birth or by choice. These movements are a threat because they are authoritarian, reactionary, and very often conspiratorial. They espouse a view of society that is exclusionary, and generally target people of color, women, LGBTQ people, immigrants, and non-Christians.

Amid all the hate and bigotry and the railing against the government, we see many are fighting back and rebuilding community every day, resisting its destruction. While Americans are fearful of what may come, SPLC polling indicates that a broad range of people in the U.S. from all parties are fearful of what may come, but they still support their teachers, want civil discourse, and are appalled by the January 6 attacks. There is hope and evidence of hard work being done to save communities and democracy.

The Nature and Magnitude of the Current Hate Crime Threat

Criminal acts motivated by bias are very personal crimes, with unique emotional and psychological impacts on the victim — and the victim's community. Hate crimes are intentionally and specifically directed toward individuals because of their personal and immutable characteristics. These crimes effectively intimidate other members of the victim's community, leaving them feeling terrorized, isolated, vulnerable, and unprotected by the law. Hate crimes have a multiplier effect and can make an entire community fearful, angry, and suspicious of other groups — and the power structure that is supposed to protect victims. The long-term repercussions of hate crimes are wide ranging and can damage the fabric of our society and fragment communities.

It is impossible to address our nation's hate crime problem without measuring it accurately. Under the Hate Crime Statistics Act of 1990 (HCSA),¹³ the FBI is required to compile hate crime data from the approximately 18,000 federal, state, university, city, and tribal law enforcement authorities and publish an annual report.¹⁴ Unfortunately, reporting is voluntary for

¹³ Hate Crime Statistics Act, Pub. L. No. 101-275, 104 Stat. 140 (1990) <https://www.congress.gov/101/statute/STATUTE-104/STATUTE-104-Pg140.pdf>.

¹⁴ See *id.*

state, local, and tribal law enforcement agencies, and many do not provide their information.¹⁵ Underreporting remains a persistent issue, obscuring the scale and scope of hate crimes in this country. For the third year in a row, participation in the FBI data collection program declined in 2020.¹⁶ To the extent states and cities are reporting credible hate crime data, the HCSA report provides a measure of accountability for states and cities and a revealing look into their ability and readiness to address hate crime. A large city that does not report data to the FBI – or affirmatively reports zero hate crimes – does not inspire confidence that its leadership is ready and able to address hate violence.

Trends documented in the 2020 FBI HCSA report are sobering and alarming, but incomplete.

- The FBI reported 8,263 hate crime incidents, compared to 7,314 reported in 2019, a 13% increase and the highest numbers reported since 2001.
- Race-based hate crimes were most numerous, making up 5,227 of 8,263 total hate crimes reported in 2020 (63%) – the highest number of race-based hate crimes since 2004, and a deeply disturbing 32% increase over 2019. As in every year since 1991, most of the race-based crimes were directed at Black people – 2,871 of the 5,227 (55%), a dramatic 49% increase over 2019.
- Crimes against individuals and property in Asian American/Pacific Islander communities increased 56%, from 179 reported crimes in 2019 to 279 in 2020.
- Religion-based crimes were second most numerous, with 1,244 reported religion-based crimes – a very significant 18% decline from the 1,521 reported in 2019. Crimes directed against Jews and Jewish institutions were the most numerous among religion-based hate crimes – 683, about 55% – but a significant 28% decline from the 953 reported in 2019. Every year since 1991, crimes against Jews or Jewish institutions have constituted between 50% and 80% of religion-based hate crimes reported to the FBI.
- 1,110 hate crimes were directed against people and institutions on the basis of sexual orientation, down 7% from 1,195 in 2019.
- 266 hate crimes were directed against people and property on the basis of their gender identity – a 34% increase after an 18% increase in 2019 – and, by far, the highest reported since the FBI began collecting this specific data in 2013.
- The FBI report documented 22 hate crime murders, significantly down from 2019’s record high of 51 hate crime murders. Still, 22 is the third-highest number of hate crime murders recorded since the FBI began collecting this data in 1991.

Though clearly incomplete due to underreporting, the annual FBI HCSA reports provide the most comprehensive national snapshot available of hate violence in America. Even more importantly, the HCSA report has sparked many improvements in the way police departments across the country address hate violence.

To understand the annual FBI HCSA report, there are several key facts to keep in mind:

¹⁵ See, for example, the ADL chart listing almost 70 cities in the United States with populations over 100,000 that either did not report any data to the FBI in 2020, or affirmatively reported zero (0) hate crimes.

<https://www.adl.org/sites/default/files/pdfs/2022-05/FBI%20Hate%20Crime%20Statistics%20DNR%20and%20Zero-Reporting%20U.S.%20Cities%202013-2020.pdf>

¹⁶ See 2020 FBI Hate Crime Statistics, **Dep’t of Just.**, <https://www.justice.gov/crs/highlights/2020-hate-crimes-statistics> (last visited Sept. 30, 2022).

Reporting hate crime data to the FBI is not compulsory and therefore vastly underreported.¹⁷ The FBI HCSA is reporting exclusively on crimes. Not arrests, not prosecutions – just the facts as they appear at the scene of the crime. Forty-six states and the District of Columbia have hate crime laws, but even states without a hate crime statute report hate crime data to the FBI. The recently updated *FBI Hate Crime Data Collection Guidelines and Training Manual* contains definitions, scenarios, and best practices for reporting this data to the Bureau.¹⁸

Studies have shown that more comprehensive, **complete hate crime reporting can deter hate violence**. The International Association of Chiefs of Police’s March 2021 Model Hate Crime Policy promotes mandatory hate crime reporting to the FBI and hate incident reporting as a best practice.¹⁹ The National Policing Institute’s Open Data Initiative demonstrated conclusively the police-community relations benefits of credible, real-time hate crime data.²⁰

The numbers do not speak for themselves. On average, more than twenty-one hate crimes occurred every day in America in 2020 – one every 75 minutes or so. The impact of these crimes on communities can never be reduced to mere numbers. Behind each of the 8,263 reported criminal incidents in 2020 is a victim of violence, intimidation, or vandalism, who has been targeted for no other reason that their race, religion, national origin, gender, gender identity, or sexual orientation.

Accurate hate crime data collection is a two-way street. Improved reporting requires both law enforcement agency capability and willingness to accurately collect the data and trust from the community that reporting to the police will matter and make a difference. If Black, Indigenous, and people of color (BIPOC) or targeted community members – including immigrants, people with disabilities, LGBTQ community members, and others, along with people with limited language proficiency – cannot report, or do not feel safe reporting, law enforcement cannot effectively address these crimes.

The COVID-19 Hate Crime Act

Enactment of the federal COVID-19 Hate Crimes Act in May 2021, which included the provisions of the Khalid Jabara and Heather Heyer National Opposition to Hate, Assault, and Threats to Equality Act (NO HATE Act) in Section 5, is an important step forward.²¹ The new law – sparked by thousands of incidents of violence, harassment, and intimidation directed against Asian American and Pacific Islander community members – authorizes incentive grants to stimulate improved local and state hate crime training, prevention, best practices, and data collection initiatives. The law also authorizes grants available for state hate crime reporting hotlines to direct individuals to local law enforcement and support services.

¹⁷ Hate crime reports came from 15,138 law enforcement agencies (out of 18,625 across the country), a 3% decline from 15,588 in 2019, and, disturbingly, the third straight year of decline in police participation in the HCSA program. Only 2,389 of the 15,138 agencies that participated in the FBI data collection effort – less than 16% – reported one or more hate crimes. Every other agency, including almost 70 cities with populations over 100,000, either affirmatively reported zero (0) hate crimes or did not report any data to the FBI at all.

¹⁸ *Hate Crime Data Collection Guidelines and Training Manual*, **Fed. Bureau of Investigation** (2022), <https://le.fbi.gov/file-repository/hate-crime-data-collection-guidelines-and-training-manual.pdf/view>

¹⁹ *Model Policy to Investigation of Hate Crime*, **Int’l Ass’n of Chiefs of Police** (2021), <https://www.theiacp.org/sites/default/files/2021-03/Hate%20Crimes%20Formatted%202021-03-23.pdf>.

²⁰ *Releasing Open Data on Hate Crimes: A Best Practices Guide for Law Enforcement Agencies*, **Nat’l Policing Inst.** (2018). https://www.policinginstitute.org/wp-content/uploads/2018/01/PF_Releasing-Open-Data-on-Hate-Crimes_Final.pdf.

²¹ National Opposition to Hate, Assault, and Threats to Equality Act, Pub. L. No. 117-13, 135 Stat. 26 (2021), <https://www.congress.gov/117/plaws/publ13/PLAW-117publ13.pdf>.

Comprehensive hate crime data collection and enforcement and implementation of current laws are both essential. But the law is a blunt instrument to confront hate and extremism – it does not address the disparate root causes of hate, nor does it adequately mitigate future harms to historically targeted and marginalized communities. Simply put, we cannot legislate, regulate, tabulate, or prosecute racism, hatred, or extremism out of existence.²²

Victim Assistance and Building Community Resilience

Approaches to hate crimes and violent extremism should be de-securitized, with a focus on community investment, education and prevention initiatives, and social and economic support rather than solely investing in law enforcement agencies and the after effect of hate violence.²³ Early, age-appropriate education implemented, far upstream and prior to the exposure to radicalizing extremist content, has also proven to be an important component of challenging and mitigating extremist harm.²⁴

When religious communities, houses of worship, Historically Black Colleges and Universities (HBCUs), and other institutions working to serve and uplift distinct communities are targeted for violence and vandalism, it is imperative that the needs of victims-survivors are addressed first. It is understandable that one instinct is to increase physical security for our houses of worship and community institutions – higher walls, more cameras, more bulletproof glass, and even armed guards.

We, therefore, appreciate the robust support in Congress for significantly increased funding for FEMA’s Nonprofit Security Grant Program (NPSG), proposals which will double the currently funding level of \$180 million. But no amount of money can ensure the security of our communal institutions. Synagogues, other houses of worship, HBCUs, and other community institutions cannot become armed fortresses, isolated and segregated from the broader community.²⁵

As Congress and the administration assess the proper budget for NPSG programs to deter and detect attacks, we urge you to complement this support with a parallel commitment to fund research and prevention initiatives to address what the administration labeled as “long-term contributors to domestic terrorism” in its trailblazing May 2021 National Strategy for Countering Domestic Terrorism.²⁶ Like other recent intelligence community reports,²⁷ assessments²⁸ and congressional

²² Michael Lieberman, *Hate Crimes, Explained*, **S. Poverty L. Ctr.** (Oct. 27, 2021), <https://www.splcenter.org/hate-crimes-explained>.

²³ Harsha Panduranga, Community Investment, Not Criminalization, **Brennan Ctr. For Just.** (2021), https://www.brennancenter.org/sites/default/files/2021-06/2021_06_DHS_Targeted_Prevention.pdf.

²⁴ **Polarization and Extremism Research Innovation Lab & Southern Poverty Law Center, Parents & Caregivers Guide to Online Radicalization, Assessments & Impact**, <https://www.splcenter.org/peril-assessments-impact>, July 2021.

²⁵ Juliette Kayyem, *A Synagogue Shouldn't Be a Fortress*, **The Atlantic** (Jan. 17, 2022), <https://www.theatlantic.com/ideas/archive/2022/01/colleyville-standoff-synagogues-risk-defenses/621280/>.

²⁶ *National Strategy for Countering Domestic Terrorism*, **The White House** (2021), <https://www.whitehouse.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf>.

²⁷ *Domestic Violent Extremism Poses Heightened Threat in 2021*, **Off. of the Dir. of Nat'l Intel.** (2021), <https://www.dni.gov/files/ODNI/documents/assessments/UnclassSummaryofDVEAssessment-17MAR21.pdf>.

²⁸ *Strategic Intelligence Assessment and Data on Domestic Terrorism*, **Fed. Bureau of Investigation & Dep't of Homeland Sec.** (2021), <https://s3.documentcloud.org/documents/20743448/strategic-intelligence-assessment-and-data-on-domestic-terrorism-may-2021.pdf>.

testimony,²⁹ the review concluded the two most lethal elements of today's domestic terrorism threat are (1) racially or ethnically motivated violent extremists who advocate for the superiority of the white race and (2) anti-government or anti-authority violent extremists, such as militia violent extremists.

One of the four pillars promoted in the administration's holistic, government-wide National Strategy approach to addressing violent extremism is a commitment to confront long-term contributors to domestic terrorism, which aligns with SPLC's approach:

Individuals subscribing to violent ideologies such as violent white supremacy, which are grounded in racial, ethnic, and religious hatred and the dehumanizing of portions of the American community, as well as violent anti-government ideologies, are responsible for a substantial portion of today's domestic terrorism. Tackling the long-term contributors to this challenge demands addressing the sources of that mobilization to violence – with leadership from relevant domestic-facing agencies, coordinated by the White House's Domestic Policy Council and in close partnership with civil society.

That means tackling racism in America. It means protecting Americans from gun violence and mass murders. It means ensuring that we provide early intervention and appropriate care for those who pose a danger to themselves or others. It means ensuring that Americans receive the type of civics education that promotes tolerance and respect for all and investing in policies and programs that foster civic engagement and inspire a shared commitment to American democracy, all the while acknowledging when racism and bigotry have meant that the country fell short of living up to its founding principles. It means setting a tone from the highest ranks of government that every American deserves the life, liberty, and pursuit of happiness that our Declaration of Independence recognizes as unalienable rights. And it means ensuring that there is simply no governmental tolerance – and instead denunciation and rejection – of violence as an acceptable mode of seeking political or social change.³⁰

SPLC is working to develop and build prevention and resilience initiatives to prepare families, communities, and schools with strategies to counter radicalization, empower people of color, and build resilience. In partnership with the Polarization and Extremism Research and Innovation Lab (PERIL) at American University and its research that recognized young people's increased vulnerability to online radicalization during the pandemic due to increased time online, we partnered to create *Building Resilience and Confronting Risk in the COVID-19 Era: A Parents and Caregivers Guide to Online Radicalization*.³¹

²⁹ *Threats to the Homeland: Evaluating the Landscape 20 Years After 9/11: Hearing On Worldwide Threats Before the S. Comm. on Homeland Sec. & Gov't Affs.*, 117th Cong. (2021) (statement of Christopher A. Wray, Dir. of Fed. Bureau of Investigation), <https://www.hsgac.senate.gov/imo/media/doc/Testimony-Wray-2021-09-21-REVISED.pdf>; *Threats to the Homeland: Evaluating the Landscape 20 Years After 9/11: Hearing On Worldwide Threats Before the S. Comm. on Homeland Sec. & Gov't Affs.*, 117th Cong. (2021) (statement of Alejandro N. Mayorkas Sec'y of U.S. Dep't of Homeland Sec.) <https://www.hsgac.senate.gov/imo/media/doc/Testimony-Mayorkas-2021-09-21.pdf>.

³⁰ *National Strategy for Countering Domestic Terrorism*, **The White House** (2021), <https://www.whitehouse.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf>.

³¹ **Polarization and Extremism Research Innovation Lab & Southern Poverty Law Center, Parents & Caregivers Guide to Online Radicalization, Assessments & Impact**, <https://www.splcenter.org/peril-assessments-impact>, July 2021.

The guide is a tool that enables parents, caregivers, and other adults to understand online radicalization and explains how those features can lead young people to adopt extremist views that may lead to violence. The resource outlines strategies for engaging youth who may have become exposed to extremist ideas – or even begun a process of radicalization – and provides resources for additional help and support. In an impact study of the guide, we found that after just seven minutes reading it, parents and caregivers feel better equipped to intervene and engage with a young person who might be susceptible to manipulative and hate-fueled rhetoric.³²

Similarly, SPLC’s Learning for Justice program has developed a “Digital Literacy Framework” to help educators, parents and youth alike recognize the intricacies of internet usage and how it can be manipulated to harm users. Learning for Justice’s framework offers seven key areas in which students need support developing digital and civic literacy skills. The framework outlines the overarching knowledge and skills necessary while also detailing more granular examples of student behaviors to help educators evaluate mastery.³³

Approaching and preventing radicalization, however, must be a whole-of-community initiative. SPLC is committed to the proposition that *all* adults – from educators to coaches and religious leaders – should be equipped with information to identify susceptibility to hate-fueled narratives and should possess the tools to build resilience against these harmful and manipulative ideologies. We must make this information widely available and free from accessibility barriers and equip people with such resources to foster a sense of commitment to social cohesion. Such widespread sharing of knowledge and resources will only broaden and strengthen the network of care that will ensure a healthy and thriving community.

For a truly empowered and healthy democracy, the needs of individuals and communities who have been targeted and harmed by hate must remain at the center of any response and mitigation efforts. Basing support in the strength and experiential knowledge of the community ensures that well-being is tailored to the specific needs and asks of those harmed or targeted.

Building for the future: The White House United We Stand Summit

At the United We Stand Summit hosted by the Biden administration in mid-September, the White House rolled out an impressive number of government initiatives,³⁴ along with funding commitments and several public-private partnerships designed to foster unity and build community trust and resilience in New Jersey and across the country.

SPLC had written to Domestic Policy Council Director Susan Rice in advance of the summit, urging planners to focus on survivors and their families, concentrate on forward-looking, long-term prevention initiatives – not merely enforcement of existing laws – and center community-based resources and best practices to address the harms of hate-fueled violence.³⁵

³² **Polarization and Extremism Research Innovation Lab & Southern Poverty Law Center, Parents & Caregivers Guide to Online Radicalization, Assessments & Impact**, <https://www.splcenter.org/peril-assessments-impact>, July 2021.

³³ *Learning for Justice*, **S. Poverty L. Ctr.**, <https://www.splcenter.org/learning-for-justice> (last visited Sept. 30, 2022).

³⁴ United We Stand, <https://unitedwestand.gov/> (last visited Sept. 30, 2022).

³⁵ Margaret Huang, *SPLC Letter to Ambassador Susan Rice*, **S. Poverty L. Ctr.** (2022), <https://www.splcenter.org/sites/default/files/splc-letter-united-we-stand-summit-2022.pdf>.

We will be pressing the Biden administration to continue to address these issues – both in Washington and in community-based, follow-up field hearings and roundtables to highlight evidence-based best practices, public-private partnerships, restorative justice initiatives, and effective law enforcement and community responses to hate crimes and extremism that can be replicated and scaled.

Conclusion

We must acknowledge that hate crimes and the harms they cause to victims and their communities cannot be solved by law enforcement alone. We must do more to support victims, survivors, and their communities. Congress and the administration must support programs and initiatives designed to prevent hate, antisemitism, bias-motivated criminal activity, and extremism.

New Jersey is one of the most diverse states in the country; notably in a recent study it has higher racial and ethnic diversity; higher diversity of education attainment; and higher linguistic diversity than 44 other states.³⁶ Having lived in New Jersey with my multi-racial family, I can attest that New Jersey exhibits some of the most incredible benefits of living in a multi-racial democracy. However, it was also in the New Jersey Tobin case, where we witnessed one of the more extreme examples of how antisemitism and racism are dangerously intertwined in the white power hate movement.

Several states, particularly in the South, are currently passing laws restricting teaching about racism and other painful truths about our national history. Concealing the truth about our history does not protect our youth; it makes them susceptible to misinformation and fails to equip them with the critical thinking skills and education they need to navigate a new age where disinformation and manipulation are spreading on the internet. Much more needs to be done to teach young people the unvarnished truth about American history – both good and bad – so that we can learn lessons from the past to shape a better future.

Policy Recommendations

Expand Anti-Racism Education and Upstream Prevention Initiatives

To bolster community well-being and ensure that all individuals are prepared to inoculate young people against radicalization, funding for prevention and education initiatives is imperative. We applaud the White House’s recent announcement of \$1 billion in new funding through the Safer Communities Act “to support safer and healthier learning environments;” as well as new funding through the Department of Commerce to improve digital literacy and for the Department of Health and Human Services to “support student wellbeing and resilience in the face of hate and trauma.”³⁷

- The Department of Education and the Department of Justice should fund programs aimed at preventing extremism and promoting deradicalization – and move from punishment models to restorative justice initiatives that build community resilience. Especially in these divided

³⁶ Adam McCann, *2022’s Most & Least Diverse States in America*, **Wallethub**, <https://wallethub.com/edu/most-least-diverse-states-in-america/38262>

³⁷ White House, FACT SHEET: New Actions from the Biden-Harris Administration and the Public and Private Sectors to Foster Unity and Prevent Hate-Motivated Violence, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/09/15/fact-sheet-new-actions-from-the-biden-harris-administration-and-the-public-and-private-sectors-to-foster-unity-and-prevent-hate-motivated-violence/>

and polarized times, every elementary and secondary school should promote an inclusive school climate and activities that celebrate our nation's diversity.

- Congress and the Department of Education should fund programs to develop and promote civics education and develop curricula addressing structural racism, as well as funding for states to implement their own related initiatives.
- Congress and the Biden administration should fiercely oppose efforts to falsely attack educational gag order on teaching truth and hard history; and other efforts to place restrictions on inclusive education.

Speak Out Against Hate, Political Violence, and Extremism

Words matter, especially from our leaders. It is impossible to overstate the importance of elected officials, business leaders, and community officials using their public platforms to condemn antisemitism, hate crimes, threats to HBCUs, and vandalism and violence against houses of worship and other minority institutions.

Enforce Hate Crime Laws

Enforcement of existing federal and state hate crime laws – and training for judges, prosecutors, and law enforcement officials charged with enforcement – is critical; but insufficient. The law is a blunt instrument against hate and racism. We cannot legislate, regulate, tabulate, or prosecute racism, hatred, or extremism out of existence.

Improve Hate Crime Data Collection Efforts

- After 30 years of incomplete data and consistent FBI HCSA underreporting, Congress and the Biden administration should support mandatory hate crime reporting. Until legislation to require reporting can be support expanded incentives – more carrots and more sticks – toward making hate crime prevention initiatives and credible hate crime reporting by all law enforcement agencies a condition precedent to receiving federal funds. Special attention should be devoted to large underreporting law enforcement agencies that either have not participated in the HCSA program at all or have incorrectly reported zero hate crimes.
- The FBI recently designated civil rights and hate crime as one of its highest national threat priorities.³⁸ Though reporting hate crime data to the FBI is voluntary, the Department of Justice and the FBI should build the capacity of state and local law enforcement agencies to provide data to the FBI, and support efforts to expand the use of National Incident Based Reporting System (NIBRS) among local law enforcement agencies. The FBI can and should do more to encourage reporting.

Improve Government Response to Domestic Extremism

- Though most hate crimes are not committed by individuals affiliated with an organized hate group, the Biden administration and Congress should continue to closely track and assess the nature and magnitude of the problem of domestic extremism and should fund resilience and digital literacy initiatives as well as government and academic research on best evidenced-based prevention programs.

³⁸ U.S. Department of Justice: *Combating Hate Crime*, Dep't of Just., <https://www.justice.gov/opa/press-release/file/1428666/download>.

- Congress should enact the Domestic Terrorism Prevention Act (S.964/H.R. 350) to establish offices within the Department of Homeland Security (DHS), the Department of Justice, and the FBI to monitor, investigate, and prosecute cases of domestic terrorism – and require these offices to regularly report to Congress. The legislation would also provide resources to strengthen partnerships with state and local law enforcement and community-based groups to confront far-right extremism.
- Every state prohibits private militias, and many states have laws prohibiting political violence, restricting firearms in the state capital/government buildings and near polling places, and banning paramilitary training for civil disorder. Federal and state authorities should raise awareness about these laws – and enforce them.

Promote Online Safety and Hold Tech and Social Media Companies Accountable

Social media companies should not enable the funding or amplifying of white supremacist ideas or provide a safe haven for extremists. Consistent with the First Amendment and privacy considerations, federal and state government officials should implement rules and regulations to ensure that tech companies comply with civil rights laws prohibiting discrimination. Law enforcement should scrutinize platforms and ensure they are enforcing prohibitions on activities that endanger the public or conspire against the rights of others.

Thank you for holding this hearing. We deeply appreciate the Committee’s attention to antisemitism and extremist threats to New Jersey and our nation. We stand ready to work with you as you continue to focus on this critical issue.