

Sam Jackson, Ph.D.

WRITTEN TESTIMONY

Hearing on “Violent Domestic Extremist Groups and the Recruitment of Veterans”

My name is Sam Jackson. I am an assistant professor in the College of Emergency Preparedness, Homeland Security and Cybersecurity at the University at Albany. In late summer 2020, my book entitled *Oath Keepers: Patriotism And The Edge Of Violence In A Right-Wing Antigovernment Group* was published.¹ This book is the result of research begun in 2015 about a group called Oath Keepers that has consistently been in the news for the past several months. My testimony today is based on that research, reporting over the past year from numerous journalists, and conversations with a number of colleagues (including Dean Baratta, Matthew Kriner, and Jon Lewis); it also relies on critical work by George Washington University’s Program on Extremism to track criminal charges related to the January 6 attack on the Capitol.²

In short, Oath Keepers is a far-right antigovernment group that is largely oriented around a belief that the federal government is the greatest threat faced by everyday Americans. The group encourages those it considers to be patriots to prepare for conflict with the government – conflict which may involve violence. In many ways, this organization promotes the idea that violence can be a legitimate tool to achieve political goals – not a hypothetical response to some future extreme scenario, but a response that may soon be justified or even obligatory (if it isn’t already).

My testimony here focuses on Oath Keepers as an organization. However, it is important to recognize that this group is part of a broader far-right antigovernment movement. Membership in different groups within this movement can be fluid, and many individuals who are part of the broader movement never join any particular group. Focusing on Oath Keepers is worthwhile in part because of the prominent role some of the group’s members played in the January 6th insurrection at the Capitol; more broadly, though, this focus is worthwhile given that the group illustrates many of the characteristics of the antigovernment movement. In fact, leaders of the group have even addressed the blurred boundaries between the group and the broader movement, suggesting that an individual can be an “oath keeper” if they adopt the ideas promoted by the group and commit themselves to similar types of behavior, even if they never join the group to officially become an Oath Keeper.

This group, which launched in early 2009, is one of the most prominent components of what is often called the militia movement. Estimates of the size of the group are difficult to come by: its leaders have long claimed to have 35,000 dues paying members across the country; an article published by *The Atlantic* in September 2020 pointed to a list of 25,000 individuals that was leaked to the Southern Poverty Law Center (though it seems that this was a list of all the individuals who had ever been formal members of the group rather than a list of current members at any one moment); watchdog organizations like the SPLC and the Anti-Defamation League have long estimated that the number of active members at any moment was below 5,000.³ The group has

¹ Sam Jackson, *Oath Keepers: Patriotism and the Edge of Violence in a Right-Wing Antigovernment Group* (New York: Columbia University Press, 2020), <https://cup.columbia.edu/book/oath-keepers/9780231550314>.

² <https://extremism.gwu.edu/Capitol-Hill-Cases>

³ Jackson, *Oath Keepers*, 30–31; Mike Giglio, “A Pro-Trump Militant Group Has Recruited Thousands of Police, Soldiers, and Veterans,” *The Atlantic*, September 30, 2020, <https://www.theatlantic.com/magazine/archive/2020/11/right-wing-militias-civil-war/616473/>.

been active across a large portion of the United States, with chapters in states from New Hampshire to Florida to Texas to Southern California to Washington state and many states in between.

The group name comes from the very broad idea that current and former members of law enforcement and the military should keep the oath they took in those roles: an oath to, among other things, “protect and defend the Constitution against all enemies foreign and domestic.” However, Oath Keepers has an abnormal understanding of this oath, what it means to protect and defend the Constitution, and who counts as an enemy. The group has tended to focus much more on perceived domestic enemies than on foreign ones.⁴ Through its actions and rhetoric, the group implicitly – sometimes even explicitly – encourages its supporters to interpret conventional political behavior (like certifying an Electoral College vote) as action taken by enemies that threatens the Constitution; further, the group’s actions and rhetoric set the stage for its supporters to believe that violence is the only recourse to save the Constitution from those perceived enemies.

As the name suggests, Oath Keepers has emphasized the role of current and former members of law enforcement and the military within the group. The founder and president of the group himself is a veteran, serving in the Army before an injury ended his military career.⁵ The group has had other current and former military members in prominent roles: for example, a retired sergeant major held the title of National Operations NCO (non-commissioned officer) for the group for some time.⁶

Despite this emphasis, it is not clear how much of the group’s membership actually has this experience in law enforcement or the military. Certainly some do, but the group also welcomes those without that experience to join.⁷

Oath Keepers points to abundant perceived threats to America as a nation and to Americans as individuals; the group calls for decisive responses to such threats, consistently leaving the door open for the use of violence. The group also more generally promotes the idea that political violence can be a legitimate means of resistance to serious threats, and it encourages Americans to prepare for such conflict; but it leaves the door open for individuals to decide for themselves what counts as a serious threat that should be challenged with violence.

As with many extremist groups and movements, many of those affiliated with Oath Keepers (whether formal members, more loosely affiliated supporters, or like-minded people) do not engage in criminal activity directly related to the group’s ideas and goals. I am unaware of any reliable way to forecast whether a single individual will commit a crime before they actually engage in preparations for that crime. This suggests that government actors must be thoughtful in considering the problems posed by Oath Keepers and other similar types of actors. The government writ large should not attempt to police the thoughts or beliefs of people. However, it is still important for authorities to understand Oath Keepers – in particular, how the group sets the stage for political violence. Even if group members rarely engage in unambiguously criminal

⁴Jackson, *Oath Keepers*, 29–30.

⁵Jackson, 30.

⁶Jackson, 98.

⁷Jackson, 31.

behavior, the group uses rhetoric and promotes ideas that make criminality and violence more palatable to some individuals – and thus more likely to occur.

Significant activities

This group has received media attention through the years for a number of different activities, the most prominent of which is certainly the January 6 insurrection. As of October 8, 23 members of the group have been indicted on federal criminal charges related to actions in Washington, D.C., on that day. 16 of these have been charged with conspiracy to commit an offense against the United States by preventing the certification of the Electoral College vote; four additional members of the group have already pleaded guilty to those conspiracy charges.⁸ Court filings reveal that these individuals from different states planned for January 6th ahead of time, including contingency plans for how the individuals would respond to violence. As recently as September 30, someone with connections to Oath Keepers was arrested on charges related to the insurrection.⁹ As investigations continue, it is possible that more individuals affiliated with Oath Keepers will be charged for criminal actions on January 6.

This is not the first time that the group engaged in or prepared for conflict with different government bodies. Members of Oath Keepers were among those who traveled to Nevada in 2014 to help Cliven Bundy prevent federal officials from carrying out a court order against Bundy. The group reported organizing and participating in so-called “security patrols” and surveillance activity to locate federal employees and members of law enforcement that were present near Bundy’s ranch. The group also reported that it received “credible intelligence” that then-Attorney General Eric Holder had authorized a drone strike against Bundy’s supporters; they encouraged those supporters to create fortified positions or to temporarily relocate in response to this so-called intelligence. Ultimately, Oath Keepers members contributed to a hostile situation that led the federal government agencies to stop their efforts to carry out the court order out of concern for the safety of those on the ground. The antigovernment far right (and others who supported Bundy) viewed this as a success, as proof that armed Americans could prevent the government from carrying out action that they viewed as illegitimate. Even after the victory, Oath Keepers encouraged Americans to travel to the ranch to help with security to prevent the government from coming back in, likening it to serving on a deployment to the DMZ in Korea.¹⁰

The group tried to repeat this success in early 2015. Two miners with a small claim in Southwest Oregon received a stop work order from the Bureau of Land Management (BLM). The miners viewed the order as illegitimate, and they filed an appeal. While the appeal process was underway, they asked the local Oath Keepers chapter to provide armed security on their property to prevent the government from destroying their property or taking other action that would violate their rights. The following “security” operation organized by the local chapter saw hundreds of volunteers from around the country travel to the mine. Though the local Oath Keepers chapter led the operation, the group’s national leadership supported it by amplifying calls for volunteers and by fundraising to provide gas money and equipment like body armor for volunteers. Representatives of the BLM

⁸ My thanks to Jon Lewis for compiling this information.

⁹ <https://web.archive.org/web/20211002203914/https://www.justice.gov/usao-dc/defendants/brown-jeremy>. See also Derek Hawkins, “Former Special Forces Soldier and Onetime Congressional Candidate Arrested in Capitol Riot Case,” *Washington Post*, October 2, 2021, <https://www.washingtonpost.com/nation/2021/10/02/jeremy-brown-capitol-riot-arrest/>.

¹⁰ Jackson, *Oath Keepers*, 46–47.

responded to this so-called security operation with confusion, declaring that the agency had no intention of taking any action regarding the mine until the appeals process was complete.¹¹

Later in 2015, the group offered to provide armed security for a county clerk in Kentucky who had been temporarily imprisoned after a federal judge found her in contempt of court for refusing to comply with a Supreme Court decision guaranteeing same-sex couples access to marriage licenses. Oath Keepers described that imprisonment as judicial tyranny and as a violation of the clerk's right to a jury trial. They publicly offered to send armed volunteers to prevent U.S. Marshals or any other law enforcement officers from taking the clerk into custody should she be found in contempt of court again. (The clerk's legal team quickly declined the offer.)¹²

By the time of the general election campaign season in 2016, Oath Keepers (along with many other segments of the far right) perceived an ally for their cause in Donald Trump. As Mr. Trump won the election and prepared to assume the presidency, Oath Keepers began to pivot its focus. Antigovernment ideas remained (seen in rhetoric about the "deep state," for example), but the group increasingly talked about others it described as domestic enemies, especially opponents of Mr. Trump and civil servants who were described as part of the deep state.¹³

Over the next few years, the group's members engaged in street violence with antifa across the country. By 2020, leaders within the group had taken to describing antifa as a "global communist insurgency" or international terrorist organization. They urged Mr. Trump to invoke the Insurrection Act to suppress this perceived threat. They declared that they were ready to help with such efforts, and they also declared that they were ready to act on their own if Mr. Trump didn't.¹⁴

Perceptions of threat, preparations for conflict

One of the most prevalent features of Oath Keepers ideas is the perception of threats. Most often, the group asserts that these threats result from powerful elites working together in secret to benefit themselves at the expense of everyday Americans; other times, the group asserts that the threats come from those the group argues are hostile to American values, often described as globalists, socialists, Marxists, or leftists.¹⁵

One example of this conspiracism can be seen in the group's rhetoric about public land and environmentalism. Rather than acknowledging the competing interests at play in decisions about how to use public land, and rather than acknowledging the real threat posed by climate change, Oath Keepers portrays any action that increases environmental regulation or provides protection for habitats as part of a broad conspiracy to erode American rights. Non-binding environmental initiatives are described as conspiracies to push rural Americans into cities, where the global elite will find it easier to control the population and violate their rights.¹⁶

¹¹ Jackson, 49.

¹² Jackson, 53-54.

¹³ Jackson, 57-60.

¹⁴ Sam Jackson, "The Long, Dangerous History of Right-Wing Calls for Violence and Civil War," *Washington Post*, September 11, 2020, sec. Monkey Cage, <https://www.washingtonpost.com/politics/2020/09/11/long-dangerous-history-far-rights-calls-violence-civil-war/>.

¹⁵ Jackson, *Oath Keepers*, 25-26, 3-7.

¹⁶ Jackson, 36-37, 117.

In response to these perceived threats, Oath Keepers encourages Americans to prepare for violent conflict. One facet of this preparation can be understood as a form of prepper activity: stockpiling supplies, developing long-term sources of food (like gardens or hunting grounds), and creating hyper-local communities that could be resistant to a catastrophic collapse of the economy.¹⁷

Another facet is less benign. In 2013, Oath Keepers began an initiative they called Community Preparedness Teams (CPT). Effectively, these teams are armed neighborhood watches. The group describes them as being modeled on military special forces teams, containing specialists in weapons, demolitions, communication, and medicine. The group has also sometimes tried to pitch their CPT program as a form of FEMA's Community Emergent Response Teams (CERT). Critically, though, the group highlights the "security" role these teams can play. Members of CPTs should train together, the group says, so they can effectively engage in combat if the need arises. Recognizing that it might be unpalatable to many Americans if these teams pitch themselves as preparing for conflict with government, the group has at times encouraged its members to talk about these teams as preparation for if MS-13 or ISIS comes to the neighborhood - because the action taken to fight against criminals and terrorists could also be used against tyrannical government.¹⁸

The role of veterans

Oath Keepers was organized around the purpose of encouraging current and former members of law enforcement and the military to be prepared to honor their oath (with a very specific understanding of what it means to honor that oath). It is not surprising, then, that veterans are one of the communities that the group tries to reach.¹⁹

In part, this emphasis on veterans (alongside current serving and members of law enforcement) is a matter of the group's identity: important figures within the group are veterans, and they like to say that their oath to support and defend the Constitution from all enemies foreign and domestic didn't expire when they left the military. They believe that veterans have the obligation to remain active in defense of their understanding of an America that is under threat by the government, by left-leaning Americans, and by a murky group of international elites.

This emphasis on veterans is also pragmatic. Veterans often (though certainly not always) have skillsets that are useful for those preparing for violence. Those with advanced combat training or with combat experience are important, of course, but they aren't the only veterans who could be helpful to a group like Oath Keepers in the event of violent conflict. The group also emphasizes the importance of skillsets like emergency medicine, communications, logistics, and intelligence. Veterans who served in intelligence units might also have active-duty contacts who could be sources of information in a conflict.

It is unclear whether (and if so, how) Oath Keepers systematically attempts to recruit veterans. In the past, the organization has engaged in explicit recruitment efforts targeting active-duty military

¹⁷ Jackson, 18, 37, 62-63.

¹⁸ Jackson, 44.

¹⁹ Jackson, 31-32.

(including putting up billboards outside military bases and sending care packages to troops deployed overseas).²⁰ I am unaware of any such explicit efforts aimed at veterans. This does not mean that the group does not attempt to recruit veterans, though. Instead, I suspect that the group allows state and local chapters to decide what recruitment activity to engage in. Additionally, I suspect that much of the recruitment that happens is informal: based on existing social ties, using social media to reach new audiences (initially through more ambiguous statements that seem to be conventional expressions of patriotism to many Americans), or capitalizing on involvement in veteran-oriented organizations where reaching other veterans requires no deliberate action. For example, a chapter of the organization in Washington state previously held regular meetings at an American Legion post.²¹

Regardless of the degree to which the organization has explicitly and systematically tried to recruit veterans, though, it is clear that some veterans join Oath Keepers, as we have seen with some of those charged with crimes related to January 6.²²

Setting the stage for violence

One of the central documents for Oath Keepers is entitled “A Declaration of Orders We Will Not Obey.”²³ In this document, the group lists 10 things it believes that members of law enforcement and the military should refuse to do. These are depicted as not abstract hypotheticals; the group sees each of these as real possibilities in the near-term future.

The document begins with a quote from a speech that George Washington delivered to his troops before the Battle of Long Island:

The time is now near at hand which must probably determine, whether Americans are to be, Freemen, or Slaves; whether they are to have any property they can call their own; whether their Houses, and Farms, are to be pillaged and destroyed, and they consigned to a State of Wretchedness from which no human efforts will probably deliver them. The fate of unborn Millions will now depend, under God, on the Courage and Conduct of this army.

Oath Keepers follow this quote with an ominous statement: “Such a time is near at hand again.” Throughout this document, the group attempts to draw parallels between contemporary America and the run-up to the Revolutionary War. The message Oath Keepers wants to send here is clear: Americans today should prepare to fight against the government just like the would-be Americans in the 18th century fought against their government (the British crown).

²⁰ Anti-Defamation League, “The Oath Keepers: Anti-Government Extremists Recruiting Military and Police” (Anti-Defamation League, September 16, 2015), <http://www.adl.org/combating-hate/domestic-extremism-terrorism/c/the-oath-keepers.html>.

²¹ https://web.archive.org/web/20211007194909/https://www.goldendalesentinel.com/news/oath-keepers-stick-to-the-constitution/article_5a6f17e9-7bf3-5bad-b2b9-3d972a448542.html

²² For example, see Alanna Durkin Richer, “Oath Keeper, an Army Veteran, Charged in Capitol Riot Renounces Militia Group,” *Military Times*, February 28, 2021, <https://www.militarytimes.com/news/your-military/2021/02/28/oath-keeper-an-army-veteran-charged-in-capitol-riot-renounces-militia-group/>; Alanna Durkin Richer, “Oath Keeper Pleads Guilty in Jan. 6 Riot, Will Cooperate,” *AP NEWS*, September 15, 2021, <https://apnews.com/article/riots-capitol-siege-conspiracy-9fd1b2a4ee3c2ac7f888a345ff2700da>.

²³ Jackson, *Oath Keepers*, 77–80, 141–48.

In this document, Oath Keepers declares that its members will not obey any order to: disarm Americans; conduct warrantless searches of personal property; detain Americans without trial for alleged involvement in terrorism; impose martial law or a state of emergency (without state-level authorization of such action); invade states that secede; blockade American cities; force Americans into detention camps; support the use of foreign troops on American soil in any context; confiscate private property; or infringe First Amendment rights. (Despite this, the group's leaders explicitly called for the Trump administration to violate the First Amendment rights of left-leaning Americans who opposed that administration.)

Many Americans would agree that the government should not do many of these things. What separates Oath Keepers is the sense that these things are real possibilities rather than entirely hypothetical situations that are unlikely to ever occur. Additionally, the group uses this document to further make the case that bad actions for which the government is responsible (like the federal government's response to Hurricane Katrina) are not the result of mistakes; nor are issues like firearms regulations characterized by passionate but good-faith disagreement about identifying public problems and designing interventions to mitigate those problems. Instead, as the group indicates in this document and in many other places, actions with which they disagree are consistently depicted as the result of evil-intentioned elites working behind the scenes to hurt Americans. This further contributes to a broader sense of contemporary America as facing existential threats that demand aggressive, even violent responses.

Looking forward

Like many actors across the American far right, Oath Keepers is in a time of potential transition. The events of January 6 – and critically, the continued law enforcement action related to those events – pose challenges to the Oath Keepers's way of viewing the world.

We have seen several responses of far-right actors to Jan. 6. Some of these individuals have expressed regret for their involvement; some now state that they regret the violence they participated in, while others suggest that they didn't recognize the violence and extremism baked into their broader movement before the Capitol invasion (though some of the individuals making these statements have done so in the context of attempting to minimize legal repercussions and thus should be viewed with a degree of skepticism).²⁴ Some express regret for the specific actions of that day (or disagreement, if they didn't participate themselves) but remain committed to the far-right ideas that motivate their participation in the antigovernment movement.²⁵ Some continue the trend of conspiracism within the group, blaming the insurrection on antifa or the FBI despite ample evidence to the contrary.²⁶ And still others promote a narrative that the insurrection was committed by patriots who were foiled in their attempt to reclaim real America by corrupt law enforcement and cowardly (or traitorous) elected officials.²⁷

²⁴ For example, Marshall Cohen, "Jessica Watkins: Alleged Oath Keeper Ringleader in Capitol Siege Ordered to Stay in Jail before Trial - CNNPolitics," CNN, February 26, 2021, <https://www.cnn.com/2021/02/26/politics/jessica-watkins-oath-keepers-capitol-attack/index.html>.

²⁵ This is the perspective that the leader of Oath Keepers, Stewart Rhodes, has advocated.

²⁶ Meg Anderson, "Antifa Didn't Storm The Capitol. Just Ask The Rioters.," *NPR*, March 2, 2021, sec. Investigations, <https://www.npr.org/2021/03/02/972564176/antifa-didnt-storm-the-capitol-just-ask-the-rioters>.

²⁷ Lisa Mascaro, "Capitol Rally Seeks to Rewrite Jan. 6 by Exalting Rioters," *AP NEWS*, September 13, 2021, <https://apnews.com/article/joe-biden-donald-trump-capitol-siege-d2fb23af3f01387412a1a00b4eac531c>.

This period of potential transition is still playing out. It is possible that Oath Keepers as an organization will ride out this uncertainty. One plausible status for the group in six months would see them return to their posture from 2008-2016, when antigovernment ideas were more central for the group and ideas about left-leaning Americans were less so (this is particularly plausible given President Biden's association with former President Obama).

It seems likely that the group will continue to face legal scrutiny. This could lead some of the less ideologically committed members and supporters of the group to distance themselves; while reducing the size of the organization, that could simultaneously leave the group's membership filled with more committed individuals who might be more likely to participate in future criminal activity or violence (like the Bundy Ranch standoff or the Jan. 6 insurrection).

It is also possible that the continued legal scrutiny results in the group dissolving. However, recent media reports indicate that hundreds of individuals have joined the group or renewed their membership since January 6.²⁸ If this trend changes and the group did substantially shrink or even disband this would further feed off existing dissatisfaction with the Oath Keepers's leadership that has led prominent individuals and chapters to leave the group. (These individuals seem broadly to be disengaged without being deradicalized: their actions have changed, but the beliefs that motivated those actions have not.²⁹ This can be seen with the chapters that have unaffiliated themselves from the organization but remain active under a new name.³⁰)

Even if Oath Keepers ceases to exist, that does not necessarily indicate meaningful changes in the landscape of antigovernment extremism in the United States. There are many similar antigovernment groups active across the country (most prominently, different groups affiliated with the Three Percenters movement), and individuals who cease their affiliation with Oath Keepers might easily join one of these other groups. Further, the idea of being an "oath keeper" is not limited to joining this group. It is likely that antigovernment extremists who attempt to portray themselves as patriots will continue to use this phrase to distinguish themselves from those they describe as "oath breakers," regardless of whether an organization called Oath Keepers exists.

Regardless of whether the group continues to exist, antigovernment extremists will continue to use rhetoric and promote ideas that set the stage for individuals to decide for themselves that violence or criminal behavior is an appropriate strategy to pursue political goals. Some of this language will resonate particularly with veterans, as it builds off the symbols and language used by military communities more broadly (seen for example in the use of the term "QRF" by Oath Keepers in the context of Jan. 6). Prominent figures in the movement will continue to encourage veterans to be active in antigovernment extremism as a way to continue the service they started in the military. They will continue to offer opportunities for veterans to find community within extremist circles.

²⁸ Jason Wilson, "Far-Right Militia Group Membership Surged after Capitol Attack, Hack Shows," *The Guardian*, October 1, 2021, sec. US news, <https://www.theguardian.com/us-news/2021/oct/01/capitol-attack-oath-keepers-far-right-militia-group>.

²⁹ John Horgan, "Deradicalization or Disengagement?: A Process in Need of Clarity and a Counterterrorism Initiative in Need of Evaluation," *Perspectives on Terrorism* 2, no. 4 (2008): 3-8.

³⁰ Lenz, "Leader of Josephine County Oath Keepers Breaks with Stewart Rhodes Over Leadership Style."

Addressing this problem is a difficult challenge. The government should not criminalize the political ideas and beliefs that underly this form of extremism. But the government can take steps to educate veterans (and current military members) about forms of extremism that use rhetoric that resonates with rhetoric common in the military; it can educate veterans about forms of extremism that might co-opt the ideas of patriotism or service in ways that make violence more likely.

At this stage, the most important step the government could take would be to support more research and investigation on extremism and veterans. We do not know how many veterans are exposed to extremist content. We do not know how many veterans advocate for extremism. We do not know how extremist groups and movements explicitly target veteran communities for recruitment. There may be steps that the government can take to mitigate some of these problems (perhaps through some of the inoculation measures being developed and tested by Dr. Kurt Braddock and colleagues at American University's PERIL), but additional knowledge about the nature and scale of this problem would be crucial in helping to design interventions to limit its consequences.

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