

Trump's Directive on 'Organized Political Violence' Could Lead to Increased Surveillance of His Critics

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Former national security officials and constitutional law experts warn that President Donald Trump's directive on "domestic terrorism and organized political violence" could lead to government surveillance of people who simply disagree with him.

Trump's directive, issued last week, links violent acts, such as the [assassination of Charlie Kirk](#) and the attempts on Trump himself, to "anti-Americanism, anti-capitalism, and anti-Christianity; support for the overthrow of the United States Government; extremism on migration, race, and gender; and hostility towards those who hold traditional American views on family, religion, and morality."

At a time when Trump and Republicans routinely [decry mainstream Democratic and progressive views](#) as "extremist," experts say Trump's directive opens the door for surveillance of just about anyone outside the MAGA world.

"They are deliberately blurring the line between speech protected by the First Amendment and violence or other unlawful activity, and they seem to be quite explicitly listing viewpoints that they don't like as predicates for an all-of-government crackdown," said Will Creeley, the legal director at the Foundation for Individual Rights and Expression. "It's deeply alarming."

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Trump's directive mandates a "national strategy to investigate and disrupt networks, entities, and organizations that foment political violence so that law enforcement can intervene in criminal conspiracies before they result in violent political acts," directing the government's counterterrorism efforts and resources to look inward, toward its citizens, for threats. The journalist Ken Klippenstein [first reported](#) on the potential ramifications of the directive.

In the wake of Kirk's assassination, administration officials and Republicans in Congress [repeatedly](#) warned of an impending crackdown on dissent, though they [offered few coherent details](#) about who would be targeted, or how.

This new directive, paired with an executive order targeting "[Antifa](#)" and new Justice Department guidance escalating some crimes to domestic terrorism, shows that the crackdown has begun, and surveillance will play a key role.

Without providing evidence, Trump's memo argues that "sophisticated, organized campaigns of targeted intimidation, radicalization, threats, and violence" resulted in recent high-profile, politically motivated lone-actor shootings, such as Trump's assassination attempts, Charlie Kirk's killing and a shooting at a Dallas Immigration and Customs Enforcement facility that [killed two detainees](#). Authorities have not released evidence suggesting that those alleged perpetrators conspired with others or received help from any organizations.

Specifically, it directs the FBI's joint terrorism task forces, of which there are [200](#) across the country, to "coordinate and supervise" the crackdown, meaning partnered local and state police forces would help enforce the new strategy.

In an email, NOTUS asked the Department of Justice a series of questions about how the directive would be applied, including whether its law enforcement will conduct surveillance on more Americans in order "to identify and prevent potential violent activity."

In what appears to be an initial draft of a response, a DOJ spokesperson wrote: "Political violence has no place in this country, and the Department of Justice will root out any individual or group attempting to commit or promote this heinous activity."

But in the final version of the response, a DOJ spokesperson narrowed the focus from those who "promote" political violence to those who actually commit acts of violence: "The Department of Justice will protect Americans' civil rights while coming down with the harshest charges on violent criminals and rioters — by prosecuting those who break the law," a spokesperson said.

Creeley said the directive serves as a "green light to government officials to investigate, punish and otherwise silence expressions they don't like." He added that it would carry a chilling effect on speech, protest and people's willingness to organize, and that was "absolutely the point" of the order.

The White House emphatically denied in an email to NOTUS that the orders would have any implications on speech.

"As someone who actually knows what it's like to be censored, President Trump is a strong supporter of free speech and Democrat allegations to the contrary are so false, they're laughable," White House spokesperson Abigail Jackson wrote in a statement to NOTUS.

Jackson claimed that "left-wing organizations have fueled violent riots, organized attacks against law enforcement officers, coordinated illegal doxing campaigns, arranged drop points for weapons and riot materials, and more."

"The Trump Administration will get to the bottom of this vast network inciting violence in American communities, and the President's executive actions to address left-wing violence will put an end to any illegal activities," Jackson added.

Holding beliefs is not a federal crime, and the president can't change criminal statutes via memo. But [for decades](#), federal law enforcement agencies, including the FBI, have [conducted covert surveillance](#) operations against groups that [hold certain views](#) — often with little oversight or pushback from Congress.

Federal law enforcement has access to troves of online data about individuals, including from social media. Federal law enforcement agencies also [routinely](#) share gathered intelligence with each other, a practice that [the Brennan Center for Justice said](#) was made even easier with a [March executive order](#).

Last week's memo would almost certainly result in similar campaigns and large-scale fishing expeditions against Trump's designated enemies, one former national security professional told NOTUS.

Patrick Eddington, a national security analyst at the Cato Institute and former CIA intelligence analyst and whistleblower, said the memo directs federal law enforcement agencies to use their already expansive warrantless-surveillance capabilities to gather information about citizens.

"They're going to be able to open investigations on people without ever having to go before a federal judge and build an enormous amount of information on individuals," Eddington told NOTUS.

"There's an enormous amount of data that they can get just by a purchase order or via contract," Eddington said, listing examples of the federal government purchasing data about citizens and residents from data brokers, digital ad-serving companies, automated license-plate-reader systems and medical insurers. "It's vast."

A former Department of Homeland Security chief of staff and whistleblower from Trump's first term, Miles Taylor, [wrote](#) that the memo directs law enforcement to conduct more surveillance of citizens and that much of the information gathering takes place "often without a warrant and usually without your knowledge."

"In effect, this appears to give federal agencies a green light to nominate vast swaths of individual Americans to the terrorist watchlist," Taylor wrote. "As someone who's helped build the nation's counterterrorism architecture, I'm telling you that it's now being primed for (potentially) unimaginable abuse."

Taylor, who Trump called an "egregious leaker" in an April [executive order](#), warned that the full extent of surveillance might not be known "for many years to come."

There's ample examples of past targeted surveillance campaigns by the federal government in the name of counterterrorism. The Council on American-Islamic Relations, one of the nation's most prominent Muslim civil advocacy organizations, has engaged in several

[lawsuits](#) challenging the federal government over its post-9/11 [surveillance](#) and [watchlisting](#) of Muslim communities.

The organization's government affairs director, Robert McCaw, said he didn't believe Muslims would be targeted by the order, but that it raised other First Amendment concerns. He described the order as an "unacceptable Orwellian witch hunt that appears to target nonprofits the government disagrees with."

"It's delusional to reframe dissenting voices and unpopular opinions as akin to domestic terrorism. Free speech, assembly, worship — these are not threats to democracy; they're its cornerstone," McCaw said. "The practice and defense of these freedoms is the surest safeguard against fascism, from any corner of the political spectrum."

A number of prominent law firms affirmed that the order would have [massive implications](#) for some nonprofit organizations.

"The breadth of this definition means organizations engaged in protest support, civil rights advocacy, or politically sensitive work may face scrutiny, if their activities are characterized as enabling or motivating such acts," a group of Arnold & Porter employees [wrote](#). "Affected organizations should consider their potential recourse through litigation."

More than 3,000 nonprofit organizations also signed [a letter](#), first shared with [Newsweek](#), saying the directive was "part of a wholesale offensive against organizations and individuals that advocate for ideas or serve communities that the president finds objectionable."

It's unclear how Congress will respond, if at all. Several Democrats in Congress told [Courthouse News Service](#) they weren't aware of the order's specifics and did not have plans to oversee or oppose its implementation.

Neither the House Oversight Committee's Republicans or Democrats responded to a request for comment about the directive, but the order caught the attention of the top Democrat on the Senate's chief oversight committee.

"Senator Peters is concerned that the Administration will politicize these legal authorities and investigative powers – especially since the President has indicated he intends to misuse counterterrorism resources to go after political opponents instead of prioritizing the protection of Americans from the most pressing violent threats," a Homeland Security and Governmental Affairs aide told NOTUS in an email.

Rep. Ro Khanna spoke out against the directive, saying it poses "a greater infringement on freedoms than the Patriot Act," the post-9/11 law that established the federal government's expansive counterterrorism network — one that this memo seeks to apply to domestic advocacy groups and organizations.

“Trump’s NSPM-7 represses freedom of speech & association, investigating any organization with ‘anti-capitalism’ or ‘anti-American’ views,” Khanna [wrote on X](#).

When the Patriot Act was set to expire in 2015, Sen. Rand Paul led an [11-hour protest](#) on the Senate floor against its renewal, emphasizing civil liberties and surveillance concerns. His office did not respond to a request for comment on the new directive.

The White House memo also required Attorney General Pam Bondi to issue guidance that elevates certain offenses — such as doxing, swatting, rioting and property crimes, which are usually treated as standard criminal complaints — to the level of politically motivated domestic terrorism. She did exactly that with a [Monday memo](#), making it clear that serious federal charges are on the table for anyone associated with those who commit related offenses.

“The charging priorities directed by this memorandum are not limited to those criminals who are caught red-handed committing acts of violence against ICE facilities and personnel,” Bondi [wrote](#), adding that the Department of Justice would prosecute “every person who aids, abets, or conspires to commit these crimes, whether through funding, coordination, planning, or other means.”

Sen. Dick Durbin, the top Democrat on the Senate Judiciary Committee, told NOTUS that the White House memo “is yet another example of the Trump Administration threatening every American’s constitutional rights.”

“Its vague language conflates clearly protected First Amendment speech with prohibited criminal conduct in an open attempt at suppressing dissent and mere disagreement with the President,” Durbin said in a statement. “At a time when the Commander in Chief is wrongly projecting to our nation’s generals that there’s an ‘[enemy from within](#),’ this is a stark reminder that our most basic constitutional freedoms — including free speech — are at risk.”