

ATTACHMENT E

Statement of Eva Paterson

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Hearing on Hate Crimes and the Rise of White Nationalism

Committee on the Judiciary

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The Equal Justice Society: Standing on the Shoulders of Our Ancestors

The Equal Justice Society (“EJS”) is transforming the nation’s consciousness on race through law, social science, and the arts. A national legal organization focused on restoring constitutional safeguards against discrimination, EJS’s goal is to help achieve a society where race is no longer a barrier to opportunity. We stand on the shoulders of our ancestors who fought for freedom, justice and equality.

For twenty years, EJS has shed light on how implicit or unconscious bias impacts our personal and institutional decision-making. With the help of our National Implicit Bias Network, comprised of social scientists, academics, judges, attorneys, and psychologists, we have developed methods for counteracting the impact of implicit bias on our schools, workplaces and courthouses. We have shown that the fact that most people in the United States have an implicit racial bias that favors White Americans and disfavors Black Americans is not a random phenomenon; it is the result of a long history of subjugation and exploitation of people of African descent. It is the result of a long history of white supremacy in this country.

With the candidacy of Donald Trump, we started to notice an alarming rise in expressions of explicit racial bias. The dog whistle of racial hatred became a bullhorn and communities of color were once again under attack. As a result, we now publish a newsletter called “This Week in White Supremacy”, where we highlight and monitor all forms of white supremacy, including the resurgence of white nationalism.

Here are a few examples of the way white supremacy is once again becoming normalized in this country:

- Counties that hosted a 2016 Trump rally saw a 226% increase in reported hate crimes

over comparable counties that did not host such a rally.¹

- All perpetrators of deadly extremist violence in the U.S. in 2018 had links to white nationalist groups.²
- The number of white nationalist groups “surged by nearly 50 percent last year, growing from 100 chapters in 2017 to 148 in 2018,” SPLC reported.³
- White nationalist organizations have infiltrated dozens of police departments.⁴
- Nearly one in four troops say they have seen examples of white nationalism among their fellow service members, and troops rate white nationalism as a larger national security threat than Syria, Iraq and Afghanistan.⁵

Despite the ebb of white supremacist extremism, the government has done little to systemically stem this tide, and arguably the Executive Branch has done much to signal its complicity to the tyrants.

White Supremacy: A Core American Ideology

White supremacy is a normative ideology advanced by Anglo Saxons that holds that white people are a superior race ordained to rule and hold power over non-Christians and people of color. This ideology has been used by the Anglo Saxon propertied class since the inception of this nation to exploit people of color and justify that exploitation by creating sub-human and negative descriptions - first of Native American people and then Africans. By dehumanizing people of color, the colonizers successfully persuaded poor whites to support their interests by pointing out that they are better than people of color. By creating this climate, the colonizers could then justify and engage in a series of racially oppressive policies enlisting the support of struggling whites who failed to advance under these policies but felt connected to "white superiority." The hallmarks of white supremacist policy include 1) Native American genocide; 2) captivity and enslavement of Africans; 3) Manifest Destiny; 4) post-colonial hegemony - “Banana Republics” in Central and South America and the capture of territories such as Puerto Rico and Guam relegating them to exploited colony status; 6) Jim Crow; 7) redlining; 8) the

¹ *Counties that Hosted a 2016 Trump Rally Saw a 226% Increase in Hate Crimes*, The Washington Post, available at https://www.washingtonpost.com/politics/2019/03/22/trumps-rhetoric-does-inspire-more-hate-crimes/?utm_term=.011d51c57f7d.

² *Murder and Extremism in the United States in 2018*, Anti-Defamation League, available at <https://www.adl.org/murder-and-extremism-2018>.

³ Ben Kessler, *The Number of White Supremacy Groups Reaches All Time High*, NBC News, Feb. 20, 2019, available at <https://www.nbcnews.com/news/us-news/hate-groups-have-reached-all-time-high-new-report-says-n973636>.

⁴ Vida B. Johnson, *The Epidemic of White Supremacist Police*, The Appeal, Aug. 07, 2017, available at <https://theappeal.org/the-epidemic-of-white-supremacist-police-4992cb7ad97a/>.

⁵ Leo Shane III, *One in Four Troops Sees White Nationalism in the Ranks*, Military Times, Oct. 23, 2017, available at <https://www.militarytimes.com/news/pentagon-congress/2017/10/23/military-times-poll-one-in-four-troops-sees-white-nationalism-in-the-ranks/>.

prison industrial complex as a “new Jim Crow”, etc.

In its current form, the ideology is self-perpetuating, systemic and insidious in its workings. It consists of institutional racism and sexism underwritten by implicit bias, inhumane immigration policy, weaponized white privilege (see Starbucks and Yale law school sleeping student incidents), and the myth of meritocracy (which recently came tumbling down in higher education). All forms of the ideology seek to protect a system that has been in place in America for four centuries wherein Caucasians are allotted outsized power, influence, wealth and access. There has never been a United States without white supremacy.

White Nationalism: The Radicalized, Fighting Arm of White Supremacy

White Nationalism is a radical, violent, white supremacist campaign that emerged in reaction to Reconstruction and the extension of the franchise to African Americans. White Nationalism seeks to disenfranchise black and brown citizens and destabilize communities of color through terror. Its benchmarks include: lynching of 5,000 African Americans since 1882, burning and bombing thousands of black churches, killing, maiming black children up to and during the civil rights movement.

White Nationalism is an international movement that is tied to neo-Nazism in Europe. Contrary to the current law enforcement narrative, white nationalist terrorists are not lone wolves. The White Nationalist movement is an organized, intentional and systematic campaign of terror targeting Jews, Muslims and people of color. Indeed, there are connections between Charlottesville, Charleston Church, New Zealand Mosque, and the Pittsburgh Synagogue massacres. The overt and horrific violence, which is the hallmark of White Nationalism, seeks to enable and protect white supremacy – a system that has been in place for four centuries wherein Caucasians are allotted outsized power, influence, wealth and access.

White Nationalism On the Rise

The stories EJS has been tracking in its serial publication “This Week in White Supremacy” are an important metric to gauge the rising tide of white nationalism. Some of the highlights from “This Week in White Supremacy” are the following:

1. Number of hate groups reaches all-time high, Southern Poverty Law Center report says – *NBC News* (<https://www.nbcnews.com/news/us-news/hate-groups-have-reached-all-time-high-new-report-says-n973636>)
 - a. Hate groups have increased by 30 percent in the past four years, reaching an all-time high, according to a report by the Southern Poverty Law Center.
 - b. The number of white nationalist groups “surged by nearly 50 percent last year, growing from 100 chapters in 2017 to 148 in 2018,” SPLC reported.

2. Violent Transnationalism: White Supremacy is America's newest global export -- *The Milwaukee Independent* (<http://bit.ly/2U0Lc9c>)
 - a. Hate crimes have risen alongside the global spread of white nationalism. Racist attacks on refugees, immigrants, Muslims and Jews are increasing worldwide at an alarming rate. Scholars studying the internationalization of hate crimes call this dangerous phenomenon “violent transnationalism.”
 - b. This disturbing international trend, in its modern incarnation, was born in the United States. Since the 1970s, a small, vocal cadre of American white supremacists have sought to export their ideology of hate. Avowed racists like Ku Klux Klan wizard David Duke, Aryan Nations founder Richard Butler and extremist author William Pierce believe the white race is under attack worldwide by a cultural invasion of immigrants and people of color.
 - c. Hate crimes against Muslims, immigrants and people of color have been on the rise in the U.S. since 2014. In 2015, the Southern Poverty Law Center documented 892 hate crimes. The next year, it counted 917 hate crimes. In 2017 – the year Trump took office stoking nationalist sentiment with promises to build walls, deport Mexicans and ban Muslims – the U.S. saw 954 white supremacist attacks.
 - d. The years 2015, 2016 and 2018 were the United States' deadliest years for extremist violence since 1970, according to the Anti-Defamation League. All perpetrators of deadly extremist violence in the U.S. in 2018 had links to white nationalist groups.

3. ADL: Right-Wingers Committed Every 2018 Extremist Murder in the US – TPM (<https://talkingpointsmemo.com/muckraker/anti-defamation-league-report-right-wing-extremists-2018-murders>)
 - a. The Anti-Defamation League's annual report on extremist killings in the United States found that individuals linked to right-wing extremist movements committed every single extremist-related murder in the country in 2018.

4. The Epidemic of White Supremacist Police – *The Appeal* (<https://theappeal.org/the-epidemic-of-white-supremacist-police-4992cb7ad97a/>)
 - a. There are countless examples of police officers, including high-ranking officers, expressing racist vitriol and spreading white supremacist views throughout their departments. Police departments need to employ bias testing, ramp up their in-service anti-bias training, monitor work email and texts, and begin social media checks.

5. How an allegedly violent white nationalist spent decades in the U.S. military undetected – VICE News (https://news.vice.com/en_us/article/vbwyjd/how-an-allegedly-violent-white-nationalist-spent-decades-in-the-us-military-undetected)

- a. Christopher Hasson, a self-avowed white nationalist who idolized mass murderers and wanted to establish a “white homeland”, spent 30 years in the U.S. military before he was investigated for ordering opioids and before his plans to carry out a domestic terror attack were intercepted.
- b. Nearly one in four troops polled say they have seen examples of white nationalism among their fellow service members, and troops rate it as a larger national security threat than Syria, Iraq and Afghanistan, according to a new Military Times poll.
(<https://www.militarytimes.com/news/pentagon-congress/2017/10/23/military-times-poll-one-in-four-troops-sees-white-nationalism-in-the-ranks/>)

The resurgence of this extreme, radicalized white supremacist movement is stoked by the Executive branch’s refusal to unequivocally denounce white nationalism and its xenophobic isolationist policies, which are themselves undergirded by a white supremacist ideology. Indeed, regarding the former, the vast majority of Americans feel that President Trump has not done enough to distance himself from white nationalist groups. Regarding the latter, under President Trump the U.S. has advanced an inhumane and dehumanizing immigration policy, consisting of family detention, child imprisonment, summary deportations, curtailed asylum procedures, and a narrative that demonizes people who are suffering and fleeing from chaotic and oppressive regimes that the U.S. has enabled.

This Week in White Supremacy has tracked stories underscoring the Executive’s complicity:

1. Homeland Security Disbands Domestic Terror Intelligence Unit – The Daily Beast (<https://news.yahoo.com/homeland-security-disbands-domestic-terror-090013012.html>)
 - a. The Department of Homeland Security has disbanded a group of intelligence analysts who focused on domestic terrorism despite the fact that numerous current and former DHS officials say they find the development concerning, as the threat of homegrown terrorism—including white supremacist terrorism—is growing.
2. Trump’s Justice Department is investigating 60% fewer civil rights cases than Obama’s – *VICE News* (<http://bit.ly/2Tvladh>)
 - a. The DOJ’s Civil Rights Division has started 60 percent fewer cases against potential violations during the first two years of the Trump administration than during the Obama years and 50 percent fewer than under George W. Bush, DESPITE the DOJ’s own finding that violent hate crimes are on the rise
(<https://www.justice.gov/jmd/page/file/1071066/download>).

3. Trump administration rescinds UNC-Chapel Hill grant to fight violent extremism --*Raleigh News & Observer* (<http://bit.ly/2HQ5Odb>)
 - a. The Trump Administration has backed out of a major grant promised to UNC-Chapel Hill that would have been used to create media campaigns to undermine violent radicalism on U.S. soil.

4. Thousands of Migrant Youth Allegedly Suffered Sexual Abuse in U.S. Custody – *AXIOS* (<https://www.axios.com/immigration-unaccompanied-minors-sexual-assault-3222e230-29e1-430f-a361-d959c88c5d8c.html>)
 - a. Thousands of allegations of sexual abuse against unaccompanied minors in the custody of the U.S. government have been reported over the past 4 years, according to Department of Health and Human Services documents given to Axios by Rep. Ted Deutch's office.

Furthermore the Executive Branch and even some members of Congress aspire to normalize white nationalism. High profile political figures like Steve Bannon and Congressman Steve King advance the ideology of the “alternative right,” while President Trump says there are “good and bad actors on both sides.” Contrary to this insidious government messaging, there is nothing benign or normal or redeemable or mainstream about this movement. It is the embodiment of hatred and terror. It is the vestige of Native American genocide, the Holocaust and slavery. It is unacceptable, fanatical, and beyond the pale.

Moreover, despite the growth and danger of hate crimes and hate groups law enforcement is doing little to nothing in a systematic way to combat the biggest terrorist threat facing our nation. Homeland Security disbanded its domestic terrorism unit and the FBI does not have a unit dedicated to addressing white supremacy.⁶

In contrast, the government focuses its counter terrorist systems on many of the groups working to end oppression and discrimination, which has been a tactic of white supremacy since the formation of this nation. Currently More resources are put toward surveillance of “Black Lives Matter” activists than the KKK and other leading white nationalist fanatic, as is evidenced by the FBI "black identity extremist" "sham" report published and distributed to law enforcement in 2017 and investigated by this Congress.

Recommendations: The Time to Act is Now

Understanding the white supremacy is a feature of American society, not a temporary bug, requires developing and implementing a comprehensive response. Congress ought to:

⁶ Jared McNett, *The FBI Has Looked Into Law Enforcement Agency Infiltration by White Supremacists*, Paste, January 31, 2017, available at <https://www.pastemagazine.com/articles/2017/01/the-fbi-has-looked-into-law-enforcement-agencies-i.html>

1. Form a national commission to study all forms of white supremacy, including the resurgence of white-identity extremists and the white nationalist movement.
2. Convene a Joint Law Enforcement-Civilian Task Force to study white nationalism and outline an organized counter-insurgency strategy.
3. Investigate white supremacists in the ranks of the federal government: from members of the executive branch and the Legislature (such as Steve King) to law enforcement officers working for ICE, the FBI, the CIA, and other federal agencies.
4. Amend current counter-terrorism legislation to include white nationalism and neo-Nazi extremist groups to the list of terrorists to be surveilled and monitored.
5. Advance humane immigration and border security policies that include increased aid to Central America to get at the root causes of the exodus, poverty and violence. Change the narrative on immigration (especially Muslim and Latinx immigration) to reduce xenophobia, which is the right hand of white nationalism.
6. Fortify the Fifteenth Amendment, ensuring voter protection for vulnerable and historically disenfranchised citizens. The Fifteenth Amendment promise of enfranchisement has been undermined by the evisceration of the voting rights act.
7. Engage Law Enforcement (international, federal and state) in intelligence gathering and surveillance of White Nationalist orgs, international white power syndicates and cells.
 - a. Redistribute Resources toward the true threat and mover resources away from tracking activists engaged in legitimate protected First Amendment activity on the basis of stereotypes.
 - b. Pivot Away from the Misguided Lone Wolf Narrative -White Nationalism must be identified and treated as international terrorism. Homeland Security and FBI needs to rethink the lone wolf narrative which only gives cover to extremists and develop a framework for analyzing this movement as an international, organized, systematic campaign of terror.
 - c. Study the role social media has played in enabling this threat. Social Media must step up, acknowledge their role, and engage in combating white nationalism.⁷
 - d. Develop a clearing house for data collection, reporting, and analysis on white nationalism.

For its part, EJS plans to challenge the 2020 presidential candidates to speak out against white

⁷ Ali Breland, *How Facebook and Amazon Help Groups Raise Money*, Mother Jones, March 12, 2019, available at <https://www.motherjones.com/politics/2019/03/facebook-amazon-smile-fundraising-hate-discrimination/>

nationalism by making sure that all candidates for president are asked questions about what they will do about this global threat.