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RACIALLY/ETHNICALLY MOTIVATED VIOLENT EXTREMIST (RMVE) ATTACK PLANNING AND UNITED STATES FEDERAL RESPONSE, 2014-2019

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The Program on Extremism at George Washington University provides analysis on issues related to violent and non-violent extremism. The Program spearheads innovative and thoughtful academic inquiry, producing empirical work that strengthens extremism research as a distinct field of study. The Program aims to develop pragmatic policy solutions that resonate with policymakers, civic leaders, and the general public. The views and conclusions contained in this document are those of the authors and should not be interpreted as necessarily representing the official policies, either expressed or implied, of the U.S. Department of Homeland Security or George Washington University. This material is based upon work supported by the U.S. Department of Homeland Security under Grant Award Number 20STTPC00001-01

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Executive Summary

After a five-year period between 2014 and 2019 in which the frequency and lethality of domestic terrorism incidents in the United States substantially increased, federal counterterrorism authorities now view domestic violent extremism (DVE) as the foremost terrorist threat facing the country. In March 2021, the Office for the Director of National Intelligence released an assessment that the “most lethal domestic violent extremist threat[s]” to the United States were racially and ethnically motivated violent extremists (RMVE).¹ This assessment mirrored similar findings by the Federal Bureau of Investigation (FBI), Department of Justice (DOJ), Department of Homeland Security (DHS), and National Counterterrorism Center (NCTC) during the past half-decade, all of which point to RMVE as the principal domestic terrorism threat to the United States.

Responding to RMVE-inspired terrorists will require a close, data-driven assessment of the nature and scope of the threat. To this end, this report evaluates 40 cases of individuals charged in United States federal courts between 2014 and 2019, who are alleged to have planned or conducted violent attacks in the United States in furtherance of RMVE causes or ideologies. By evaluating the demographic, ideological, and organizational backgrounds of the perpetrators, as well as their attack-planning methods and processes, this report evaluates the successes and failures of federal law enforcement in investigating and prosecuting RMVE attack planners. The report finds:

- RMVE attack planners in the U.S. had a wide range of demographic backgrounds, but tended to be older than other categories of violent extremist attack planners, and were predominantly male.
- Attack planners’ ideologies were situated across the RMVE spectrum, from affiliates of well-established white supremacist and neo-Nazi groups to members of relatively newer organizations. However, the most lethal RMVE attack planners were organizationally unaffiliated, and despite drawing from a variety of RMVE ideologies, did not have membership in any RMVE organization or group.
- RMVE attack planners tended to target religious institutions, particularly Jewish, Black, and Muslim places of worship. The most common attack-planning method involved the use of firearms; RMVEs also experimented with a range of other methods from bombings to arson and vehicular assault.
- Due in part to the lack of a federal domestic terrorism statute, the FBI and DOJ utilized a range of charges to investigate and prosecute RMVEs. This study finds that the patchwork of offenses used to investigate RMVE sometimes led to failures in interdicting attack planners.
- As compared to other violent extremist attack planners, RMVEs receive a slightly shorter average sentence in prison after conviction.

Based on these findings, the study recommends a data-driven reevaluation and reallocation of FBI and DOJ resources and staff dedicated to investigating and prosecuting RMVE. It also proposes broader information-sharing between federal, state, and local partners on RMVE threats, particularly between the FBI and local religious communities. Finally, the report argues that a federal statute that criminalizes acts of domestic terrorism, similar to 18 U.S. Code § 2332b, would be most applicable to prosecutions of attack planning cases involving RMVEs.

I. Introduction

The period between 2014 and 2019 was an unprecedented era for homegrown and domestic terrorism in the United States, as threats from multiple violent extremist ideologies converged to create a significant, persistent problem for U.S. law enforcement. On one side, the rise, activities, and outreach of Salafi-jihadist groups attracted hundreds of Americans to their cause, resulting in a spree of violent attacks and attack plots on U.S. soil.² This groundswell in jihadist activity was primarily the provenance of one group, the Islamic State in Iraq and Syria (ISIS), who claimed responsibility for seven deadly domestic attacks between 2014 and 2019 that killed over 80.³

Concomitantly, domestic terrorism underwent a massive revival in the United States, especially racially/ethnically motivated violent extremist (RMVE) groups, ideologies, activities, and movements.⁴ Individuals inspired by RMVE ideologies launched their own string of horrific attacks during this five-year period, most infamously in the form of mass shootings in Charleston, South Carolina, Pittsburgh, Pennsylvania, Poway, California, and El Paso, Texas as well as during a riot in Charlottesville, Virginia.⁵ The trends that led to many of these attacks culminated in a massive security breach on January 6, 2021, when domestic extremists of multiple persuasions (including RMVEs) stormed the U.S. Capitol.⁶

For U.S. law enforcement, the simultaneous upticks in Salafi-jihadist homegrown violent extremism (HVE) and domestic violent extremism (DVE) generated significant strains on their counterterrorism capacities and missions. Federal Bureau of Investigation (FBI) Director Christopher Wray testified in 2020 that between 2014 and 2019, federal law enforcement had, at any given time, approximately 5,000 open investigations of individuals suspected of participating in terrorist activity—3,000 associated with State Department-designated foreign terrorist organizations (FTO), 1,000 HVE cases related to individuals inspired by (but not formally associated with) FTO, and a further 1,000 cases connected to domestic terrorists.⁷

Within the DVE category, Director Wray testified further that the “top threat” of terrorist attacks came from “racially/ethnically motivated violent extremists,” noting that RMVE “were the primary source of ideologically motivated lethal incidents and violence in 2018 and 2019 and have been considered the most lethal of all domestic extremists since 2001.”⁸ Director Wray’s testimony was echoed by the Department of Homeland Security (DHS) October 2020 Homeland Threat Assessment, which claims that “among DVEs, racially and ethnically motivated violent extremists...will remain the most persistent and lethal threat in the Homeland.”⁹ In March 2021, the Office for the Director of National Intelligence (ODNI) issued an Intelligence Community (IC)-wide assessment that “RMVEs...present the most lethal DVE threats [to the U.S.], with RMVEs most likely to conduct mass-casualty attacks against civilians.”¹⁰

Despite a growing understanding of RMVE terrorism as a clear and present danger, few publicly available analyses chart the landscape of RMVE in the United States or the federal response to the movement during the past half-decade. Admittedly, these assessments are difficult to undertake using only the top-level statistics and risk analyses provided by domestic law enforcement and homeland security agencies. To understand these movements, their followers, and their operations—particularly their operational capabilities—granularity about the demographic profiles, ideological influences, group affiliations, and *modii operandi* are necessary. While the FBI and other federal agencies

keep their own internal breakdowns for law enforcement and policy planning purposes, a public accounting is also necessary to inform stakeholders outside government and create complementary analyses that can be used to identify gaps and opportunities for response.

Given broader policy debates in the U.S. about the future of intelligence, law enforcement, and prosecutorial tools against DVE threats writ large, conducting external, *post hoc* reviews of the FBI and Department of Justice (DOJ) response to the threat in recent history can help in determining the path forward. Three issues are especially important for evaluating federal domestic counterterrorism policy against RMVE groups and individuals. First, understanding the factors that determine counterterrorism successes and failures are paramount. It is critically important to compare cases where law enforcement successfully prevented an individual from carrying out terrorist activity to those where they failed to do so. Second, ascertaining the types of federal charges and investigations most commonly used against RMVE can assist in establishing whether the current investigative and prosecutorial “toolbox” is sufficient to respond to the threat.¹¹ Finally, it is worth questioning whether federal law enforcement is responding to RMVE in a similar way to other domestic and homegrown violent extremist groups, to identify whether gaps in risk assessment, policy landscape, or resource allocation are causing failures to respond to violent extremist threats.

Research Questions

This report analyzes terrorist attack planning by racially/ethnically motivated violent extremists (RMVE) in the United States between 2014 and 2019, as well as federal law enforcement’s response to RMVE attack plots. To do so, it evaluates 40 individuals arrested and charged in United States federal courts between 2014 and 2019, who are alleged to have planned or conducted violent attacks in the United States in furtherance of RMVE causes or ideologies. The report seeks to answer two research questions:

- **Research Question 1:** What are the common demographics, motivations, planning processes and targets of RMVE attack plotters in the United States whose attacks were disrupted by law enforcement?
- **Research Question 2:** How did the Federal Bureau of Investigation (FBI) and Department of Justice (DOJ) respond to RMVE terrorist plots between 2014 and 2019? What gaps in response exist, and how can new policies and laws address them?

Methodology

To answer the research questions, this report uses a mixed method approach, with a heavy reliance on qualitative primary-source data (in the form of court documents), comparative analysis, and selected case studies of terrorist plots. The cases of individuals charged with RMVE attack planning in U.S. federal court draws from a larger dataset of U.S. prosecutions of extremists maintained by the Prosecution Project (tPP), an “open-source intelligence research platform tracking and providing an analysis of felony criminal cases involving illegal political violence occurring in the United States since 1990.”¹²

Starting from a subsection of tPP data, the author augmented and cleaned the dataset to match the parameters of the selection criteria used in this report, limiting cases to individuals arrested and charged in United States federal courts between 2014 and 2019, who are alleged to have planned or conducted violent attacks in the United States

in furtherance of RMVE causes or ideologies. With the help of the Program on Extremism at George Washington University, the author obtained court documents related to each federal case from Public Access to Electronic Court Records (PACER), an online database that provides public access to documents from prosecutions in federal court.¹³ This was used to supplement the information gathered from the tPP data set. Using a combination of court documents, media reporting, and other open-source information, several variables were used to code each case:

- **Demographic variables:** Full legal name, age, city of residence, county of residence, state of residence, gender, former military service, criminal history.
- **Attack planning variables:** RMVE group(s) of affiliation, type of RMVE group(s) of affiliation, target of planned attack, method of proposed attack, number of individuals involved in attack planning, attack success, deaths from attack, injuries from attack.
- **Investigation and prosecution variables:** Use of FBI undercover employee or confidential human source, charge of criminal offense, plea, verdict, length of sentence.

The report limits its analysis to cases of individuals who were charged in United States federal courts between 2014 and 2019 and are alleged to have planned or conducted violent attacks in the United States in furtherance of RMVE causes or ideologies. The justification for these parameters is twofold. First, while focusing on federal prosecutions limits out notable cases where racially and ethnically motivated violent extremists were charged at the state level, federal prosecutions serve as both a richer source of qualitative information about attack planners through charging documents and trial testimony. State-level prosecutions involve a patchwork of laws, trial procedures, and rules on availability of court documents between the various states that would make data collection difficult and comparative analysis nearly impossible. Moreover, the paper's objective is to analyze federal law enforcement's response; state-level cases are not germane to the research questions.

The second significant criterion limits analysis to only individuals who planned or conducted terrorist attacks in furtherance of RMVE causes or ideologies. This criterion includes RMVEs who intended to conduct RMVE-inspired terrorist attacks in the United States but were ultimately unsuccessful in achieving their goals due to disruption by law enforcement. It does not include attackers who were disrupted by other means (including their own deaths), or attackers who were never interdicted. The inclusion of attack plots disrupted by law enforcement is a prerequisite to gauging federal law enforcement's response to RMVE attack planners, and helps broaden the perspective on RMVE-inspired terrorist activity writ large in the United States.¹⁴ As Martha Crenshaw and Gary LaFree argue, "tactically successful terrorist events are rare occurrences, but they represent the tip of an iceberg when it comes to all planned attacks...a comprehensive picture of the threat must include an analysis of what [terrorist] adversaries planned to do."¹⁵ To this end, the report draws on both successful and unsuccessful RMVE attack plots in the United States due to the methodological necessity of examining disrupted plots in assessing terrorist activity by a particular movement, as well as the capacity for law enforcement response.

II. Historical Background and Literature Review

Defining RMVE

“Racially/ethnically motivated violent extremism” (either RMVE or REMVE) is characterized by a joint IC definition as a subcategory of domestic violent extremism (DVE), specifically referring to DVE actors and groups who have “ideological agendas derived from bias, often related to race or ethnicity, held by the actor against others, including a given population group.” DVEs are defined by the IC as

US-based actors who conduct or threaten activities that are dangerous to human life in violation of the criminal laws of the United States or any state; appearing to be intended to intimidate or coerce a civilian population; and influence the policy of a government by intimidation or coercion, or affect the conduct of a government by mass destruction, assassination, or kidnapping, as per the definition of domestic terrorism in 18 U.S. Code 2331 (5).¹⁶

The joint assessment further distinguishes RMVEs from other types of DVE actors, including animal rights/environmental violent extremists, abortion-related violent extremists, and anti-government/anti-authority violent extremism (AGAAVE), a category that includes militia violent extremists (MVE), anarchist violent extremists, and sovereign citizen violent extremists.¹⁷

These definitions are subject to immense debate among scholars of terrorism and violent extremism in the United States. First, it is not clear whether these definitions are intended to be applied to individual extremists, groups/organizations, or ideological movements. Due to fluidity and flexibility between the categories of DVE, it is difficult to apply these labels to cases in which an individual extremist is drawing from one or more of the separate categories to inform their worldview.¹⁸ Even at the group or movement level, it may be difficult to distinguish some groups as neatly fitting into one specific individual category.¹⁹ This paper, which largely evaluates cases of individual violent extremist plots, is cognizant of these criticisms, realizing that the term “RMVE” is a heuristic for evaluating the primary motivations of attack plots rather than a mutually exclusive category of analysis.

Therefore, in conjunction with the joint IC definition, this paper seeks to evaluate the category of RMVE by its historical development over time. Understanding the makeup, ideological influences, and predecessors of the trends that make up today’s RMVE groups and inspire individual RMVE attack planners can help distill additional clarity into the label and its definition. To this end, by evaluating existing literature, the following section documents the major historical streams of RMVE with especially lasting influences on the individuals, groups, and movements that fit under the definition.

RMVE in the United States, 1865–2014

Racially and ethnically motivated violent extremism is arguably the primordial ideological source of domestic terrorism in the United States, and continues to occupy a central ideological role within the domestic terrorist threat today.²⁰ Arie Perliger describes five major historical fountainheads of RMVE that serve as the basis for the modern ideological currents of today’s RMVE movements and groups.²¹ The historical developments, evolution, and ideological intricacies each of these RMVE streams are worthy of lengthy individual analysis, and these streams oftentimes overlap or intersect

throughout the historical record. Nevertheless, the brief overview below aims to provide a cursory introduction to the historical lineages of the RMVE groups covered in this report.

The genesis of today's *white supremacist* strain of RMVE dates to the conclusion of the American Civil War and the Reconstruction period, when several groups throughout the American South formed organizations that utilized terrorist violence against newly freed African Americans.²² The most infamous of these groups was the Ku Klux Klan, founded by former Confederate officers in Tennessee in 1865.²³ Although the original Klan was suppressed and disbanded less than a decade after its foundation, it subsisted as an inspiration for the formation of similar clandestine terrorist organizations throughout the South and in other parts of the United States.²⁴ As the Klan expanded into new areas, it added new dimensions to its ideological conceptions of white supremacy, including anti-Semitism, anti-Catholicism and nativism, to help recruit populations in urban areas and outside of the South to join the cause.²⁵ Despite undergoing a perpetual cycle of organizational rise and decline over the past two centuries, the Ku Klux Klan remains a powerful ideological influence on today's RMVE scene, mainly due to the cross-pollination of the Klan's ideology with other RMVE streams and the high-profile status of key modern leaders associated with the Klan.²⁶

While the American *National Socialist* iteration of RMVE emerged in the U.S. in coordination with the rise of the Nazi Party in Germany during the 1930s, its apex of organization was during the 1960s after George Lincoln Rockwell established the American Nazi Party (ANP).²⁷ Under Rockwell's leadership, the ANP organized counter-protests against Civil Rights Movement demonstrations and published a masse of neo-Nazi propaganda, relying heavily on Rockwell's charismatic leadership to broadcast its anti-Semitic and pro-segregationist message into mass media.²⁸ Rockwell's assassination in 1967 led to a power vacuum and a splintering of the organization into its constituent parts, some of which were involved in violence in the decades following the ANP's collapse.²⁹ Broader than its constantly changing organizational arrangements, the National Socialist and neo-Nazi streams' influence on modern American RMVE stems largely from its broadcasting of Nazi ideology and dissemination of propaganda through contemporary media.³⁰

The Klan and American neo-Nazis often attempted to masquerade as legitimate political entities, disguising their violent activities under the façade of legitimate institutions, running candidates for political office, and preaching their message to the mass public.³¹ As the organizational scions of these streams waned in influence during the 1970s and 1980s, a new crop of RMVE militants rose to the fore. While consolidating these diverse movements into a single strain is difficult, the 1980s saw the rise of grassroots *street militants* that organized along racial grounds, adopted the ideologies, methods, and insignias of their white supremacist and neo-Nazi predecessors, and focused their efforts on street violence and organized crime.³² One version of this strain consolidated through young Americans interested in British and European white supremacist variants of punk and heavy metal music in the 1980s, forming the basis for the white supremacist skinhead movement in the U.S.³³ Throughout the 1980s, skinheads were involved in hundreds of acts of violence against "non-Aryan" targets, but "while many of the Skinhead groups' social activities enjoyed a high level of coordination and preplanning, their violent attacks were typically opportunistic."³⁴ Concurrently, white supremacist prison gangs like the Aryan Brotherhood and Nazi Lowriders were also

taking root in prison systems throughout the country, involving their members in organized crime and violence after their release from prison.³⁵

Some former leaders of the KKK or neo-Nazi parties attempted to harness the power of this younger, ideologically extreme, and violence-prone demographic of new RMVE followers, resulting in the foundation of groups like White Aryan Resistance (WAR) and the Hammerskin Nations.³⁶ Due to ideological, logistical, and policy differences between the “old guard” and “new guard” of white supremacy, the attempt to consolidate the movements fell short, especially as skinhead culture underwent a relative decline in popularity.³⁷ Nevertheless, the focus within RMVE groups on maintaining a violent, young vanguard to conduct street level violence, especially during counter-protests, remains a key objective for many RMVE groups.³⁸

A fourth strain of RMVE movements came in the form of *religious extremism*. Within the scope of RMVE, denominations associated with the Christian Identity (CI) movement have played the largest role in the formation of modern-day RMVE groups.³⁹ At its core, CI theorizes that white Europeans are the “Israelites” mentioned in the Old and New Testaments of the Bible and claims that today’s Jews are usurpers.⁴⁰ It first made inroads in the United States in the early 20th century as an offshoot of British Israelism, a similar doctrine which posits that the British are the descendants of the Israelites.⁴¹ Its American ideological progenitor is Wesley Swift, an alleged Klansman and Methodist minister who started the Church of Jesus Christ-Christian in 1946.⁴² Swift’s ministry—millenarian in form, highly anti-Semitic and anti-Black in content, and militant in method—was highly influential to the thousands of followers he cultivated during his time as a preacher.⁴³

Following Swift’s death in 1970, his closest supporters founded splinters of the Church of Jesus Christ-Christian. In Kootenai County, Idaho, notorious white supremacist Richard Butler founded the Aryan Nations (AN), a CI church-*cum*-compound that, among other activities, held the yearly “Aryan Nations World Congress,” bringing together several hundred prominent KKK, neo-Nazi, white supremacist, and CI affiliates to Northern Idaho in the mid-1980s.⁴⁴ Another Swift affiliate, William Potter Gale, founded the militia group Posse Comitatus, which advanced the conspiracy theory that the U.S. federal government was controlled by a “Zionist Occupied Government” (ZOG).⁴⁵ Posse Comitatus therefore believed that the highest level of American authority was at the county level. Its members refused to pay federal taxes, filed liens against federal authorities, and refused to attain driver’s licenses.⁴⁶ On one occasion in the late 1970s, the group attempted to take over the government in Alpine County, California through false electoral registrations and a Manchurian candidate for county sheriff.⁴⁷

During the early and mid-20th centuries, RMVE organizations internally split on the question of political engagement. Some individuals and groups preferred forming nationwide political parties, electing candidates to office, and general public engagement, while others believed the formation of clandestine or paramilitary organizations was the only way to achieve the goals of their movement.⁴⁸ Kathleen Belew argues that the return of American soldiers from the Vietnam War, in combination with perceived social, economic, and demographic grievances in the United States, led to a drastic increase in the popularity of the latter option amongst RMVE groups.⁴⁹ Perliger notes that around this time, white supremacists, neo-Nazis, and Christian Identity believers began making inroads into militia groups in the United States.⁵⁰ In the late 1970s and early 1980s, the cornerstones for the *militia* strand of RMVE were already being set, especially through

the release of highly influential propaganda such as William Luther Pierce's *The Turner Diaries*.⁵¹ The infamous 1978 novel depicts a successful, fictitious insurrection by white nationalists against the U.S. government that leads to ethnic and racial cleansing and nuclear war.⁵²

The results of white supremacist and white nationalist inroads into the militia movement, and their increased promotion of militant separatism within RMVE groups, quickly came to fruition in the early 1980s. Militant offshoots of the CI movement began providing paramilitary training to their members and issuing declarations of war against the U.S. federal government, resulting in standoffs and shootouts when federal law enforcement came to arrest or prosecute key members.⁵³ In 1983, Posse Comitatus member Gordon Kahl opened fire on the U.S. Marshals that attempted to arrest him for a parole violation in North Dakota, fled to Arkansas, and opened fire again on federal law enforcement during a second shootout, resulting in the deaths of two Marshals and an Arkansas sheriff.⁵⁴ The next year, The Order—a Washington State-based terrorist cell and criminal enterprise comprised of Klansmen, neo-Nazis, AN affiliates, and CI followers that took its name from the *Turner Diaries*—assassinated a Jewish Denver-area talk show host, Alan Berg.⁵⁵ The FBI tracked down the members of the Order, including its founder, Robert Jay Matthews, engaging him in a shootout that led to his death.⁵⁶ The next year, the FBI raided the Arkansas compound of The Covenant, the Sword, the Arm of the Lord (CSA), a CI group that were stockpiling weapons in preparation for an apocalyptic war against the federal government.⁵⁷

In 1992, in by far the most notorious example of armed standoffs between federal law enforcement and RMVE during this time period, federal agents launched an 11-day siege of a compound in Boundary County, Idaho owned by Randy Weaver.⁵⁸ Weaver, a frequent attendee of AN meetings in Idaho and a CI adherent, was wanted by law enforcement for failure to appear on a firearms charge.⁵⁹ The U.S. Marshals and the FBI surrounded the cabin, colloquially known as Ruby Ridge, where Weaver and his family were staying. During the siege, federal agents killed Weaver's minor son and wife Vicki during an exchange of gunfire.⁶⁰

Instances of RMVE slain by law enforcement during standoffs and sieges, as well as the well-publicized law-enforcement raid at the headquarters of the Branch Davidian sect in Waco, Texas in 1993, generated fodder for a slew of RMVE propaganda and justifications for the increasingly-held narrative that the U.S. federal government was at war with various DVE groups.⁶¹ These ideological undercurrents drove two young men, in the months following the Waco siege, to plan attacks against federal government targets in retaliation for its perceived abuses. Timothy McVeigh and Terry Nichols debated between several acts of deadly violence—including plans to assassinate then U.S. Attorney General Janet Reno, a federal judge, and the FBI sniper responsible for killing Vicki Weaver at Ruby Ridge—but landed on a plot to bomb the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma.⁶² The choice of target and method mirrored an attack depicted in the *Turner Diaries*, one of McVeigh's favorite books, as well as a 1980s-era plot by the CSA against the same building that never came to fruition.⁶³ On the morning of April 19, 1995, Timothy McVeigh detonated nearly 5,000 pounds of a fertilizer-based explosive mixture in a pickup truck parked next to the Murrah Federal Building.⁶⁴ The ensuing blast, which killed over 160 people and wounded 680, was the deadliest domestic terrorist attack in U.S. history.⁶⁵

In the wake of the Oklahoma City bombing, the federal government increased law enforcement's statutory authorities to investigate and prosecute terrorism cases through the Antiterrorism and Effective Death Penalty Act of 1996 (AEDPA).⁶⁶ As a result of the massive federal investigation into the bombing, referred to by the FBI as OKBOMB, federal agents arrested and prosecuted McVeigh, Nichols, and several coconspirators; McVeigh was sentenced to death and was executed in 2001 while Nichols received 161 life sentences.⁶⁷ In the decade after the Oklahoma City bombing, Perliger found that the incidence of planned right-wing extremist violent activities remained constantly low.⁶⁸ The factors behind this general downturn may include RMVE organizational decline and increased pressure from law enforcement in the wake of the Oklahoma City bombing.⁶⁹ The 1990s and early 2000s included the collapse of organizational effectiveness due to pressure from law enforcement and costly civil suits, particularly in the case of various Ku Klux Klan outfits and Tom Metzger's WAR, the declining popularity of skinhead culture, and the deaths of various RMVE stalwarts—including Richard Butler and William Luther Pierce.⁷⁰

Instead, RMVE violence from 2005 to 2014 was largely comprised of individuals who, without a tangible organizational connection, engaged in violence with a racial or ethnic animus that was rarely premeditated.⁷¹ The peaks of these attacks, per Perliger and Sweeney, largely coalesce around a few historical periods, specifically in the years after September 11, 2001 and during the 2008 and 2012 political campaign seasons.⁷² Attacks against Muslims or those perceived to be Muslim drove a significant proportion in the increase of RMVE violence after 9/11, exemplified by the September 15, 2001 killing of a Sikh man, Balbir Singh Sodhi, in Mesa, Arizona.⁷³ For the latter, Perliger and Sweeney report upticks in stochastic violence with a nexus to RMVE around the time of the political campaigns of former President Barack Obama.⁷⁴ The individuals who conducted these attacks, despite the fact that they often assumed or borrowed elements from long-established RMVE ideologies and narratives, generally lacked tangible connections to extremist organizations.⁷⁵ While it was present in various forms prior to the 2000s, *inspired* RMVE terrorism became the prevalent form of RMVE violence after 9/11, and continues to hold the mantle today.

As the study's analysis demonstrates, various elements of the six streams of RMVE movements (American white supremacist, neo-Nazi, street militant, militia, religious, and inspired RMVE actors) still hold influence on the scope and nature of the RMVE threat today. Once again, these should not be viewed as discrete ideological buckets, and as their histories show, overlap, continuity, interaction, and cross-pollination between these streams are the norms. The FBI assesses that domestic violent extremists are especially likely to select individual components from RMVE ideologies (and sometimes, from other DVE movements) to form seemingly convoluted justifications for engaging in violent activity.⁷⁶ This process, colloquially referred to as "salad bar extremism," underscores some of the most violent acts of terrorism perpetrated by RMVE.⁷⁷ Therefore, while understanding the role of each of these streams and their impact on RMVE movements is necessary to establish the array of ideological material from which RMVE actors draw and RMVE groups form their basic operating principles, clearly placing individual actors associated with the RMVE movement in single categories is messy and difficult.

of RMVE attack planners is also greater than some of its counterparts. While the ages of the youngest individuals in the sample, including the youngest, an 18-year-old affiliate of the neo-Nazi group Atomwaffen Division (AWD) named Richard Tobin, generally mirror the statistics for the youngest individuals prosecuted for planning ISIS attacks, there are a greater proportion of individuals over 35 in the RMVE dataset.⁷⁹ Some cases suggest that the RMVE affiliates have longer career longevities than their HVE counterparts, possibly due to the *longue durée* of RMVE movements in the U.S. depicted in section II of this report. The oldest attack planners in the RMVE dataset, Patrick Eugene Stein, Christopher Hasson, and Gavin Wayne Wright were all 49 years old at the time of arrest.⁸⁰

The second demographic anomaly pertains to gender. Studies by Bjork-James, Mattheis, Miller-Idriss, Blee and Yates all find that women play highly significant, albeit at times not publicly visible roles in white nationalist and white supremacist movements.⁸¹ This is partially due to a paradox between the movements' maintenance of strict gendered hierarchies and simultaneous empowerment of women for roles in recruitment and propaganda.⁸² Nevertheless, all of the 40 individuals included in this dataset are men. Several factors may be involved in the extreme gender imbalance within the data. First, the selection criteria involved in curating the data may, as an unintended effect, limit out the roles in extremist movements for which women are usually at the forefront. Several studies find that the gender tropes promulgated by RMVE groups typically—although not always—preclude women from operational roles, including attack planning.⁸³ Second, according to a study by Audrey Alexander and Rebecca Turkington, due to U.S. counterterrorism law's focus on prosecuting operational activity over other activities of extremist groups in which women play a larger role, "terrorism-related offenders who are women are less likely to be arrested, less likely to be convicted, and receive more lenient sentences compared to men."⁸⁴ Because this report's sample is comprised from individuals charged in federal court who were planning violent acts, it may inadvertently exclude women in RMVE movements from the dataset, despite their active and significant roles in those movements.

Finally, this study assessed the prominence of two "pathways" to RMVE radicalization as commonly portrayed in media and popular accounts of the movement. First, a number of studies suggest that historic and modern RMVE groups rely on making inroads with current and former members of the U.S. military to recruit and build operational power.⁸⁵ Within this report's dataset, 10 individuals, one-quarter of the total, were confirmed to have served in the U.S. military. Most of this number were veterans, but three individuals—Florida National Guard Pfc. Brandon Clint Russell, U.S. Army Pfc. Jarrett William Smith and U.S. Coast Guard Lt. Christopher Hasson—were on active duty at the time of their arrest and indictment.⁸⁶ 13 individuals (32.5%) in the dataset were confirmed to have prior criminal offenses before they were arrested for plotting violent activity on behalf of their RMVE group. While neither of these figures can be applied broadly to encompass the pathways to radicalization for all RMVE in the dataset, and may not adequately correspond to the scope of RMVE-related radicalization within either the Armed Forces or amongst those with criminal histories, they represent two additional touchpoints for law enforcement in investigating and prosecuting RMVE operational planners.

Group Affiliation and Ideologies

To disaggregate the individual cases by their ideology and affiliation to RMVE groups, the dataset utilizes the historical streams of RMVE in the U.S. as described in the report's second section, assigning each case to the following categories: *American white supremacist, neo-Nazi, street militant, religious extremist, militia, and inspired*. Figure 2 shows the RMVE groups that individuals in the dataset affiliated with and places each group within one of the typologies above. It also shows how many cases in the dataset fall into each historical RMVE strain.

Figure 2: RMVE Attack Plot Cases by Group and Type, 2014-2019

Type	Groups	Cases
Neo-Nazi	National Socialist Movement (NSM), Vanguard America, Patriot Front, Atomwaffen Division (AWD), the Base, Feuerkrieg Division (FKD), Azov Battalion	14
Street militant	Rise Above Movement (RAM), Aryan Brotherhood (AB)	11
Militia	White Rabbits, Crusaders, Three Percenters	8
Religious	White Church Supremacists (The White Church), Georgia Church of Creativity, Asatru	6
Inspired	N/A	5

As the table shows, the type of RMVE movement with the largest number of cases is the neo-Nazi movement, which can be broken down further into its contingent groups. Several neo-Nazi groups represented in the dataset can trace their lineage through their leaders and organizational predecessors back to the ANP. A handful of prominent cases, including Missouri National Socialist Movement (NSM) member Taylor Michael Wilson, who attempted to derail an Amtrak train using force in 2017, involved members of ANP-descendant neo-Nazi groups.⁸⁷ Nevertheless, the more prominent sub-category of neo-Nazi groups in the dataset are neo-Nazi accelerationists. Influenced by the work of the neo-Nazi ideologue James Mason, these actors are so termed because they believe in intentionally “accelerating” the collapse of civilization and the breakdown of order by conducting acts of terrorist violence.⁸⁸ Adherents of neo-Nazi accelerationism believe that societal collapse is a necessary pre-condition for the imposition of a white, Aryan ethnostate within the territory of the U.S.⁸⁹

The exemplar of American neo-Nazi accelerationism is the Atomwaffen Division (AWD). AWD materialized from activity on neo-Nazi web forums in the mid-2010s, portraying itself as an umbrella organization for small cells of neo-Nazis throughout the country who engaged in joint military trainings to prepare for terrorist violence and an eventual guerilla insurgency.⁹⁰ The first offline AWD cell appeared on the radar of federal law enforcement in June 2017, when Florida police arrested Devon Arthurs after a standoff in a gun store.⁹¹ Arthurs, a former AWD member that converted to Islam, confessed to murdering two of his three roommates before arriving at the gun store, and told police about larger cells of Atomwaffen followers that were planning on conducting

assassinations and violence against energy infrastructure.⁹² Shortly thereafter, AWD's founder Brandon Clint Russell, one of Arthurs' roommates who escaped the murders, was arrested and federally charged with possessing and producing explosive devices.⁹³ Since Russell's arrest in 2017, the FBI interdicted at least seven other individuals with ties to AWD.⁹⁴ A ProPublica investigation found that the group had organized several joint trainings amongst its chapters throughout the country, in which AWD members practiced using firearms, produced propaganda, and threatened several acts of terrorist violence.⁹⁵

The single group with the largest number of cases in the dataset is the white nationalist street militant organization Rise Above Movement (RAM). Originally founded as the "Do It Yourself Movement," RAM is a loose collection of Southern Californian neo-Nazis, white supremacists, skinheads, and other far-right group affiliates that trains its members in hand-to-hand combat.⁹⁶ Taking a page from European far-right street gangs, RAM's *raison d'être* is street fighting during counter-protests.⁹⁷ Eight of its members were charged federally for assaulting counter-protestors at the 2017 Unite The Right rally in Charlottesville, VA, in violation of the Anti-Riot Act.⁹⁸ Initially, the charges against RAM members were dropped after a court ruling determined the Anti-Riot act was overbroad; a later 2021 ruling reversed the decision of the lower court, reinstating the charges against the RAM.⁹⁹ RAM's leader Robert Rundo fled the U.S. to El Salvador after the Unite the Right Rally, later re-appearing in Serbia.¹⁰⁰

The effects of the interspersal of RMVE ideology within America's militia movement also surfaced between 2014 and 2019, resulting in several prosecutions related to attack plots by militias in furtherance of RMVE causes. The most well-known of these cases involves the Clarence, Illinois militia known as the "White Rabbits," whose members conspired in 2017 to conduct a bombing at the Dar al-Farooq Islamic Center in Bloomington, Minnesota.¹⁰¹ The group targeted the mosque, congregated largely by Somali Muslims, in an attempt to "terrorize Muslims into believing they are not welcome in the United States."¹⁰² Four members of the White Rabbits are alleged to have traveled across state lines and, as mosque congregants gathered for morning prayers at the mosque, tossed a gunpowder pipe bomb into the imam's office.¹⁰³ The device ignited, causing significant property damage but no casualties. Three of the four militia members pleaded guilty; the group's leader Michael Hari was convicted by trial in December 2020.¹⁰⁴

While the neo-Nazi, street militant, and militia typologies are the most populous in the dataset, a number of cases involve the other categories of RMVE groups. Religious extremists, including adherents of Christian Identity groups, the Creativity movement, and the Nordic new religious movement Ásatrú, were also federally charged with plotting attacks.¹⁰⁵ In July 2014, the FBI arrested Eric Charles Smith, a Pittsburgh-area man, after a search of his house on unrelated grounds uncovered firearms, explosives manufacturing instructional material, precursor chemicals, a functioning pipe bomb, and paraphernalia indicating that his home was the meeting place for the "White Church Supremacists."¹⁰⁶ Despite lacking a concrete group affiliate in the dataset, classic American white supremacist movements also continued their planning for violent activity during this time period. Frazier Glenn Miller, a convicted Klansman federally indicted in the 1980s for sending threatening interstate communications, conducted an attack at the Overland Park Jewish Community Center in the Kansas City area in 2014 that killed three.¹⁰⁷ Miller was charged with capital murder at the state level and sentenced to death.¹⁰⁸

Overall, the more concerning trend from the data on RMVE group affiliation is that the violent extremists without any tangible group connection appear to be far more deadly than those who neatly fit into one of the aforementioned typologies. Between 2014 and 2019, six individuals in the sample charged with a federal offense related to planning a terrorist attack successfully carried out their attacks prior to being arrested, resulting in death. Twenty-four people were killed and 38 injured as a result of these attacks. Almost half of these RMVE attacks—which resulted in 21 out of the 24 deaths—were perpetrated by individuals without a tangible nexus to any RMVE group. The impact of the inspired category, comprised of individuals who adopted various elements of RMVE ideologies, can be seen in *Figure 3*, which displays cases where individuals in the dataset successfully carried out their attacks and killed victims prior to their arrest and prosecution.

Figure 3: RMVE Successful Attack Plot Cases Resulting in Death, 2014-2019¹⁰⁹

Name	Date	Type	Killed	Injured	Target
BOWERS, Robert	10/31/2018	Inspired	11	6	Tree of Life Synagogue- Pittsburgh, PA
ROOF, Dylann Storm	6/19/2015	Inspired	9	1	Emanuel African Methodist Episcopal Church- Charleston, SC
LANG, Craig	9/11/2019	Neo-Nazi	2	0	Serafin and Deana Lorenzo- Ft. Meyers, FL
ZWEIFELHOFER, Alex	9/11/2019	Neo-Nazi	2	0	Serafin and Deana Lorenzo- Ft. Meyers, FL
EARNEST, John Timothy	5/21/2019	Inspired	1	3	Chabad of Poway- Poway, CA
FIELDS JR., James Alex	6/27/2018	Neo-Nazi	1	28	Unite the Right Rally Counterprotest- Charlottesville, VA

As the table shows, several of the individuals responsible for some of the most heinous acts of RMVE terrorism between 2014 and 2019 cannot be neatly placed into a single ideological sub-category, despite their clear and apparent inspiration from various aspects of RMVE thought. These cases involve the two individuals included in the dataset whose actions resulted in the greatest number of fatalities. On June 17, 2015, Dylann Storm Roof entered the Emanuel African Methodist Episcopal Church in Charleston, South Carolina, armed with a Glock 41 .45 caliber handgun.¹¹⁰ As a Bible study was being held, Roof opened fire on congregants, yelling racial slurs.¹¹¹ After killing nine, including South Carolina State Senator Clementa C. Pinckney, Roof fled by car.¹¹² He was captured the next day after a traffic stop in Shelby, North Carolina, hundreds of miles away from Charleston.¹¹³

During Roof's trial on 33 federal hate crime and murder charges, federal prosecutors argued that Roof, despite not maintaining formal membership in any RMVE group, "self-radicalized" by adopting various elements of multiple RMVE ideological stances that he pieced together through his online interactions.¹¹⁴ For instance, Roof's website included images of him posing alongside Confederate and apartheid-era Rhodesian and South African flags and with neo-Nazi code numbers "14/88."¹¹⁵ A 2,000

word manifesto authored by Roof contains snippets of various streams of RMVE ideologies, including segments where he references material produced by the neo-Nazi Northwest Front and the neo-Confederate Council of Conservative Citizens.¹¹⁶

A similar combination of disparate RMVE ideologies pieced together to form a semi-coherent inspiration can be found in the case of Robert Bowers, the man whom prosecutors allege is responsible for the shooting at the Tree of Life Synagogue in Pittsburgh, Pennsylvania that killed 11 and injured six more. Like Roof, most of the evidence about Bowers' ideological worldview comes from his online presence, and similarly, Bowers was not known to have any formal memberships in RMVE organizations.¹¹⁷ On his profile on the social media platform Gab, Bowers' account description echoed elements of CI theology, including a statement that "Jews are the children of satan."¹¹⁸ He also promoted an idea common amongst various types of anti-Semitic RMVE streams called "the Great Replacement," a conspiracy theory that suggests that Jews are engaged in a massive conspiracy to import non-white refugees into the U.S., in an attempt to "ethnically cleanse" white Americans.¹¹⁹ Indeed, just hours before the attack at the Tree of Life synagogue, he posted on his Gab page that the congregants "[like] to bring invaders in that kill our people. I can't sit by and watch my people get slaughtered. Screw your optics, I'm going in."¹²⁰

The finding that organizationally agnostic RMVE plotters are more likely to evade law enforcement long enough to successfully conduct their attacks, coupled with the finding that those attacks are more likely to result in fatalities than their counterparts, should be concerning for federal law enforcement and the public alike. As the next sections suggest, the investigative and prosecutorial counterterrorism toolkit for federal law enforcement is fundamentally dependent on networked organization between violent extremists. This finding mirrors dynamics among other groups of extremists: decentralized terrorism and lone-actor plots, regardless of ideology, have become the predominant terrorism threat involving individuals with a nexus to the U.S., overtaking large-scale, highly networked plots.¹²¹ Moving forward, while it will remain incumbent on federal law enforcement to disrupt terrorist plots involving small cells or larger networks, disrupting lone actors without tangible organizational connections should be the priority based on the capacity for these actors to conduct acts of mass violence without reaching the traditional thresholds for chargeable criminal offenses.

Attack Planning

In conjunction with the finding that RMVE attack plotters without organizational affiliations were more likely to have carried out lethal attacks prior to their arrest and prosecution, the data also finds that individuals who planned to conduct their attacks alone were also more likely to succeed. With the exception of the murders of Serafin and Deana Lorenzo, allegedly perpetrated by Craig Lang and Alex Zweifelhofer, all of the RMVEs charged with killing someone during their attack were lone actors.¹²² However, across the dataset, lone actor plots are the minority; 29 out of the 40 attack plotters charged (72.5%) planned their attacks in conjunction with another individual.¹²³ If these data are representative of the larger population of RMVE or DVE attack plots, they would suggest that federal law enforcement is more likely to disrupt individuals who engage in networked attack planning than lone-actor attack planners. This is intuitively plausible, as individuals who plan to conspire with others to conduct terrorist attacks are generally

at an increased risk of detection and infiltration by law enforcement through undercover employees and confidential human sources.¹²⁴

Whether as a lone actor or as part of a networked plot, RMVE actors tended to converge on similar targets of their attacks, which is shown in *Figure 4*. By a large margin, the most-targeted sites for attack plots were religious institutions, appearing in the plans of twice as many attackers as the second most-targeted category (large public events). Certain types of religious institutions appear to have been especially vulnerable to attack plots. Eleven cases included an attack plan that focused on a Jewish synagogue. Six targeted Muslim mosques, and four targeted historically Black churches. These findings are sadly unsurprising, given the prevalence of anti-Semitic, Islamophobic, and anti-Black animus within RMVE ideology. In addition, the deadliest RMVE attacks during this time period targeted a synagogue and a Black church, respectively. References to these attacks occur throughout the dataset, and it is highly likely that other RMVE attack plotters were inspired by these events in selecting their own targets for potential attacks.

Figure 4: RMVE Attack Plot Cases by Target, 2014-2019

Type	Target	Cases
Federal site	Federal energy facilities	1
Individual person(s)	Prominent members of media and Congress	1
Mass transportation	Amtrak train	1
Private site	Apartment complex	3
Public site	Counterprotest against 2017 Unite The Right Rally	9
	LGBTQ+ bar	1
Religious institution	Jewish synagogue	10
	Muslim mosque	6
	Black church	4
Unspecified/unknown/undeveloped	Unspecified/unknown/undeveloped	7

Figure 5: RMVE Attack Plot Cases by Method, 2014-2019

Method	Cases
Firearms	18
Explosives	15
Assault	8
Arson	3
Sabotage	2
Poison	1
Unspecified	1
Vehicle Ramming	1

As *Figure 5* confirms, RMVE attack planners during this time period considered a diversity of means of carrying out their attacks. The most popular method for attack was

shootings. Given the ease of access to firearms in the U.S., the roadblocks for law enforcement in detecting and prosecuting gun violence, and the valorization of firearm ownership among a large swath of far-right domestic violent extremists, this finding is also unsurprising.¹²⁵ Former NCTC Director Nicholas Rasmussen, who held that position over most of this study's timeframe, commented in a January 2018 interview that "our own population of...violent extremists, though relatively small, has no difficulty at all gaining access to weapons that allow them to be quite lethal... more weapons more readily available increases the potential lethality of actors who would pick those weapons up and use them regardless of their purpose."¹²⁶ Once again, all attack plotters in the dataset who successfully carried out a lethal attack—with one exception—used firearms to carry out violence.

However, unlike the data on attack targeting, the methods considered by the RMVEs in the dataset are more disparate and better-distributed across categories. Plans to use explosive devices appeared in 15 cases throughout the dataset. An aforementioned group of eight individuals affiliated with the Rise Above Movement (RAM) were charged with attacking counter-protestors during the Unite the Right Rally, in hand-to-hand combat and with blunt instruments. In addition, RMVEs planned arsons, sabotage, and property destruction, and a single vehicle-ramming attack at the Unite the Right Rally by James Alex Fields, Jr. resulted in the death of counter-protestor Heather Heyer.¹²⁷ Despite other data pointing to the increased frequency of RMVE-inspired vehicular assaults—a tactic also used by ISIS-inspired HVE attack plotters—many of the individuals reported to be responsible for vehicular assaults between 2014 and 2019 were charged at the state level, not the federal level, making them ineligible for this study.¹²⁸

Attacks against religious facilities, attacks using explosive devices, and attacks during the commission of riots within the sample are notable because they allow prosecutors to make federal cases against RMVE attack planners that do not involve the application of the material support statute. As the following section argues, being able to bring cases against RMVE attack planners on federal hate crime, explosives, and riot statutes are some of the key tools that were used during this time period to investigate and prosecute the attack planners at the federal level. However, by the same token, they also reveal some instances where federal criminal codes and statutory authorities are mismatched with the nature of the RMVE threat.

IV. Federal Law Enforcement Response to RMVE Attack Plots

The major contemporary policy debates about the federal response to violent extremism in the United States are 1) whether gaps in the application of justice exist between federal law enforcement's domestic and international counterterrorism missions and 2) if such gaps exist, whether laws used to prosecute international terrorist threats could or should be applied to domestic terrorism threats.¹²⁹ In the second debate, the crux of the argument centers on whether the DOJ should be able to investigate and prosecute domestic terrorists for providing material support. Under 18 U.S. Code § 2339B, "whoever knowingly provides material support or resources to a foreign terrorist organization" can be punished by up to 20 years in federal prison.¹³⁰ The main benefit of this statute in counterterrorism investigations and prosecutions is that the definition of "material support or resources" is broad, extending to financial, logistical, personnel, and other types of support (including foreign fighter travel) to a an FTO.¹³¹ FTOs are designated by

the Department of State and must be foreign organizations; no analogous process exists for designating domestic terrorist groups.¹³²

Several current and former government officials have argued that the inability to apply laws like the material support statute to most domestic terrorism investigations limits the investigative ability of law enforcement to disrupt domestic violent extremist plots.¹³³ In contrast, other current and former government officials claim that an array of other federal criminal statutes—from hate crime offenses to weapons charges, in addition to state level offenses—allow law enforcement a sufficient number of investigative and prosecutorial tools, rendering the creation of new authorities unnecessary.¹³⁴ As these debates have materialized into a significant amount of high-level policy conversations, particularly following major domestic terrorist attacks, assessing the two questions above through existing data on successful and unsuccessful disruptions of DVE actors is a prerequisite to developing an effective path forward. This report will not settle these debates, but the findings may assist policymakers in establishing some much-needed nuance in the conversation. To this end, this section examines federal law enforcement's response to RMVE attack planners between 2014 and 2019 in two stages: first by examining the investigative process and the charges of offense brought against the individuals in the dataset, and then by evaluating their conviction and sentencing rates.

Investigations and Charges of Offense

Concrete, publicly available evidence proving disparities in FBI resource allocation between domestic and international terrorism is notoriously sparse. Yet, one metric of evaluating whether the DOJ and FBI are assigning equal resources to investigating domestic and international terrorist threats is by examining the percentage of cases in which the FBI employs a confidential human source (CHS) or undercover employee (UCE). Because both are paid human sources tasked to either the International Terrorism Operations Section (ITOS) or Domestic Terrorism Operations Section (DTOS) within the FBI's Counterterrorism Division, this indicator can give a rough estimate of the priority level in terms of human resources and expenditure that the FBI gives to various terrorism threat actors.¹³⁵ 40% of cases in the dataset included evidence provided by an FBI CHS or UCE. As expected, this number is lower than the number of ISIS-related HVE cases that involved a confidential source or undercover agent (57%), but the value of this finding is somewhat limited by the incomparable nature of the two datasets in terms of size and type of investigation.

Unsurprisingly, due to the inability to charge most affiliates of a domestic violent extremist group with violations of the material support statute unless an extremely narrow range of circumstances apply, no cases under 18 U.S. Code § 2339B were brought against individuals in the dataset. Instead, prosecutors used a range of charges of offense to make their case against the RMVE plotters, which are documented in *Figure 6*. The most frequently used types of charges include interstate crimes prosecutable by federal law (57.5% of cases), federal firearms charges (40%), federal weapons of mass destruction charges (32.5%) and violations of federal hate crime laws (32.5%). The DOJ brought controversial riot charges in eight cases (20%), and brought federal murder charges against seven RMVEs.

Figure 6: RMVE Attack Plot Cases by Charge of Offense, 2014-2019

Charge type (examples)	Cases
Interstate violations (e.g. 18 U.S.C. § 875, 18 U.S.C. § 922(g)(3), 18 U.S.C. § 2101(2)(a), 18 U.S.C. § 1951 (a), 18 U.S.C. § 844 (d), etc.)	23
Firearms (e.g. 18 U.S.C. § 922)	16
Weapons of mass destruction (e.g. 18 U.S.C. §2332b)	13
Hate crimes (e.g. 18 U.S.C. §241, §245, §247, §249, 42 U.S.C. §3631)	13
Riot (e.g. 18 U.S.C. § 2101(2)(a))	8
Federal murder (e.g. meeting the definition 18 U.S.C. § 1111 or violations of other federal statutes where conduct results in death)	7

This range of charges is significant because it documents how the DOJ, despite lacking the authority to charge most RMVE attack plotters with material support, are able to make the case that these violations should be prosecuted at the federal level. The most important implication of federal jurisdiction is that federal agents are able to investigate and prosecute an individual, superseding state and local law enforcement authorities that may not have the statutory authorities, willpower, or know-how to successfully disrupt a RMVE plotter.¹³⁶ In some cases, especially when a successful RMVE attack results in death, the FBI defaults to state prosecutors. With some exceptions, states have stronger murder and attempted murder charges than the U.S. federal government.¹³⁷ For instance, the State of California charged Samuel Woodward with killing Blaze Bernstein, a gay Jewish university student.¹³⁸ Woodward was reportedly affiliated with AWD, but despite his extremist ties and the alleged RMVE motive for the killing, he has yet to be federally charged.¹³⁹

Moreover, in lieu of a domestic terrorism statute, it is clear that federal agents and prosecutors must rely on a patchwork of very different statutes to disrupt terrorist plots. Some of these charges can potentially be considered more severe than the material support statute. For instance, a federal murder conviction or hate crime conviction can result in life in prison or the federal death penalty, whereas the maximum penalty for material support is 20 years.¹⁴⁰ Yet, others are far less severe, carrying sentences of less than five years in prison. None carries the “one-size fits-all” application of a broadly interpreted material support statute, meaning that an individual RMVE attack planner could theoretically receive a widely different sentence depending on the method of attack they plan for.¹⁴¹ An individual RMVE that plans to detonate an improvised explosive device that they built, but is disrupted by the FBI, could theoretically be sentenced to “any term of years or for life” under 18 U.S. Code § 2332a if convicted.¹⁴² Another that plans a shooting could receive a much wider range of potential sentences based on the type of firearm, their previous criminal history, and multiple other factors.¹⁴³

From this data, it is unclear whether the institution of a federal “material support statute” for domestic terrorism similar to 18 U.S. Code § 2339B would have substantially changed the investigative process of these cases, had the associated statutory authorities been available to FBI agents and federal prosecutors during the investigation. Proving a counterfactual is always difficult, but it is worth noting that the concept of “material

support” has some limitations in disrupting terrorist attack planners even when they plan to conduct their activity on behalf of a foreign terrorist organization. Peter Neumann argues that since today’s attack plans generally require minimal financial transfers, limited or protected communications between planners, and can be carried out with easily-accessible, licit weapons, counterterrorism concepts that are focused on tracking material support may be more applicable to financiers, logisticians, and foreign fighter travelers than they are to disrupting attacks.¹⁴⁴ While more material support charges were brought against ISIS-affiliated HVE attack plotters than RMVEs, approximately one-third were not charged with violating the material support statute.¹⁴⁵

In many of the cases of successful RMVE attacks included in the dataset—especially those involving an inspired lone actor without organizational ties conducting an attack with a legally-acquired weapon—prosecutors would theoretically have been unable to charge them with material support even if the statute was applicable to domestic terrorism. This finding does not dispute the argument that codifying a federal crime of domestic terrorism might be effective in improving the law enforcement response to RMVE terrorism. However, these data suggest that a federal crime that mirrors existing material support statute may not be efficacious in interdicting this sub-category of DVE actors before they are able to commit their attacks.

Convictions and Sentencing

Another important metric used to evaluate the success of domestic counterterrorism is ascertaining whether there are gaps in the application of justice between different categories of violent extremist groups. As the theory goes, if the DOJ attains fewer convictions or lighter sentences for one category of violent extremists than they are able to for another, this suggests inequity in either the treatment of the individual cases by the legal system or alternatively, a sign that the disparity of charges used for each type of violent extremist is resulting in unequal outcomes.¹⁴⁶ The concern for many—especially for civil liberties groups, representatives of local communities, and analysts of domestic terrorism—is that DVE plotters are “getting off easy” and are less likely to be convicted or receive lengthy sentences in comparison to their HVE counterparts.¹⁴⁷ Previous studies suggest that the bar for equity is incredibly high: in 204 ISIS-related cases between 2014 and 2019, DOJ prosecutors were able to secure convictions in all but one case.¹⁴⁸ Every case with a material support violation resulted in a conviction, and when convicted, ISIS attack planners were sentenced to 199 months (16.6) in prison on average.¹⁴⁹

In comparison, DOJ prosecutors were able to attain convictions in 30 RMVE cases in the dataset, 25 of which came through a guilty plea and five through a full trial. Nine cases are currently on the docket; the individuals charged therein have all pleaded not guilty. Finally, similar to the HVE cases cited above, DOJ prosecutors failed to achieve a conviction in only one case that they brought against an alleged RMVE attack planner, although they did not lose at trial. Instead, in the case related to William Christopher Gibbs, a member of the Georgia Church of Creativity who was alleged to have procured ingredients used in the production of ricin poison for an attack, a federal judge dismissed the case on a technicality related to the federal list of biological agents.¹⁵⁰ A year later, Congress altered that list to fix the loophole.¹⁵¹

Yet even if prosecutors had similar success rates in prosecuting RMVE attack planners as they did HVEs, one would expect the diversity of charges to result in a

patchwork of sentencing guidelines and ultimately, significantly shorter sentences for RMVEs. With regard to sentencing, this study found that 24 RMVE attack plotters receive prison terms that are four years shorter than some of their HVE counterparts on average. The 24 sentenced have an average term of 148 months (12.4 years) in prison, as compared to 40 ISIS-inspired attack planners charged between 2014 and 2019, who received an average sentence of 199 months (16.6 years). On first glance, this would suggest that the federal sentencing guidelines for the charges used against RMVE plotters result, on average, in slightly shorter prison sentences than HVEs. However, the difference in the length of sentence of the two groups is not statistically significant.¹⁵² This is likely because the standard deviation of sentence length for both groups is large in proportion to the average, reflecting inconsistencies across the datasets.

While this study was unable to confirm that the difference in sentencing between the two groups was significant, delving deeper into the comparative assessments yields further notable datapoints about federal sentencing for violent extremists. First, while federal prosecutors sought charges that could carry life sentences at approximately equal rates in RMVE and ISIS-inspired HVE cases between 2014 and 2019, to date one individual convicted of RMVE-related terrorist attacks (Dylan Roof) is currently on federal death row, while no ISIS-inspired attackers were sentenced to death in the same time period.¹⁵³ Second, when the attackers who received life sentences are removed from both datasets, the differences between the two samples in average sentence length are significant.¹⁵⁴ Without successful attackers, the average sentence for foiled RMVE-inspired plotters drops to 114 months in prison (9.5 years) and for ISIS attack planners, it becomes 188 months (15.6). This suggests that disrupted RMVE attackers, who are unable to complete their plots and are thus less likely to be charged with offenses that result in life sentences, have significantly shorter sentences than their disrupted HVE counterparts.

The discrepancies between the sentences given to RMVE and ISIS-inspired attack planners charged between 2014 and 2019 lends credence to several conclusions. First, to some extent the same inconsistencies in federal sentencing for HVE attack plotters appears to apply to RMVEs, regardless of whether prosecutors seek to use the material support statute.¹⁵⁵ In part, these reflect prosecutors and federal judges treating each case on its merits rather than viewing each terrorism prosecution and sentencing as part a holistic evaluation of justice outcomes.¹⁵⁶ In addition to charge of offense, certain activities and backgrounds of defendants—including previous criminal history, nature of the crime, and a defendant’s perceived commitment to reengaging in criminal activity—can result in departures or enhancements to the federal sentencing guidelines.¹⁵⁷ One such enhancement of note concerns federal terrorism-related offenses in the U.S. Sentencing Guidelines Manual § 3A1.4.¹⁵⁸ In some cases where defendants are convicted of non-terrorism related crimes, DOJ prosecutors can make the case that the defendant should receive a sentencing enhancement if the crime committed has a nexus to terrorism.¹⁵⁹ The judge, evaluating federal terrorism laws (stipulated in 18 U.S. Code §2332, §2339, and other related statutes) can decide to add an upward departure to the sentence based on the convicted individuals’ involvement in activities related to the federal definition of terrorism.¹⁶⁰

Prosecutors have sought terrorism enhancements in RMVE cases, but due to the lack of a federal crime of domestic terrorism, are only able to do so a defendant engages in activity covered by another aspect of federal terrorism laws in the process of their attack

plan.¹⁶¹ For instance, when former Coast Guardsman Christopher Hasson pleaded guilty to firearms charges in 2019, a judge in the U.S. District Court for the District of Maryland applied a terrorism enhancement to the sentencing, partially because evidence was presented at trial that Hasson planned to assassinate members of Congress (which meets the federal definition of terrorism in 18 U.S. Code § 2332b(g)(5)).¹⁶² Hasson's charge normally carried a sentence of approximately four years in prison, but with the enhancement, a judge sentenced him to over 13 years in prison.¹⁶³ The inability to pursue terrorism enhancements and federal crimes of terrorism in other RMVE cases may be driving shorter sentences for disrupted RMVE plotters. Even without standalone criminal charge related to domestic terrorism, if prosecutors were able to seek this type of terrorism enhancement in a wider range of cases involving RMVE and other DVE cases, they may be able to remedy the sentencing gap between international and domestic terrorism cases.

V. Results and Recommendations

During the period between 2014 and 2019, racially/ethnically motivated violent extremism became the preeminent domestic terrorism threat to the United States, outpacing other domestic violent extremist actors and homegrown violent extremists. The drastic increase in RMVE operational tempo and lethality helped form the consensus assessment of America's federal law enforcement and intelligence agencies that RMVEs as a category pose the largest threat of conducting mass-casualty terrorist attacks on U.S. soil. During the five-year period of this study, RMVE-inspired lone actors demonstrated their capacity to plan and commit precisely this type of violence in deadly attacks in Charleston, Pittsburgh, Poway, and El Paso.

Despite the fact that these perpetrators of domestic terrorism were not brought to justice until after they had already committed gruesome acts of violence, between 2014 and 2019 the FBI and DOJ also prevented several dozen RMVEs from conducting similar actions through arrests and prosecutions. As this report shows, gaps in statutory authorities constrained the freedom of movement for federal law enforcement in disrupting RMVE terrorist plots, especially in the investigative stage. Nevertheless, using the resources at their disposal, law enforcement in these cases were able to bring cases against RMVE attack plotters and interdict them before they were able to conduct the violent attacks they were alleged to have planned.

This report highlighted key statistics and lessons learned from investigations and prosecutions of RMVE between 2014 and 2019, with an aim to answer several research questions about the nature of RMVE attack planning and the federal response in the United States. First, in examining the demographics, group affiliations, ideological inspirations, and attack planning methods of this sample, a number of important assessments stand out. Notably, the average ages of RMVE plotters are significantly higher than in some other violent extremist attack planning demographics, and the high proportion of attack plotters in their 40s and older suggests that RMVE groups may be targeting different demographics than other violent extremist groups in recruitment. Alternatively, it may suggest that the longevity of an RMVE "career" may be substantially longer than other violent extremists, especially considering the limitations in the federal response to RMVE over the past few decades. Also, the lack of a federal case in this time period against a woman RMVE attack plotter is independently a notable result and worthy of further analysis. Women's roles in RMVE groups are well-documented in the literature,

and their absence from this study may either be a result of the gender role boundaries dictated by the movement or, similar to other law enforcement responses against violent extremist groups, a potential gap in identification and enforcement.

Moreover, in evaluating the group affiliations and attack planning methods of RMVEs, this study finds that the most difficult RMVE attack planner to identify, interdict, and prosecute has no formal membership to any established RMVE organization. Instead, they are typically ensconced in a digital communications ecosystem, from which they draw various ideas from throughout the RMVE spectrum and distill it into a holistic worldview that incorporates elements from the various historic streams of RMVE ideology—particularly from the American white supremacist and neo-Nazi schools of thought. This was the case for the perpetrators of the two largest RMVE mass-casualty attacks within the report’s sample, and the IC continues to assess that these individuals pose the largest threat of committing mass-casualty violence against American civilians.¹⁶⁴ The conceptual models of decentralized, de-networked terrorism are by no means a new idea, nor are they the provenance of RMVE groups alone. Instead, the new digital communications technologies and terrorist doctrinal approaches of the past decade have fundamentally altered the ability for all violent extremist groups to inspire this type of action amongst their followers and acolytes. To this end, this study is one of a chorus of analyses on violent extremist movements in the United States that finds that decentralized lone actor terrorist plots have become more lethal than their highly networked counterparts.

Three issues inherent in decentralized attack planning can undermine successful disruptions by law enforcement. First, the window of response necessary to identify and interdict plotters has drastically shortened. FBI officials refer to this as the “flash-to-bang ratio,” or the period of time between an individual plotter adopting a violent extremist ideology and then mobilizing to violence.¹⁶⁵ In the cases of successful attacks in the dataset, many factors, including the augmenting effect of online radicalization to offline mobilization, easy access to deadly weapons, and the age of terrorist perpetrators quicken the flash-to-bang ratio and prevent law enforcement from intervening in time.¹⁶⁶ Second, a review of the attack-planning methods used by RMVE attackers show that many utilize methods—such as shootings, vehicle rammings, or arson—for which acquiring the material necessary to conduct the attack may not be *ipso facto* prosecutable.¹⁶⁷ Finally, traditional law enforcement interventions may not be possible due to the individual in question’s lack of association with a known network or terrorist groups.¹⁶⁸ The individuals in this study’s sample were not alleged to have been associated with foreign terrorist organizations, which precludes investigations under the material support statute.

As federal law enforcement practitioners and policymakers consider revamping the DOJ and FBI’s approach to RMVE and other domestic violent extremist movements, these findings can help structure policies that are designed to improve capacity, efficiency, and violence prevention. First, this paper finds that although a material support statute for domestic terrorist organizations akin to 18 U.S. Code §2339B may be considered on other grounds, it would be unlikely to drastically improve the federal response to RMVE attack planners. Even if federal authorities were able to devise a structured, constitutional designation process and a resultant list of domestic terrorist organizations, the most lethal attackers in the study were not formally affiliated or connected in any material way to an RMVE organization. The activities that they conducted during the period of their attack planning were largely legal, and most would not have cleared any meaningful

criminal threshold set by federal terrorism laws. Other forms of RMVE activities—especially foreign fighter travel and financing—may be good candidates for prosecution under a material support statute, but it would be largely inapplicable to most cases of RMVEs who are planning terrorist attacks in the United States.

Instead, to prevent terrorist attacks committed by RMVE, Congress and federal law enforcement may consider shifts in its allocation of investigative resources and create crimes of domestic terrorism that are more specific to attack planning. First, although the FBI is largely opaque about the precise breakdown of resources, internal and external sources claim there are imbalances of staffpower, fiscal resources, investigative tools and sources, career opportunities, and bureaucratic priorities between the FBI squads tasked with countering international terrorism and those tasked with domestic counterterrorism.¹⁶⁹ After recent events—particularly the January 6, 2021 storming of the U.S. Capitol by various domestic violent extremists—the Bureau now claims that domestic violent extremism outweighs homegrown violent extremism and international terrorism as the top terrorism threats facing the country.¹⁷⁰ Ensuring that available resources actively match the scope of the threat for each category of terrorism can help fix investigative gaps by providing federal agents the tools they need to identify and interdict RMVEs, preventing them from conducting mass-casualty attacks and other violent acts.¹⁷¹

Second, the FBI Joint Terrorism Taskforces and Department of Homeland Security Fusion Centers who engage with state, local, and community partners should prioritize outreach to local faith communities, particularly synagogues, mosques, and historically Black religious institutions. By a large margin, religious institutions were the most-targeted site for RMVE-inspired terrorist attack plots, and due to the ideological precepts of many RMVE groups and the inspirational legacies of major attacks against religious facilities by RMVEs, these sites are especially likely to be targeted in the future. Meaningful, reciprocal interactions between law enforcement and local religious communities can help prevent RMVE violence.¹⁷² Law enforcement can help train religious institutions in ensuring their own security and advise them of best practices for responding to terrorist incidents, and religious institutions can serve as resources for law enforcement in identifying individuals of concern within their communities.¹⁷³

If deemed necessary by a longer-term review of federal law enforcement's counterterrorism approach, Congress may also consider the provision of additional statutory authority to the FBI and DOJ in the form of a federal crime of domestic terrorism. One proposal by former Acting Assistant Attorney General for National Security Mary McCord argues that rather than modeling new crimes on the material support statute, they should be based on the definition of “acts of terrorism transcending international boundaries” stipulated in to 18 U.S. Code §2332b, creating a separate subcategory for acts of terrorism in the U.S. without an international connection.¹⁷⁴ Under this modification, “killing, kidnapping, maiming, committing assault resulting in serious bodily injury or assault with a dangerous weapon, or destroying property” with the intent to intimidate or coerce a civilian population or influence government policy would be prosecutable as a federal crime of terrorism without the need for a material support statute or a designated organizations list.¹⁷⁵

This proposed statutory change could entail three major impacts on the way federal authorities investigate and prosecute RMVE cases. First, unlike the current patchwork of laws used to prosecute domestic terrorists in many cases, this statute would also include charges related to conspiracy and attempt to commit domestic terrorism.¹⁷⁶

Because federal agents could start their investigation when they gather evidence that an individual is planning by whichever means to conduct an RMVE inspired attack, they would theoretically be able to intervene much earlier and in a greater variety of cases.¹⁷⁷ Second, from a signaling standpoint, the statute would help assuage the public and key community stakeholders that federal law enforcement is committed to addressing domestic terrorism in the same way as international terrorism, by distinctly applying an ideologically-neutral crime of federal terrorism to each type of case.¹⁷⁸ Finally, and perhaps most importantly, even in cases that do not involve these charges, prosecutors who believe that a convicted individual has a nexus to domestic terrorism could use a modified federal terrorism statute to apply for a sentencing enhancement.¹⁷⁹ This could, in part, help rectify the gap in sentencing outcomes between convicted DVE and HVE disrupted attack plotters.

Regardless of these changes, the specter of RMVE terrorism is likely to continue to threaten Americans as it has for the past several centuries. Sadly, the movement and its ideological narratives have become engrained in a number of different political, ideological, and religious arrangements that make various forms of it highly resistant to pressure from law enforcement. Although the various historical trends in RMVE ideology wax and wane in popularity, in some form or another they continue to mobilize Americans to conduct violence against their fellow citizens. Federal law enforcement and other governmental authorities will not annihilate RMVE terrorism; they can mitigate its effects through the prevention of violence. Therefore, although this report is directed towards traditional law enforcement response of investigations and prosecutions, further exploration of preventative programming using non-law enforcement interventions will also be critical in convincing individuals who are attracted to RMVE movements to choose another path. In this manner, despite the continued existence and scourge of RMVE ideologies in American life, federal authorities can assist in harm reduction and the mitigation of violence in the long-term.

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shooting by Patrick Crusius is not included. Despite Crusius' attack occurring during the study's timeframe and its apparent connections with RMVE ideology, Crusius was initially indicted by the State of Texas in September 2019 and was later federally charged in February of 2020. Therefore, Crusius' case was not included in the dataset because he was not indicted in federal court for planning or conducting an RMVE attack between 2014 and 2019.

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<https://web.archive.org/web/20181027160428/https://imgur.com/a/cwB9QkR>

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