

SOUTHERN POVERTY LAW CENTER

SAFEGUARD DEMOCRACY

MEANINGFUL ACTIONS
FOR COUNTERING
EXTREMISM



SPLC
Southern Poverty
Law Center

Policy Recommendations
for Bold Leadership to
Confront Hate Violence

POLICY RECOMMENDATIONS FOR BOLD LEADERSHIP TO CONFRONT HATE VIOLENCE

Democracy in the United States is under threat from a hard-right, antidemocratic mass movement that has brought hate and antigovernment extremists into the mainstream, threatening the fabric of inclusive, diverse democracy. It is urgent for policymakers to act to defend and strengthen our democratic institutions, and to commit to holistic, long-term initiatives to counter racism, antigovernment extremism, and hate groups in America.

PROTECT DEMOCRACY

Every citizen deserves to be able to participate in our democracy and civic discourse without fear, intimidation or barriers.

With essential voting-rights legislation blocked due to Senate Republican obstruction, it is even more important for the Department of Justice to use its authority to challenge discriminatory anti-voting laws – and for activists and grass roots organizations to engage in the fight to protect and advance voting rights through every tool we have in our communities. While Congress should enact legislation to raise the threshold for challenging Electoral College votes, and to clarify that the Vice President’s role in the process is exclusively ministerial, with no authority to overturn election results, it must not do so without also passing legislation to address the erosion of the Voting Rights Act and other reforms to strengthen our democracy.

SPEAK OUT AGAINST HATE, POLITICAL VIOLENCE, AND EXTREMISM

Words matter, especially from our leaders. It is impossible to overstate the importance of elected officials, business and community leaders, civic and faith leaders, military commanders, and law enforcement executives using their public platforms to condemn hate, racism, attacks on voting and democratic institutions, and extremism in all forms. Failure to do so emboldens extremists – as we saw dramatically demonstrated during the Trump administration. Leaders across the country can inspire positive change and confidence about the future by promoting visions of an inclusive community where everyone can thrive.

Following the Jan. 6 insurrection, corporate leaders vowed to withdraw financial support from political officials who refused to certify the 2020 election. One year later, corporate money continues to flow

to most of the 147 lawmakers who voted against certification. Statements of support of our democracy alone are insufficient; they must be backed up with meaningful action.

HOLD THE PLANNERS AND PERPETRATORS OF THE JAN. 6 ATTACK ACCOUNTABLE

Those responsible for the deadly Jan. 6 insurrection – and elected officials who explicitly or subtly encouraged or enabled this political violence – must be held accountable and suffer real consequences.

- ➔ The essential work of the House Select Committee to investigate the Jan. 6 attack on the United States Capitol must be strongly supported. The Committee’s findings and recommendations will be critical for lawmakers and the public to help understand the architects behind the Jan. 6 attack, how to hold those planners and perpetrators accountable, and necessary steps to safeguard future elections and our country’s democratic institutions.
- ➔ The federal government should continue to prosecute the organizers, financial backers, political enablers, and perpetrators involved in the Jan. 6 insurrection to the fullest extent of the law. The prosecution of specific individuals for “seditious conspiracy” is a welcome development – and an important and appropriate step given the gravity of the attack.
- ➔ Business leaders and corporations should permanently suspend political donations to members of Congress and other elected officials who helped incite the violent siege and commit to withholding all forms of support for political candidates who either actively support political violence, amplify those who do, or fail to promptly condemn political violence when it comes from their allies or supporters.

IMPROVE GOVERNMENT RESPONSE TO DOMESTIC EXTREMISM

President Biden’s National Strategy for Countering Domestic Terrorism calls for expanded information sharing and more resources to address the racism underlying extremism, including efforts to advance equity and promote civics education and engagement.

- ➔ Congress should enact the Domestic Terrorism Prevention Act (S.964/H.R. 350) to establish offices within the Department of Homeland Security (DHS),

the Department of Justice, and the FBI to monitor, investigate and prosecute cases of domestic terrorism – and require regular reports from these offices.

- ➔ Congress should reject efforts to create a new criminal domestic terrorism statute, which could be weaponized against dissidents, communities of color, or political opponents. The federal government has plenty of tools to enforce existing laws; it only needs the will to use them.
- ➔ The Biden administration and Congress should promptly implement the new COVID-19 Hate Crime Act, and work urgently to address bias-based violence against Asian Americans and Pacific Islanders and other groups, and close gaps in current hate crime data collection and response.
- ➔ Congress should end funding for police militarization and the transfer of excess military property to law enforcement agencies. And Congress and the Justice Department should take steps to gauge and directly address white supremacy in policing.

ENFORCE CURRENT LAWS AND USE STRATEGIC LITIGATION

Every state prohibits private militias, and the federal government and many states have laws prohibiting political violence, restricting firearms in the state capitol/government buildings and near polling places, and banning paramilitary training in furtherance of, or in preparation for, a civil disorder.

- ➔ Federal and state authorities should take action to raise awareness about these laws – and enforce them when hard-right activists engage in militia activity.
- ➔ Human rights advocates and state attorneys general should pursue civil litigation – like Integrity First for America’s successful suit against planners and perpetrators of the 2017 Charlottesville white supremacist riot and the December 2021 lawsuit filed by Washington, D.C. Attorney General Karl A. Racine against the Proud Boys, Oath Keepers and other Jan. 6 violent actors – as a best practice that can help deter such lawless behavior in the future.
- ➔ The Justice Department’s Election Threats Task Force must be supported and empowered to protect election workers and voters from intimidation, harassment and violence.

CONFRONT WHITE SUPREMACY AND EXTREMISM IN THE MILITARY

The Justice Department has so far charged more than 700 individuals in connection with the U.S. Capitol attack.

Disturbingly, more than 80 of the defendants charged in relation to the Jan. 6 attack have ties to the U.S. military – mostly veterans.

Led by Secretary of Defense Lloyd J. Austin III, military and civilian Pentagon leadership have been outspoken in addressing this issue seriously – including a Department-wide stand down to educate personnel on the dangerous threat of extremist activity and the establishment of the Countering Extremist Activities Working Group (CEAWG) to study the issue and offer recommendations.

The Department of Defense must promptly implement the December 2021 CEAWG report commitments and complement those advances with additional actions:

- ➔ Address extremism at every stage of a service member’s career: better screening during recruitment, expanding and clarifying prohibitions against advocating for, or involvement in, supremacist or extremist activity for all active-duty personnel, and more extensive and tailored efforts to help veterans transition into civilian life, including the ongoing availability of counseling and other mental health and social welfare services.
- ➔ Because veterans are high-value targets for extremist groups, the Veterans Administration must provide ongoing education and outreach against misinformation and disinformation to help former military personnel fend off – and report – outreach from extremists.
- ➔ Expand existing service prohibitions against the display of flags, clothing, tattoos and bumper stickers – on or off a military installation – that support extremist groups and activities.
- ➔ Mandate more extensive data collection and reporting, including an annual climate survey on extremism.
- ➔ Immediately rename the ten U.S. Army bases named for Confederate leaders. No American should train at a base named for individuals who fought against the United States for the right to enslave other people.

FUND PREVENTION AND EDUCATION INITIATIVES TO STEER INDIVIDUALS AWAY FROM HATE AND EXTREMISM

Disinformation and conspiracy theories are galvanizing attacks on democracy and government institutions and can lead to ideologically motivated violence.

- ➔ Federal agencies, including the Department of Justice, the Department of Education, and the Department of Health and Human Services should provide more resources for programs and processes

for early intervention. Programs in these areas should focus on inoculating communities against extremism and empowering adults to help steer young people away from dangerous ideas. SPLC and American University's Polarization and Extremism Research and Innovation Lab (PERIL) are currently piloting promising non-governmental initiatives in this direction.

- ➔ Federal and state government leadership must promote civics education and anti-bias, anti-hate, and democracy-building education programs. It is not possible to legislate, regulate or tabulate hatred and extremism out of existence. SPLC's Learning for Justice resources can serve as a model for needed resources in our nation's schools.
- ➔ The Department of Education should fund and promote anti-racism programs and initiatives to teach critical thinking skills and digital literacy, so students can be inoculated against and fend off misinformation, disinformation and online radicalization. These approaches should be community-focused and non-carceral, and they should foreground the experiences of and support for victim-survivors.
- ➔ To respond to unwarranted attacks on inclusive education, federal and state officials should provide support and funding to communities addressing intimidating and menacing threats of violence against health care workers, school board members, teachers and school administrators.

HOLD TECH AND SOCIAL MEDIA COMPANIES ACCOUNTABLE AND PROMOTE ONLINE SAFETY

More than a year after Jan. 6, it is still frighteningly simple for racists and extremists to disseminate propaganda, recruit followers, generate profits and spread intimidation on the major social media platforms. Meanwhile, a large number of "alt-tech" platforms have also sprung up to service extremists whose actions exile them from Facebook, Twitter and YouTube.

- ➔ Tech companies must create – and enforce – Terms of Service and policies to ensure that social media platforms, payment service providers and other internet-based services do not provide forums where hateful activities and extremism can grow and lead to domestic terrorism. This will require increased spending on and attention to content moderation to rapidly and effectively address content that violates the terms of service, and detailed transparency reports that address the reasons and numbers of content takedowns.

- ➔ Social media companies should be required to make data available to academics and researchers, including information about deplatforming, content removal, account removal, account demonetization, shadow banning and slowdowns, as well as how user ads and recommendation algorithms impact the proliferation of extremist content on the site/app.
- ➔ Social media platforms and online payment service providers should act to disrupt the funding of hate online, to prevent their services from helping to incubate and bankroll terrorists and extremism.
- ➔ Tech companies that offer crowdfunding, subscriptions, video streaming cash payouts, in-app or in-site currencies, and/or cryptocurrencies should face additional mandatory transparency and reporting requirements to document use or abuse of their systems to provide financial support for intimidation, harassment and violent extremism.
- ➔ Consistent with the First Amendment and privacy considerations, federal and state government officials should implement rules and regulations to ensure that tech companies comply with civil rights laws prohibiting discrimination. Law enforcement should scrutinize platforms and ensure they are enforcing prohibitions on activities that endanger the public or conspire against the rights of others.