

**Written Testimony for the Record Regarding Senate Bill 864, an Act concerning Public Safety – Task Force on Preventing and Countering Domestic Terrorism**

Senator Hettleman and Esteemed Members of the Judiciary Committee:

I support Senate Bill 864 and offer recommendations that I believe may improve upon an exceedingly worthwhile initiative. My support for the bill is not contingent upon these recommendations.

I have been involved in research, education and professional training efforts regarding responses to terrorism, including both criminal justice responses and community-led prevention, intervention and rehabilitation and reintegration efforts for approximately fifteen years. I currently direct the START Consortium based at the University of Maryland - College Park campus dedicated to these topics.

Domestic terrorists, and specifically those adhering to movements espousing elements of white power ideology, are the most active, lethal and numerous perpetrators of terrorism in the U.S. While acts of terrorism are relatively rare, with between 60-70 acts occurring in each of the last several years, these acts are intended to and often result in an oversized psychological and political impact on our society.

Furthermore, there is a significant imbalance in the relative success of violent plots when one compares domestic terrorism to international terrorism; according to START research over 60% of violent domestic terrorist plots successfully kill or injure someone, whereas less than 25% of violent international terrorist plots succeed. This discrepancy is the result of several factors, including fewer criminal justice tools available due to Constitutional protections, less political will, and lesser resources allocated to domestic terrorism.

If one considers hate crime, the importance of allocating resources to address domestic extremist ideologies becomes undeniable. Conservative estimates suggest that there are approximately 8000-9000 hate crimes per year in this country (compared to 60-70 terrorist attacks), and, according to START's dataset on hate crime perpetrators, nearly 90% of hate crime perpetrators are motivated by white power, misogynist and sexual-identity oriented ideologies – the same ideologies that motivate many acts of domestic terrorism.

Given that domestic extremism poses a significant threat of violence and harm, what is the role of the State in addressing this issue? It is possible to summon greater political will and to allocate greater law enforcement resources to the issue, while also investing in community empowerment programs and violence prevention efforts that uphold Constitutional protections. I believe States can play a critical role in empowering communities to identify what makes them resistant to hazards (including but not limited to violent extremism), resilient to hazards, and then to build upon those strengths to crowd out vulnerabilities.

In addition to community-centric approaches, the State can hold its public safety institutions accountable with respect to rational resource allocations based on an objective and holistic understanding of threats. Too often, data on hate crimes are considered separately from data on domestic and international terrorism – and as a result more resources are allocated to counter- and anti-terrorism than the much more common instances of hate crime.

States can also invest in rehabilitation and reintegration efforts of formerly incarcerated individuals. Criminal records are a significant risk factor for violent extremist outcomes among individuals who

adopt an extremist worldview. Said another way, the majority of violent extremist offenders have criminal records. Failing to invest in rehabilitation and reintegration is a significant missed opportunity in terms of violent extremist risk mitigation, as well as for decreasing rates of recidivism more generally.

Recommended Amendments:

- The National Governors Association (NGA) has created set of research-based resources developed over three years called the Governor’s Roadmap to Preventing Targeted Violence. I recommend that this Bill encourage the Task Force to engage with NGA and the Roadmap. Significantly, NGA will be accepting applications from States to go through a facilitated process to help support the creation of violence prevention efforts.
- I applaud the multi-disciplinary and multi-stakeholder nature of the proposed task force, but strongly recommend the inclusion of representatives from the educational system, the social work community, the mental health community, and the inclusion of an academic expert with a background on these issues. Because terrorism is inherently a social, political and psychological phenomenon, addressing terrorism is not primarily a function of law enforcement or emergency responders, although they play an important role. A public-health approach to violence prevention requires a broader multi-disciplinary task force.
- Regarding the scope of the Bill, its title and the mandate expressed in line (f), I would recommend replacing “domestic terrorism” with “domestic violent extremism”, allowing the task force to address the spectrum of ideologically-motivated violent extremism including hate crime.
- Regarding line (f)(6) of the proposed Bill, online extremism is a critical issue but too narrow of a focus to address the problem of domestic violent extremism comprehensively, and further, I would highlight that the First Amendment concerns are not unique to online communications. I would recommend leaving the mandate broad regarding identifying “optimal policies and practices for preventing and countering domestic violent extremism in the context of upholding civil rights and civil liberties.”

Sincerely,

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