

*Written Testimony of*

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Hearing: "Confronting Violent White Supremacy (Part IV):  
White Supremacy in Blue—The Infiltration of Local Police Departments"

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Chairman Raskin, Ranking Member Roy, and members of the Subcommittee, thank you for inviting me to testify today about white supremacist activity in law enforcement.<sup>1</sup>

### **Exposing a Long-Acknowledged Problem**

For decades, the Federal Bureau of Investigation (FBI) has routinely warned its agents that the white supremacist and far-right militant groups it investigates often have links to law enforcement. Yet the Justice Department (DOJ) has no national strategy designed to protect the communities policed by these dangerously compromised law enforcers. As our nation grapples with how to reimagine public safety in the wake of the protests following the police killings of George Floyd and Breonna Taylor, it is time to confront and resolve the persistent problem of explicit racism in law enforcement.

I know about these routine warnings because I received them as a young FBI agent preparing to accept an undercover assignment against neo-Nazi groups in Los Angeles, California, in 1992. More recently, in 2006, the FBI issued an intelligence assessment titled, “White Supremacist Infiltration of Law Enforcement,” which was later released in redacted form. It alerted agents to “both strategic infiltration by organized groups and self-initiated infiltration by law enforcement personnel sympathetic to white supremacist causes.”<sup>2</sup> A 2015 FBI counterterrorism policy guide, which leaked to the media, made the case more directly. It warned agents that FBI “domestic terrorism investigations focused on militia extremists, white supremacist extremists, and sovereign citizen extremists often have identified active links to law enforcement officers.”<sup>3</sup>

If the government knew that al Qaeda or ISIS had infiltrated American law enforcement agencies, it would undoubtedly initiate a nationwide effort to identify them and neutralize the threat they posed. Yet white supremacists and far-right militants have committed far more attacks and killed more people in the U.S. over the last ten years than any foreign terrorist movement, and both the FBI and Department of Homeland Security regard them as the most lethal domestic terror threat.<sup>4</sup> The need for national action on the issue of explicit racism, white supremacy, and far-right militancy in law enforcement is critical.

But when Rep. William Lacy Clay asked FBI counterterrorism chief Michael McGarrity whether the bureau remained concerned about white supremacist infiltration of law enforcement since the publication of its 2006 assessment at a June 2019 hearing of this subcommittee, McGarrity indicated he had not read it. Asked more generally about this infiltration, McGarrity said he would be “suspect” of white supremacist police officers, but that their ideology was a First Amendment–protected right.<sup>5</sup> The 2006 assessment addresses this concern, however, by summarizing Supreme Court precedent on the issue: “Although the First Amendment’s freedom of association provision protects an individual’s right to join white supremacist groups for the purposes of lawful activity, the government can limit the employment opportunities of group members who hold sensitive public sector jobs, including jobs within law enforcement, when their memberships would interfere with their duties.”<sup>6</sup>

More importantly, the FBI’s 2015 counterterrorism policy, which McGarrity was responsible for executing, indicates not just that members of law enforcement might hold white supremacist views, but that FBI domestic terrorism investigations have often identified “active links” between the subjects of these investigations and law enforcement officials. But its proposed remedy is stunningly inadequate. It simply instructs agents to protect their investigations by using the “silent hit” feature of the Terrorist Screening Center watchlist, so that police officers searching for themselves or their white supremacist associates could not ascertain whether they were under FBI scrutiny.<sup>7</sup>

While it is important to protect the integrity of FBI terrorism investigations and the safety of law enforcement personnel, Congress has also tasked the FBI with protecting the civil rights of American communities often targeted with discriminatory stops, searches, arrests, and brutality at the hands of police officers. The issue in these cases isn’t ideology but law enforcement connections to subjects of active terrorism investigations.

Of course, one doesn’t need access to secret FBI terrorism investigations to find evidence of explicit racism within law enforcement. Since 2000, law enforcement officials with alleged connections to white supremacist groups or far-right militant activities have been exposed in Alabama, California, Connecticut, Florida, Illinois, Louisiana, Michigan, Nebraska, Oklahoma, Oregon, Texas, Virginia, Washington, West Virginia, and elsewhere.<sup>8</sup> Research organizations have uncovered hundreds of federal,

state, and local law enforcement officials participating in racist, nativist, and sexist social media activity, which demonstrates that overt bias in the ranks is far too common.<sup>9</sup>

Law enforcement officials actively affiliating with white supremacist and far-right militant groups pose a serious threat to people of color, religious minorities, LGBTQ people, and anti-racist activists. But the police response to nationwide protests that followed the murder of George Floyd in May 2020, includes a number of law enforcement officers across the country flaunting their affiliation with far-right militant groups.

An Orange County, California sheriff's deputy monitoring a Black Lives Matter protest wore patches with logos of the Three Percenters and the Oath Keepers — far-right militant groups that often challenge the federal government's authority — affixed to his bullet-proof vest.<sup>10</sup>

A 13-year veteran of the Chicago Police Department with a long history of misconduct complaints was investigated for wearing a face covering with a Three Percenters' logo while on duty at a recent protest. A supervisor pictured with him at the scene apparently did not order him to remove it.<sup>11</sup>

In Philadelphia, police officers openly socialized with Proud Boys, a far-right “Western chauvinist” fight club whose members have engaged in violence at rallies across the country. Proud Boys wearing identifying regalia and carrying the group's flag attended a “Back the Blue” party at the Fraternal Order of Police Lodge, where they mingled with current and former police officials.<sup>12</sup>

Police officers casually fraternizing with armed far-right militia groups at protests is confounding because many states have laws barring these unregulated paramilitary activities, and more ominously, far-right militants have often killed law enforcement officers.<sup>13</sup> The recent ambush slayings of a Department of Homeland Security (DHS) Federal Protective Service officer and a Santa Cruz County sheriff's deputy, allegedly by far-right militants affiliated with the Boogaloo movement, highlights this danger.<sup>14</sup>

Allegations that top DHS leaders attempted to suppress intelligence assessments regarding the threat posed by white supremacist violence, as detailed in a recent

whistleblower complaint, demonstrate that the problem of bias in law enforcement is not limited to a few bad apples.<sup>15</sup>

### **Persistence of White Supremacy in Law Enforcement Demands Action**

Law enforcement agencies must do more to strengthen their anti-discrimination policies, improve applicant and employee screening, establish reporting mechanisms, and protect and reward officers who report their colleagues' racist misconduct. Due process is essential to ensure officers are not wrongly or unfairly targeted. Where an officer's improper behavior does not justify termination, the law enforcement agency should establish mitigation strategies to ensure these tainted law enforcers are never in a position to harm the public or their colleagues.

Prosecutors also have an important role in protecting the integrity of the criminal justice system from the potential misconduct of explicitly racist officers. The 1963 Supreme Court ruling in *Brady v. Maryland* requires prosecutors and the police to provide criminal defendants with all exculpatory evidence in their possession.<sup>16</sup> A later decision in *Giglio v. United States* expanded this requirement to include the proactive disclosure of evidence that might impeach a government witness.<sup>17</sup> Prosecutors keep a register of law enforcement officers whose previous misconduct could reasonably undermine the reliability of their testimony and need to be disclosed to defense attorneys. This register is often referred to as a "Brady list."

Evidence of a law enforcement officer's explicitly racist behavior could reasonably be expected to impeach his or her testimony. Prosecutors, therefore, should be required to include these officers on Brady lists to ensure defendants they testify against have access to the potentially exculpatory evidence of their explicitly racist behavior.

My 1992 undercover investigation didn't reveal any connections between the neo-Nazi bombmakers and weapons traffickers and law enforcement. In fact, the local law enforcement officers that worked with me on the investigation were consummate professionals who I literally trusted with my life. There are many more just like them. But, however small, the presence of active white supremacists in law enforcement is a persistent problem that must be treated as a matter of urgent concern.

The Brennan Center has produced three reports that detail deficiencies in the law enforcement response to violence from white supremacists and far-right militants.<sup>18</sup> These reports demonstrate that the lack of enforcement is not due to a lack of authority, but policies and practices that deprioritize the investigation of racist violence. The Justice Department actively resists congressional efforts to obtain data that would demonstrate the nature and scope of white supremacist and far-right violence in the U.S., so that more effective policies could be promulgated. It has failed to collect accurate national data on bias crimes, as mandated by the Hate Crimes Statistics Act of 1990, relying instead on voluntary reporting by state and local law enforcement, which has never produced accurate national data. More recently, the FBI has failed to provide reports detailing its domestic terrorism program activities, as required by a provision of the National Defense Authorization Act for Fiscal Year 2020.<sup>19</sup>

The Brennan Center's recently released third report, which focuses on the problem of racism, white supremacy, and far-right militancy in law enforcement, makes the following recommendations:

## **Recommendations**

### **Federal, State, and Local Law Enforcement Agencies**

The failure of federal, state, and local law enforcement agencies to aggressively respond to evidence of explicit racism among police officers undermines public confidence in fair and impartial law enforcement. Worse, it signals to white supremacists and far-right militants that their illegal acts enjoy government approval and authorization, making them all the more brazen and dangerous. Winning back public trust requires transparent and equal enforcement of the law, effective oversight, and public accountability that prioritizes targeted communities' interests.

Where police officers are found to be involved in white supremacist or far-right militant activities, racist violence, or related misconduct, police departments should initiate mitigation plans designed to ensure public safety and uphold the integrity of the law. Mitigation plans could include referrals to prosecutors, dismissals, other disciplinary actions, limitations of assignments to reduce potentially problematic contact with the public, retraining, and intensified supervision and auditing. Law

enforcement officials and prosecutors have an obligation to provide defendants exculpatory information in their possession, including information about police witnesses misconduct that may reasonably impeach their testimony. Prosecutors should include officers known to have engaged in overtly racist behavior to Brady lists.<sup>20</sup> These lists should be shared among federal, state, and local prosecutors' offices to ensure fair trials for all defendants in all jurisdictions.

The most effective way for law enforcement agencies to restore public trust and prevent racism from influencing law enforcement actions is to prohibit individuals who are members of white supremacist groups or who have a history of explicitly racist conduct from becoming law enforcement officers in the first place, or from remaining officers once bias is demonstrated. All law enforcement agencies should:

- Establish clear policies regarding participation in white supremacist organizations and other far-right militant groups, and on overt and explicit expressions of racism — with specificity regarding tattoos, patches, and insignia as well as social media postings. These policies should be properly vetted by legal counsel to ensure compliance with constitutional rights, state and local laws, and collective bargaining agreements, and they must be clearly explained to staff.
- Hire a diverse workforce to more accurately reflect the demographic makeup of the communities the agency serves, and promote them fairly through the ranks.
- Establish mitigation plans when biased police officers are detected. Mitigation plans could include referrals to internal affairs, local prosecutors, or the DOJ for investigation and prosecution; termination or other disciplinary action; limitations of assignments to reduce potentially problematic contact with the public; retraining; and intensified supervision and auditing.
- Establish reporting mechanisms to ensure evidence of overtly racist behavior by a police officer is provided to prosecutors and employ Brady lists or similar reporting mechanisms to ensure defendants receive notice.

- Encourage whistleblowing and protect whistleblowers.

## **Federal Government**

The Justice Department has acknowledged that law enforcement involvement in white supremacist and far-right militia organizations poses an ongoing threat, but it has not produced a national strategy to address it. Not only has the department failed to prosecute police officers involved in patently racist violence, it has only recently begun collecting national data regarding use of force by law enforcement officials.<sup>21</sup>

Congress should direct the Justice Department to:

- Immediately establish a working group to examine law enforcement associations with white supremacist and other far-right militant groups to assess the scope and nature of the problem in a report to Congress.
- Develop an evidence-based national strategy based on this review, designed to protect the security and civil liberties of communities policed by law enforcement officers who are active in white supremacist or far-right militant organizations. A national strategy will ensure U.S. attorneys and FBI offices across the country properly prioritize these investigations and harmonize their tactics to guarantee equal justice for all. The national strategy should include data and metrics to evaluate the effectiveness of the methodologies it employs.
- Require the FBI to survey its domestic terrorism investigations involving white supremacists and other overtly racist or fascist militant groups to document and report to the DOJ all indications of active links between these groups and law enforcement officials. This would both inform the department's assessment and national strategy and, where evidence of potential civil rights violations or other criminal activities by these law enforcement officers exists, allow investigations to be initiated.
- Require the FBI to determine whether any law enforcement officials it investigates for civil rights violations or other criminal matters have connections to violent white supremacist organizations or other far-right



militant groups, have a record of discriminatory behavior, or have a history of posting explicitly racist commentary in public or on social media platforms. This information should be provided to FBI agents assigned to domestic terrorism matters for investigative and intelligence purposes, and to federal, state, and local prosecutors to consider their inclusion on Brady lists.

- Require the FBI to report any federal, state, or local official assigned to a federal task force who is discovered during initial screenings or periodic background investigations to have active links to any white supremacist or other militant groups, to have engaged in racist behavior, or to have posted overtly racist commentary to on social media to the DOJ and to their departments. Where appropriate based on available evidence, the Justice Department should bar these officials from further participation with federal task forces and report the information to appropriate departmental heads and state and local prosecutors for potential inclusion on Brady lists.
- Analyze the data collected by the FBI in its law enforcement use of force database to assist in developing the national strategy. The FBI should evaluate each use of force complaint for indications that racial or ethnic bias motivated the violence. Where evidence reasonably indicates a violation of federal, state, or local laws, cases should be referred for prosecution.
- Establish a formal mitigation plan to implement when evidence indicates that an identified law enforcement officer poses a public security threat or a risk of harm to any protected class or community. Such a plan could include federal, state, or local investigations and prosecutions; civil rights lawsuits and consent decrees; reporting information identifying the identified officer to other federal, state, or local authorities for appropriate employment action; and placement of identified officers on Brady lists maintained by federal, state, and local prosecutors to ensure that defendants in criminal cases and plaintiffs in civil actions against these officers have appropriate impeachment evidence available.

- Establish a public hotline for reporting racist activity by law enforcement officials and strengthen whistleblower protections for federal law enforcement agents.

The Domestic Terrorism Prevention Act of 2020, a bill introduced by Sen. Dick Durbin, includes a provision that requires the FBI to assess the threat posed by white supremacist and neo-Nazi infiltration of law enforcement and the military. This assessment should be informed by data collected from FBI investigations and surveys of federal, state, and local law enforcement agencies, and from data collected for the law enforcement use of force database. The House version of the bill (H.R. 5602), passed in the House on September 21, 2020.

Lastly, Congress should pass the Ending Racial Profiling Act of 2019 (H.R. 4339) to ban all federal, state, and local law enforcement agencies from profiling based on actual or perceived race, ethnicity, religion, national origin, gender, gender identity, or sexual orientation.<sup>22</sup> Banning racial profiling would mark a significant step toward mitigating the potential harm caused by racist officers undetected within the ranks.

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<sup>1</sup> My written testimony summarizes research recently published in my Brennan Center report, “Hidden in Plain Sight: Racism, White Supremacy, and Far-Right Violence in Law Enforcement,” Brennan Center for Justice, August 27, 2020, <https://www.brennancenter.org/our-work/research-reports/hidden-plain-sight-racism-white-supremacy-and-far-right-militancy-law>.

<sup>2</sup> Federal Bureau of Investigation, Counterterrorism Division, Intelligence Assessment, *White Supremacist Infiltration of Law Enforcement*, October 17, 2006, 4, <http://s3.documentcloud.org/documents/402521/doc-26-white-supremacist-infiltration.pdf>.

<sup>3</sup> Federal Bureau of Investigation, Counterterrorism Division, *Counterterrorism Policy Directive and Policy Guide*, April 1, 2015 (updated November 18, 2015), 89, <https://assets.documentcloud.org/documents/3423189/CT-Excerpt.pdf>.

<sup>4</sup> Federal Bureau of Investigation and Department of Homeland Security, Joint Intelligence Bulletin, *White Supremacist Extremism Poses Persistent Threat of Lethal Violence*, May 10, 2017, <https://www.documentcloud.org/documents/3924852-White-Supremacist-Extremism-JIB.html>.

<sup>5</sup> *Confronting Violent White Supremacy (Part II): Adequacy of the Federal Response—Hearing before the Subcommittee on Civil Rights and Civil Liberties of the Committee on Oversight and Reform, House of Representatives*, 116th Cong. 22 (2019), <https://docs.house.gov/meetings/GO/GO02/20190604/109579/HHRG-I16-GO02-Transcript-20190604.pdf>.

<sup>6</sup> FBI, Counterterrorism Division, *White Supremacist Infiltration of Law Enforcement*, 6. See also *Pickering*, 391 U.S. 563; *Garcetti*, 547 U.S. 410, 417.

<sup>7</sup> FBI, Counterterrorism Division, *Counterterrorism Policy Directive and Policy Guide*, 89.

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<sup>8</sup> Becky Bratu, “Two Alabama Officers Put on Leave for Alleged Ties to ‘Hate Group,’” NBC News, June 17, 2015, <https://www.nbcnews.com/news/crime-courts/two-alabama-officers-put-leave-alleged-ties-hate-group-n377421>; Michael Winter, “KKK Membership Sinks 2 Florida Cops,” *USA Today*, July 14, 2014, <https://www.usatoday.com/story/news/nation/2014/07/14/florid-police-kkk/12645555/>; Michelle Fox, “Texas Officers Fired for Membership in KKK,” ABC News, January 7, 2006, <https://abcnews.go.com/US/story?id=93046&page=1>; Andy Campbell, “KKK Cop Fired After Nazi Salute Photo Surfaces,” *Huffington Post*, September 3, 2015, [https://www.huffpost.com/entry/kkk-cop-fired-nazi-salute\\_n\\_55e885d9e4b0c818f61b24c2](https://www.huffpost.com/entry/kkk-cop-fired-nazi-salute_n_55e885d9e4b0c818f61b24c2); Angela Helm, “Color Me Shocked: 2 Virginia Police Officers Fired for Ties to White Supremacist Orgs,” *Root*, April 22, 2019, <https://www.theroot.com/color-me-shocked-2-virginia-police-officers-fired-for-1834211339>; Phil Helsel, “Three Fired Over Nazi Salute Photo with West Virginia Corrections Employee,” NBC News, December 6, 2019, <https://www.nbcnews.com/news/us-news/three-fired-over-nazi-salute-photo-west-virginia-corrections-employees-n1097566>; State v. Henderson, 277 Neb. 240 (2009), <https://caselaw.findlaw.com/ne-supreme-court/1479842.html>; Mariel Padilla, “Michigan Police Officer Is Terminated After K.K.K. Application Was Found in His Home,” *New York Times*, September 13, 2019, <https://www.nytimes.com/2019/09/13/us/officer-charles-anderson-ku-klux-klan.html>; Nick Budnick, “The Cop Who Liked Nazis,” *Willamette Week*, February 10, 2004 (updated January 24, 2017), <https://www.wweek.com/portland/article-2933-the-cop-who-liked-nazis.html>; Paighen Harkins, “Interim Colbert Police Chief to Resign amid Report of Connection to Neo-Nazi Websites,” *Tulsa World*, August 27, 2017, [https://www.tulsaworld.com/homepagelatest/interim-colbert-police-chief-to-resign-amid-report-of-connection/article\\_98d1bd9e-9ad8-553e-84cd-8d63d360e0c8.html](https://www.tulsaworld.com/homepagelatest/interim-colbert-police-chief-to-resign-amid-report-of-connection/article_98d1bd9e-9ad8-553e-84cd-8d63d360e0c8.html); Katie Shepherd, “Clark County Sheriff Deputy Fired After Wearing a Proud Boys Sweatshirt,” *Willamette Week*, July 20, 2018, <https://www.wweek.com/news/courts/2018/07/20/clark-county-sheriff-deputy-fired-after-wearing-a-proud-boys-sweatshirt/>; Michael Kunzelman, “Connecticut Police Officer: I Quit Proud Boys Over Fears of ‘Far-Left’ Attacks,” *Hartford Courant*, November 13, 2019, <https://www.courant.com/news/connecticut/hc-news-connecticut-proud-boys-police-officer-20191113-73r6pb7zv5halbwja7le5jvju-story.html>; George Joseph, Raven Rakia, and Ethan Corey, “Claims of Racism and Brutality Dog Los Angeles County Sheriff ‘Deputy Gangs,’” *Appeal*, September 28, 2018, <https://theappeal.org/claims-of-racism-brutality-dog-los-angeles-county-sheriff-deputy-gangs/>; Richard Winton, “O.C. Deputy Under Investigation After Wearing Extremist Paramilitary Patch at George Floyd Protest,” *Los Angeles Times*, June 3, 2020, <https://www.latimes.com/california/story/2020-06-03/orange-county-deputy-three-percenters-patch-george-floyd-protest>; and “CPD Investigating After Officer Wore Extremist Militia Logo to Downtown Protest Saturday,” CBS Chicago, June 9, 2020, <https://www.msn.com/en-us/news/us/cpd-investigating-after-officer-wore-extremist-militia-logo-to-downtown-protest-saturday/ar-BB15dByT>.

<sup>9</sup> Rashad Robinson, “We Can’t Trust Police to Protect Us from Racist Violence. They Contribute to It,” *Guardian*, August 21, 2019, <https://www.theguardian.com/commentisfree/2019/aug/21/police-white-nationalists-racist-violence>.

<sup>10</sup> Sara Cardine, “O.C. Sheriff’s Officials Investigating Deputy Seen Wearing Extremist Insignia at Costa Mesa Protest,” *Los Angeles Times*, June 3, 2020, <https://www.latimes.com/socal/daily-pilot/news/story/2020-06-03/o-c-sheriffs-officials-investigating-deputy-seen-wearing-extremist-insignia-at-costa-mesa-protest>.

<sup>11</sup> “CPD Investigating After Officer Wore Extremist Militia Logo to Downtown Protest Saturday,” CBS Chicago, June 9, 2020, <https://www.msn.com/en-us/news/us/cpd-investigating-after-officer-wore-extremist-militia-logo-to-downtown-protest-saturday/ar-BB15dByT>.

<sup>12</sup> Jeremy Roebuck, Ellie Rushing, and Oona Goodin-Smith, “Philly’s Police Union Says It Didn’t Invite Proud Boys to a Pence After-Party. It Didn’t Ask Them to Leave, Either,” *Philadelphia Inquirer*, July 10, 2020, <https://www.inquirer.com/news/proud-boys-philly-police-fop-mike-pence-mcnesby-trump-alt-right-20200710.html>.

<sup>13</sup> “Prohibiting Private Armies at Public Rallies: A Catalogue of Relevant State Constitutional and Statutory Provisions,” Institute for Constitutional Advocacy and Protection, February 2018, <https://www.law.georgetown.edu/icap/wp-content/uploads/sites/32/2018/04/Prohibiting-Private-Armies-at-Public-Rallies.pdf>; Kate Irby, “White and far-right extremists kill more cops, but FBI tracks black extremists more closely, many worry,” *McClatchy*, January 24, 2018, <https://www.mcclatchydc.com/news/nation-world/national/article196423174.html>.

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<sup>14</sup> Air Force Sergeant Arrested on Suspicion for Killing of Deputy in Santa Cruz County,” ABC7 News (San Francisco), June 8, 2020, <https://abc7news.com/steven-carrillo-santa-cruz-carillo-california-sheriff-deputy-killed/6236742/>.

<sup>15</sup> Whistleblower Reprisal Complaint of Brian Murphy, Principal Deputy Under Secretary of Homeland Security Office of Intelligence and Analysis, filed with the Department of Homeland Security Inspector General, Sept. 8, 2020, [https://intelligence.house.gov/uploadedfiles/murphy\\_wb\\_dhs\\_oig\\_complaint9.8.20.pdf](https://intelligence.house.gov/uploadedfiles/murphy_wb_dhs_oig_complaint9.8.20.pdf).

<sup>16</sup> Brady v. Maryland, 373 U.S. 83 (U.S. 1963).

<sup>17</sup> Giglio v. United States, 405 U.S. 150 (U.S. 1972).

<sup>18</sup> Michael German and Sara Robinson, “Wrong Priorities on Fighting Terrorism,” Brennan Center for Justice, October 31, 2018, <https://www.brennancenter.org/our-work/research-reports/wrong-priorities-fighting-terrorism>; Michael German and Emmanuel Mauleón, “Fighting Far-Right Violence and Hate Crimes,” Brennan Center for Justice, July 1, 2019, <https://www.brennancenter.org/our-work/research-reports/fighting-far-right-violence-and-hate-crimes>; Michael German, “Hidden in Plain Sight: Racism, White Supremacy, and Far-Right Militancy in Law Enforcement,” Brennan Center for Justice, August 27, 2020, <https://www.brennancenter.org/our-work/research-reports/hidden-plain-sight-racism-white-supremacy-and-far-right-militancy-law>.

<sup>19</sup> National Defense Authorization Act for Fiscal Year 2020, Pub. L. 116-92, §5601, 5602, <https://www.congress.gov/bill/116th-congress/senate-bill/1790/text>; see also, Rep. Bennie G. Thompson Press Release, “Chairman Thompson: Trump Administration Continues to Politicize Homeland Security and Law Enforcement, Ignore Right-Wing Terror Threat,” Sept. 3, 2020, <https://homeland.house.gov/news/press-releases/chairman-thompson-trump-administration-continues-to-politicize-homeland-security-and-law-enforcement-ignore-right-wing-domestic-terrorism-threat>.

<sup>20</sup> Vida B. Johnson, “KKK in the PD: White Supremacists in Law Enforcement and What to Do About It,” *Lewis and Clark Law Review* 23 (2019): 205, 234.

<sup>21</sup> Federal Bureau of Investigation, “National Use-of-Force Data Collection,” Criminal Justice Information Services (CJIS), <https://www.fbi.gov/services/cjis/ucr/use-of-force>.

<sup>22</sup> Similar provisions banning racial profiling were included in the George Floyd Justice in Policing Act of 2020, (H.R. 7120), which passed in the House on June 25, 2020, <https://www.congress.gov/bill/116th-congress/house-bill/7120/text#toc-H7DDB89BB04A34ACBB4EFD8B47C98E550>.