Community Investment, Not Criminalization

A Call to Abandon the Department of Homeland Security's Violence Prevention Strategy

By Harsha Panduranga   PUBLISHED JUNE 17, 2021

Table of Contents

Introduction

Over the past five years, from Charlottesville to Pittsburgh to El Paso, attacks by people who reject our multiracial democracy have shaken our country to its core and sparked conversation about how best to address far-right violence. The Trump administration, which stoked the flames of white supremacy, ended with the ransacking of the U.S. Capitol as Congress was certifying Joe Biden's Electoral College victory.[1] Some among the crowd of the president's loyalists displayed racist imagery ranging from Auschwitz sweatshirts to Confederate flags.[2] Violent white supremacy, of course, has played an important role in shaping the American project, from slavery to the emergence of the Ku Klux Klan through the current day.[3]

The Biden administration has now identified far-right violence as a rising threat and has sought to focus more resources and attention on addressing it.[4] But the administration is adapting strategies developed as part of the war on terror that are ineffective and likely to harm the very communities of color that are so often the target of far-right violence. The violence prevention programs run by the Department of Homeland Security (DHS) faced many problems, ranging from a lack of evidence of effectiveness to a historical near-exclusive focus on Muslims to the generation of new avenues for surveillance to concerted opposition from targeted communities. However, instead of taking a hard look at these issues, the Biden administration has featured such programs in its National Strategy for Countering Domestic Terrorism, released on June 15, 2021.[5] Just over a month before this strategy was announced, DHS's violence prevention activities were rebranded and organized under the Center for Prevention Programs and Partnerships (CP3), which was rolled out on May 11, 2021.[6]

This is not a fulfilment of the promise President Biden made when he was running for office that he would end the Targeted Violence and Terrorism Prevention (TVTP) program. Instead, CP3 puts a new name on that old approach, which the federal government is now doubling down on. The Biden administration still plans to distribute $20 million in TVTP grants in fiscal year 2021 to fund prevention efforts, twice the amount the Trump administration distributed the prior year.[7] It has also made available $77 million in fiscal year 2021 under the Homeland Security Grant Program to state and local governments for similar activities to "combat[ ] domestic violent extremism."[8] Further, the Biden administration's budget request to Congress for fiscal year 2022 asked for continued funding for these grant programs at roughly the same levels, within a total of $131 million for other vaguely described "diverse, innovative, and community-driven methods to prevent domestic terrorism."[9]

While preventing violence is an important goal, the reality is that much of CP3's prevention activities rest on the empirically disproven premise that there are identifiable markers that can predict who is going to commit an act of violence, rendering it of no demonstrable utility in accomplishing its stated purpose. CP3 programs grow out of the discredited Countering Violent Extremism (CVE) programs of the Obama era, which failed to prove their value and instead painted their targets — American Muslims — as a community of potential terrorists. By broadening its focus from Muslims to a wider spectrum of political violence and the indeterminate category of targeted violence, DHS may avoid charges of anti-Muslim bias. However, doing so simply expands the reach of the ineffective and discriminatory CVE model. The markers of potential violence that DHS promotes are so vague as to open the door to bias, seemingly ignoring the reality of structural racism that the administration has repeatedly vowed to address. These markers are also often far removed from the actual threat of violence. Addressing poverty and discrimination, for example, should clearly be priorities for our government, but not under the guise of security.

At a time when jurisdictions around the country are considering how to reduce law enforcement involvement in mental health and social issues, CP3 prevention activities take the opposite approach. They create structures to bring a broad range of concerns about mental health and socioeconomic conditions to the attention of law enforcement as indicators of criminality without normal safeguards. Indeed, DHS has explicitly stated that a major purpose of these programs is to "fill[ ] a gap where law enforcement or intelligence cannot operate because of constitutionally based civil rights and liberties."[10]

This report proceeds in five parts. It first outlines how CP3's activities build on CVE's flawed premises that people take a definable path to violence, that there are identifiable risk factors that make them more disposed to going down this path, and that there are pre-attack indicators that can accurately identify them before they act. In part II, the report explains that expanding the scope of the CVE violence prevention approach does not address these critiques of CVE. DHS's own sources make clear that there are important differences between terrorism and targeted violence, which itself sweeps in a diverse range of conduct. In part III, the report analyzes the empirical research underlying the risk factors and indicators the department promotes for identifying potentially violent actors. It shows that the research does not support the use of these markers in prevention programs. Part IV identifies the harms of CP3's programs, which will be felt disparately by historically marginalized communities. It demonstrates that CP3's blending of public safety and social service provisions undermines both goals; further, it shows that CP3 activities are likely to chill constitutionally protected expression and stigmatize those flagged as threats. The report recommends in part V that the social problems CP3 often identifies as threats to national security — poor economic opportunity or the need for mental health treatment, for example — be divorced from a security framework and untethered from law enforcement. Instead, efforts to relieve these problems should be managed by institutions with the relevant expertise and outlook, with allocation of resources to address them based on community needs rather than a perceived risk of terrorism.

Countering Violent Extremism (CVE) Becomes the Center for Prevention Programs and Partnerships (CP3)

In the mid-2010s, events including the Boston Marathon bombing and concerns about the appeal of ISIS to young American Muslims led the U.S. counterterrorism apparatus to focus increasingly on "homegrown" terrorism. The federal government devised a counterterrorism strategy of identifying American Muslims who might violently "radicalize" before committing a terrorist attack and reducing the appeal of "extremist" ideologies. Countering Violent Extremism (CVE) programs served these ends in large part by attempting to persuade community members such as teachers, social workers, and religious figures to identify people (predominantly Muslims) who might theoretically become terrorists and disrupt their progress toward violence.

CVE was based on a disproven empirical premise. At its heart is the flawed concept of radicalization, which posits that the adoption of certain ideologies is an essential first step that puts a person on a pathway to committing an act of terrorism.[11] In fact, studies of individuals who have committed terrorist acts show there is no definable path a person follows before engaging in terrorism. Nor are there proven risk factors that make people more disposed to going down this path or pre-attack warning signs that can accurately identify them before they act.[12]

CVE was discriminatory in application. Virtually all CVE programs focused on Muslim communities, which were branded as especially disposed to terrorism. Some programs explicitly labeled religious practices (e.g., "frequent attendance at mosque or prayer group") and political speech (e.g., "concerns about anti-Muslim discrimination") as causes for concern, suppressing the exercise of constitutionally protected rights.[13] Others incorporated unproven terrorism risk factors that were broad enough to open the door for bias to influence who was labeled a potential threat (e.g., "feeling isolated and alienated").[14] Police and security services were central to CVE and garnered a large share of DHS funding. They were intimately involved in operations to identify potential terrorists on the basis of vague indicators, and they created real risks of adverse outcomes for American Muslims, who bore the brunt of the war on terror at home.

Due to these serious concerns, civil society groups, especially those dedicated to preserving the rights of American Muslims, consistently opposed CVE programs, as did many of the Muslim communities targeted by them. Nonetheless, DHS continues to insist that, at its core, CVE was successful, and it has built its Center for Prevention Programs and Partnerships' (CP3) activities on the CVE model. The department promises it will not single out specific communities as being prone to violence and that it will incorporate protections for civil rights and liberties that are yet to be concretely specified. But because CP3's prevention methods are based on the same flawed premises as CVE's, it too will fail in preventing violence and instead entrench a discriminatory model that risks suppression of speech, assembly, and religion.[15]

If anything, CP3's programs rest on a shakier foundation than CVE's because they lump together a broad and diverse range of violent acts and motives. In addition to attempting to expand its terrorism focus beyond Muslims to "white supremacist violent extremism" and "anti-government and anti-authority violent extremism," for example, DHS introduces a broader category of targeted violence.[16] DHS defines "targeted violence" to broadly include situations in which a "known or knowable attacker selects a particular target prior to the violent attack," including those who "lack[ ] a clearly discernible political, ideological, or religious motivation."[17] As currently crafted, it can cover everything from domestic violence to a mass shooting.[18]

This shift is the product of both political and practical considerations. Politically, the federal government has come under increasing pressure to address far-right violence and mass shootings. In particular, President Trump's open coddling of white supremacists despite a spate of attacks in 2017–2019 put a critical spotlight on his administration's rescission of two CVE grants awarded under the Obama administration that aimed, in part, to address far-right violence.[19] This led to calls for more CVE funding to broaden the scope of the programs.[20]

Practically, as the DHS study of its CVE programs explained, "government investments as a portfolio should be balanced across sources of ideological violence" to avoid stigmatizing particular groups and corroding trust in prevention efforts, a core criticism of CVE.[21] DHS also found that communities around the country had downranked terrorism as a concern given its rarity, so packaging terrorism prevention within a broader violence prevention frame might make the programs more sustainable.[22] DHS coordinates violence prevention activities through CP3, established May 11, 2021. CP3 is a rebranding of DHS's Office of Targeted Violence and Terrorism Prevention (OTVTP), established in April 2019.[23] A signature feature of CP3 is "an evolution of the FY16 CVE Grant Program" that provides support to state and local governments — most notably, law enforcement — as well as community organizations, universities, nonprofits, and a range of other civil society actors to undertake violence prevention initiatives.[24] The goal is to establish "local prevention frameworks" tailored to a given

community, which DHS has said form the "lynchpin of [its] prevention efforts."[25] In September 2019, DHS awarded $10 million to 29 organizations pursuant to this grant program (see appendix).[26] It reports that 25 of the 29 grants are focused on "replicat[ing] . . . existing models of [CVE] prevention projects" and that the rest are "innovation" grants to "implement projects that show promise but have not been evaluated for program effectiveness or program impacts."[27]

Breaking a campaign promise to end TVTP, the Biden administration announced in March 2021 a new, $20 million round of grants that aim to fund the same types of initiatives for fiscal year 2021.[28] It then renamed the office CP3.[29] (Though the office has been renamed, the grant program is, for now, still called the TVTP Grant Program.)[30] CP3 also has scaled up its field operations team to partner with state, local, and community-based organizations to help establish what it calls a "prevention framework," share information, and conduct trainings and exercises, among other activities. CP3's regional prevention coordinators "are working with Federal partners and behavioral health professionals to recommend case referral processes for those showing behavioral indicators of radicalization to violence." Such partners include the FBI and Department of Justice (DOJ).[31]

CP3 programs generally fit into four broad categories that together constitute the DHS's prevention framework. (one grant may fund initiatives in multiple categories.)[32] We examine each category below.

- **Initiatives to identify people who may commit violence and manage their risk they are believed to pose.** These programs are aimed at making communities more prepared to identify specific people who exhibit the purported warning signs of violence, determine whether they pose a threat, and refer them to law enforcement or appropriate social services. For example, one part of the Bay Area Urban Areas Security Initiative's 2020 TVTP grant goes toward "enhanc[ing] capabilities of staff within high schools and houses of worship in the Bay Area to identify the non-verbal behavior of individuals mobilizing or radicalizing to violence and train them in the ways to report their observations," particularly within "high-risk" schools and houses of worship.[33] A major component of initiatives in this category is improving communities' "threat assessment and management" capacities.[34] When a person is referred as a potential threat, he or she is referred either to law enforcement or to a threat assessment team composed of people from a range of disciplines — law enforcement, social service providers, teachers, religious leaders, and health professionals, for example. The threat assessment team determines whether this person poses a threat and forms an intervention plan to manage it. In doing so, the team considers a range of factors about the subject that are posited to bear on the propensity for violence (e.g., potential motive, interactions with others, academic record, drug abuse, topics of interest, mental health, loneliness, problems at home, and so on) and how to reduce these factors' impact.

- **Social programs to reduce ostensible risk factors for violence.** These programs often focus on children, with the aim of reducing the likelihood that a person will find violence attractive. They often involve community outreach or the provision of social services before there is any indication whatsoever that a person is "radicalized" or intends to commit an attack. For example, the $749,995 2020 TVTP grant to the Boston Children's Hospital funds a program to "reduce mental health problems and increase social belongingness among adolescents," including by expanding an "inter-ethnic youth advisory board" designed to bring together "diverse youth" of various backgrounds. The goals include "increasing sense of belonging, enhancing inter-ethnic group understanding, developing leadership and advocacy skills, and promoting civic engagement" among young people.[35] The theory behind this initiative is that children who are integrated into their communities are less likely to

experience alleged risk factors for violence, such as social alienation, reducing the chance they will turn to violence. Sometimes these programs involve law enforcement. One 2020 TVTP grantee, for example, runs a youth police academy and teaches children about "the guiding principles of law enforcement that serve our community," essentially to get young people more comfortable interacting with and trusting police.[36]

- **Initiatives to counter extremist messaging, generally online.** These efforts include partnering with social media companies to identify trends in extremist content and remove it from their platforms, promoting counterviolence narratives online, and conducting online outreach to intervene with people identified as susceptible to extremists, as well as developing media literacy programs aimed primarily at children.[37] OTVTP gave one 2020 grant, for example, to Operation250, which aims to teach children "skills about recognizing unsafe online behaviors [and] the psychology of online decision making" and to help them understand hate and recognize risks and threats online.[38] It does so by conducting workshops and lessons to illustrate the concepts at issue; activities may include watching movie clips, reading news articles, and having class discussions to learn about "in-groups" and "out-groups." Another example is a grant to American University that is being used to develop "attitudinal inoculation" methods — giving people context for a piece of extremist propaganda before they view it, for example, with the goal of making them resistant to its message.[39]

- **Recidivism reduction and reintegration efforts.** These programs are aimed at people who have already been convicted of violent crimes or terrorism-related offenses and attempt to reduce their risk of radicalization while in prison or after they leave it. For example, one 2020 TVTP initiative, by the Greenlight Project, Inc., funds a prerelease education program for people convicted of terrorism-related crimes and others "vulnerable to the risk factors for radicalizing to violence," and also funds "post-release support programming."[40] In particular, the grant goes toward rehabilitating inmates in a San Diego–area prison "who profess white supremacist or Islamic extremist ideals or are members of groups that profess these ideals."[41] With the goal of reducing recidivism, prisoners will be offered curricula that incorporate "alternative narratives to extremist ideology."[42]

In the course of crafting TVTP, officials recognized that "the [CVE] moniker had become fairly tainted" because the public perceived CVE as a Trojan horse for the discriminatory surveillance of Muslim communities.[43] CP3 has engaged with civil society groups, and it has represented that it engages with DHS's Office of Civil Rights and Liberties to ensure that "[e]very aspect of CP3's work considers and respects civil rights and liberties."[44] Notably, CP3's grant applicants are required to describe how their proposals may impact "privacy, civil rights, and civil liberties" and to identify steps they will take to reduce those impacts. Proposals that DHS determines do not "appropriately protect" these values will not receive funding.[45] The same was required of CVE grant applicants, but such promises did not in fact lead to any substantive protections. Less than half of CVE grant recipients even referenced the issue, and only six promised safeguards would be put in place – none specified what they would be.[46]
In any event, the subsequent rebrands have not meaningfully addressed the core substantive objections to CVE. These objections also extend prevention activities that are now run out of CP3. Indeed, CP3's violence prevention framework only entrenches a paradigm that will add to the profusion of discredited CVE methodologies, creating new problems by lumping together disparate threats.

Targeted Violence and Terrorism Are Different Threats

DHS's working definition of "targeted violence" — situations in which a "known or knowable attacker selects a particular target prior to the violent attack" — is broad enough to sweep in everything from domestic violence to a mass casualty event.[47] DHS's stated focus is on those (implicitly rarer) attacks that "inflict the same type of trauma on communities [as terrorism]."[48] Still, the department added targeted violence to CP3's mandate, at least in part because state and local partners it surveyed ranked terrorism low on the list of concerns, given its rarity.[49] The addition of targeted violence, therefore, was due at least partially to practical considerations in maintaining participation in the program rather than because terrorism and targeted violence naturally implicate the same policy solutions. The department has been working on a refined definition of targeted violence for more than a year but has yet to publicly release a "more precise and actionable" term.[50] It recognizes that its working definition is "insufficiently specific."[51]

Even taken on their own terms, studies exploring risk factors and indicators for terrorism and targeted violence do not justify grouping them under a common prevention scheme. Several studies, including those DHS cites in support of its approach, flatly contradict the department's main rationale for doing so: that perpetrators of various kinds of mass violence share risk factors and indicators. To a degree, DHS acknowledges that the breadth of CP3's prevention activities compromises its evidentiary basis, at least when it comes to targeted violence. It notes: "Understanding risk factors and indicators in connection with targeted violence has been more complicated, however, as studies have typically focused on violence broadly, not on specific types of targeted violence."[52]

One study that DHS cites to illustrate the complication was conducted by the International Society for Research on Aggression (ISRA).[53] The researchers identified major differences between street shootings (involving people who know each other) and mass shootings (targeting public places with multiple, random victims) — both of which would be covered by the concept of targeted violence. A table outlining some of these "major descriptive differences" noted in the ISRA study is reproduced below.[54]

TABLE 1

Descriptive Differences Between Street Shootings and Mass Shootings

STREET SHOOTINGS	MASS SHOOTINGS
Less rare	Extremely rare
More often in urban areas	Concentrated in rural towns and suburbs
Nonwhite offenders overrepresented	White offenders overrepresented
Guns usually obtained from illegal gun market	Guns often obtained from family members who purchased them legally
Preferred weapon is a handgun	Often multiple guns used, including semiautomatic rifles with high capacity magazines
Many recidivist violent offenders	Recidivist violent offenders uncommon
History of discipline problems common	History of discipline problems uncommon
Co-offending typical	Solo offending typical
Prior criminal victimization common	Prior criminal victimization uncommon
Suicide following homicide uncommon	Suicide following homicide very common
Victims mostly of same sex and race (often African American males)	Victims are male or female but mostly the same race
Victimization of family members highly unusual	Victimization of family members can occur prior to the mass shooting
Mostly from low-income families	Mostly from middle class families
Substance use common	Substance use uncommon
Presence of mental illness uncommon	Presence of mental illness uncommon, but some symptoms of mental illness may be present
Generally below average in academic achievement	Generally average, or above, in intellectual functioning and academic achievement
Generally personally know someone who has killed or been killed before	Generally do not personally know anyone who has killed or been killed before
Avoid media attention for shootings	Seek (and often obtain) media attention for shootings

Note: This research is cited by the Department of Homeland Security in its "FAQ Sheet: What are Risk Factors and Indicators."

Source: International Society for Research on Aggression, "Risk Factors for Youth Violence."

Even within the category of school shooters, at least one study — though DHS does not cite it — concluded that school shooters do not share a definable path culminating in an attack.[55] Instead, the study explained that they "differed in their motivation as well as developmental histories and risk factors for violence."[56] Further, a survey of retrospective studies of school shooters revealed a "lack of consistent findings," arriving at "varied results" over a range of features of children who had committed mass murder — such as whether they tended to be depressed, had a history of substance abuse, or were psychotic, among other traits.[57]

Another study on which DHS relies as a foundation for CP3 prevention activities — *Risk Factors and Indicators Associated with Radicalization to Terrorism in the United States: What Research Sponsored by the National Institute of Justice Tells Us* (NIJ Study Synthesis) — is a meta-analysis of four National Institute of Justice–funded projects aimed at identifying risk factors and indicators for terrorism.[58] One of the four projects NIJ reviewed as part of the meta-analysis found critical background and behavioral differences between lone-actor terrorists and mass murderers who did not have a discernible political motive.[59] According to the study, "mass murders follow a different 'script' than lone-actor and solo terrorists as they move toward and through violence," and this has "important implications for detection prior to the event itself."[60] Some of the differences in traits, as the study observed them, are listed in the table below.

TABLE 2

Differences in Observed Traits Between Lone-Actor Terrorists and Mass Murderers

WARNING SIGN	LONE-ACTOR TERRORIST	MASS MURDERER
Social isolation	51%	26%
Long-term stress	27%	63%
History of substance abuse	27%	44%
Other people aware of perpetrator's "grievance"	80%	46%
Made verbal statements to friends/family about intent or belief	59%	31%
Interacted face-to-face or virtually with members of a wider network	44% face-to-face, 24% virtually	7% face-to-face, 3% virtually
Learned aspects of their attack through virtual sources	29%	10%
Tried to recruit others	24%	3%

Note: This research is examined by the National Institute of Justice in *Risk Factors and Indicators Associated with Radicalization to Terrorism in the United States: What Research Sponsored by the National Institute of Justice Tells Us*.

Source: John G. Horgan et al., "Across the Universe? A Comparative Analysis of Violent Behavior and Radicalization Across Three Offender Types with Implications for Criminal Justice Training and Education."

Neither is it possible to generalize who will become a terrorist. The DHS-commissioned review of CVE conducted by the RAND Corporation pointed to past Brennan Center reports in acknowledging that the "lack of a well-defined and readily predictable path to violence and, therefore, a lack of clear markers for individuals at risk of violence apart from individuals who may be adopting radical ideas has been a core part of critiques of CVE that argue that it lacks a scientific basis."[61] The RAND study pointed out how different models of radicalization disagree on a range of issues, including "risk factors of radicalization," how to weigh them, how predictable radicalization is, the variables that impact radicalization even within a given ideological frame, the timeline for radicalization, and the connection between ideology and violence.

Another major study cited in the NIJ Study Synthesis, carried out by the National Consortium for the Study of Terrorism and Responses to Terrorism (START) under a grant managed by current CP3 director John Picarelli, tried to model the "radicalization process" and came to a similar conclusion.[62] "Despite including over 70 causal mechanisms in our coding scheme, constructing a truth table with more than 500

possible logical combinations, and identifying eight unique pathways to violence," it reported, "our analysis does not account for the pathways of 15 of the 35 violent individuals in our sample."[63] DHS suggests that variations in the process of radicalization — as it says, "the individualized nature of radicalization" — is a function of information gaps.[64] In the department's view, the solution is to tailor interventions based on intelligence on what ostensibly violent narratives are trending, including "community-specific" grievances identified by local CP3 partners.[65] But the studies discussed above that DHS itself cites do not support this contention. The point is that the process of radicalization — which may be "individualized" in the sense that it is specific to an individual — is not susceptible to predictive modeling, not that a few more data points ascertained from a retrospective study of attackers would permit reliable identification of potential terrorists in advance.[66]

Beyond the specific claim regarding the commonality of risk factors and indicators, DHS gives a broad set of justifications for grouping together terrorism and targeted violence:
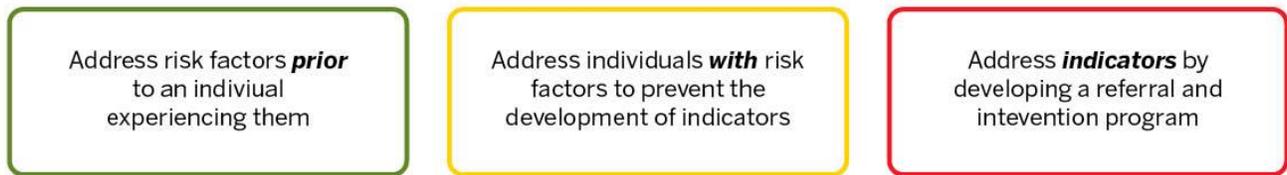
> Perpetrators and supporters of terrorism and targeted violence use much of the same toolkit to validate their worldviews, engage with like-minded sympathizers, devise plans, and prepare for attacks. Terrorists and perpetrators of targeted violence may be motivated by different ideologies or narratives of personal grievance, and in some cases by none at all, but they often find the online space crucial as they grow closer to mobilizing to violence. These threats may be exacerbated by foreign actors seeking to undermine the Homeland through disinformation campaigns. Terrorists and perpetrators of targeted violence attack targets with similar characteristics, often with similar tactics.[67]

These uncited assertions read as if they were tailored to justify a broad operational mission. Basically, they tell us that those who want to do harm — whatever their motivation — use the internet, attack similar targets, use guns ("similar tactics"), and may be egged on by unspecified foreign actors. That people wanting to do harm use the internet as a source of information or to connect with each other — like almost everyone else — bears little on whether two kinds of violence implicate the same policy solutions. In sum, a fundamental premise of CP3's prevention activities, that there is a commonality of risk factors and indicators between terrorism and targeted violence, is flatly contradicted by research commissioned and cited by DHS. Moreover, as the next section shows, many of the risk factors and indicators that DHS promotes are themselves not predictive of violence in any meaningful way. Targeting people on the basis of these unscientific and overbroad criteria will not make anyone safer but instead will cast a broad net of suspicion on people who are not threats.

DHS's Risk Factors and Indicators Do Not Help Identify Violent People and Undermine the Department's Prevention Goal

The premise of CP3's prevention activities is that there are empirically proven "risk factors" that make a person more prone to violence and "indicators" that signal they are about to carry out a violent crime.[68] Risk factors are often socioeconomic conditions (e.g., social alienation), while indicators are theoretically behaviors that should raise more immediate red flags that a person is likely to commit violence (e.g., issuing a threat). DHS posits that there is a continuum to disrupting an individual's development toward violence (similar to the early, debunked models of terrorist radicalization predicated on a funnel by which individuals come to embrace violence).[69] This is reproduced below.

Address risk factors **prior** to an indiviual experiencing them

Address individuals **with** risk factors to prevent the development of indicators

Address **indicators** by developing a referral and intevention program

As detailed below, CP3's risk factor and indicator framework has four main deficiencies that bear on its efficacy. First, empirical research makes clear that these markers are not predictive of violence, in significant part because they are shared by millions of Americans who do not commit violence. This point is evident even in the core studies on which DHS relies to validate risk factors and indicators of violence. Second, these broad and vague risk factors and indicators cannot be reliably administered; because they cast immediate suspicion over adverse socioeconomic circumstances unlinked to violence, they open the door to profiling. Third, DHS has not proved that its risk factor and indicator framework has worked to identify genuine threats in the real world. And fourth, these deficiencies undermine the very goals CP3 seeks to achieve: to identify genuine threats and improve the underlying social conditions that DHS claims are linked to violence.

DHS's Risk Factors and Indicators Lack Empirical Support

A primary goal of CP3's prevention activities is to identify individuals who might perpetrate an act of mass violence at some point in the future and intervene to stop them from doing so. But the empirical studies on which DHS relies to achieve this goal explicitly state that there is no "evidence-based process" that can reliably identify offenders in advance. For example:

- The RAND Corporation, *Practical Terrorism Prevention*: "Because there are no unambiguous early indicators of future violent behavior, the performance of risk assessment tools and methods to distinguish individuals who appear to be threats from those who actually do pose a threat is limited, meaning that individuals to whom terrorism prevention efforts are intended to respond might not commit any future violence, even if no action is taken."[70]

- The National Institute of Justice, *Risk Factors and Indicators Associated with Radicalization to Terrorism in the United States: What Research Sponsored by the National Institute of Justice Tells Us*: "Engaging or attempting

to engage in terrorism is a very rare activity, and as will be seen below, several of the risk factors that have been identified by the research teams are shared among substantial portions of the general U.S. population. While, arguably, specific combinations of risk factors are shared by fewer individuals, predicting with any accuracy who will engage or attempt to engage in this very rare activity is an unrealistic goal."[71]

- Federal Bureau of Investigation, *Making Prevention a Reality: Identifying, Assessing, and Managing the Threat of Targeted Attacks*: "Threat managers are not psychics and they cannot predict the future. Just as a targeted violence event cannot be predicted, the perfect threat management solution cannot be foreseen."[72]

To avoid this empirical reality, DHS materials avow that "prevention is not prediction."[73] The goal, rather, is to "evaluate the presence of factors that indicate violence might be a *possibility*."[74] But the mere "possibility" of violence is an insufficient basis for a government-funded violence prevention program that creates serious risks of discriminatory application and civil liberties violations, as discussed in part IV below.

This report evaluates two main sets of studies on which DHS relies to validate the risk factors and indicators that it claims allow identification of individuals who are on a pathway toward violence and in need of intervention.[75] Both sets of studies, which are funded by security agencies, have serious methodological flaws. They are retroactive studies, sometimes of extremely small sample sets (one study evaluates 35 individuals over a period of several years), which means that the addition of just a few individuals could radically change a study's conclusions.[76] Moreover, they generally fail to use a control group that would allow the disaggregation of traits of violent individuals from those of the general population. Leaving aside these limitations, even on their own terms, the studies do not provide a tangible basis for identifying individuals in need of intervention to prevent violence.

U.S. Secret Service National Threat Assessment Center

DHS relies on research conducted by the Secret Service's National Threat Assessment Center (NTAC).[77] A study illustrative of NTAC's methods is *Protecting America's Schools: A U.S. Secret Service Analysis of Targeted Violence*, which reviewed 41 incidents of targeted violence in schools from 2008 through 2017.[78] It also examined in detail the backgrounds and behaviors of the 35 attackers for whom this information was available, "in order to inform the best practices of multidisciplinary school threat assessment programs nationwide."[79] The study's key findings:

- There is no profile of a student attacker, nor is there a profile for the type of school that has been targeted.
- Attackers usually had multiple motives (35/41), the most common involving a grievance with classmates (26/41).
- Most attackers used firearms (25/41), and firearms were most often acquired from the home (19/25).
- Most attackers had experienced psychological, behavioral, or developmental symptoms (32/35).
- Half of the attackers had interests in violent topics (17/35).
- All attackers experienced social stressors involving their relationships with peers and/or romantic partners (35/35), such as experiencing bullying or rejection.
- Nearly every attacker experienced negative home life factors (33/35), such as parents being separated or having financial difficulties.
- Most attackers were victims of bullying (28/35), which was often observed by others.

- Most attackers had a history of school disciplinary actions (25/35), and many had prior contact with law enforcement (17/35).
- All attackers exhibited concerning behaviors (35/35). Most elicited concern from others (28/35), and most communicated their intent to attack (27/35).

It is clear that numerous traits the study identifies are not specific to violent offenders. While the Secret Service focused on 35 people in the analysis above, over 50 million students were enrolled in U.S. K–12 schools in 2019.[80] Of these students, millions display one or more signs claimed to be indicative of a risk for engaging in violence. Many children consume violent media ("interest in a violent topic"), are bullied, experience romantic rejections or social friction ("social stressors"), hold grudges against classmates ("grievances"), or come from single-parent households ("negative home life factors"), for example.[81] Nor does the study show that the traits and behaviors identified in its "key findings" are sufficiently sensitive to positively identify attackers. Some people who go on to commit an attack may not exhibit any of these traits. For example, only about half of the 35 people closely examined had "interests in a violent topic" or "prior contact with law enforcement." Even on the study's own terms, it is a coin flip as to whether these features characterize an attacker.[82]

Finally, some aspects of the NTAC research are likely tarred by confirmation bias. In the wake of an attack, it is normal for individuals who knew the perpetrator to view his or her behavior and words in light of the violence. For example, the study notes others found that "some attackers made statements that were simply out of character for the attacker or displayed other minor changes in behavior," such as "a depressed or angry mood, conflicts between classmates, and an interest in violent topics."[83] In this context, confirmation bias is assigning retrospective significance to background traits or behaviors — often vague, subjective, or imperceptible at the time — based on what researchers would expect to see from school shooters.

National Institute of Justice Study Synthesis

DHS also relies on the NIJ Study Synthesis of four previous government-funded research projects to identify terrorism risk factors.[84] This research was conducted by START and by researchers at the University of Arkansas, Indiana State University, and the University of Massachusetts Lowell.[85] The NIJ Study Synthesis takes the position that finding a particular risk factor in more than one study is an indicator of reliability. The risk factors it identifies as most strongly supported are:[86]

- Having a criminal history
- Having mental health issues (or receiving a diagnosis of schizophrenia or delusional disorder)
- Being unemployed
- Being single
- Being a loner (or socially isolated)

It considers these traits strongly supported because they were identified "in research that included group-based and lone-actor extremists, as well as in at least one study that included only lone-actor terrorists . . . [and] were [all] identified based on comparisons between individuals who did and did not engage in these behaviors."[87]

NIJ's claim that a given study supports a risk factor is difficult to verify because it does not provide a citation indicating where in the study a particular risk factor is supposedly identified. The two University of Arkansas studies, for example, were not intended to isolate "risk factors" for terrorism (the word *risk*

does not even appear in either document), and only one of them notes certain demographic traits of its subjects when presenting "characteristics of the sample."[88]

Indeed, upon scrutiny, the studies NIJ says have identified these common factors do not in fact find them as conclusively as the institute implies. For example, NIJ says "being unemployed" is a risk factor identified by START.[89] At first glance, the START study does appear to support the claim that unemployment is linked to violence: "Since stable employment is significant and negative[ly related to violence] across all datasets, we can have some confidence in its observed effect on violent behavior."[90] But it also notes that "the relationship between stable employment and non-violence drops away" when cases before 2000 are excluded.[91] NIJ also concludes that the Indiana State University and University of Massachusetts studies label unemployment a "risk factor." But this conclusion appears to rely only on passing references within the studies — that "most of them [American lone wolf terrorists] are unemployed" and "38% [of lone-actor terrorists] were unemployed," as the two studies note respectively.[92] It is not obvious how NIJ can represent in its synthesis that the Indiana State study found that specifically 71 percent of the subjects it examined were unemployed, unless NIJ reviewed the underlying data set or another summary of it without clearly disclosing this.[93]

In any event, NIJ's assertion that these risk factors were "identified based on comparisons between individuals who did and did not engage in these behaviors" is misleading at best. The START study does compare stable employment in nonviolent extremists with the same in violent extremists, but the frame of reference for the Massachusetts and Indiana State studies are Bureau of Labor Statistics (BLS) data, not a relevant control group of similarly situated individuals.[94] Though the gap between the studies' data and the BLS data is significant — according to BLS, roughly 4–11 percent of males were unemployed on average between 1975 and 2015 — thousands of variables could affect those numbers.

Three additional problems with the four projects synthesized by NIJ, which it acknowledges, also severely undermine its conclusions even if NIJ is not apparently mischaracterizing their findings. (Some of these flaws are also found in the Secret Service study evaluated above).[95]

First, confirming the presence of an identified risk factor requires researchers to make subjective judgments.[96] As with the Secret Service studies, researchers poring through a range of data sources — newspapers, websites, books, court records, interviews, and so on[97] — must determine whether those sources confirm, for example, that a person has "deep commitment" to an extremist ideology, has "trouble" in relationships, or is a "loner" or distant from his or her family. In these cases, "different research teams might reach different conclusions."[98] That is, in considering whether a person has a "deep commitment" — as opposed to a passing interest or rote adherence — one team might reasonably decide on a threshold of evidence that is higher or lower than that of another team. And researchers might not consistently apply their decision across the data set. The room to make subjective decisions also opens the door for biases, like the confirmation bias described in connection with the Secret Service study, to subtly influence how a variable is established. These subjective determinations shape how the study results are presented and the inferences policymakers like DHS draw from them in implementing programs like those run out of CP3.

Second, the studies' data sets are incomplete or biased. For example, the START study has the largest data set and attempts to compare the traits of nonviolent extremists with those of violent extremists. But for each risk factor it evaluated, data were missing for up to 91 percent of the people analyzed: married (51 percent missing), stable employment history (61.2 percent), past military experience (41.9 percent), abused as a child (91.1 percent), radical family (80 percent), clique membership (41.1 percent), group

competition (63.2 percent), previous criminal activity (54 percent), mental illness (80.7 percent), and education (62.7 percent).[99] The START team used statistical methods to try to fill in the gaps, but the research teams did not handle this issue in a consistent manner. University of Massachusetts researchers appeared to count missing data as the absence of a variable, for example, complicating the ability to ascertain common patterns among findings.[100] Further, the University of Arkansas studies noted that "the names of domestic terrorists have been extracted primarily from the websites of U.S. Attorneys' offices."[101] U.S. Attorneys are known to selectively disclose or withhold public notice of prosecutions.[102] Without full, consistently managed data sets, it is difficult to draw strong conclusions about the viability of a given risk factor, let alone to take the next step in inferring that it has been independently validated across studies.

Finally, only one the four main projects NIJ examined (the START study) used a discernible control group of nonviolent extremists.[103] NIJ notes that "the composition of an ideal comparison group depends on the purpose of the analysis being conducted."[104] Given that a substantial goal of CP3's prevention programs involves picking out violent offenders from the population at large — rather than distinguishing between violent and nonviolent extremists — a scientifically representative sample of the general U.S. population may be a more suitable comparison group.

In sum, many of the empirical studies underlying DHS's CP3 initiatives explicitly state that they cannot reliably distinguish potentially violent individuals from the rest of the population. Some of these studies nonetheless attempt to discern risk factors and indicators. But they use fundamentally flawed methodology, mostly failing to use control groups, which makes their conclusions essentially useless for prediction and prevention. Further, it is unclear whether CP3 efforts as actually administered will include only those risk factors or indicators that DHS claims are supported by empirical data.[105]

DHS's Risk Factors and Indicators Cannot Be Applied Consistently

The problems discussed above are exacerbated by the way in which CP3 programs are implemented. Social and emotional problems that have only the most tenuous link to violence are treated as causes for immediate suspicion, and the broad and vague indicators put forward by DHS invite biased judgments about who is potentially violent.

DHS warns that risk factors and indicators should not be confused in designing violence prevention programs and distinguishes them in some materials.[106] But some of CP3's TVTP grantees — who may tailor their own prevention materials — cite DHS guidance in doing just that, merging the distinction between risk factors (e.g., "increasingly talks of problems at home," a background factor not directly linked to violence) and indicators (e.g., issuing a threat of violence) as potential signs of violence.[107] For example, tables 3 and 4, below, are used by TVTP grantees to instruct bystanders on the signs to look for in individuals who may be potentially violent.[108] Bystanders are encouraged to take steps ranging from talking to the person of concern to contacting law enforcement, potentially putting a person who is referred under scrutiny even though these signs have no direct connection to violence.

TABLE 3

Pathway to Violence: Warning Signs and What You Can Do

• Unexplained increase in absenteeism; vague physical complaints

• Noticeable decrease in attention to appearance and hygiene

• Depression/withdrawal

• Resistance and overreaction to changes in policy and procedures or upon explanation of policy and procedures

• Repeated violations of company policies

• Increased severe mood swings

• Noticeably unstable, emotional responses

• Explosive outbursts of anger or rage without provocation

• Suicidal discussions

• Comments about "putting things in order" or "making things right"

• Behavior typical of paranoia ("everybody is against me")

• Increasingly talks of problems at home

• Escalation of domestic problems into the workplace/public sphere; talk of severe financial problems

• Talk of previous incidents of violence

• Empathy with individuals committing violence

• Increase in unsolicited comments about firearms, other dangerous weapons, and violent crimes

Note: This list was developed by the Department of Homeland Security.

Source: Threat Management Unit, Utah Department of Public Safety (a FY 2020 TVTP grantee).

TABLE 4

Concerning Behaviors: "What to Consider"

• Sudden change in physical appearance or personality

• Isolating behavior

• Obsessing about violence or weapons

• Substance use (alcohol & drugs)

• Group affiliation — hate-, violence-promoting groups

• Frequent fighting (past violence); chronic hitting; initiation of physical fights

• Stalking (individuals or places)

• Overreaction or aggressive behavior for seemingly minor reasons, especially if it is out of character

• Vocalization (including social media) of a planned act of violence

• Cruelty to animals

• Feelings of hopelessness

• Deliberate and intentional fire setting

• Verbal or written threat — a threat being something that suggests an intent to harm someone or some location

• A verbalized fixation on a grievance — feeling they have been wronged in some way

Note: This list was developed by the Illinois Criminal Justice Information Authority's Targeted Violence Prevention Program with FY 2016 CVE grant funds.

Source: Muflehun (a FY 2020 TVTP grantee).

Further, the Secret Service's threat assessment protocols are explicitly referenced as a resource by at least two TVTP grantees — the Bay Area Urban Areas Security Initiative and the Pennsylvania Commission on Crime and Delinquency.[109] Its guide on threat assessments in schools in particular is likely to be a common template for more, given its prominence and public availability.[110] TVTP procurement documents gesture to the guide as a resource for grant applicants, noting that NTAC "provides guidance and training on threat assessment and training" and linking to NTAC's website, where it is on the front page.[111]

The guide lists behaviors that warrant immediate attention (e.g., threatening or engaging in violence, bringing a weapon to school, bullying or harassing others) as well as those that may not necessarily be indicative of violence but also warrant some type of intervention (e.g., a marked decline in performance; increased absenteeism; withdrawal or isolation; sudden or dramatic changes in behavior or appearance;

drug or alcohol use; erratic, depressive, and other emotional or mental health symptoms). While the guide purports to distinguish between situations that require immediate action and those that warrant "some" type of intervention, its own recommendations undermine the distinction. For example, the guide suggests a progression between a student's romantic breakup and downstream "concerns about threats posed to others" in the course of recommending early intervention.[112] It makes little sense that counseling or social support for "substance abuse," "isolating behavior" or an assortment of other issues that have nothing to do with violence is channeled through a process designed and overseen by federal law enforcement agencies that are focused primarily on finding terrorists and mass shooters, not getting help for people who might be depressed or alcoholic.

DHS materials caution that threats should be identified through a holistic, evidence-based process rather than a profile of an attacker's demographics, conditions, or behaviors.[113] However, many of the warning signs are broad (applicable to many people), vague (hard to define), or both. This leaves the door open for people to refer those who align with their preconceived biases about who may be a terrorist or violent individual. For example, it is unclear what would count as a "feeling of hopelessness." A bad reaction to a breakup or being passed over for a promotion? Malaise caused by the death of a loved one? What is the relevant frame of time to assess a "severe mood swing"? Would a student interested in the military or defending a police officer's decision to shoot a suspect be showing "empathy with individuals committing violence"?

Even assuming certain signs are easier to identify — for example, substance abuse or repeated violations of company policies — it is hard to see how a person deciding whether to make a referral can determine how to weigh their relevance in a particular case, given the millions of people to whom these attributes apply. Encouraging people to believe their identification of these commonplace characteristics among individuals at their schools or workplaces could prevent a possible mass killing can be expected to result in overreporting based on bias, using these risk factors and indicators as justification.

CP3's framework envisions that, once a person enters the threat assessment process, these factors will be weighed by "multidisciplinary" teams that include people from "law enforcement, security, mental health, social services, legal, human resources or administration" who have the expertise to ascertain their relevance.[114] But the set of people conducting a "holistic assessment" on a case-by-case basis still have broad discretion to apply the same factors and indicators with a tenuous link to violence, as demonstrated above.[115] And they are susceptible to the same biases as the general population, invited by the breadth and vagueness of DHS's markers of violence.

In sum, DHS fails to adequately ensure that the distinction between indicators that require immediate intervention to prevent violence and risk factors that may suggest that someone has problems is properly implemented. Critically, the discretionary identification and referral model that CP3 promotes invites subjective determinations and stereotyping to determine who poses a threat.

There Is No Evidence That DHS's Violence Prevention Model Works in Practice

DHS and other security agencies have been experimenting with CVE programs for years but have yet to demonstrate their effectiveness. In fact, the department does not even attempt to show that the model prevents violence. Instead it relies on administrative metrics (e.g., how many trainings were held) and measuring changes in attitudes that are not specific to violence but rather found in a large part of the

population (e.g., reduction in social isolation).[116] DHS's inability to directly measure violence reduction only underscores the attenuated relationship between risk factors or indicators of violence and the eventual commission of a mass casualty attack.

Consider, for example, DHS's evaluation of a University of San Diego CVE grant to implement a program focused on Somali and Iraqi children from refugee communities aimed at reducing the "marginalization and isolation of youth" — a theorized risk factor for terrorism. Initiatives within this grant aimed to better connect children with elders in their community, their non-refugee peers, and police to help them feel more linked to the broader population. Activities ranged from a "school clean-up day" to a "series of community–police dialogues." DHS found the program to be a success based on "pre-post surveys with the youth, comparison surveys of youth not participating, youth focus groups, and community focus groups." These assessments were presented to indicate that young people who participated felt better connected to the community, which theoretically would reduce their purported vulnerability to going down the path to violence.[117] DHS's programmatic evaluation also included positive testimonials from participants. While these kinds of qualitative assessments may help gauge whether participants enjoyed the program, they do not show that the program reduced the chance that a participant would go on to commit an act of violence.

DHS also tries to show that its violence prevention initiatives work by providing information that they were properly administered. For example, the department found one CVE grant a success in building threat assessment capabilities in two smaller communities, increasing the chance that an individual would be referred to community services through them.[118] It concluded so primarily because information on how to bolster referrals and threat assessments was disseminated to a diverse range of people in the targeted communities.[119]

It is not unreasonable to ask DHS to show that its violence prevention risk factors and indicators, as administered, are scientifically validated and actually identify threats. The department has been asked to do so for other threat detection programs. In 2007, DHS began running a program called Screening of Passengers by Observation Techniques (SPOT), which sought to use nebulous behavioral indicators to identify potential security threats at airports. Congress demanded that DHS validate the behaviors that agents were meant to monitor.

Multiple audits by the Government Accountability Office (GAO) investigated the SPOT program in depth, examining whether the indicators used by DHS were empirically supported, were consistently applied, and "reliably and effectively identif[ied] high-risk passengers who may pose a threat."[120] GAO exhaustively reviewed sources cited by the Transportation Security Administration (TSA) to back the behavioral indicators it used in its SPOT program to see if they met accredited research standards. It found that 28 of TSA's 36 indicators were not empirically supported, with 98 percent of cited sources (175/178) failing to provide "valid evidence applicable to the specific indicators that TSA identified them as supporting."[121]

In contrast to the more rigorous examination of the SPOT program's foundations, reviews of CVE by GAO have failed to delve into the validity of the metrics identified by DHS or the underlying threat detection framework. Rather, they have by and large accepted DHS's conclusions about the scientific validity of its approach. A February 2021 audit, for example, focused one of its main criticisms on DHS's effectiveness determinations because of many grantees' failure to provide required information.[122]

DHS has declared that its "prevention activities are successful and need to be scaled across the country."[123] But it has not justified these activities by pointing to how accurately they identify threats or actually prevent violence.

Labeling People as Threats Based on Unproven Signs Will Undermine DHS's Violence Prevention Goal

CP3's prevention activities are built on an edifice of risk factors and indicators whose links to violence are at best tenuous and at worst nonexistent. As a result, the program undermines the very things it seeks to achieve: to reduce violence and improve the underlying social conditions that it presents as risk factors. First, CP3-promoted initiatives will generate a flood of false positives that could misdirect resources away from the genuine causes of violent activity. Even if the program employed criteria that were both 99 percent specific (for true negatives) and sensitive (for true positives) in detecting individuals at high risk for violence — far from the case, as demonstrated above — it would still generate an overwhelming rate of false positives for every correct assessment.

Assume, hypothetically, in a given year that roughly one out of every 100,000 school-age children, or about 600 people, is a would-be mass shooter.[124] This would be a dramatic overcount: Everytown for Gun Safety, which defines a mass shooting as one in which four or more people are killed, has counted 237 U.S. mass shootings from 2009 through September 23, 2020.[125] Of these 600 potential shooters, a tool that is 99 percent accurate would generate six false negatives, or actual mass shooters who would *not* be caught in the dragnet.

Further, an accuracy rate of 99 percent would mean that one out of every 100 people is incorrectly identified as a shooter. If such a tool were used by the New York City school system, it would identify about 11,000 potential shooters out of roughly 1.1 million students. In this population, 11 children in New York's school system would be expected to be "real" threats — or actual shooters — assuming for purposes of this scenario that these 600 shooters were distributed evenly nationwide. Trying to distinguish these 11 real threats from the 10,989 false positives would be a herculean, if not impossible, task, which could significantly harm those falsely suspected.[126]

If even a predictive tool with a scientifically unachievable rate of accuracy would be essentially useless for efforts to counter statistically rare events like terrorism or targeted violence, prevention efforts as actually implemented will be overwhelmingly counterproductive. The RAND study recognizes the problem of a high ratio of false positives to true threats, which is all but guaranteed given the unreliable risk factors and indicators used by DHS's violence prevention programs. The study notes that such a ratio would undermine the program's legitimacy — and, by implication, the legitimacy of the agencies administering it — given the regularity of individuals being falsely labeled as threats.[127] Further, such a ratio would overload the system with the noise of false positives and actually "*increase* the risk of successful terrorist attacks" (italics in the original).[128]

Indeed, the program is structured to incentivize inflation of national security threats. Entities that receive funds from CP3 to set up threat assessment teams are required to report how many cases they open (including "identified risk factor(s)," "behavioral changes," "extremist ideology," and "specific grievance") as well as the number of referrals they make to outside services. As discussed above, vague and broad risk factors and indicators of violence — unmoored inquiries into whether a person has a grievance or is experiencing "behavioral changes," for example — mean that grantees are likely to assess

less serious or irrelevant incidents such as schoolyard fights, interpersonal conflicts, or social issues as potential national security or public safety threats.[129]

There is documented precedent for grantees elevating garden-variety problems. For example, the World Organization for Resource Development and Education — a CVE grantee based in Montgomery County, Maryland — cited in its application for federal funds a "young Afghan male" who had become withdrawn and stopped going to school because he was "severely homesick" as someone who was successfully identified as "at risk for violent extremism."[130] In another case, an individual running the Illinois Criminal Justice Information Authority's federally funded CVE program noted as a success story for replication a case in which local law enforcement intervened with an "economically disadvantaged immigrant" student who was "having a hard time" at school to find him a mentor because the FBI said he was a possible terrorist recruitment target.[131]

These stories further underscore that many of the risk factors that DHS seeks to address through CP3 are fairly common social and economic problems, such as being socially isolated, unemployed, or having difficulty learning. As a consequence, CP3's prevention programs cast suspicion on people impacted by adverse social and economic conditions beyond their control, potentially reducing their willingness to get needed help or participate in beneficial social programs and thereby undermining the effectiveness of some of the very efforts it funds.

Take, for example, the $749,995 TVTP grant to Boston Children's Hospital. Certain funds from this grant are intended to "increase social belongingness among adolescents." Specifically, one program involves expanding an "inter-ethnic youth advisory board" designed to bring together "diverse youth" of various backgrounds. The goals of the youth advisory board include "increasing sense of belonging, enhancing inter-ethnic group understanding, developing leadership and advocacy skills, and promoting civic engagement" among participants.[132] The theory behind this initiative is that children better integrated into their community are less likely to experience supposed risk factors for violence, such as social alienation, that would make turning to violence more appealing. There is little evidence to support this theory. But more to the point, as a security agency, DHS has no expertise in evaluating which programs are best suited to fostering more integrated relationships. And the involvement of law enforcement in such social programs can actually discourage participation. Parents may generally be keen for their children to participate in programs that will help them meet new people and improve their leadership skills. However, they may reasonably be leery of a program funded by a security agency that has an explicit focus on preventing youth extremism, which could include assessing participants as potential violent criminals and terrorists.[133]

Similarly, students may be less likely to turn to a counselor or teacher for help with a breakup or substance abuse if they know that consultation might be used to discern whether they are a threat and shared with the police. For example, part of the $830,242 Bay Area Urban Areas Security Initiative (UASI) TVTP grant is being used to "enhance capabilities for high school staff to identify individuals mobilizing and radicalizing to violence and develop reporting instructions within the Bay Area threat assessment network."[134] Indeed, UASI intends to use NTAC warning signs (some of which are described above) to structure threat assessment teams with support from the Northern California Regional Intelligence Center law enforcement fusion center.[135]

In sum, CP3's violence prevention frameworks encourage the routine flagging of people who are not actually threats, generating false positives that undermine its public safety goals. Further, the program

treats social issues through a law enforcement lens, undermining the ability of those with expertise in health care, education, or social work to help address those very social conditions effectively.[136]

DHS's Violence Prevention Activities Impose Significant Harm

CP3's violence prevention initiatives co-opt members of the community to identify individuals who have not broken the law but are deemed at risk of committing violence in the future based on unreliable indicators. As DHS documents state explicitly, this permits its proxies to function in a space where "law enforcement or intelligence cannot operate because of constitutionally based civil rights and liberties."[137] The following section describes three main categories of harms stemming from such an approach. First, historically marginalized communities and individuals will disproportionately feel the burden of vague and broad indicators of violence that are prone to channeling bias. Second, CP3's blending of law enforcement with social services undermines both functions and raises serious privacy and due process concerns. Third, CP3's prevention activities are likely to chill constitutionally protected expression and stigmatize those improperly flagged as threats.

Disparate Impacts

CVE was widely criticized for focusing almost entirely on Muslim communities.[138] In response to this criticism,[139] DHS formally broadened its aperture, as now administered by CP3.[140] However, DHS's risk factors and indicators have two features that make them especially susceptible to arbitrary and discriminatory enforcement. They are vague and they are broad, designating commonly occurring behaviors as worthy of suspicion, as discussed in the section above and illustrated in tables 3 and 4.

This risk of arbitrary and discretionary enforcement is a well-recognized feature of vague standards of conduct. For example, vague criminal statutes violate the U.S. Constitution's due process clause because they give authorities too much latitude to selectively enforce them and do not make clear to the public what activity is banned.[141] Displaying one or more indicators is not a criminal offense, but a person showing some combination of vague and commonly occurring markers such as "severe mood swings," "feelings of hopelessness," or "isolating behavior" can be flagged by a DHS-trained bystander as being at risk for committing mass violence and referred to law enforcement or required to follow an intervention plan.

A similar concern applies to commonly occurring conduct, even if a standard is not a subjective one (e.g., "substance abuse"). For example, many traffic violations, like exceeding the speed limit, are both easy to identify and extremely common. But police enforcement of these violations often disproportionately focuses on minorities, leading to the phenomenon mordantly referred to as "driving while Black."[142]

DHS's prevention programs practically invite profiling. Those tasked to be on the lookout for suspicious behavior will be influenced by individual and societal biases when they are judging people according to DHS's vague and/or commonly occurring indicators. The general public, teachers, mental health providers, police, and college students are all susceptible to racial biases that bear on how threatening they may perceive a person to be.[143]

Take, for example, the aforementioned NTAC guide for threat assessments in schools, a core document recommended by the program.[144] The guide lists mental health symptoms as warranting intervention, but these can be interpreted very differently for different races. As researchers investigating disparate treatment in mental health diagnoses explained:[145]

> Consider, for example, a black man who has grown up in a society where men and boys of color are disproportionately targeted by law enforcement. His vigilance in everyday life might be perceived as a natural consequence of racial profiling by one provider, whereas that same behavior might be interpreted as paranoia related to schizophrenia by another.

Mental health is not predictive of violence.[146] Still, this scenario is an example of a situation in which an observer may judge a person to be a potential threat on the basis of racial or religious biases, using as justification vague indicators (e.g., "behavior typical of paranoia") that are already over-attributed to certain populations.[147] It is well documented that bias can infect specialized judgments of trained professionals.[148] It is even likelier that bias will influence the decisions of randomly selected community members participating in CP3 programs utilizing the broad spectrum of DHS-sanctioned indicators. Many CP3 prevention programs focus on young people. These risk channeling children into school disciplinary mechanisms that are already known to produce disparate outcomes. Bay Area UASI (a 2020 TVTP grantee), for example, has been given funds to train staff at 55 high schools to spot students displaying unspecified behaviors or factors that indicate they are radicalizing or moving toward committing violence.[149] The Secret Service guidance that CP3's grantees implement emphasizes that "the threshold for intervention should be relatively low."[150] It also recommends that "robust interventions" be employed on "students assessed as posing *any* level of risk to themselves or others."[151] In other words, these materials encourage overreporting, even when an observer is only mildly suspicious that something is wrong.

The burden of these programs will almost certainly be felt disproportionately by certain students. It is already well established that students of color are punished more often, and more severely, than white students, beginning in preschool and continuing through high school.[152] Children with disabilities, especially those who are also students of color, are punished the most severely.[153] Muslim children have also reported comparatively high rates of bullying and discrimination due to their religion.[154] School discipline often leads to arrests for children who are Black, Hispanic, or Native American.[155] This has led to the "school to prison pipeline," which feeds children of color with disciplinary issues into the criminal justice system and contributes to mass incarceration.[156] Unsurprisingly, studies show that reforms that bring police more directly into schools — such as increasing the number of officers on school grounds — correlate with lower graduation and college enrollment rates and lower test scores for students of color.[157] These measures are also likely to make them feel less safe, not more.[158]

In sum, in a society that is affected by racism at every level — from police to schools — the vagueness of the DHS's indicators will lead to discrimination. People with disabilities and mental illness are also likely be disproportionately flagged as potential threats. Violence prevention is a worthy goal, but frameworks like CP3's that incentivize referrals to police based on vague and specious criteria are likely to target the marginalized.

Information Dissemination: Privacy and Due Process Concerns

Despite its claims, CP3 does not advance "community-led" violence prevention programs. Rather, these programs are in large part run by law enforcement. CP3 is run out of DHS and supported by the DOJ. At least 13 of the fiscal year 2020 29 grants go directly to police or state public safety agencies. And at least 7 more support projects in which law enforcement is explicitly a core participant or that foster links between civil institutions and law enforcement (see appendix). Indeed, as mentioned above, "affiliation with or support for law enforcement" was a criterion undisclosed to grantees under the CVE program from which CP3 evolved.[159]

DHS disavows any intelligence-gathering or surveillance component in the TVTP grant program.[160] It formally bars grantees from transmitting "PII [Personally Identifiable Information] of program participants to DHS."[161] Nonetheless, it sets up grantees to collect and distribute information between and across levels of government.

First, TVTP grantees must keep detailed records and are encouraged to share them, though anonymously if through the grant program.[162] Those receiving funds to set up threat assessment teams must, for example, report to DHS as a "required performance measure" the "number of cases opened, broken down by ideology/targeted violence/risk factor."[163] Running the threat assessment process demands meticulously compiling reams of documentation and information about the subject's behaviors and circumstances, social media posts, academic and disciplinary records, and so on.[164] While grantees cannot share personally identifiable information collected as part of reporting on their grants to DHS, there are few other limits to their sharing of information with DHS and other law enforcement or state agencies. Indeed, DHS explicitly envisions better collaboration between its intelligence arm and "federally supported local prevention programs" to exchange information on trends linked to people committing violence and to "develop domestic terrorism indicators" — implying that, at least to some degree, information provided by CP3 sources will be used to inform counterterrorism operations.[165] This is particularly problematic given that the risk factors promoted by DHS are ubiquitous rather than specific to violent actors.

In fact, DHS promotes such an infrastructure, emphasizing the importance of breaking down arm's-length relationships.[166] For example, 2020 TVTP grantee Bay Area UASI will use federal funds to create a "virtual data sharing service that enables school threat assessment teams across the Bay Area to access data from behavioral/mental health, child welfare, and juvenile probation . . . [to] enable threat assessment teams to conduct more thorough risk assessments of high school students and implement early interventions before an escalation to targeted violence."

Second, CP3 explicitly uses the TVTP grant program to fund the sharing of information with state and local law enforcement. A major mechanism for accomplishing this is fusion centers, which are partnerships between local and federal governments and the private sector to share intelligence on threats to public safety so that law enforcement has the whole picture and can "connect the dots." However, as a scathing Senate report has documented, fusion centers have not contributed meaningfully to counterterrorism efforts, instead producing reams of low-quality information and labeling Muslim Americans engaging in innocuous activities, such as voter registration, as potential threats.[167] Most recently, fusion centers have been caught monitoring racial justice organizers and protests.[168] One TVTP grant allocates $184,981 to Case Western Reserve University to, among other things, work with a fusion center "to provide training to identify and report violent extremism."[169] A $43,400 grant to the

Philadelphia Police Department goes for "training and outreach with . . . Fusion Liaison Officers to identify violent extremism indicators as well as behavioral indicators of targeted violence."[170] And the Northern California Regional Intelligence Center — which wrote in support of the Bay Area UASI's $830,242 grant — provides, among other things, threat assessment services and "cross-agency and cross-jurisdictional data sharing" to help investigations.[171]

Recent state-level threat assessment initiatives illustrate the perils of information sharing through a threat assessment infrastructure. Last year, for example, based on a recommendation from the public safety commission reviewing the circumstances surrounding the shooting at Marjory Stoneman Douglas High School in Parkland, Florida, the state rolled out a database containing "pieces of information from school districts, police, mental health agencies, child welfare services," in addition to children's social media posts, with the stated goal of making it easier to connect the dots to prevent school shootings.[172] Cataloging the use of social services or experiences of bullying as evidence that a person might be a security threat is likely to discourage the use of such services or the reporting of abuse when needed or appropriate.[173] As advocates opposing the Parkland database wrote:[174]

> We also believe that if the state collects and stores some of this information, many students and their families will be deterred from seeking the services they need in school. Students who are homeless or in the foster care system, or those who have mental health disabilities, may limit the services they use out of concern that the state may use the information to flag them as potential threats. Likewise, students who are bullied because they are LGBT, have a disability, or have a minority religious affiliation may choose not to report the abuse to their schools if they fear the schools will respond by identifying them as threats. This could create a perverse incentive, leading students to avoid reporting serious or life-threatening behavior because they don't want to be labeled as a potential school shooter.

Moreover, setting up such databases raises questions about how information and related analysis will be used — implicating serious due process issues. For example, if a threat assessment team makes a wrong determination that is retained in a person's files, could that determination be used against the individual if he or she applies for a state-provided benefit or license?[175] How about in connection with a federal immigration adjudication? Could it be a factor in state college admissions? And could it be challenged?

Essentially, a threat assessment team's analysis of a person's case is not subject to a balanced process, adjudicated by a neutral arbiter, or challengeable in court. It may follow the subject around and be the source of adverse consequences, with little recourse for the person affected. Indeed, recently a Florida sheriff used information from a school district and the state's Department of Children and Families to flag kids as "at risk of becoming criminals" based on vague and biased criteria such as whether they were the subject of a custody dispute, had "low intelligence," or came from a "broken home."[176] Similar efforts in the same county led to people being monitored and harassed because they were flagged as "likely to break the law."[177]

Federal statutory protections for health and student records do not provide much reassurance. They contain broad exceptions and do not always permit people to sue to enforce their rights.[178] And in practice, they may not be complied with due to their complexity and the secrecy under which these programs operate.[179] For example, the Health Insurance Portability and Accountability Act (HIPAA) has been interpreted by CVE grantees — without formal interpretive guidance — to permit reporting of personal information to law enforcement when they believe that there is an "imminent threat" to health or safety or a threat to "national security."[180] At the time of this report's publication, the Department of

Health and Human Services is considering a rule that would make it easier to disclose information to the police under HIPAA by removing the imminence requirement from the former exception.[181] The Family Educational Rights and Privacy Act (FERPA) does not bar the use of student educational records without consent for threat assessments — even by non-school employees.[182] FERPA also contains significant exceptions for health and safety when there is an "articulable and significant threat," which the Department of Education calls a "flexible standard" that is deferential to school administrators.[183]

Federal law enforcement has previously colored outside the lines when it comes to maintaining a wall between law enforcement and social service functions, even if the two are formally or legally supposed to be separated. For example, a CVE program that DHS said was not an intelligence-gathering program was found to have shared information with the FBI and police.[184] There, the head of the Illinois Criminal Justice Information Authority's Targeted Violence Prevention Program coordinated with the FBI and the Chicago Police Department to conduct interventions with supposedly at-risk individuals, at least in one known case involving a student.[185] Indeed, the FBI has long sought to become involved in breaking down barriers between community services and law enforcement, including through proposed "Shared Responsibility Committees." While working on CVE at the FBI, Brian Murphy, who until recently headed DHS's Intelligence and Analysis Unit, reportedly "wanted to tap coaches, therapists, social workers and religious leaders in several cities to help steer people under the sway of Islamic extremism away from a potentially violent future" through arrangements that would allow the FBI to track these individuals in the future.[186]

In sum, CP3 programs encourage the dissemination of personal information — quite overtly, and in the absence of robust and enforceable legal safeguards. This dissemination of personal information raises serious concerns of privacy and due process, particularly given the breadth of threat assessments and the lack of concrete standards guiding their administration.

Free Expression and Stigma

The terrorism prevention part of CP3 initiatives is built on the flawed theory of radicalization, under which a person's ideological views are relevant to predicting whether he or she may become violent.[187] As administered, CP3 programs enable the labeling of people as potential mass attackers because of their political views or religious practices or even their personal quirks. The program stifles the freedoms of speech, expression, and religion, which the First Amendment protects.

The NIJ study synthesis — which was provided to TVTP grant applicants as a resource on which to rely in designing their prevention programs — identifies a "deep commitment to extremist ideology" as a risk factor for committing terrorism.[188] But even leaving aside the issue of whether a person's adherence to an "extreme" ideology is predictive of violence, DHS's indicators are likely to open the door for scrutiny of a wide range of political views. A March 2021 intelligence report by DHS's Office of Intelligence and Analysis, for example, noted an intent to improve collaboration with local prevention officers to share intelligence trends on who might be susceptible to radicalization and to better link ideological motives with attacks and plots.[189] The goal, in part, is to "strengthen efforts to develop domestic terrorism indicators."[190] The report sweeps broadly when describing viewpoints potentially linked to violence. For example:[191]

> Perceptions of government overreach associated with COVID-19 mitigation measures were associated with several high-profile DVE [domestic violent extremist] threats against government officials, including a militia violent extremist plot to kidnap the Governor of Michigan in October

2020, judging from media reporting. These grievances — in addition to historical drivers related to real or perceived firearms regulations, immigration reform, and partisan issues — probably will endure and could increase through 2021 as perceptions that potentially expanded efforts to contain COVID-19 represent renewed threats of government overreach.

Debates over government policy — such as gun control or immigration reform — are, of course, essential to a healthy democracy. If DHS is going to develop indicators of violence that are linked to views on "government overreach" or a range of "partisan issues," it will stifle political dissent and impede holding elected officials accountable. CP3 follows the path of CVE. Within the past decade, indicators of terrorism used in CVE programs have included items such as "low trust in institutions and law enforcement," "concerns about anti-Muslim discrimination," "foreign policy concerns relating to U.S. operations in Iraq and Afghanistan, Israel's treatment of Palestinians and others," or "political grievances [such as] human rights abuses, lack of political rights and civil liberties, corruption, conflict and foreign occupation."[192]

Even if DHS intends to focus on viewpoints that it considers "extreme," "radical," or linked to violence, it has not specified how it intends to narrow the frame. Regardless, there is no support for the proposition that the adoption of "extreme" views precedes the commission of violence — nor is it the job of a security agency to define what such terms mean.[193] Frameworks delegitimizing "radical" thought by linking it to violence or "concerning" behaviors are susceptible to political wrangling and will eventually be trained at those who are out of the mainstream or who are engaged in activism challenging state power rather than on those who are actually committing violence.

Under the Biden administration, DHS intends to take aim at violent white supremacy, but just last year the Trump administration downplayed far-right violence in the course of attempting to focus federal security agencies on left-wing activism.[194] Further, federal law enforcement has a long history of targeting civil rights activists, such as Martin Luther King Jr.[195] In recent years it has characterized "Black Identity Extremism" — or anti-police-brutality activism — as a potential national security threat.[196] Other contemporary examples of authorities treating political dissent as terrorism include the targeting of environmental activists engaged in nonviolent protests.[197] Indeed, the very ideas that were once labeled "radical" because they "challenge[d] the existing social and political orthodoxy" are now recognized to have driven valuable social progress, whether with respect to women's suffrage, the 40-hour work week, or the fight for racial equality.[198]

Some materials put forth by CP3's grantees at least recognize these issues, to varying degrees. For example, 2020 TVTP grantee the National Governors Association's "Preventing Targeted Violence" road map notes that it will use the term "preventing targeted violence" (PTV) "to refer to a new approach focused on preventing violence rather than potential motivations." The document recognizes "the potential for targeting constitutionally protected ideologies or beliefs," recommending, for instance, that a state's stakeholder engagement efforts should clarify that PTV departs from past CVE programs because it does not target ideology or religion *alone*.[199] Tacitly, however, the presence of these warnings indicates that there is a real risk that a person's views or religion will be used to flag him or her as a threat — particularly given that the breadth and vagueness of other risk factors and indicators make it easy enough to find another observable criterion that can be used as justification.

Similarly, the Utah Department of Public Safety (DPS), a 2020 TVTP grantee, links to a "First Responder's Toolbox" that notes, "Some activities may be constitutionally protected and may be insignificant on their own but when observed with other suspicious behaviors, may constitute a basis for

---

reporting."[200] The document does not specify what behaviors are "suspicious," but Utah DPS cites guidance on "warning signs" discussed earlier in this report. These signs, such as "increasingly talks of problems at home" or "behavior typical of paranoia," are so vague and decoupled from violence as to be a meaningless limitation on reporting political or expressive activity.[201]

As discussed above, CP3's prevention programs employ indicators (e.g., "concerning behaviors" or "inappropriate interest" in violent topics) that are broad enough to profile people on the basis of a preconceived notion of how a school shooter or terrorist would behave.[202] Whether or not such a profile explicitly incorporates religion or politics, labeling people as threats for not conforming to prevailing societal norms inhibits their freedom to express themselves and — particularly if they are children — to grow as a person. For example, in one recent case, a student had to drop out of school after he was the subject of surveillance, repeated random searches, and a police investigation, because he fit a profile of a school shooter. He apparently enjoyed wearing a trench coat, liked to make knives in his blacksmithing class after school, and played violent video games, and a librarian had misheard a conversation among children expressing concern he was a "shooter."[203] His behavior was not overtly threatening, nor was he given a timely opportunity to challenge the reasons he had been flagged. The fact that he was a child on the autism spectrum and had an eccentric set of interests was enough to subject him to such scrutiny that he had to leave school.

Finally, being perceived or flagged as a threat carries a harmful stigma. This is often for nothing more than being out of the mainstream or being a member of a disadvantaged or minority community. Such a flag may also be followed by social, professional, or academic consequences for an affected individual, even if criminal charges are not tenable or appropriate.[204]

The Path Forward: Community Investment, Not Criminalization

This report finds that CP3's prevention initiatives seek to recast social problems as security threats, tasking security agencies with overseeing the provision of essential social goods such as education, public health, and social services. This expansion of law enforcement goes against the grain of police reform movements, which aim to prevent the criminalization of mental health and adverse socioeconomic circumstances by reducing the role of police in areas that are better handled by people with the relevant expertise — and who are focused on solving social problems rather than catching violent criminals.

Instead, CP3 contributes to an infrastructure that extends the reach of law enforcement, framing a person's mental health, social, and economic situations as relevant to their propensity for violence.[205] It also directly engages law enforcement, or trains members of the public, to detect vague and unproven warning signs of violence, broadening the swath of people over whom the net of criminal suspicion may be cast.[206]

This report recommends that responses to the problems CP3-promoted programs often identify as threats to national security — a lack of economic opportunity or the need for mental health treatment, for example — be divorced from a security framework, untethered from law enforcement, led by institutions with the relevant expertise and outlook, and allocated on the basis of community needs rather than a perceived risk of terrorism. To that end, the Brennan Center suggests the following principles to guide reform:

De-securitize Community Investment

Communities around the United States should not need to sign up for a counterterrorism program to get resources for their schools, universities, places of worship, or social institutions. Indeed, the very "risk factors" that CP3 intends to identify and remedy via security agency investments — unemployment, psychological issues, abusive relationships, and so on — are appropriately the purview of professionals and services outside law enforcement. Government commitments should directly address these as social problems rather than treat those experiencing them as potential violent criminals, and should wall off programs addressing social ills from law enforcement across levels of government.[207]

In the educational setting, for example, the Counseling Not Criminalization in Schools Act (H.R. 7848 | S. 4360), first introduced in July 2020 by Sens. Chris Murphy (D-CT) and Elizabeth Warren (D-MA) and Reps. Ayanna Pressley (D-MA) and Ilhan Omar (D-MN), is a model for what a federal social program to ameliorate health and opportunity deficits without involving law enforcement could look like.[208] It would establish a $2.5 billion federal grant program for districts looking to replace law enforcement in their schools with social service providers like counselors, social workers, and nurses; promote social worker–led interventions and restorative justice methods; and bar the use of funds to implement surveillance programs or facilitate cooperation with law enforcement. In a similar vein, certain generally tailored programs promoted by CP3 — for example, those that provide youth with support services or education — are socially valuable but have little proven counterterrorism value.[209] These should be run out of institutions with the relevant expertise, like the Department of Education or Health and Human Services, and with appropriate safeguards for civil rights and liberties, including explicit legal bars on information sharing with law enforcement and security agencies, as well as mandatory reviews to ensure compliance. Doing so would mitigate perceived concerns that such programs are a Trojan horse for government surveillance and reduce any stigma associated with participating in them.

Shift Focus from Identifying Potential Violent Actors to Solving Social Problems

Like elements of CP3 programs, violence prevention programs spearheaded by public health or social service agencies that address more frequently occurring kinds of violence than terrorism — such as youth violence or sexual violence — aim to reduce identified risk factors (e.g., alcohol and drug use) and incorporate protective ones (e.g., academic achievement).[210] These programs seek to reduce violence by addressing underlying social conditions associated with it. But they are not run out of security agencies, nor are they aimed at identifying individual potential offenders and referring them to law enforcement. They are instead focused on education and generally targeted environmental improvements (e.g., promoting healthy sexuality) in a manner that actually emphasizes prevention, not potential penalization.

Build Community Confidence in Law Enforcement

The cornerstone of DHS's CP3 initiatives is that trust in government — and especially in law enforcement — makes communities safer. DHS has been at the center of conflict in Washington, D.C., as it has implemented policies that have stifled dissent, targeted immigrants, and invited censure as human rights abuses in violation of both domestic and international law.[211] As some activists have called to abolish the department, there is debate ongoing on how to restructure it or rein in its authority.[212] More broadly, the past year has seen a movement protesting racism and police brutality that has occupied a central place in political discourse. As the study DHS drew from to arrive at CP3 itself suggested, the department should "recognize and proactively manage effects that other DHS and federal programs can have on community trust," citing immigration enforcement and the lack of redress for DHS-perpetrated mistreatment as sources of mistrust.[213] Before moving forward with CP3 or any other terrorism prevention campaign predicated on community outreach, DHS and other federal law enforcement agencies should, at a minimum, be meaningfully held accountable for such abuses and restructured in a manner that facilitates transparency and oversight and incorporates robust safeguards for civil rights and liberties, especially for marginalized communities.[214]

Conclusion

President Joe Biden has made it clear that he intends to mount a robust response to far-right violence. In responding to this serious threat, the administration must use empirically sound approaches rather than give in to the paradigms that drove much of the war on terror and led to devastating consequences for American Muslims and members of historically marginalized communities. CP3 is a child of the war on terror. There is little proof of its effectiveness and plenty of evidence that it will target the same communities that bear the brunt of far-right violence. It should be jettisoned in favor of an approach that prioritizes community investment rather than criminalization.

Appendix: Fiscal Year 2020 Targeted Violence and Terrorism Prevention Grants

Below follows what is publicly known about the fiscal year 2020 Targeted Violence and Terrorism Prevention (TVTP) grants now administered by DHS's Center for Prevention Programs and Partnerships (CP3). As outlined in part I of the report, these initiatives generally fall into four broad categories: 1) initiatives that directly equip localities to identify people who may commit violence and manage the risk they are determined to pose; 2) social programs such as extracurricular activities for children to reduce supposed risk factors for violence; 3) initiatives to reduce the impact of extremist messaging, generally online; and 4) programs aimed at people who have already been convicted of violent crimes or terrorism-related offenses to reduce their risk of radicalization within prison or after they leave it. A few grants do not clearly fit into any of these categories (for example, the National Governors Association's Center for Best Practices grant), while others are difficult to classify because available information does not make clear the scope of funded activities (for example, how people are chosen for participation in the Simon Wiesenthal Center's program is ambiguous, and this bears on whether it fits into Category 2 in addition to Category 4).

At a minimum, however, it is evident that in fiscal year 2020 DHS focused on funding efforts connected to law enforcement: **13 out of 29 grants** fund law enforcement or public safety entities directly, and another **7 grants** have some relationship to law enforcement (for example, the grantee lists the FBI as a partner organization or is getting money to establish a threat assessment team involving law enforcement).[215] Further, the department has been eager to fund activities in Category 1, which **20 grants** clearly effectuate; these largely (but do not completely) overlap with the grants related to law enforcement.[216] Access to grantees' applications for TVTP funds would provide a more precise and holistic picture of their proposed prevention efforts, but DHS has not publicly disclosed these applications.[217]

Grantee: Boston Children's Hospital
Amount: $749,995

DHS Description: Boston Children's Hospital will develop the Massachusetts Area Prevention (MAP) framework that will target the reduction of mental health problems and increase the social belongingness among adolescents through a multipronged, evidence-informed, and community-based program. This proposal builds on the trauma and resilience work currently based out of Boston Children's Hospital and on the existing capacity of the MassBay Threat Assessment Team.

Additional Details: This grant funds a range of violence prevention efforts that are spearheaded by the Boston Children's Hospital's Trauma and Community Resilience Center (TCRC), with a clear focus on Muslim refugee and immigrant youth.[218] For example, Boston Children's Hospital uses grant funds to run programs to "reduce mental health problems and increase social belongingness among adolescents," under the theory that children better integrated into their community are less likely to experience posited risk factors for terrorism such as social alienation. One such program is designed to bring together "diverse youth" of various backgrounds, with the goal of helping them get along and be more engaged citizens. The grant also funds a team with police, religious leaders, mental health practitioners, educators, and others that connects children identified as potentially violent to "supportive community-based services." Research done by TCRC to ground its approach describes cases that involve both community and law enforcement referrals, with cooperation between service providers and police in the course of managing a given case.[219] Federal law enforcement is close at hand: The grant builds on the "[statewide] MassBay Threat Assessment team," for example, which brings together the Boston FBI Joint Terrorism

Task Force and the U.S. Attorney's Office as well as state social service agencies to off-ramp people identified as "at risk for radicalization to violence." The development of the MassBay Threat Assessment Team is additionally funded by a complementary grant from the Department of Justice (DOJ).

Grantee: Bay Area Urban Area Security Initiative
Amount: $830,242

DHS Description: The Bay Area Urban Area Security Initiative (UASI) proposes a multi-faceted approach to prevent targeted violence in schools and houses of worship in the 12 counties and three major cities that comprise the Bay Area UASI. The project follows a building-block approach, is a blend of in-person and online training, organizational enhancements, and technologies meant to standardize threat assessments to prevent targeted violence and enhance the resiliency of 55 high schools and 100 houses of worship.

Additional Details: The Bay Area UASI secures DHS grant funds and distributes them to schools and houses of worship across the Bay Area to shore up prevention capabilities. The grant funds a range of projects, including: [220]

- Training for staff at schools or houses of worship on how to identify people who might be preparing to commit violence, including through their unspecified "nonverbal behavior," and report them to the Bay Area threat assessment network.
- Expanding technologies that help share information about an "at risk student's education, behavior/mental health, child welfare, and juvenile probation concerns" for threat assessment teams — with law enforcement involvement — across the Bay Area.
- A program that identifies student leaders and trains them on how to recognize supposed warning signs of violence, how to approach at-risk students and the resources available to assist them. [221]
- Training for students on media literacy and online critical thinking to make them less susceptible to propaganda or misinformation.

Grantee: Chatham County, GA
Amount: $430,000

DHS Description: Chatham County will establish a coordinated Homeland Security Program inclusive of a county-wide multi-disciplinary threat assessment and management network which will utilize standardized protocols regarding violent crime, increase awareness and competencies through multi-jurisdictional training sessions, and increase community-based efforts and awareness to encourage reporting threats.

Additional Details: According to local media coverage, funds from this grant are for the Chatham County Police Department.[222] In addition to going toward threat assessment teams to examine people who are identified as potential perpetrators of mass violence, the money will be spent to improve "alert systems," presumably of possible threats, throughout schools in the county. It will also be spent to hire a person to coordinate these efforts between the police department, sheriff's office, relevant law enforcement agencies, public schools, and other stakeholders. (Notably, though ostensibly unrelated to this grant, Secret Service agents presented their threat assessment model to 52 principals of Chatham County schools in August 2019.)[223]

Grantee: County of Bexar, TX
Amount: $175,613

DHS Description: The Bexar County Sheriff's Office plans to implement a local prevention framework that focuses on community engagement with law enforcement to enhance resilience to individuals mobilizing to violence. The Sheriff's Office will also enhance trainings for service providers, other law enforcement agencies, and the general public in identifying individuals with risk factors for targeted violence and increase outreach efforts to enhance protective factors for local youth, utilizing partnerships with local service providers.

Additional Details: Most notably, the description suggests that the grant will be used by the Sheriff's Office to spearhead outreach to everyone from the general public to social service providers to police in order to encourage them to recognize and report individuals who are displaying posited signs or risk factors of violence. Local media coverage further describes an FBI-promoted "Threat Assessment Group" in Bexar County including mental health providers, school officials, as well as local, state, and federal law enforcement that meets thrice weekly to "share information and evaluate possible threats," considering everything from social media posts to sources of data available to organizations represented by individual group members.[224] The effort, supported by a DOJ grant, likely works in conjunction with the TVTP-funded programs as a hub to evaluate people who are flagged as potential threats.

Grantee: Hawaii Department of Defense
Amount: $302,169

DHS Description: The Hawaii Department of Defense proposes to expand Threat Team Oahu (TTO), a collaborative platform developed in 2017 that assesses risks of targeted violence. The TTO analyzes the unique factors in each case, and accesses and leverages an effective combination of multidisciplinary capabilities to address and mitigate the potential for targeted violence. The threat assessment team funded by this initiative will continue to expand TTO to the neighboring islands, bringing together the collaborative efforts of law enforcement, mental health, and human services professionals to address the threat of violence in communities.

Additional Details: TTO brings together the FBI, local police, Hawaii State Fusion Center, as well as representatives from Hawaii's health department. The group's goal is to advise on the risk posed by people who are identified by community groups as potential threats, and to help decide what to do with them.[225] TTO likely leverages information streams from a range of law enforcement, public and private sources – in particular, through the fusion center – in service of these assessments.[226]

Grantee: Kentucky Office of Homeland Security
Amount: $250,000

DHS Description: The Kentucky Office of Homeland Security will enhance two existing counterterrorism and public safety trainings with existing TVTP training made available by DHS, the Law Enforcement Awareness briefing (LAB) and Bystander Training. Training audiences include first responders; school safety personnel; and middle school, high school, and college students who will receive the information alongside information about their school safety tip line.

Additional Details: This grant promotes teaching for people to spot and report signs that TVTP presents as indicative that a person may commit violence. According to the Kentucky Office of Homeland Security 2020 Annual Report, grant funds will be used to emphasize a "TVTP curriculum" for

training Intelligence Liaison Officers, who are designated points of contact for a fusion center across a range of venues from law enforcement to public health to education to other state agencies and private organizations.[227] Consistent with the DHS description, the Annual Report says the office intends to "expand the training to include school staff and students."[228]

Grantee: Pennsylvania Commission on Crime and Delinquency
Amount: $527,547

DHS Description: The Pennsylvania Commission on Crime and Delinquency (PCCD) proposes to advance threat assessment and management practices and increase awareness and utilization of bystander trainings and hotlines within Southwestern Pennsylvania through a comprehensive pilot program. The panel noted the strong program design of the regional threat assessment hub approach and the strong support from various state offices.

Additional Details: Though DHS's description suggests that money will be used to train people to identify and refer people displaying posited signs of violence as well as bolster threat assessment teams, the details of precisely how the grant funds will be used are not readily apparent from the PCCD's website. The PCCD — which is led by Philadelphia's former chief of police — notes in general terms that it is focused on strengthening the links between law enforcement and social service providers and the community, including to "enhance law enforcement" and "provide technological and information-sharing tools."[229] There is a page for "threat assessment" under the PCCD's "School Safety and Security" landing page. The page indicates all "school entities" in Pennsylvania are statutorily required to have threat assessment teams. It provides a model threat assessment program for Pennsylvania schools adapted from the U.S. Secret Service's operational guide (*Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, discussed in this report) and Virginia's model policies (*Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines, Second Edition*).[230] Notably, in October 2019, PCCD received $777, 282 through the DOJ's Bureau of Justice Assistance (BJA) Student, Teachers, and Officers Preventing (STOP) School Violence Threat Assessment Grant Program, indicating that federal funding to PCCD for school threat assessments could primarily flow through channels other than TVTP.[231]

Grantee: Simon Wiesenthal Center
Amount: $225,692

DHS Description: The Simon Wiesenthal Center — Museum of Tolerance proposes to expand an existing program for individuals who have committed a hate/extremist crime or have risk factors for targeted violence and terrorism. The proposal includes private facilitated museum experiences, meetings with "credible messengers," and goal setting and facilitation and coaching with reintegration professionals.

Additional Details: DHS's description does not make clear precisely how individuals are chosen for referral to the Wiesenthal Center – for example, whether referrals from the criminal justice system legally mandate participation in the program, or if a person may participate solely because they are labeled high-risk by a threat assessment or other mechanism prior to having engaged in criminal activity. Nor is it clear what counts as a successful intervention, and the degree to which law enforcement is involved in monitoring a participant's progress. The center has, however, come under criticism for staking out politically charged views on the Israel/Palestine conflict; notably, it listed as a "Top 10 Worst Global Anti-Semitic and Anti-Israel Incident" comments made by Reps. Rashida Tlaib and Ilhan Omar supporting boycotts against Israel for human rights abuses.[232]

Grantee: Citizens Crime Commission of New York City
Amount: $741,878

DHS Description: The Citizens Crime Commission is a nonprofit organization that started out in the field of "extremism prevention" through its participation in a DOJ program called "DEEP" (Disruption and Early Engagement). The goal was to off-ramp individuals whom federal law enforcement identified as at risk of committing "ideologically based violence" but were not in prison, whether pre-arrest or post-conviction. People put into the commission's DEEP program are evaluated by a psychologist and undergo a "number of risk and threat assessments," including for violence as well as "violence extremism" specifically. If a person is taken into the program, they meet with a therapist and are assigned a treatment plan that addresses their posited risk factors for violence, whether related to their social skills and life, substance abuse, family life, employment, or mental health, for example. The commission also intends to do community and school outreach to expand the reach of DEEP methods to people who may "want help de-mobilizing" — for instance, people who click on a targeted advertisement after conducting an online search of a hateful ideology, or are identified by family and friends as being at risk. Success is measured by how a person's emotional state changes.[233] The TVTP grant funds this range of efforts.[234]

Grantee: University of Denver Graduate School of Professional Psychology
Amount: $491,865

DHS Description: The University of Denver Graduate School of Professional Psychology proposes to expand the Colorado model by increasing the capacity of the Colorado Resilience Collaborative (CRC). The CRC will provide training and educational resources on threat assessment and prevention of targeted violence, facilitate expert consultation and networking events for professionals and organizations, and develop an online resource library to promote sustainable training and technical assistance materials for the prevention of targeted violence.

Additional Details: DHS funds the CRC to serve as a hub to coordinate violence prevention efforts in the state and views it as a model CP3 initiative. The CRC's role includes a range of violence prevention activities, such as taking referrals from the public of those flagged as "on the pathway to extremist violence," proliferating TVTP training to interested parties (for example, "detailed educational materials on the nature of targeted violence and how to use behavioral indicators to assess threats and manage cases of concern"), and consulting with community agencies and individuals on particular cases (for example, through an exploration of the "concerning behavior" at issue and courses of intervention).[235] CRC's listed current partners include Colorado police departments, federal law enforcement (U.S. Attorney's Office, FBI, DHS), social service departments (Department of Human Services, Department of Public Health and Environment), threat assessment professionals, and faith-based organizations (e.g., Interfaith Alliance, Islamic Society of Denver), among others. It subcontracts to Life After Hate and Moonshot CVE (which are funded by TVTP and are discussed below), and Nicoletti–Flater & Associates (a threat assessment firm).

DHS notes that over the past five years it has turned Colorado into the location of its "most developed" TVTP field presence, describing extensive collaboration with "the U.S. Attorney's Office, the State of Colorado's Homeland Security Advisor's Office, and numerous state and local partners to craft local prevention frameworks blanketing the state." For example, DHS says its regional prevention coordinators have played a role in building up "law enforcement crisis intervention teams, school threat assessment teams, and mental and social service professionals" to deal with people identified as potentially violent.

As evidence the program is working, the department declares, "100 individuals displaying behavioral indicators of radicalization to violence entered into behavioral threat assessment and management through these prevention efforts."[236]

Grantee: University of Central Oklahoma
Amount: $657,281

DHS Description: The University of Central Oklahoma proposes to utilize a series of class modules that address prejudice in pre-K and elementary schools throughout the state. The module will assess the effectiveness of early interruption on the evolution of violence. The project will also evaluate the impact of the training in urban, rural, and suburban areas. The project is adapted from a prior Peer-2-Peer: Challenging Extremism contest winner.

Additional Details: This grants funds teaching young children in Oklahoma schools about the perils of prejudice. The materials do not appear to be public, but according to the University of Central Oklahoma, "The idea behind the grant is that educating students early on about difference and diversity as a positive might help avoid prejudice that can lead to violence later in life."[237] The grant builds from a previous project, "1UPAgainstHate," which aimed to educate children about the apparent risk that they might be targeted for recruitment by extremist groups while playing video games online.[238] 1UPAgainstHate's resource page emphasizes that children should keep an eye out for and not hesitate to report hatred they observe, including to law enforcement.[239]

Grantee: Utah Department of Public Safety
Amount: $205,850

DHS Description: The Utah Department of Public Safety (DPS) proposes a framework that will provide training and awareness to public safety and community leaders, enhance multidisciplinary threat assessment and management teams, and implement a statewide process for threat assessment teams to document and share threat assessments and management information.

Additional Details: DHS's description suggests that Utah DPS will use TVTP funds to train law enforcement and community members to identify people showing supposed signs of violence, equip threat assessment teams that include law enforcement to handle referrals of those who are flagged, and harmonize the sharing of information across the state on people identified as potential threats. Unlike many other grantees, Utah DPS has a public website containing a number of resources on targeted violence prevention and intervention that it will employ in running its TVTP-funded program, made or adapted from federal government materials. One such document, reproduced in table 3, is used in this report to concretely illustrate flaws with how DHS's signs of violence are crafted and applied.[240]

Grantee: Case Western Reserve University
Amount: $184,891

DHS Description: The Begun Center for Violence Prevention Research and Education at Case Western Reserve University will work with the Northeast Ohio Regional Fusion Center (NEORFC) to provide training to identify and report violent extremism in rural areas and create a local, scalable threat assessment tool specific to the rural communities of Northeast Ohio.

Additional Details: The TVTP grant is listed under the Begun Center's "law enforcement" page. Researchers working on this topic partner with and study how law enforcement and communities can

better collaborate to "lower crime rates, improve conscientious policing, and reduce recidivism."[241] According to media reports, the Begun Center, working with the fusion center, will use TVTP funds to "develop training protocols for police officers and other first responders" on how to identify and report people exhibiting posited signs of violent extremism "across the ideological spectrum" for further assessment.[242] Notable law enforcement partners listed as providing "financial and programmatic support" to the Begun Center include the U.S. Attorney's Office for the Northern District of Ohio, FBI, DOJ, and Cleveland Division of Police, among others.[243]

Grantee: District of Columbia Homeland Security and Emergency Management Agency
Amount: $150,000

DHS Description: District of Columbia Homeland Security and Emergency Management Agency (DC HSEMA) will provide mobilization to violence awareness training to schools, faith-based institutions, higher education institutions, and local law enforcement agencies. The DC HSEMA will stand up a Task Force to review and revise training materials to meet local needs and provide standard operating procedures for a sustainable program. Local training will inform community members on how to identify and report individuals or groups mobilizing to violence and provide local resources for outreach and referrals.

Additional Details: DC HSEMA is a law enforcement agency in the mold of a DC-government analog to DHS. HSEMA runs a fusion center called the National Capital Region Threat Intelligence Consortium (NTIC), through which information will likely be compiled and disseminated on people reported as threats based on the supposed signs of violence DC HSEMSA trains law enforcement and community members to report.[244]

Grantee: Florida International University Police Department
Amount: $7,001

DHS Description: The Florida International University Police Department (FIUPD) will provide the Advanced Violence Risk Assessment Certification Course for the entire department to help standardize and professionalize their threat assessment and management case process. The training will enhance the engagement tools of FIUPD that will help build community trust and relationships and provide resources to network across stakeholders through training, awareness programs, education, and other community resource points.

Additional Details: The Advanced Violence Risk Assessment Certification Course is administered by the National Association for Behavioral Intervention and Threat Assessment (NABITA).[245] A brief overview for a 2020 course from NABITA's website lists a range of concerning behaviors and factors to which a risk rating can be assigned, ranging from "potential 'off color' jokes or veiled statements," to "disruptive behavior that is perceived as overly rude," and "rapid change in previously upsetting behavior without explanation."[246] Additionally, the risk assessment sheet includes 35 items pursuant to which a subject is evaluated, including everything from a student's planning and capacity to carry out a threat to factors that are vaguer or far removed from violence, such as whether a student has experienced a breakup or "talks about being persecuted or being treated unjustly."[247]

Grantee: Greenlight Project, Inc. — Counter Extremism Project (The Counter Extremism Project was a recipient of a 2016 CVE grant to run the Muslim World Today Support Program, a website-based program aimed at fostering "tolerance and pluralism" among Muslim Americans to make them less susceptible to recruitment by terrorists.)[248]
Amount: $277,755

DHS Description: Greenlight Project, Inc. will enhance the capacity of an in-community reentry and recidivism reduction initiative at the Donovan Correctional Facility. Greenlight Project, Inc. will design and deliver curriculum to individuals of terrorism-related offenses prior to release or individuals vulnerable to the risk factors of radicalizing to violence, and also provide post-release support programming. The project will also help identify important risk and protective factors that might inform further recidivism reduction and reintegration programs nationally.

Additional Details: This TVTP-funded project is a partnership of the Counter Extremism Project (CEP) and Parallel Networks (PN).[249] It focuses on incarcerated people who believe in either white supremacist or Islamic extremist ideologies with the goal of reducing recidivism. It would do so by tailoring lesson plans that highlight "alternative narratives to extremist ideology," depending on what a person believes.[250] According to Jesse Morton, a former recruiter for Al-Qaeda who runs PN, the focus is on these groups because they are most likely to be violent.[251] Morton said PN will also eventually move to cover fringe-left ideologies but underscored "a big distinction between a jihadi or far-right extremist, and an antifa adherent who will throw a brick."[252] Morton's partner at PN, Mitch Silber, used to work for the New York Police Department, where he ran a program that spied on Muslims.[253]

Grantee: Muflehun
Amount: $77,025

DHS Description: Muflehun, with support and commitment from the American Jewish Committee (AJC), will utilize existing training developed by the Illinois Criminal Justice Information Authority under the FY16 Countering Violent Extremism Grant Program.[254] The training for bystanders and gatekeepers, Communities Acting to Refer and Engage (CARE), will be piloted online for select community leaders. Training will be customized to each community leader and their local referral networks with the assistance of AJC's 22 U.S. regional offices.

Additional Details: The entities involved in this TVTP grant suggest a focus on terrorism associated with Islam. Muflehun, which received another TVTP grant as well (discussed below), has been described in the press as an "Islamic deradicalization group."[255] DHS documents have characterized it as "a think tank, which focuses on confronting violent extremist thought . . . within a religious paradigm."[256] Further, at least two of Muflehun's leaders, Imam Mohamed Magid and Humera Khan, have advised federal law enforcement on CVE matters.[257] AJC, Muflehun's partner organization, will help customize training "to each community leader and their local referral networks," and the AJC website evinces a clear focus on terrorism associated with Islam.[258]

In its current form, however, the bystander training document Muflehun will promote reflects no such focus. It is aimed generally at teaching people how to identify individuals displaying concerning behaviors (shown in table 4 of our report) and how to intervene with them, including potentially referring them to law enforcement.[259]

Though it does not directly bear on this program, the training materials Muflehun will use were developed by an Illinois CVE program plagued by controversy for surreptitious entanglement with law

enforcement and mismanagement, including a failure to bring on board community-based partners as represented in the grant application.[260]

Grantee: Muscogee (Creek) Nation Lighthorse Police Department
Amount: $28,994

DHS Description: The Lighthorse Police Department (LHP) will host a youth police academy and launch a youth mentoring program that will help implement a day-to-day trust and engagement strategy with youth community members. The LHP proposal fulfills the diversity of applicant criterion, as the DHS CVE and TVTP have yet to award a tribal authority with funds.

Additional Details: According to a press release, the youth police academy essentially aims to get children more comfortable interacting with and trusting police, presumably to encourage reporting of suspicious activity and under the theory that building community trust reduces the risk a child will turn violent. The program aims to "provide[] positive interaction with police officers, and educate[] participants about the challenges and responsibilities of police work."[261]

Grantee: New York Presbyterian Hospital
Amount: $149,985

DHS Description: The New York Presbyterian Hospital (NYP) will provide train-the-trainer awareness briefings and threat assessment and case management to staff leaders, who can train all security and hospital employees in threat assessment, mental health first aid, and targeted violence awareness trainings. NYP will also create a threat assessment and management team to accept case referrals from hospital staff and help mitigate potential threats of targeted violence and terrorism.

Additional Details: Our research did not identify any material additional information bearing on this grant. DHS's description suggests that NYP is receiving funds to teach staff to identify people displaying posited signs of violence at the hospital, and to set up a threat assessment team – typically including law enforcement – to handle referrals.

Grantee: New York State Division of Homeland Security and Emergency Services
Amount: $164,850

DHS Description: The New York State Division of Homeland Security and Emergency Services (NYS DHSES), with commitment and support from the Monroe County Sheriff's Office (MCSO), will enhance the development of the Rochester Threat Advisory Committee (ROCTAC) throughout Upstate New York. The ROCTAC will manage information flow for situations where the risk to violence is assessed to be imminent or the cluster of risk factors and warning signs commonly associated with elevated risks for targeted violence are present, and provide information coordination to the necessary community leaders, including mental health professionals, community outreach partners, law enforcement agencies, human resources, schools and school districts, and further supported by the various federal, state, and local authorities and public outreach centers.

Additional Details: Functionally a fusion center, ROCTAC operates as "a clearing house for information flow" where people from a range of entities leverage data available to them to help assess whether a person who is identified as showing posited warning signs or risk factors of violence poses a threat, and pass it along to parties it determines are relevant. The list of participants in ROCTAC includes everything from police departments, to Monroe County's Mental Health and Child Protective Services

agencies, to schools and universities, to supermarkets and community organizations, to federal actors such as the U.S. Attorney's Office, Secret Service, FBI, and TSA.[262]

Grantee: Operation250: Prevention Through Education
Amount: $121,278

DHS Description: Operation250 will implement an online safety workshop for teachers and students in New Hampshire and Massachusetts to increase the resilience of young individuals online to violent extremist material. The workshop is a skills-based learning program that addresses student decision-making online, risk-inducing online behaviors, in- and out-group attitudes, and critical problem-solving capabilities.

Additional Details: Op250 conducts workshops that make students more cognizant of adverse phenomena and material they may encounter online and prepare them to handle it. For example, in a lesson about "Social Media Threats," students reflect on their use of social media (e.g., Does social media make them feel better about themselves? Have they witnessed bullying on social media?) and discuss it with their peers. Then they break into groups to look at fictional case studies of what "cyberbullying" (e.g., a story about a student committing suicide after being teased online) or "hate group propaganda" (e.g., a story about a student making a hateful threat after encountering Nazi propaganda) might look like if they encounter it. They also consider how they should respond in cases like those ("reporting, seeking the truth, and not feeding into the threat in any way").[263] Op250 also provides conferences and webinars to teachers to share its approach to internet safety.[264] Though it started as a program to oppose ISIS online, training materials now reflect a broader focus on "online safety and anti-hate."[265] According to Op250, TVTP "funding will allow us to reach an estimated 930 students through our workshops, and another 1,000 through our student lecture series, as well as being able to deliver teacher trainings to an approximate 632 educators, administrators, and school counselors."[266]

Grantee: Philadelphia Police Department
Amount: $43,300

DHS Description: The Philadelphia Police Department will conduct training and outreach with their Fusion Liaison Officers to identify violent extremism indicators as well as behavioral indicators of targeted violence. Training and awareness programs will focus exclusively on the tactics, techniques, and procedures of domestic terrorist groups known to operate in Philadelphia and any emerging violent risks.

Additional Details: As described above in connection with the Kentucky Office of Homeland Security grant, Liaison Officers are designated points of contact for a fusion center across a range of venues from law enforcement to public health to education to other state agencies and private organizations.[267] DHS's description indicates that the Philadelphia Police Department will use funds to train their liaison officers to pick up posited warning signs of terrorism and targeted violence, and presumably to share concerning activity with their fusion center. The Delaware Valley Intelligence Center is the fusion center connected to the Philadelphia Police Department.[268]

Grantee: The National Governors Association's Center for Best Practices (As noted below, the National Governor's Association was the recipient of a fiscal year 2016 CVE grant, upon which this TVTP grant builds.)[269]
Amount: $435,000

DHS Description: The National Governors Association (NGA) will assist states and territories in adopting comprehensive, data-driven approaches to prevention by assisting those authorities with the implementation of replicative, locally-based prevention framework programming. NGA will conduct a policy academy in five states, which will help identify, develop, and implement essential prevention programming. This proposal builds upon NGA's FY16 CVE grant with additional outreach to different states that will provide a library of performance metrics, key indicators, lessons learned, and a messaging toolkit that can be adapted nationwide.

Additional Details: Pursuant to the 2016 CVE grant, the NGA developed a CVE road map to provide training, policy, and engagement strategies to be implemented and adopted by five states. The road map says it now "adopts the terminology 'targeted violence,' rather than 'countering violent extremism,' or 'CVE,'" since the latter term "has come to be associated with interventions understood as anti-Muslim and targeting populations based on their religious beliefs."[270] In essence, this road map lays out NGA's best practices for establishing a "statewide PTV (preventing targeted violence) strategy." It prescribes potential stakeholders (e.g., federal partners like DHS, FBI, and CDC; state partners such as public health agencies, fusion centers, and law enforcement; and NGOs), data collection methods on targeted violence (e.g., engagement with law enforcement and with human rights groups that track hate crimes), evaluation metrics, threat assessment methods (drawn from the FBI's *Making Prevention a Reality*), and risk factors of violence, among other things, as a template for states implementing CP3-promoted prevention initiatives. DHS's description suggests the NGA will use the grant to build from this foundation in conducting outreach to additional states to proliferate and refine its best practices.

Grantee: Twenty-Nine Palms Band of Mission Indians
Amount: $149,882

DHS Description: The Twenty-Nine Palms Band of Mission Indians will onboard and dedicate Tribal Public Safety Department Captains to raise awareness of targeted violence and terrorism prevention issues on the Reservation. The dedicated Captains will receive train-the-trainer programs and provide additional training to Tribal members and employees through Community Awareness Briefings (CABs) in both English and Spanish.

Additional Details: Public Safety Captains are law enforcement officers.[271] As the DHS description indicates, they will provide training to community members on how to identify and refer those displaying posited warning signs and risk factors of targeted violence and terrorism.

Grantee: Xavier University
Amount: $124,817

DHS Description: Xavier University Police Department, in conjunction with Norwood Police Department and Cincinnati Police Department, will provide training and awareness programs to community partners to help identify individuals radicalizing to violence, encourage community resilience against the mobilization to violence, and help to enhance or establish programming to develop protective factors in youth communities.

Additional Details: Reporting indicates that the Xavier University Police Department (XUPD) will use funds to "conduct in-person anti-violence programming at local middle schools," with a main goal of getting children more comfortable interacting with the police. The grant could be renewed or become a part of local schooling if it is determined to work.[272] The DHS description further suggests, however, that funds will be used to teach community members how to identify and refer people exhibiting supposed warning signs of violence.

Grantee: American University
Amount: $568,613

DHS Description: The School of Communication at American University will define and describe the growing threat of violent white supremacist extremist disinformation, evaluate attitudinal inoculation as a strategy for communication to combat the threat, and develop a suite of operational tools for use by practitioners and stakeholders. With commitment and support from Google Jigsaw, American University will develop evidence-based methods for undermining the persuasive appeal of disinformation-based messaging and facilitate on- and offline inoculation campaigns.

Additional Details: The basic idea of "attitudinal inoculation" is that showing people a message that gives them context for a piece of extremist propaganda — the "skills to recognize it" or an explanation of what it is trying to do, for example — affects how they react to it.[273] In broad strokes, the inoculation message tells subjects that their beliefs are going to be challenged and provides information countering what is alleged in the bad narrative. One study published November 2019 by Professor Kurt Braddock, who leads work on this TVTP grant, concluded that people were more likely to be argumentative with and angered by a bad message after being inoculated, and likely to find it less credible.[274] It also found that the source of an inoculation message (e.g., a former terrorist) or its ideological tilt did not affect its effectiveness. Especially given that it is unclear how the "suite of operational tools" would function, the real-world effectiveness remains an open question. For example, the sample inoculation and propaganda messages studied were lengthy and perhaps not reflective of what a person would encounter in an online space. Further, the study did not prove a direct link between inoculation and the intent to support an extremist group, and the viability of the endeavor as a whole is contingent on the unproven notion that "radicalization" to a violent ideology precedes violent action.

Grantee: Arizona State University
Amount: $433,141

DHS Description: The AZ Board of Regents on behalf of Arizona State University, under the McCain Institute, will work with local prevention and intervention practitioners to assist in conducting outreach across the mental and behavioral health sectors to grow prevention and intervention referral networks. The McCain Institute will develop a framework for referral program designs that will feature resources and recommendations to build upon existing or new prevention referral networks.

Additional Details: The McCain Institute aims to use TVTP funds to build the capacity of threat assessment and intervention professionals across the country so that localities building and expanding threat assessment program will have more people to turn to for guidance and staffing. To this end, for example, the institute runs workshops on "common design challenges" — best threat assessment practices, how to comply with relevant laws, etc. — and forges networks of people willing to accept TVTP referrals.[275]

Grantee: Life After Hate Inc. (Life After Hate was initially awarded a CVE grant under President Obama, but it was retracted after President Trump took office, perhaps because its cofounder tweeted negative comments about him.)[276]
Amount: $749,996

DHS Description: Life After Hate, in collaboration with and support from Moonshot CVE, will uniquely provide program management to target individuals online to disengage from violence, further support their deradicalization from violent extremist movements, and sustain their ability to reintegrate from violent extremist lifestyles. Life After Hate programming fulfills the priorities of combating the threat of domestic terrorism and mobilizing threat assessment and management teams through evidence-based disengagement and demobilization tools.

Additional Details: Life After Hate is an organization run by former far right–wing extremists ("formers") that aims to help people off-ramp from violent white supremacy.[277] Since the organization is run by formers, it says it is a "credible voice" for those looking to move away from violent extremism.[278] According to Executive Director Sammy Rangel, TVTP funding goes toward three activities: intervention and aftercare services, training and capacity building, and community engagement, though the descriptions of each in Rangel's written testimony to a House subcommittee are vague.[279]

- The first (intervention and aftercare) is "voluntary" and apparently involves providing services such as mental health treatment and opening community spaces such as online groups of former extremists who can "mentor and support one another" to help individuals with the off-ramping process.[280] However, the organization does provide unspecified training to law enforcement, governments, and community groups "to effectively identify and address white supremacy violent extremism in their practice and community."
- The second (training and capacity building) involves coaching people, including mental health practitioners and formers, to properly engage with people who may want to give up violent extremism.[281]
- The third (community engagement) involves "humaniz[ing] the issues around white supremacist violent extremism" so people will be more supportive of formers looking to disengage, as well as working with the online firm Moonshot CVE to use advertising tools to "create and launch campaigns to proactively reach more vulnerable populations."[282] (In its 2016 CVE proposal, along with a coterie of other organizations including another TVTP grantee — Muflehun, which was to focus on outreach to "Jihadist users" — Life After Hate sought to use Moonshot CVE's technology "to automate the process of identifying individuals at risk of radicalization" by assigning them a digital "risk score," an approach that lacks empirical support.[283])

Notably, Rangel cites a research paper incorporating interviews with 44 formers that identifies common threads among them as validating Life After Hate's "overall strategy" to help people leave violence and exit extremism. The suggestion appears to be that the factors identified drug abuse (72%), childhood abuse (45%) and mental health problems (43%), for example, bear on a person's participation in violence or extremism and inform Life After Hate's off-ramping programs.[284] Part III of this report disputes the methodology underlying such conclusions.

Grantee: Muflehun
Amount: $748,250

DHS Description: The Muflehun Community Resilience Early Warning System (CREWS) will create a data-driven vulnerability risk map to help inform local-level, whole-of-society prevention frameworks of

gaps in non-criminal justice sectors in Connecticut, Delaware, Maryland, New Jersey, New York, Pennsylvania, and Virginia. CREWS will work with State, Local, Tribal, and Territorial (SLTT) authorities and other community stakeholders to recommend budget allocation and programming priorities along with other prevention network essentials, all supported by letters of recommendation from federal, state, and local officials and letters of commitment from local organizations.

Additional Details: In an interview, Humera Khan, Muflehun's president, explains CREWS in a manner that largely mirrors DHS's description above. She further notes it is focused on "preventing community vulnerability to white power movements," using technology to "anticipate emerging hot spots" so that non-law enforcement resources including those for "education, social services, and mental health" can be redirected where most needed. It is unclear what data streams CREWS will use to make these recommendations, the degree to which the CREWS project will cooperate with law enforcement, and what role artificial intelligence will play and how transparent or accountable its use will be, for example.[285] More fundamentally, however, the CREWS project rests on the foundation that the allocation of social services is appropriately made on the empirically flawed basis of a perceived risk of terrorism or violence rather than directly on the basis of community need for those services. Additional information on Muflehun is provided above under the description of the other $77,025 TVTP grant it received.

ABOUT THE AUTHOR

Harsha Panduranga is counsel in the Brennan Center's Liberty & National Security Program. He advocates for public safety policies that serve those they are meant to protect and are rooted in proof, not prejudice. He has coauthored three Brennan Center reports: *Government Access to Mobile Phone Data for Contact Tracing* (2020), *Extreme Vetting & the Muslim Ban* (2017), and *Trump-Russia Investigations: A Guide* (2017). Panduranga has served as legal counsel in cases challenging the Muslim ban and the federal government's dragnet monitoring of social media. His work and commentary has been featured in media outlets including the *Atlantic*, *Slate*, *Politico*, NPR, *BuzzFeed*, the *Daily Beast*, *Lawfare*, and *Just Security*. Prior to joining the Brennan Center, Panduranga was a litigation associate at Simpson Thacher & Bartlett LLP. He received his BA and JD from the University of Michigan.

Endnotes

[1] Dan Merica, "Trump Says Both Sides to Blame Amid Charlottesville Backlash," CNN, August 16, 2017, https://www.cnn.com/2017/08/15/politics/trump-charlottesville-delay/index.html; Sarah McCammon, "From Debate Stage, Trump Declines to Denounce White Supremacy," NPR, September 30, 2020, https://www.npr.org/2020/09/30/918483794/from-debate-stage-trump-declines-to-denounce-white-supremacy; and Vera Bergengruen and Lissandra Villa, "President Trump Was Asked to Condemn White Supremacists. He Gave Them 'a Huge Win' Instead," *Time*, September 30, 2020, https://time.com/5894497/donald-trump-white-supremacists-debate/.

[2] Kristin Romey, "Decoding the Hate Symbols Seen at the Capitol Insurrection," *National Geographic*, January 12, 2021, https://www.nationalgeographic.com/history/article/decoding-hate-symbols-seen-at-capitol-insurrection.

[3] See, e.g., Carl Skutsch, "The History of White Supremacy in America," *Rolling Stone*, August 19, 2017, https://www.rollingstone.com/politics/politics-features/the-history-of-white-supremacy-in-america-205171/.

[4] Adam Goldman, "New Report Warns of Rising Threat of Domestic Terrorism," *New York Times*, March 17, 2021, https://www.nytimes.com/2021/03/17/us/politics/domestic-terrorism.html (citing Office of the Director of National Intelligence, "Domestic Violent Extremism Poses Heightened Threat in 2021," March 1, 2021, https://int.nyt.com/data/documenttools/biden-administration-domestic-extremist-report-march-2021/ab0bbdf0a8034aea/full.pdf); Zolan Kanno-Youngs and Nicole Hong, "Biden Steps Up Federal Efforts to Combat Domestic Extremism," *New York Times*, April 4, 2021, https://www.nytimes.com/2021/04/04/us/politics/domestic-terrorism-biden.html; Alejandro N. Mayorkas, "How My DHS Will Combat Domestic Extremism," *Washington Post*, February 25, 2021, https://www.washingtonpost.com/opinions/2021/02/25/majorkas-dhs-domestic-extremism/; and see, e.g., Department of Homeland Security, "DHS Announces Funding Opportunity for $1.87 Billion in Preparedness Grants," February 25, 2021, https://www.dhs.gov/news/2021/02/25/dhs-announces-funding-opportunity-187-billion-preparedness-grants.

[5] National Security Council, "Pillar Two: Prevent Domestic Terrorism Recruitment and Mobilization to Violence," *National Strategy for Countering Domestic Terrorism*, June 15, 2021, https://www.whitehouse.gov/wp-content/uploads/2021/06/National-Strategy-for-Countering-Domestic-Terrorism.pdf; and White House, "Fact Sheet: National Strategy for Countering Domestic Terrorism," June 15, 2021, https://www.whitehouse.gov/briefing-room/statements-releases/2021/06/15/fact-sheet-national-strategy-for-countering-domestic-terrorism/.

[6] Department of Homeland Security, "DHS Creates New Center for Prevention Programs and Partnerships and Additional Efforts to Comprehensively Combat Domestic Violent Extremism," press release, May 11, 2021, https://www.dhs.gov/news/2021/05/11/dhs-creates-new-center-prevention-programs-and-partnerships-and-additional-efforts; and "Center for Prevention Programs and Partnerships," Department of Homeland Security, last accessed May 17, 2021, https://www.dhs.gov/CP3. (Note that while the Center for Prevention Programs and Partnerships, or CP3, is a center, "CP3" is used in this report to describe a strategy in addition to the recently established center.) CP3 is not the only federal initiative that propagates risk factor/indicator frameworks to assess whether a person is at risk of committing a violent act. This report focuses on CP3, but its observations also apply to other initiatives resting on the same basic assumptions. For example, CP3's activities complement the DOJ's "Disruption and Early Engagement" program (DEEP), which engages psychologists, community groups, and others with the goal of "assess[ing] the degree of threat posed by particular subjects and develop[ing] options to mitigate the threat and divert or disrupt mobilization to violence." See Department of Homeland Security, "U.S. Department of Homeland Security FY 2021 Budget Request," last accessed May 11, 2021, 2–3, https://www.dhs.gov/sites/default/files/publications/20_0210_dhs-tvtp-omb-fact-sheet.pdf. See also Department of Justice, "2021 Budget Summary," last accessed May 11, 2021, 6, https://www.justice.gov/doj/page/file/1246841/download; and Letter from Shalanda Young to U.S. Sen. Patrick Leahy on the President's FY 2022 Discretionary Funding Request, April 9, 2021, 16, https://www.whitehouse.gov/wp-content/uploads/2021/04/FY2022-Discretionary-Request.pdf ("These investments complement those that the discretionary request includes for the Department of Justice."). In FY 2021, DOJ requested funding for DEEP as part of a $639 million allocation for "Combatting Mass Violence," including $310 million in grant programs to "enhance state and local efforts to mitigate the impacts of acts of mass violence." See Department of Justice, "2021 Budget Summary," 4. Of the state, local, and tribal programs, $150 million is allocated for the STOP School Violence Program, which includes funding for threat assessments. See "Student, Teachers, and Officers Preventing (STOP) School Violence Program," Bureau of Justice Assistance, Department of Justice Office of Initiative Programs, December 9, 2019, https://bja.ojp.gov/program/stop-school-violence-program/overview. The use of the term *subject*, for example, and descriptions in the documents discussing DEEP suggest that DOJ's program focuses on people whom federal law enforcement already views as potential threats or is considering prosecuting. See Department of Justice, Justice Manual § 9-151.151 (2018) ("A 'subject' of an investigation is a person whose conduct is within the scope of the grand jury's investigation."); Department of Justice, "2021 Budget Summary," 6 ("in addition to traditional prosecution options"); Memo from Attorney General to All United States Attorneys, All Heads of Department Components, and All Law Enforcement Agencies, "Implementation of National Disruption and Early Engagement Programs to Counter the Threat of Mass Shootings," October 16, 2019, 2, https://www.documentcloud.org/documents/6509496-Attorney-General-Memo-Implementation-of-National.html; and Jeffrey A. Rosen, "Deputy Attorney General Jeffrey A. Rosen Delivers Remarks at the Cutting Edge Tactics for Threat Assessment, Mitigation, Disruption & Early Engagement Symposium (Deep Seminar)," Department of Justice, remarks prepared for delivery, December 3, 2019, https://www.justice.gov/opa/speech/deputy-attorney-general-jeffrey-rosen-delivers-remarks-cutting-edge-tactics-threat. As the RAND study laying the groundwork for TVTP notes, citing DEEP as an example, "given concerns raised in interviews across the cities we visited regarding community trust of the FBI and similar agencies with enforcement missions, it is unlikely that these agencies could ever become the foundation for substantial terrorism prevention efforts for individuals who have not committed crimes." Brian A. Jackson et al., *Practical Terrorism Prevention: Reexamining U.S. National Approaches to Addressing the Threat of Ideologically Motivated Violence*, RAND Corporation, 2019, 257n14,

https://www.rand.org/content/dam/rand/pubs/research_reports/RR2600/RR2647/RAND_RR2647.pdf. DOJ has also consistently funded $2–3 million of CVE-related research through its National Institute of Justice over a period of years. Jackson et al., *Practical Terrorism Prevention*, 205–8. While DEEP and TVTP share flawed common premises, TVTP is explicitly intended to "fill[ ] a gap where law enforcement or intelligence cannot operate because of constitutionally based civil rights and liberties." Department of Homeland Security, Office for Targeted Violence and Terrorism Prevention, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*, March 26, 2020, 31, https://www.dhs.gov/sites/default/files/publications/20_0326_tvtp_preliminary-report-programmatic-performance-fy16-cve-grants_1.pdf. Members of Congress have also introduced a number of violence prevention bills that would dramatically expand DHS-led federal involvement in threat assessments, a major component of TVTP initiatives. One major bill in the 116th Congress was the Threat Assessment, Prevention, and Safety (TAPS) Act of 2019, which would convene federal, state, local, and civil society actors to form a national task force that would develop a threat assessment–based strategy to prevent targeted violence and provide $25 million a year to implement it. Threat Assessment, Prevention, and Safety Act of 2019, H.R. 838, S. 265, 116th Cong. (1st Sess. 2019), https://www.congress.gov/bill/116th-congress/house-bill/838/text.

[7] See Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, March 30, 2020, https://www.grants.gov/web/grants/view-opportunity.html?oppId=325876; and Department of Homeland Security, *Fiscal Year 2021 Targeted Violence and Terrorism Prevention (TVTP) Grant Program Notice of Funding Opportunity*, March 24, 2021, https://www.grants.gov/web/grants/view-opportunity.html?oppId=332324.

[8] Department of Homeland Security, *Fiscal Year 2021 Homeland Security Grant Program Notice of Funding Opportunity*, February 19, 2021, 7, https://www.fema.gov/sites/default/files/documents/FEMA_FY2021-HSGP-NOFO_02-19-21.pdf; Department of Homeland Security, "Secretary Mayorkas Announces Domestic Violent Extremism Review at DHS," press release, April 26, 2021, https://www.dhs.gov/news/2021/04/26/secretary-mayorkas-announces-domestic-violent-extremism-review-dhs; and Government Accountability Office, Report to Congressional Requesters, *Countering Violent Extremism: DHS Needs to Improve Grants Management and Data Collection*, February 2021, 41, https://www.gao.gov/assets/720/712452.pdf.

[9] Letter from Shalanda Young to U.S. Sen. Patrick Leahy on the President's FY 2022 Discretionary Funding Request, April 9, 2021, 16, https://www.whitehouse.gov/wp-content/uploads/2021/04/FY2022-Discretionary-Request.pdf.

[10] Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*, 32.

[11] Faiza Patel, *Rethinking Radicalization*, Brennan Center for Justice, March 8, 2011, 8–11, https://www.brennancenter.org/our-work/research-reports/rethinking-radicalization.

[12] Patel, *Rethinking Radicalization*, 8–9.

[13] Faiza Patel and Meghan Koushik, *Countering Violent Extremism*, Brennan Center for Justice, March 16, 2017, 15, https://www.brennancenter.org/sites/default/files/publications/Brennan%20Center%20CVE%20Report_0.pdf.

[14] Murtaza Hussain, Cora Currier, and Jana Winter, "Is Your Child a Terrorist? U.S. Government Questionnaire Rates Families at Risk for Extremism," *Intercept*, February 9, 2015, https://theintercept.com/2015/02/09/government-develops-questionnaire-see-might-become-terrorist/.

[15] These premises are that there is a definable path a person follows before committing an act of violence, that there are risk factors that make an individual more disposed to going down this path, and that there are identifiable warning signs — called "indicators" — that predict when a person may be about to act violently. These risk factors and indicators, however, may be further refined based on the context — for example, CVE programs aimed at "radical Islam" historically incorporated indicators that identified religious practices of Muslims. Patel and Koushik, *Countering Violent Extremism*, 15.

[16] Federal Bureau of Investigation, Department of Homeland Security, *Strategic Intelligence Assessment and Data on Domestic Terrorism*, May 2021, 5, https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-strategic-report.pdf/view; Department of Homeland Security, *Strategic Framework for Countering Terrorism and Targeted Violence*, September 2019, 4, https://www.dhs.gov/sites/default/files/publications/19_0920_plcy_strategic-framework-countering-terrorism-targeted-violence.pdf. While the overall focus of currently funded programs is not clear from publicly available information, CP3's prevention focus sweeps more broadly across the ideological spectrum than CVE programs, which were aimed almost exclusively at Muslims.

[17] Department of Homeland Security, *Strategic Framework*, 4, 14. For an example of how "targeted violence" is used in a manner that captures "terrorism," see *Confronting the Rise in Anti-Semitic Terrorism, Part II, Hearing Before the Subcomm. on Intelligence and Counterterrorism of the House Comm. on Homeland Security*, 116th Cong. (2020) (written testimony of Elizabeth Neumann, assistant secretary for threat prevention and security policy, Office of Strategy, Policy, and Plans, Department of Homeland Security, and Brian Harrell, assistant director for infrastructure security, Cybersecurity and Infrastructure Security Agency, Department of Homeland Security, February 26, 2020), https://homeland.house.gov/imo/media/doc/Testimony%20-%20Neumann%20and%20Harrell.pdf. DHS also acknowledges the terms "overlap and intersect." See *Confronting the Rise in Anti-Semitic Terrorism, Part II*, 4 (written testimony). Note also that there are slight variations among other [posited] working definitions of "targeted violence." See, e.g., Threat Assessment, Prevention, and Safety Act of 2019, H.R. 838 ("The term 'targeted violence' means any incident of predatory violence with respect to which an identifiable individual or group focuses an attack on a particular target."); and Lina Alathari et al., *Protecting America's Schools: A U.S. Secret Service Analysis of Targeted School Violence*, National Threat Assessment Center, U.S. Secret Service, Department of Homeland

Security, 2019, 1, https://www.secretservice.gov/sites/default/files/2020-04/Protecting_Americas_Schools.pdf ("Targeted violence is a term coined by the Secret Service to refer to any incident of violence where an attacker selects a particular target prior to an attack.").

[18] DHS concedes this definition is "insufficiently specific" and has made crafting a new one a priority. *Strategic Framework*, 14. It's unclear, but there are indications that DHS envisions "targeted violence" to consider the magnitude of an attack. See Department of Homeland Security, *Strategic Framework*, 4 ("Targeted violence includes attacks . . . that are of such severity and magnitude as to suggest an intent to inflict a degree of mass injury, destruction, or death commensurate with known terrorist tactics."); but also see Department of Homeland Security, *Strategic Framework*, 22 (citing domestic violence as an example of targeted violence).

[19] Amy Sherman, "Fact-Checking Whether Trump Cut Money to Combat White Nationalism," Politifact, August 9, 2019, https://www.politifact.com/factchecks/2019/aug/09/pete-buttigieg/fact-checking-whether-trump-cut-money-combat-white/.

[20] Pete Buttigieg, "An Action Plan to Combat the National Threat Posed by Hate and the Gun Lobby," Medium, August 5, 2019, https://medium.com/the-moment-by-pete-for-america/an-action-plan-to-combat-the-national-threat-posed-by-hate-and-the-gun-lobby-5752a68c954e; *Confronting Violent White Supremacy (Part II): Adequacy of the Federal Response, Hearing Before the Subcomm. on Civil Rights and Civil Liberties of the House Comm. on Oversight and Reform*, 116th Cong. (2019) (responses to questions for the record submitted to Elizabeth Neumann, assistant secretary for threat prevention and security policy, Office of Strategy, Policy, and Plans, Department of Homeland Security, by Debbie Wasserman Schultz, Member, House Committee on Oversight and Government Reform, June 4, 2019), https://www.govinfo.gov/content/pkg/CHRG-116hhrg36828/html/CHRG-116hhrg36828.htm; Brennan Center and Civil Society Groups to Senate and House Committees, September 4, 2019, https://www.brennancenter.org/sites/default/files/2019-09/Civil%20Society%20Letter%20-%20Response%20to%20White%20Nationalist%20Violence%209.4.2019%20%28002%29.pdf; Peter Beinart, "Trump Shut Programs to Counter Violent Extremism," *Atlantic*, October 29, 2018, https://www.theatlantic.com/ideas/archive/2018/10/trump-shut-countering-violent-extremism-program/574237/; and Ron Nixon and Eileen Sullivan, "Revocation of Grants to Help Fight Hate Under New Scrutiny After Charlottesville," *New York Times*, August 17, 2017, https://www.nytimes.com/2017/08/15/us/politics/right-wing-extremism-charlottesville.html.

[21] Jackson et al., *Practical Terrorism Prevention*, Summary XXIVn5.

[22] Elizabeth Neumann, "Building an Effective Approach to Terrorism Prevention" (speech, event hosted by the Heritage, Foundation, Washington, D.C., February 14, 2019), video, 21:16, https://www.heritage.org/terrorism/event/building-effective-approach-terrorism-prevention.

[23] Department of Homeland Security, "Center for Prevention Programs and Partnerships," last accessed May 12, 2021, https://www.dhs.gov/CP3 (OTVTP is a successor to the Office of Terrorism Prevention Partnerships [OTPP], which administered the CVE program under President Trump. DHS describes its role as follows: "The Office leverages, coordinates, and builds upon the broad range of prevention activities that are currently undertaken across DHS, including grants, community and law enforcement awareness briefings, threat assessments, and information sharing. The Office provides technical, financial, and educational assistance to whole of society stakeholders to establish and expand local prevention frameworks. Local prevention frameworks connect all segments of local society to prevent individuals from radicalizing to violence and intervene to help individuals who have radicalized to violence.").

[24] The Center for Prevention Programs and Partnerships web page links to the TVTP Grant Program web page, which states, "The TVTP Grant Program is an evolution of the FY16 CVE Grant Program." See Department of Homeland Security, "Center for Prevention Programs and Partnerships — Grants Programs," last accessed May 17, 2021, https://www.dhs.gov/CP3; see also Department of Homeland Security, "Targeted Violence and Terrorism Prevention Grant Program — FY 2016 Countering Violent Extremism Grant Program," last accessed May 12, 2021, https://www.dhs.gov/tvtpgrants.

[25] Department of Homeland Security, "Center for Prevention Programs and Partnerships — Local Prevention Frameworks," last accessed May 17, 2021, https://www.dhs.gov/CP3; and *Confronting the Rise in Anti-Semitic Terrorism, Part II*, 6 (written testimony).

[26] Other increases in funding connected to TVTP for FY 2021 include $20 million to facilitate better intelligence sharing and analysis on potential threats and $11 million for various DHS-led community and technology company engagement efforts as well as staff to oversee TVTP efforts. See Department of Homeland Security, "U.S. Department of Homeland Security FY 2021 Budget Request," 3 (Note that other DHS entities with a nexus to prevention previously ran elements that now appear at least in part under TVTP, for example the Cybersecurity and Infrastructure Security Agency, which manages the Hometown Security Program to help communities prepare for attacks, providing resources for things like active shooter drills and information on emerging tactics. This report focuses on prevention efforts aimed at stopping individuals from committing crimes, rather than on victim- or target-focused prevention like the provision of security infrastructure.

[27] Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 34.

[28] "Joe Biden and the Arab American Community: A Plan for Partnership," Biden Harris Democrats, last accessed May 12, 2021, https://joebiden.com/joe-biden-and-the-arab-american-community-a-plan-for-partnership/. Department of Homeland Security, "Targeted Violence and Terrorism Prevention Grant Program"; and Department of Homeland Security, *Fiscal Year 2021 Homeland Security Grant Program Notice of Funding Opportunity* (The deadline for applications was May 25, 2021. Recipients have not yet been announced.).

[29] Department of Homeland Security, "DHS Creates New Center."

[30] Department of Homeland Security, "Targeted Violence and Terrorism Prevention Grant Program."

[31] *Office for Targeted Violence and Terrorism Prevention, Hearing Before the Subcomm. on Homeland Security of the House Comm. on Appropriations*, 117th Cong. 8 (2021) (written testimony of John Cohen, counterterrorism coordinator and assistant secretary for counterterrorism and threat prevention, Office of Strategy, Policy, and Plans, Department of Homeland Security, and John Picarelli, director of Office for Targeted Violence and Terrorism Prevention, Office of Strategy, Policy, and Plans, Department of Homeland Security, March 24, 2021), https://docs.house.gov/meetings/AP/AP15/20210324/111395/HHRG-117-AP15-Wstate-CohenJ-20210324.pdf.

[32] Department of Homeland Security, "Center for Prevention Programs and Partnerships — Local Prevention Frameworks"; Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*; and Department of Homeland Security, *Fiscal Year 2021 Targeted Violence and Terrorism Prevention (TVTP) Grant Program Notice of Funding Opportunity*.

[33] City and County of San Francisco Board of Supervisors, "Agenda Packet Content List," Board of Supervisors meeting, December 8, 2020, last accessed May 12, 2021, 22, https://sfgov.legistar.com/View.ashx?M=F&ID=8974950&GUID=62C1B050-7862-4DF0-911C-581E2625C630.

[34] Office for Targeted Violence and Terrorism Prevention, *Threat Assessment and Management Teams*, Department of Homeland Security, last accessed May 12, 2021, https://www.dhs.gov/sites/default/files/publications/threat_assessment_and_management_teams_v2_0.pdf.

[35] Trauma and Community Resilience Center, "Inter-ethnic Youth Advisory Board (I-YAB)," Boston Children's Hospital, last accessed May 12, 2021, https://www.childrenshospital.org/centers-and-services/programs/o-_-z/trauma-and-community-resilience-center/multidisciplinary-violence-prevention/interethnic-youth-advisory-board.

[36] Chickasaw Nation Media Relations Office, "Lighthorse Police Department Celebrates 15 Years Working Together with Area Law Enforcement," press release, October 23, 2019, https://chickasaw.net/News/Press-Releases/Release/Lighthorse-Police-Department-celebrates-15-years-w-52234.aspx.

[37] This report does not focus on DHS's efforts to identify people online who may commit violence, but it is clear that looking for threats on the internet is a major component of the department's activities that fall within the TVTP framework. See *Domestic Violent Extremism in America, Hearing Before the Senate Comm. on Appropriations*, 117th Cong. (2021) 6 (written testimony of Alejandro N. Mayorkas, secretary of homeland security, Department of Homeland Security, May 12, 2021), https://www.appropriations.senate.gov/imo/media/doc/DHS%20Secretary%20Mayorkas%20Testimony%205.12.21.pdf. See also Ken Dilanian, "DHS Launches Warning System to Find Domestic Terrorism Threats on Public Social Media," NBC News, May 10, 2021, https://www.nbcnews.com/politics/national-security/dhs-launches-warning-system-find-domestic-terrorism-threats-public-social-n1266707?utm_source=R%26I+Clips+%28Coalition%29&utm_campaign=5f5f2cf1be-EMAIL_CAMPAIGN_2018_08_15_02_10_COPY_01&utm_medium=email&utm_term=0_3a915757be-5f5f2cf1be-391722926; and Department of Homeland Security, Office of Intelligence and Analysis, *Heightened Domestic Violent Extremist Threat to Persist in 2021*, March 2021, 5 (courtesy of Jana Winter, investigative journalist).

[38] *Office for Targeted Violence and Terrorism Prevention, Hearing Before the Subcomm. on Appropriations of the House Comm. on Appropriations*, 117th Cong. (2021) (written testimony of Tyler Cote, cofounder and director, Operation250, March 24, 2021), https://docs.house.gov/meetings/AP/AP15/20210324/111395/HHRG-117-AP15-Wstate-CoteT-20210324.pdf.

[39] Matt Seklecki, "Braddock Brings Counter-Radicalization Messaging Expertise to AU SOC," American University, September 11, 2020, https://www.american.edu/soc/news/braddock-brings-counter-radicalization-messaging-expertise-to-school-of-communication.cfm.

[40] Department of Homeland Security, "FY 2020 Targeted Violence and Terrorism Prevention Grant Program: Greenlight Project, Inc.— The Counter Extremism Project," last accessed May 12, 2021, https://www.dhs.gov/tvtpgrants.

[41] Counter Extremism Project, "U.S. Department of Homeland Security Awards Grants to Organizations Opposing Extremism," October 8, 2020, https://www.counterextremism.com/press/us-department-homeland-security-awards-grants-organizations-opposing-extremism.

[42] Counter Extremism Project, "U.S. Department of Homeland Security Awards Grants."

[43] *Confronting the Rise in Anti-Semitic Terrorism, Part II* (responses to questions for the record submitted to Elizabeth Neumann by Debbie Wasserman Schultz, June 4, 2019).

[44] Department of Homeland Security, "Center for Prevention Programs and Partnerships."

[45] Department of Homeland Security, *Fiscal Year 2021 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 6. See also Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Grant Program Notice of Funding Opportunity*, 4.

[46] Faiza Patel & Andrew Lindsay, "Countering Violent Extremism Programs in the Trump Era," Brennan Center for Justice, June 15, 2018, https://www.brennancenter.org/our-work/analysis-opinion/countering-violent-extremism-programs-trump-era.

[47] Department of Homeland Security, *Strategic Framework for Countering Terrorism and Targeted Violence: Public Actional Plan*, September 2020, i, https://www.dhs.gov/sites/default/files/publications/cttv_action_plan.pdf.

[48] Department of Homeland Security, "Center for Prevention Programs and Partnerships."

49 According to Elizabeth Neumann, former DHS assistant secretary for threat prevention and security policy, the department's state and local partners ranked terrorism at 17 among their top 20 concerns. In a statement belying the program's formal focus on mass casualty events, she said that DHS designed a program to be responsive to community needs surrounding a broader range of issues, including "school safety" and "convinc[ing] certain populations not to commit acts of violence against law enforcement," noting "common behaviors and . . . moments that happen in the individual's life that lead them to . . . violen[ce]." Neumann, "Building an Effective Approach to Terrorism Prevention," video, 21:30.

50 DHS has provisionally defined "targeted violence" as when a "known or knowable attacker selects a particular target prior to the violent attack." See Department of Homeland Security, *Fiscal Year 2021 Targeted Violence and Terrorism Prevention (TVTP) Grant Program Notice of Funding Opportunity*, 2. Though the department recognizes this working definition is "insufficiently specific" and has prioritized crafting a more precise one, there are no public indications it has done so close to two years after releasing the *Framework*. Department of Homeland Security, *Strategic Framework*, 14.

51 Department of Homeland Security, *Strategic Framework*.

52 Office of Violence and Terrorism Prevention, *Risk Factors and Indicators in Targeted Violence and Terrorism Prevention*, Department of Homeland Security, last accessed May 12, 2021, 2, https://www.dhs.gov/sites/default/files/publications/risk_factors_and_indicators_infosheet.pdf.

53 Brad Bushman et al., "Risk Factors for Youth Violence: Youth Violence Commission, International Society for Research on Aggression (ISRA)," *Aggressive Behavior* 44, no. 4 (2018): 331–36, https://static1.squarespace.com/static/57530523f850829dde1dc031/t/5ad202726d2a73331c4449c1/1523712626745/isra-youth-violence-statement-2018.pdf.

54 Bushman et al., "Risk Factors for Youth Violence."

55 Peter Langman, "Rampage School Shooters: A Typology," *Aggression and Violent Behavior* 14, no. 1 (2009): 79–86, https://schoolshooters.info/sites/default/files/rampage_school_shooters_typology_1.1.pdf.

56 Dewey G. Cornell, "Threat Assessment as a School Violence Prevention Strategy," *Criminology and Public Policy* 19, no. 1, (2020): 239, https://onlinelibrary.wiley.com/doi/abs/10.1111/1745-9133.12471 (discussing Peter Langman, "Rampage School Shooters: A Typology").

57 Langman, "Rampage School Shooters: A Typology," 2, 9.

58 Allison G. Smith, *Risk Factors and Indicators Associated with Radicalization to Terrorism in the United States: What Research Sponsored by the National Institute of Justice Tells Us*, National Institute of Justice, Department of Justice, June 2018, 2, https://www.ojp.gov/pdffiles1/nij/251789.pdf.

59 John G. Horgan et al., *Across the Universe? A Comparative Analysis of Violent Behavior and Radicalization Across Three Offender Types with Implications for Criminal Justice Training and Education*, National Criminal Justice Reference Service, June 2016, 27–28, https://www.ojp.gov/pdffiles1/nij/grants/249937.pdf (sample comparison traits are taken from table 2.4). The study defines "mass murderer" as "an individual who kills four or more people in one event over a relatively short period of time (within 24 hours). We exclude incidents that are state sponsored, gang/organized crime related, or solely domestic in nature." Horgan et al., *Across the Universe?,* 9n3. The study defines "lone-actor terrorist" as "an individual who engages in ideologically-inspired violence in support of a broader group but absent of ties to or material support from that group." Horgan et al., *Across the Universe?,* 9n2.

60 Horgan et al., *Across the Universe?,* 18, 110.

61 Jackson et al., *Practical Terrorism Prevention*, 38–39n12.

62 START was formerly a DHS Center of Excellence." These centers are funded by and partner with DHS to do research on homeland security issues. See "Welcome to the Centers of Excellence," Department of Homeland Security, Science and Technology, last accessed May 12, 2021, https://www.dhs.gov/science-and-technology/centers-excellence.

63 Michael Jensen and Gary LaFree, "Final Report: Empirical Assessment of Domestic Radicalization (EADR)," National Criminal Justice Reference Service, December 2016, 72, https://www.ojp.gov/pdffiles1/nij/grants/250481.pdf.

64 Department of Homeland Security, *Heightened Domestic Violent Extremist Threat*, 1, 5.

65 Department of Homeland Security, *Heightened Domestic Violent Extremist Threat*, 1, 5.

66 Department of Homeland Security, *Heightened Domestic Violent Extremist Threat*, 5 ("Increased collaboration with federal, state, and local law enforcement partners could help identify opportunities to improve collection and enable ideological attribution of attacks and disrupted plots. Further engagement with terrorism prevention officers and private sector partners could strengthen efforts to develop domestic terrorism indicators and identify and suppress online violent extremist content.").

67 Department of Homeland Security, *Strategic Framework*, 11.

68 Indicators are sometimes called "concerning behaviors" or warning signs. In practice, the distinction between risk factors and indicators can be hazy. For example, indicators to justify an intervention sometimes reflect the presence of risk factors (e.g., "increased use of alcohol and/or illegal drugs"). See tables 4 and 5 in this report.

[69] Patel, *Rethinking Radicalization*, 19.

[70] Jackson et al., *Practical Terrorism Prevention*, XV (This is a point repeated throughout the RAND report, and in one reference is made specifically with respect to "targeted violence, like school shootings," 126).

[71] Allison G. Smith, *Risk Factors and Indicators Associated with Radicalization to Terrorism in the United States: What Research Sponsored by the National Institute of Justice Tells Us*, National Institute of Justice, Department of Justice, June 2018, 2, https://www.ojp.gov/pdffiles1/nij/251789.pdf.

[72] Molly Amman et al., *Making Prevention a Reality: Identifying, Assessing, and Managing the Threat of Targeted Attacks*, National Center for the Analysis of Crime, Federal Bureau of Investigation, 2017, 53, https://www.fbi.gov/file-repository/making-prevention-a-reality.pdf/view.

[73] Department of Homeland Security, *Strategic Framework*, 22 ("Prevention is not prediction. However, evidence-based research on individuals who carry out acts of targeted violence demonstrates that regardless of whether the attacks were acts of workplace violence, domestic violence, school-based violence, or terrorism, similar themes are evident among the perpetrators.").

[74] Lina Alathari et al., E*nhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, National Threat Assessment Center, U.S. Secret Service, Department of Homeland Security, July 2018, 17, https://www.cisa.gov/sites/default/files/publications/18_0711_USSS_NTAC-Enhancing-School-Safety-Guide.pdf ("Remember, the Team is not attempting to predict with certainty if violence will happen. Instead, evaluate the presence of factors that indicate violence might be a possibility." [emphasis added]).

[75] DHS also references the RAND study on U.S. terrorism prevention efforts as having "validated the Department's approach to terrorism prevention." Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 42. In fact, aspects of the RAND study, referenced throughout this report, are forthright about the limitations of terrorism prevention efforts, including with respect to the accuracy of risk assessment tools and methods, as highlighted in this section. Further, the RAND report specifies particular risk factors in one table (5.2) but notes, "In the public health approach, such risk factors are targets of intervention, not to assess threats posed by an individual." Jackson et al., *Practical Terrorism Prevention*, 102. The source for that risk factor table, a 2017 study by Eisenman and Flavahan, includes a diagram with those risk factors "modified" — i.e., adjusted and supplemented — from a 2004 WHO report. See Alexander Butchart et al., *Preventing Violence: A Guide to Implementing the Recommendations of the World Report on Violence and Health*, World Health Organization, 2004, http://apps.who.int/iris/bitstream/handle/10665/43014/9241592079.pdf;jsessionid=9D35B48881DCED9D2989680FC41DDD47?sequence=1. The WHO report does not cite a source for the listed factors, and the Eisenman study notes that "factors listed are illustrative of the model and do not reflect evidence of association." See David P. Eisenman and Louise Flavahan, "Canaries in the Coal Mine: Interpersonal Violence, Gang Violence, and Violent Extremism Through a Public Health Prevention Lens," *International Review of Psychiatry* 29, no. 4 (2017): 341–49, https://www.semanticscholar.org/paper/Canaries-in-the-coal-mine%3A-Interpersonal-violence%2C-Eisenman-Flavahan/2fa6e78e4091e4043ebf496d0e27b5e73089a3a6.

[76] The Secret Service National Threat Assessment Center (NTAC) study, discussed below, has a sample size too small to support the application of these findings to a broader population. It looked at a tiny set of 41 cases over a nine-year period, with detailed information available on the background of only 35 perpetrators. A few additional data points could throw any or all of the findings into question. Alathari et al., *Protecting America's Schools*, 58. (Though the studies do not cleanly overlap in design and methodology, the Secret Service's comparison of this study to a similar one that it did in 2002 looking at 37 incidents from 1974–2000, for example, reveals a 23 percent difference in mental health diagnoses and a 20 percent difference in a history of violence, among other variations.).

[77] See "Public Awareness Bulletin: Mitigating the Threat of School Violence as the U.S. "Returns to Normal" from the COVID-19 Pandemic and Beyond," Department of Homeland Security, last accessed June 1, 2021, https://www.dhs.gov/sites/default/files/publications/school_targeted_violence_awareness_bulletin.pdf. DHS NTAC's work for "guidance and training on threat assessment[s]" notes that it is a "leading expert on research and investigations on school shootings as well as other types of targeted violence." Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 42. In DHS's *Strategic Framework*, NTAC's work is cited as "evidence-based research" in support of its claim that "similar themes are evident among the perpetrators" of terrorism and violence. Department of Homeland Security, *Strategic Framework*, 22. NTAC's work is also cited in the TVTP grant procurement notice and as a resource by TVTP grantees implementing threat assessment protocols. See San Francisco Board of Supervisors, "Agenda Packet Content List" ("This initiative will . . . evolve the current SMCOE's Threat Assessment Center to meet the standardized threat assessment protocols established by the U.S. Secret Service, National Threat Assessment Center (NTAC) protocols"); Charles H. Ramsey and Michael Pennington, *Pennsylvania Commission on Crime and Delinquency School Safety and Security Committee: Model K–12 Threat Assessment Procedures and Guidelines*, Pennsylvania Commission on Crime and Delinquency, December 2019, https://www.pccd.pa.gov/schoolsafety/Documents/Threat%20Assessment%20Model%20Procedures%20and%20Guidelines.pdf (materials from NTAC are cited throughout).

[78] Alathari et al., *Protecting America's Schools*; Lina Alathari et al., Mass Attacks in Public Spaces — 2019, U.S. Secret Service, Department of Homeland Security, August 2020, https://www.secretservice.gov/sites/default/files/reports/2020-09/MAPS2019.pdf (This report uses a similar methodology).

[79] Alathari et al., *Protecting America's Schools*, 2; See also Lina Alathari et al., *Averting Targeted School Violence: A U.S. Secret Service Analysis of Plots Against Schools*, National Threat Assessment Center, U.S. Secret Service, Department of Homeland Security, March 2021, https://www.secretservice.gov/sites/default/files/reports/2021-03/USSS%20Averting%20Targeted%20School%20Violence.2021.03.pdf.

[80] EducationData.org, "K–12 School Enrollment and Student Population Statistics," last accessed May 13, 2021, https://educationdata.org/k12-enrollment-statistics.

[81] Massachusetts General Hospital, "Most Middle-School Boys and Many Girls Play Violent Video Games," ScienceDaily, July 4, 2007, www.sciencedaily.com/releases/2007/07/070703172538.htm; Pacer's National Bullying Prevention Center, "Bullying Statistics," last accessed May 13, 2021, https://www.pacer.org/bullying/info/stats.asp; and "The Majority of Children Live with Two Parents, Census Bureau Reports," U.S. Census Bureau, press release, November 17, 2016, https://www.census.gov/newsroom/press-releases/2016/cb16-192.html.

[82] Tellingly, the study notes that 4 out of the 35 attackers examined were subject to threat assessments prior to carrying out an attack. In one case NTAC details procedural problems with how an assessment was conducted: Forms were left blank and lacked "specific behavioral information," stakeholders were not consulted, and subject interviews were forgone. The other cases, about which details are not given, resulted in interventions ranging from an out-of-school suspension and linked mitigation plan, to a 21-day expulsion based on an assessment that the student was a threat. Alathari et al., *Protecting America's Schools*, 42. In another case, NTAC suggests the school got it wrong because it deemed the attacker low risk even though he said he had a "dream of killing students," was a loner, and caused concern to school officials. However, no further information provides context for how officials conducting the threat assessment reached their erroneous conclusion on the basis of what the report characterizes as "thorough and appropriate information-gathering." Alathari et al., *Protecting America's Schools*, 43. (Steps the team took to gather information included having the attacker meet with the assistant principal and the school psychologist; conducting interviews with the attacker and his family, classmates, and teachers; and checking his residence for weapons, where only paintball guns were found.)

[83] Alathari et al., *Protecting America's Schools*, 43–44.

[84] DHS tells TVTP grant applicants to take "particular note" of this study. DHS also references the RAND Corporation's study on U.S. terrorism prevention efforts as having "validated the Department's approach to terrorism prevention." Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 42. In fact, aspects of the RAND study – referenced throughout this Report – are forthright about the limitations of terrorism prevention efforts, including with respect to the accuracy of risk assessment tools and methods, as highlighted in this Section. At least one TVTP grantee, the National Governor's Association, relies on the RAND table to identify risk factors. Lauren Stienstra and Carl Amritt, *Preventing Targeted Violence*, National Governor's Association, last accessed May 15, 2021, https://www.nga.org/preventing-targeted-violence/.

[85] A. Smith, *Risk Factors and Indicators Associated with Radicalization*, 4-5. **First**, the START study randomly sampled from a database of 1,473 violent and nonviolent extremists across ideologies from 1945–2013 in an effort to isolate qualities distinguishing violent extremists from nonviolent extremists, as well as paths an individual might take to radicalize to violence. Individuals were included in the data set if they met all three of the following conditions: 1) They radicalized in the U.S., 2) espoused ideological motives, and 3) engaged in ideologically motivated acts. To be included, they further had to meet one of the following five criteria: 1) They were arrested, 2) were indicted for a crime, 3) killed as a result of their ideological activities, 4) belonged to a designated terrorist organization, or 5) associated with an organization whose leader(s) or founder(s) has/have been indicted for an ideologically motivated offense. Jensen and LaFree, *Final Report: Empirical Assessment of Domestic Radicalization*. The **second** project involved two studies from the University of Arkansas that relied on the American Terrorism Study database, a collection of U.S. court records for people indicted for "terrorism or terrorism-related activities" from 1980 through the present. These studies assessed the relationships between 1) the strength of a person's "radical" identity and committing political violence; 2) the nature of planning for an attack (time, antecedent acts, sophistication) among various kinds of ideological groups and its success or failure. Brent Smith et al., *Sequencing Terrorists' Precursor Behaviors: A Crime Specific Analysis*, National Criminal Justice Reference Center, University of Arkansas, January 2021, https://www.ojp.gov/pdffiles1/nij/grants/256017.pdf; and Brent Smith et al., *Identity and Framing Theory, Precursor Activity, and the Radicalization Process*, National Criminal Justice Reference Center, University of Arkansas, January 2016, https://www.ojp.gov/pdffiles1/nij/grants/249673.pdf. The third project, from Indiana State University, looked at public sources to identify 98 cases of lone-wolf terrorism ("political violence perpetrated by individuals who act alone") from 1940 to 2013, identifying common traits of attackers and features of attacks as well as pre- and post-9/11 trends in these categories. Mark Hamm and Ramon Spaaj, *Lone Wolf Terrorism in America: Using Knowledge of Radicalization Pathways to Forge Prevention Strategies*, National Criminal Justice Reference Center, Indiana State University, February 2015, https://www.ojp.gov/pdffiles1/nij/grants/248691.pdf. And the fourth project, from the University of Massachusetts, used open-source data to compare 71 U.S.-based lone-actor terrorists and 115 U.S.-based solo mass murders to explore similarities and differences between them. et al., *Across the Universe?*

[86] These are the only risk factors highlighted in a summary of the study and are led with in the "Overview of Findings and Next Steps" section, followed by risk factors found only in studies examining both group-based and lone-actor extremists, and then by risk factors found only in analyses of lone-actor terrorists.

[87] A. Smith, *Risk Factors and Indicators Associated with Radicalization*, 2.

[88] B. Smith et al., *Identity and Framing Theory*, 13.

89 A. Smith, *Risk Factors and Indicators Associated with Radicalization*, 7.

90 Jensen and LaFree, *Final Report: Empirical Assessment of Domestic Radicalization*, 45, 74.

91 Jensen and LaFree, *Final Report: Empirical Assessment of Domestic Radicalization*, 42.

92 Horgan et al., *Across the Universe?*, 21; and Hamm and Spaaj, *Lone Wolf Terrorism in America*, 6.

93 A. Smith, *Risk Factors and Indicators Associated with Radicalization*, 9, table 3.

94 A. Smith, *Risk Factors and Indicators Associated with Radicalization*, 9.

95 The assumptions a team brings to a project will also frame the focus of a given study. For example, one research team might hypothesize that "extremists with weak bonds to family are more likely to participate in violence," while another might focus on an entirely different risk factor or set of risk factors. Jensen and LaFree, *Final Report: Empirical Assessment of Domestic Radicalization*, 29. Another factor bearing on the NIJ Study Synthesis's credibility is that an analysis of overlapping risk factors does not bear on whether they were properly verified in the first place.

96 A. Smith, *Risk Factors and Indicators Associated with Radicalization*, 6.

97 Jensen and LaFree, *Final Report: Empirical Assessment of Domestic Radicalization*, 8–9.

98 A. Smith, *Risk Factors and Indicators Associated with Radicalization*, 6.

99 Jensen and LaFree, *Final Report: Empirical Assessment of Domestic Radicalization*, 79.

100 Horgan et al., *Across the Universe?*, 17.

101 B. Smith et al., *Identity and Framing Theory*.

102 Brennan Center et al. v. U.S. Department of Justice, No. 1:18-CV-01860 (D.D.C. August 8, 2018).

103 NIJ says that the University of Arkansas project team also employed a "nonviolent comparison group" of "extremists who did not attempt to engage in terrorism." It is true that the data set the Arkansas team used includes nonviolent individuals convicted of terrorism-related activities in the U.S., but neither of the two cited Arkansas studies compared the two groups to identify risk factors specific to the violent group.

104 A. Smith, *Risk Factors and Indicators Associated with Radicalization*, 3.

105 For example, DHS has said that "the individualized nature of the radicalization and mobilization process limit our ability to warn of changes to the domestic terrorism threat environment." It further contends that better intelligence sharing with CP3 program participants on emerging violent narratives and ideologies linked to recent attacks could help fix this problem and "strengthen efforts to develop terrorism indicators." This suggests that the department intends to dynamically tailor indicators — to "community-specific grievances," for example — based on what would essentially be a handful of data points, undermining claims that criteria for flagging individuals under DHS's prevention framework have been rigorously empirically validated, even on the department's own terms. Department of Homeland Security, *Heightened Domestic Violent Extremist Threat*, 5.

106 Office of Violence and Terrorism Prevention, *Risk Factors and Indicators in Targeted Violence and Terrorism Prevention*; "Public Awareness Bulletin: Mitigating the Threat of School Violence," Department of Homeland Security, 3.

107 Utah Department of Public Safety, "Pathway to Violence: Warning Signs and What You Can Do," last accessed May 13, 2021, https://sbi.utah.gov/wp-content/uploads/sites/23/2019/09/3.-Pathway-to-Violence.pdf.

108 The signs in table 3 are used by the Utah Department of Public Safety, a 2020 TVTP grantee. Utah Department of Public Safety, "Pathway to Violence: Warning Signs and What You Can Do," last accessed May 13, 2021, https://sbi.utah.gov/wp-content/uploads/sites/23/2019/09/3.-Pathway-to-Violence.pdf (The preface states, "Persons typically do not just 'snap' but display indicators of potentially violent behavior over time. If these behaviors are recognized, they can often be managed and treated. This list, developed by the U.S. Department of Homeland Security, contains behaviors that a person may exhibit that could indicate a need for help." It goes on to give this guidance: "If you witness these behaviors in one of your co-workers, patrons, or guests and are concerned about their well-being, consider discussing the problem with them, if possible, and others in a manner that might allow them to find solutions. If there appears to be many of these signs and warnings, consider contacting law enforcement."); and Department of Homeland Security, "FY 2020 TVTP Grant Program: Utah Department of Public Safety," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants ("The Utah Department of Public Safety [DPS] proposes a framework that will provide training and awareness to public safety and community leaders, enhance multidisciplinary threat assessment and management teams, and implement a statewide process for threat assessment teams to document and share threat assessments and management information."). The signs in table 4 are used by Muflehun, a 2020 TVTP grantee. See Department of Homeland Security, "FY 2020 TVTP Grant Program: Muflehun," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants ("Muflehun, with support and commitment from the American Jewish Committee [AJC], will utilize existing training developed by the Illinois Criminal Justice Information Authority under the FY16 Countering Violent Extremism Grant Program. The training for bystanders and gatekeepers: Communities Acting to Refer and Engage (CARE), will be piloted online for select community leaders. Training will be customized to each community leader and their local referral networks with the assistance of AJC's 22 U.S. regional offices."). See Stevan Weine et al., Communities Acting to Refer and Engage (CARE) Curriculum Contents, Illinois Criminal Justice Information Authority's Targeted Violence Prevention Program, February 2020, https://junaidafeefnet.files.wordpress.com/2020/02/care-training-curriculum-package.pdf. The training is intended to encourage bystanders

to identify people exhibiting concerning behaviors, engage with them, or refer them to an identified point of contact or law enforcement, if appropriate.

[109] San Francisco Board of Supervisors "Agenda Packet Content List," 53; and Ramsey and Pennington, *Model K–12 Threat Assessment Procedures and Guidelines*.

[110] Alathari et al., *Enhancing School Safety*; and U.S. Secret Service, "National Threat Assessment Center," last accessed May 13, 2021, https://www.secretservice.gov/protection/ntac (*Enhancing School Safety* is displayed on the front page.).

[111] Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 42, 62.

[112] Alathari et al., *Enhancing School Safety*, 4; See also "Public Awareness: Bulletin Mitigating the Threat of School Violence," Department of Homeland Security, 3 ("The potential risk factors are not predictive; however, a community that is aware of the risk factors is an empowered community and is able to proactively engage in prevention programs.").

[113] For example, as the Secret Service's *Protecting America's School*s analysis notes: "Rather than focusing on a set of traits or characteristics, a threat assessment process should focus on gathering relevant information about a student's behaviors, situational factors, and circumstances to assess the risk of violence and other harmful outcomes." Alathari et al., *Protecting America's Schools*, Executive Summary. See also Amman et al., *Making Prevention a Reality*, 21 ("When conducting an assessment, the facts and circumstances identified in this chapter must each be examined while focusing on the person of concern, the potential target(s), the situation, and the setting. Threat assessment is a multifaceted process, stemming from a holistic analysis of the pattern of behaviors displayed by a person of concern.").

[114] Amman et al., *Making Prevention a Reality*, 71.

[115] Stienstra and Amritt, *Preventing Targeted Violence*, 11 (see "Step 6"); and Amman et al., *Making Prevention a Reality* (see references to "holistic" and 'case-by-case" analyses).

[116] Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*; and Zolan Kanno-Youngs and Nicole Hong, "Biden Steps Up Federal Efforts to Combat Domestic Extremism," *New York Times*, April 4, 2021, https://www.nytimes.com/2021/04/04/us/politics/domestic-terrorism-biden.html ("Richard Aborn, the president of the nonprofit organization overseeing the program [for TVTP grantee Citizens Crime Commission of New York City], said that it would accept participants through referrals from law enforcement, including for people who have already been charged with crimes. Individuals who qualify after a psychological evaluation would then participate in one-on-one therapy for several months. *The program's success would be measured by changes in the individual's emotional state*." [emphasis added]).

[117] Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*, 20–21.

[118] Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*, 11–12.

[119] Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*, 11–12 ("NEMA conducted 26 community awareness briefings and/or community educational workshops on threat assessments, consisting of 254 community participants [social service/public health providers: 57, educators/school staff: 91, faith/religious leaders: 9, law enforcement sectors: 18, and other frontline, government representatives, and community leaders: 97]") (Note that the accurate number of community participants comes out to 272, not 254. It is likely that the 18 law enforcement participants were mistakenly left out of the calculation of the total.). Notably, DHS has even labeled programs successful when they did not function as intended. One crisis intervention hotline DHS funded to receive tips about people radicalizing to violence "did not receive that specific call" during the grant period, but DHS nonetheless labeled it a success on the strained theory that the personal crises the hotline managed could have made people experiencing them more susceptible to radicalization absent the intervention. Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*, 12. Like the assessment of the youth program discussed above, a successful intervention in this realm far more directly bears on addressing a social problem than addressing a potential threat of terrorism.

[120] Government Accountability Office, Report to Congressional Requester*, Aviation Security: TSA Should Limit Future Funding for Behavior Detection Activities*, November 2013, 47, https://www.gao.gov/assets/gao-14-159.pdf.

[121] Government Accountability Office, Report to Congressional Requesters, *Aviation Security: TSA Does Not Have Valid Evidence Supporting Most of the Revised Behavioral Indicators Used in Its Behavior Detection Activities*, July 20, 2017, 4, 7, https://www.gao.gov/assets/gao-17-608r.pdf; and Government Accountability Office, *Aviation Security: TSA Should Limit Future Funding*, 47.

[122] Government Accountability Office, *Countering Violent Extremism*.

[123] Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*, 5 (reporting that 25 of the 29 2020 TVTP grants were awarded on the basis of DHS's assessment that they were to replicate, at least in part, a previous successful model.)

[124] Kurt Bauman and Stephen Cranney, *School Enrollment in the United States: 2018*, U.S. Census Bureau, U.S. Department of Commerce, September 2020, 3, https://www.census.gov/content/dam/Census/library/publications/2020/demo/p20-584.pdf (Noting that in 2018, there were 58,848,000 students enrolled in nursery school through 12th grade. This number has been rounded up to 60,000,000 students for the sake of the example.)

[125] Everytown Research and Policy, "Mass Shootings in America," June 2, 2021, https://maps.everytownresearch.org/massshootingsreports/mass-shootings-in-america-2009-2019/.

[126] Sigal Samuel, "Trump wants to "detect mass shooters before they strike." It won't work.," August 7, 2019, *Vox*, https://www.vox.com/future-perfect/2019/8/7/20756928/trump-el-paso-dayton-mass-shooting-ai-social-media; Brian Resnick & Javier Zarracina, "This cartoon explains why predicting a mass shooting is impossible," August 5, 2019, Vox, https://www.vox.com/science-and-health/2018/2/22/17041080/predict-mass-shooting-warning-sign-research.

[127] Jackson et al., *Practical Terrorism Prevention*, 123.

[128] Jackson et al., *Practical Terrorism Prevention*, 123.

[129] Department of Homeland Security, *Fiscal Year 2021 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 52–53 (see 5b, "Required Program Monitoring Measures").

[130] Proposal for Funding to Implement New CVE Strategy, World Organization for Resource Development and Education (WORDE), last accessed May 17, 2021, 4, https://www.brennancenter.org/sites/default/files/05-%20Grant%20Application%20Topic%20%26%20Program%20Outcome%20_0.pdf.

[131] Alex Ruppenthal and Asraa Mustufa, "As Trump Relaunches Countering Violent Extremism, Records on Past Illinois Program Reveal Links to FBI, Law Enforcement," *Chicago Reporter*, August 14, 2020, https://www.chicagoreporter.com/as-trump-relaunches-countering-violent-extremism-records-on-past-illinois-program-reveal-links-to-fbi-law-enforcement/.

[132] Trauma and Community Resilience Center, "Inter-ethnic Youth Advisory Board."

[133] Office for Targeted Violence and Terrorism Prevention, *Mitigating Negative Impacts of Social Isolation to Prevent Violence: Information for Parents and Educators of School-Aged Children*, Department of Homeland Security, December 15, 2020, https://www.dhs.gov/sites/default/files/publications/mitigating_social_isolation_in_youth_v_2020-1020_v2.pdf; Faiza Patel et al., "Countering Violent Extremism in the Trump Era," Brennan Center for Justice, June 15, 2019, https://www.brennancenter.org/our-work/research-reports/countering-violent-extremism-trump-era (see Boston Police grant description.); and Department of Homeland Security, *Fiscal Year 2021 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 47 ("The local community has a variety of programs [e.g., service activities, career centers, after-school groups, mentoring, inter alia] that address risk factors while also providing services supporting threat management approaches.").

[134] San Francisco Board of Supervisors, "Agenda Packet Content List," 21.

[135] San Francisco Board of Supervisors, "Agenda Packet Content List," 53; and Northern California Regional Intelligence Center, "About," last accessed May 13, 2021, https://ncric.ca.gov/default.aspx?MenuItemID=13&MenuGroup=NCRIC+Public+About.

[136] Notably, according to DHS Secretary Alejandro Mayorkas, CP3 intends to "work closely" with other federal agencies such as the Departments of Education (DOE) and Human Services (HHS) to further its violence prevention goal. What precisely that collaboration will entail remains unclear, but concerns highlighted in this report regarding the merging of counterterrorism and social service functions apply with force at the federal level. See *Domestic Violent Extremism in America*, 8. For example, under the Trump administration, HHS gave DHS data on potential custodians of migrant children that were collected to help the children find a home in the U.S. DHS then used these data for immigration enforcement, traumatizing families and undermining the resettlement process's effectiveness. Brennan Center for Justice, "DHS–HHS Information Sharing and ICE Enforcement Against Potential Sponsors of Detained Children: A Resource Page," December 6, 2019, https://www.brennancenter.org/our-work/research-reports/dhs-hhs-information-sharing-and-ice-enforcement-against-potential.

[137] Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*, 32.

[138] See, e.g., Patel and Koushik, *Countering Violent Extremism*.

[139] Jackson et al., *Practical Terrorism Prevention*, xxivn5 ("Interviewees emphasized that programs focusing on individual communities or ideologies risk stigmatizing populations and undermining the ability of terrorism prevention efforts to reduce terrorism risk. As a result, where programs that are specific to individual communities or ideologies are supported, government investments as a portfolio should be balanced across ideological sources of violence, based on objective data on relative threat and prevalence."); and Jackson et al., *Practical Terrorism Prevention*, xxvi ("Most interviewees illustrated this point by citing the view that, since the initiation of CVE at the federal level, although it has been said that all forms of extremism were covered, the main focus was on jihadist violence and, as a result, on Muslim communities. The vast majority of our interviewees emphasized [echoing some recent statements by DHS leadership] that terrorism prevention must be inclusive of the threat of ideological violence from all sources — from ISIS to white supremacists to environmentally inspired violence — and must do so not only in statements, but also in programming and investment.").

[140] Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 4–5 (see Section 10a "Overview"). See, e.g., Department of Homeland Security, "FY 2020 TVTP Grant Program: Colorado Resilience Collaborative (CRC)," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants ("The CRC will provide training and educational resources on threat assessment and prevention of targeted violence, facilitate expert consultation and networking events for professionals and organizations, and develop an online resource library to promote sustainable training and technical assistance materials for the prevention of targeted violence."); Rachel K. Nielsen et al., *Recommendations for Preventing Targeted Violence in Colorado, Colorado Resilience Collaborative*, February 2020, 2, https://psychology.du.edu/sites/default/files/2020-04/CRC%20State%20Brief.pdf ("Almost all of these incidents were perpetrated by people who identify as White Supremacists."); and Department of Homeland Security, "FY 2020 TVTP Grant Program: American University," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants ("The School of Communication at American University will define and describe the growing threat of violent white supremacist extremist disinformation, evaluate attitudinal inoculation as a strategy for communication to combat the threat, and develop a suite of operational tools for use by practitioners and stakeholders. With commitment and support from Google Jigsaw, American University will develop evidence-based methods for undermining the persuasive appeal of disinformation-based messaging and facilitate on- and offline inoculation campaigns."). Reporting on a Case Western grant suggests it is to cover "extremism across the ideological spectrum, according to those involved." See Rachel Levy and Dan Frosch, "Homeland Security to Grant Millions to Groups to Combat White Supremacists and Other Extremists," *Wall Street Journal*, October 3, 2020, https://www.wsj.com/articles/homeland-security-to-grant-millions-to-groups-to-combat-white-supremacists-and-other-extremists-11601726400.

[141] Chicago v. Morales, 527 U.S. 41 (1999) (loitering case, defining prohibited loitering as "to remain in any one place with no apparent purpose"). See also Grayned v. City of Rockford, 408 U.S. 104, 108–9 (1972), quoted in Village of Hoffman Estates v. The Flipside, 455 U.S. 489, 498 (1982). See also "Clarity in Criminal Statutes: The Void-for-Vagueness Doctrine," Legal Information Institute, Cornell Law School, last accessed May 14, 2021, https://www.law.cornell.edu/constitution-conan/amendment-14/section-1/clarity-in-criminal-statutes-the-void-for-vagueness-doctrine ("If arbitrary and discriminatory enforcement is to be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory applications."). The Fifth Amendment provides that "no person shall . . . be deprived of life, liberty, or property, without due process of law." Our cases establish that the government violates this guarantee by taking away someone's life, liberty, or property under a criminal law so vague that it fails to give ordinary people fair notice of the conduct it punishes, or so standardless that it invites arbitrary enforcement. Kolender v. Lawson, 461 U.S. 352, 357–58, 103 S. Ct. 1855, 75 L.Ed.2d 903 (1983) (from Johnson v. United States, 135 S. Ct. 2551, 2556 [2015]).

[142] Aaron Gordon, "We Don't Need Cops to Enforce Traffic Laws," VICE, June 11, 2020, https://www.vice.com/en/article/g5pvgm/we-dont-need-cops-to-enforce-traffic-laws (citing BJS statistics for "leading cause of interactions between police and the public"); Stanford Open Policing Project, "Findings," last accessed May 14, 2021, https://openpolicing.stanford.edu/findings/ ("When we apply the threshold test to our traffic stop data, we find that police require less suspicion to search black and Hispanic drivers than white drivers. This double standard is evidence of discrimination."); and Erin Killeen, "Traffic Stops and Discriminatory Policing in the United States," Georgetown Journal on Poverty Law and Policy Blog, April 26, 2018, https://www.law.georgetown.edu/poverty-journal/blog/traffic-stops-and-discriminatory-policing-in-the-united-states/.

[143] Zaid Jilani and Jeremy Adam Smith, "How Challenging Stereotypes Can Save Black Lives," *Greater Good*, June 8, 2020, https://greatergood.berkeley.edu/article/item/how_challenging_stereotypes_can_save_black_lives; Madeline Will, "Teachers Are as Racially Biased as Everybody Else, Study Shows," *EducationWeek*, June 9, 2020, https://www.edweek.org/teaching-learning/teachers-are-as-racially-biased-as-everybody-else-study-shows/2020/06; Yesenia Merino, Leslie Adams, and William J. Hall, "Implicit Bias and Mental Health Professionals: Priorities and Directions for Research," *Psychiatric Services* 69, no. 6 (June 1, 2018): 723-25, https://ps.psychiatryonline.org/doi/full/10.1176/appi.ps.201700294; and Phillip Atiba Goff, "Black Boys Viewed as Older, Less Innocent Than Whites, Research Finds," American Psychological Association, press release, 2014, https://www.apa.org/news/press/releases/2014/03/black-boys-older.

[144] Alathari et al., *Enhancing School Safety*, 4.

[145] Merino et al., "Implicit Bias and Mental Health Professionals."

[146] Bushman et al., "Risk Factors for Youth Violence," 3n45–48 ("In general, most people experiencing mental illness are not likely to behave in a violent manner.").

[147] Utah Department of Public Safety, "Pathway to Violence."

[148] Merino et al., "Implicit Bias and Mental Health Professionals"; Will, "Teachers Are as Racially Biased as Everybody Else"; and Alexander Pajak, "Beyond Colorblindness: Addressing Racial Trauma and Racial Bias in Social Work," *The New Social Worker*, last accessed June 2, 2021, https://www.socialworker.com/feature-articles/practice/beyond-colorblindness-addressing-racial-trauma-and-racial-bi/.

[149] San Francisco Board of Supervisors, "Agenda Packet Content List," 31, 40.

[150] Alathari et al., *Enhancing School Safety*, 4. See also Ramsey et al., *Model K–12 Threat Assessment Procedures and Guidelines*.

[151] Alathari et al., *Protecting America's Schools*, 42.

[152] Libby Nelson, "The Hidden Racism of School Discipline, in 7 Charts," *Vox*, October 31, 2015, https://www.vox.com/2015/10/31/9646504/discipline-race-charts; Derrick Darby and John L. Rury, "When Black Children Are Targeted for Punishment," *New York Times*, September 25, 2017, https://www.nytimes.com/2017/09/25/opinion/black-students-little-rock-punishment.html; and Will, "Teachers Are as Racially Biased as Everybody Else.

[153] Mental health professionals have criticized threat prevention strategies employed in schools for stigmatizing students with disabilities and have urged caution in employing ostensible safety measures like physical or digital surveillance, common tools of law enforcement. See Sara Collins and Amelia Vance, "40 Organizations Release Privacy Principles for Student Safety," Student Privacy Compass, March 26, 2019, https://studentprivacycompass.org/schoolsafetyprinciples/; and Leadership Conference on Civil and Human Rights et al., "Oppose H.R. 838, the Threat Assessment, Prevention, and Safety Act of 2019 (TAPS Act)," letter from civil society groups to congressional representatives, August 30, 2019, http://civilrightsdocs.info/pdf/policy/letters/2019/OpposeTAPSActSIGNED083019.pdf. For example, seven-year-old, four-foot-tall Jamari Nelson, who is autistic, was a first-grade student in Albuquerque. He was flagged as a "high-level threat" and removed from school because he attacked adults trying to restrain him after he would not pay attention in class. Ike Swetlitz, "Who's the 'Threat' in NM Public Schools?," *Las Cruces Sun News*, October 19, 2019, https://www.lcsun-news.com/story/news/2019/10/19/special-ed-students-disproportionately-receive-threat-assessments-new-mexico/4036878002/. The school was legally required to have a "behavioral intervention plan" to evaluate conduct connected to disability, but it did not have one in place. Miriam A. Rollin, "Here's How 'Threat Assessments' May Be Targeting Vulnerable Students," *Education Post*, December 12, 2019, https://educationpost.org/heres-how-threat-assessments-may-be-targeting-vulnerable-students/. Jamari's case is not an isolated incident. In the 2018–2019 school year, "kids in special education, who made up just 18 percent of the total student population, were the subject of . . . 56 percent of all threat assessments in Albuquerque." Swetlitz, "Who's the 'Threat' in NM Public Schools?" (Note also: "Meanwhile, 80 assessments, or 9.6 percent, were conducted on African-American children, who constituted only 2.6 percent of the student body."). In another case, from a Philadelphia suburb in early 2020, the parents of six-year-old Margot Gaines, who has Down syndrome, received a phone call from police as part of a threat assessment consultation triggered by her pointing a finger at a teacher like a gun and saying, "I shoot you." Maddie Hanna, "Finger Shoot from 6-Year-Old Causes Threat Assessment in Philadelphia Suburban School," *Pittsburgh Post–Gazette,* February 16, 2020, https://www.post-gazette.com/news/education/2020/02/16/Finger-shoot-from-6-year-old-causes-threat-assessment-in-Philadelphia-suburban-school/stories/202002160023. These cases illustrate the perils of applying a punitive or law enforcement–oriented framework to student conduct or circumstances that are best handled by professionals applying tools that are meant to deal with children with disabilities.

[154] Patel and Koushik, *Countering Violent Extremism*, 17.

[155] Evie Blad and Alex Harwin, "Analysis Reveals Racial Disparities in School Arrests," PBS News Hour, February 27, 2017, https://www.pbs.org/newshour/education/analysis-reveals-racial-disparities-school-arrests; Sarah Hinger, "Racial Disparities in Student Arrests Is an Epidemic Affecting Children Nationwide," American Civil Liberties Union, February 3, 2017, https://www.aclu.org/blog/racial-justice/race-and-inequality-education/racial-disparities-student-arrests-epidemic ("The federal data does not include information on why students were arrested or referred to law enforcement, but other sources reveal that the majority of school-based arrests and referrals are for misdemeanor offenses, like disorderly conduct or fighting that would otherwise be handled by school administrators."); and Evie Blad and Alex Harwin, "Black Students More Likely to Be Arrested at School," *EducationWeek*, January 24, 2017, https://www.edweek.org/leadership/black-students-more-likely-to-be-arrested-at-school/2017/01. Some schools deploy a so-called "threat assessment" model to identify whether a threat made by children should be taken seriously. This type of threat assessment has been offered as a solution to preempt harsh disciplinary decisions in schools, such as "zero tolerance" policies that can lead to students being expelled or entangled with law enforcement over a minor infraction or sarcastic comment. Lisa Suhay, "VA School Discipline Is 'Widespread, Discriminatory,' Study Says," *Christian Science Monitor*, May 19, 2016, https://www.csmonitor.com/USA/Education/2016/0519/VA-school-discipline-is-widespread-discriminatory-study-says. See also Amy Woolard, Mario Salas, and Rachael Deane, *Suspended Progress 2018: An Update on the State of Exclusionary Discipline &Alternative Education in Virginia's Public Schools*, Legal Aid Justice Center, October 2018, https://www.justice4all.org/wp-content/uploads/2018/10/FullSuspendedProgress2018.pdf. One threat assessment model, developed by Professor Dewey Cornell at the University of Virginia, has been shown in peer-reviewed studies to be a viable alternative to zero tolerance to reduce suspensions and connected racial disparities in schools adopting it. Dewey G. Cornell, "Threat Assessment Reduces School Suspension and Disproportionate Minority Discipline," University of Virginia, December 2013, https://curry.virginia.edu/sites/default/files/images/YVP/Threat%20assessment%20reduces%20school%20suspension%20and%20racial%20disproportionality%209-26-18.pdf; and "The Comprehensive School Threat Assessment Guidelines," Youth Violence Project, School of Education and Human Development, University of Virginia, https://curry.virginia.edu/faculty-research/centers-labs-projects/research-labs/youth-violence-project/virginia-student-threat ("School staff members are encouraged to adopt a flexible, problem-solving approach, as distinguished from a more punitive, zero tolerance approach to student misbehavior."). In any event, though no comprehensive national data set appears to exist, there is evidence that threat assessments can produce disparate impacts even when they are apparently disconnected from the national security apparatus. For example, data from Albuquerque Public Schools show that special education students are subject to roughly 56 percent of threat assessments even though they make up just 18 percent of the population. In that district, African Americans represent just under 3 percent of the population but are subject to almost 10 percent of threat assessments. Ike Swetlitz, "Who's the Threat?," *Searchlight New Mexico*, October 15, 2019, https://www.searchlightnm.org/whos-the-threat. Indeed, the incident of the girl with Down syndrome whose parents heard from the police after she made a gun gesture at her teacher (see note 153) occurred in a district adopting Professor Cornell's model. Danielle Wallace, "Pennsylvania Police Called After Kindergartner with Down

Syndrome Makes Gun Sign, Tells Teacher: 'I Shoot You,' " Fox News, February 12, 2020, https://www.foxnews.com/us/pennsylvania-police-down-syndrome-kindergarten-hang-gun-sign-i-shoot-you-elementary-school-threat.

[156] Clyde Haberman, "The Unintended Consequences of Taking a Hard Line on School Discipline," *New York Times*, October 2, 2016, https://www.nytimes.com/2016/10/03/us/the-unintended-consequences-of-taking-a-hard-line-on-school-discipline.html. See generally Christopher Mallet, *The School to Prison Pipeline: A Comprehensive Analysis* (New York, NY: Springer Publishing Company, 2015); Clyde Haberman, "The Unintended Consequences of Taking a Hard Line on School Discipline," *New York Times*, October 2, 2016, https://www.nytimes.com/2016/10/03/us/the-unintended-consequences-of-taking-a-hard-line-on-school-discipline.html.

[157] Matt Barnum, "New Studies Point to a Big Downside for Schools Bringing In More Police," *Chalkbeat*, February 14, 2019, https://chalkbeat.org/posts/us/2019/02/14/police-schools-research-parkland/.

[158] Natasha Duarte, "Six Considerations Missing from the School Safety and Data Conversation," Center for Democracy and Technology, March 13, 2019, https://cdt.org/insights/six-considerations-missing-from-the-school-safety-and-data-conversation/; Dewey Cornell, "School Violence Myths," School of Education and Human Development, University of Virginia, July 26, 2015, https://education.virginia.edu/sites/default/files/uploads/resourceLibrary/School_Violence_Myths_2015.pdf; and National Institute of Justice, "Race, Trust and Police Legitimacy," Department of Justice, January 9, 2013, https://nij.ojp.gov/topics/articles/race-trust-and-police-legitimacy.

[159] Government Accountability Office, *Countering Violent Extremism*, 11.

[160] See, e.g., Department of Homeland Security, *Fiscal Year 2016 Countering Violent Extremism Grant Program: Preliminary Report on Programmatic Performance*.

[161] Even if its representations are strictly constructed, DHS disclosed in a privacy impact assessment for the grant program that it may investigate TVTP grant applicants, their organizations, and "known associates" identified through "publicly available information not otherwise identified in the grant application," including social media. See Department of Homeland Security, "Privacy Impact Assessment (PIA) for the Targeted Violence and Terrorism Prevention Grant Program," DHS/ALL/PIA-083, April 8, 2020, https://www.dhs.gov/sites/default/files/publications/privacy-pia-dhs083-tvtp-april2020.pdf. In contrast, the FY 2016 grant program required written notice to an applicant, permitting the applicant to withdraw prior to a security review. Department of Homeland Security, Privacy Impact Assessment (PIA) for the Countering Violent Extremism Grant Program, DHS/ALL/PIA-057, December 7, 2016 8, https://www.dhs.gov/sites/default/files/publications/privacy-pia-all-057-cve-december2016.pdf (sourced in part from Muslim Advocates et al., "Re: 2020 Targeted Violence and Terrorism Prevention Grant Program," letter from civil society organizations to Chad F. Wolf and others, June 1, 2020, https://muslimadvocates.org/wp-content/uploads/2020/06/2020.06.01-Letter-to-DHS-Re_-TVTP-grants-FINAL.pdf). The PIA discloses that DHS subjects to investigation and retains data on networks of individuals it maps out from an applicant organization, claiming that all parties have consented to such scrutiny through the submission of a grant application or open association with the applicant organization. The ramifications for the freedom of association are obvious. See NAACP v. Alabama, 357 U.S. 449 (1958). DHS claims the authority to dig into people's backgrounds — and potentially their political or religious activities — on the basis of an ostensible affiliation with a grant applicant organization, subjecting them to scrutiny for the sole fact of free association that is plainly protected by the First Amendment. Department of Homeland Security, *Fiscal Year 2021 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 24 ("Recipients shall not transmit PII of program participants to DHS. In the collection of information for the purposes of measuring performance, program evaluation, and meeting DHS reporting requirements, data should be aggregated or anonymized prior to transmittal.").

[162] Admittedly, the collection of granular case information could provide a more detailed basis for conducting evaluations of the TVTP program, such as those described in part III.c. However, particularly in light of the concerns described in this section of the report, this dynamic only underscores how TVTP's violence prevention frame — and its home in DHS — undermine what the program says it aims to do. That is, TVTP aims in part to link people who exhibit posited risk factors or indicators of violence (which are more closely linked to social problems) with social services they need before a case becomes a law enforcement matter, but simultaneously it bolsters a broader information sharing system connected to the provision of those services that feeds into the security apparatus, undermining the trust and privacy needed for them to work well.

[163] Department of Homeland Security, *Fiscal Year 2020 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 32 ("i. Number of cases opened, broken down by ideology/targeted violence/risk factor ii. Number of referrals for outside services by service type [e.g., mental health, substance abuse, job skills, housing assistance] iii. Anonymized case status data [e.g., active, closed (by type), referred to law enforcement] iv. Anonymized case studies illustrating impact of the threat management."); and Department of Homeland Security, *Fiscal Year 2021 Targeted Violence and Terrorism Prevention (TVTP) Program Notice of Funding Opportunity*, 52 (see similar language requiring grantee to monitor "number of cases opened including," "identified risk factor(s)," "identified behavioral changes," "identified extremist ideology [if any]," "specific grievances [if identified].").

[164] Alathari et al., *Enhancing School Safety*, 7.

[165] *Heightened Domestic Violent Extremist Threat*, 5.

[166] San Francisco Board of Supervisors, "Agenda Packet Content List," 97.

[167] Faiza Patel and Michael Price, "Fusion Centers Need More Rules, Oversight," Brennan Center for Justice, October 18, 2012, https://www.brennancenter.org/our-work/research-reports/fusion-centers-need-more-rules-oversight.

[168] Mara Hvistendahl, "Austin Fusion Center Spied on Nonpolitical Cultural Events," *Intercept*, November 30, 2020, https://theintercept.com/2020/11/30/austin-fusion-center-surveillance-black-lives-matter-cultural-events/.

[169] Department of Homeland Security, "FY 2020 TVTP Grant Program: Case Western Reserve University," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants.

[170] Department of Homeland Security, "FY 2020 TVTP Grant Program: Philadelphia Police Department," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants.

[171] San Francisco Board of Supervisors, "Agenda Packet Content List," 21, 53, https://sfgov.legistar.com/View.ashx?M=F&ID=8974950&GUID=62C1B050-7862-4DF0-911C-581E2625C630.

[172] Scott Travis, "Florida Wants to Amass Reams of Data on Students' Lives," *South Florida Sun Sentinel*, July 9, 2019, https://www.sun-sentinel.com/local/broward/parkland/florida-school-shooting/fl-ne-school-shooting-database-deadline-20190709-i4ocsmqeivdmrhpauhyaplg52u-story.html.

[173] AccessNow, ACLU, et al., Letter from 32 Advocacy Groups to Governor Ron DeSantis on Florida's Proposed School Safety Database, July 9, 2019, http://www.trbas.com/media/media/acrobat/2019-07/70109842430160-09145230.pdf#nt=interstitial-manual (Items cataloged included experiences of bullying based on protected characteristics, foster care records, immunization records, homelessness status, social media posts, involuntary psychiatric exams, history of mental illness, criminal records (including unverified reports of suspicious activity), history of substance abuse, disciplinary records, and feelings of anger and persecution.).

[174] AcessNow, ACLU, et al., Letter from Advocacy Groups on Florida's Proposed School Safety Database, 2.

[175] Alathari et al., *Enhancing School Safety*, 12.

[176] Priyam Madhukar, "Police Shouldn't Tag Students as Potential Criminals," Brennan Center for Justice, December 22, 2020, https://www.brennancenter.org/our-work/analysis-opinion/police-shouldnt-tag-students-potential-criminals.

[177] Madhukar, "Police Shouldn't Tag Students."

[178] For example, there is no private cause of action under the Family Educational Rights and Privacy Act (FERPA).

[179] Speaking to the complexity, see Privacy Technical Assistance Center, *School Resource Officers, School Law Enforcement Units, and the Family Educational Rights and Privacy Act (FERPA)*, U.S. Department of Education, February 5, 2019, https://studentprivacy.ed.gov/sites/default/files/resource_document/file/SRO_FAQs_2-5-19_0.pdf; Melissa A. Kern and Carly M. Sherman, "How to Enhance School Security Without Violating Privacy," Frost Brown Todd L.L.C., March 8, 2019, https://frostbrowntodd.com/how-to-enhance-school-security-without-violating-privacy/; and Elana Zeide, "Student Privacy Principles for the Age of Big Data: Moving Beyond FERPA and FIPPs," *Drexel Law Review* 8, no. 2 (2016): 339, https://drexel.edu/~/media/Files/law/law%20review/v8-2/V8-2%20-%20Zeide.ashx.

[180] Patel and Koushik, *Countering Violent Extremism*, 27n243.

[181] Department of Homeland Security, "Proposed Modifications to the HIPAA Privacy Rule to Support, and Remove Barriers to, Coordinated Care and Individual Engagement," 86 Fed. Reg. 6446 (January 21, 2021), https://www.govinfo.gov/content/pkg/FR-2021-01-21/pdf/2020-27157.pdf. Note that the American Civil Liberties Union filed comment in opposition to this rule on May 6, 2021. See Nathan Freed Wessler et al., "Comment of the American Civil Liberties Union in Opposition to 86 Fed. Reg. 6446: Modification to the HIPAA Privacy Rule to Support, and Remove Barriers to, Coordinated Care and Individual Engagement," American Civil Liberties Union, May 6, 2021.

[182] U.S. Department of Education, "Does FERPA permit the sharing of education records with outside law enforcement officials, mental health officials, and other experts in the community who serve on a school's threat assessment team?", FAQs, Protecting Student Privacy, last accessed June 2, 2021, https://studentprivacy.ed.gov/faq/does-ferpa-permit-sharing-education-records-outside-law-enforcement-officials-mental-health.

[183] U.S. Department of Education, "What does 'articulable and significant threat' mean?" FAQs, Protecting Student Privacy, last accessed June 2, 2021, https://studentprivacy.ed.gov/faq/what-does-%E2%80%9Carticulable-and-significant-threat%E2%80%9D-mean#:~:text=The%20phrase%20%E2%80%9Carticulable%20and%20significant,makes%20and%20records%20the%20disclosure; and U.S. Department of Education, "When is it permissible to utilize FERPA's health or safety emergency exception for disclosures?" FAQs, Protecting Student Privacy, last accessed June 2, 2021, https://studentprivacy.ed.gov/faq/when-it-permissible-utilize-ferpa%E2%80%99s-health-or-safety-emergency-exception-disclosures. The RAND study laying the foundation for TVTP noted the importance of clarifying the scope of HIPAA and FERPA to stop them from being a barrier to TVTP referrals. But it also noted, "There was not consensus that there are indeed barriers: Other interviewees argued that exceptions to relevant privacy regulations already allow for the necessary information-sharing. In some cases, limits on sharing from those rules were also viewed as positive (e.g., by interviewees who were concerned about law enforcement gaining access to data from health providers)." Jackson et al., *Practical Terrorism Prevention*, 150; and Family Policy Compliance Office, U.S. Department of Education, "Family Educational Rights and Privacy Act (FERPA) and the Disclosure of Student

Information Related to Emergencies and Disasters," June 2010, 4, https://www2.ed.gov/policy/gen/guid/fpco/pdf/ferpa-disaster-guidance.pdf.

184 Ruppenthal and Mustufa, "As Trump Relaunches Countering Violent Extremism." See also Zolan Kanno-Youngs and Adam Goldman, "Homeland Security Reassigns Official Whose Office Compiled Intelligence on Journalists," *New York Times*, August 1, 2020, https://www.nytimes.com/2020/08/01/us/politics/brian-murphy-homeland-security-protesters.html.

185 Ruppenthal and Mustufa, "As Trump Relaunches Countering Violent Extremism."

186 Kanno-Youngs and Goldman, "Homeland Security Reassigns Official."

187 Jackson et al., *Practical Terrorism Prevention*, 38–39; Federal Bureau of Investigation, National Counterterrorism Center, *Homegrown Violent Extremist Mobilization Indicators, 2019 Edition*, July 16, 2019, https://www.dni.gov/files/NCTC/documents/news_documents/NCTC-FBI-DHS-HVE-Mobilization-Indicators-Booklet-2019.pdf (note focus on Islam); *Strategic Intelligence Assessment and Data on Domestic Terrorism*, 18 ("In 2019, the FBI, the DHS, and the NCTC jointly produced the booklet, Homegrown Violent Extremist Mobilization Indicators, which contains a broad list of behavioral indicators that might demonstrate an individual's likelihood of engaging in terrorist activity. The booklet was published to help law enforcement partners and the public at large recognize potentially dangerous behaviors to identify terrorists before they conduct deadly attacks.").

188 A. Smith, *Risk Factors and Indicators*, 28.

189 Department of Homeland Security, *Heightened Domestic Violent Extremist Threat to Persist*, 5; See also "Public Awareness Bulletin: Mitigating the Threat of School Violence," Department of Homeland Security, (Note the collaboration between DHS I&A and CP3.).

190 Department of Homeland Security, *Heightened Domestic Violent Extremist Threat to Persist*, 5

191 Department of Homeland Security, *Heightened Domestic Violent Extremist Threat to Persist*, 2.

192 National Counterterrorism Center, *Countering Violent Extremism: A Guide for Practitioners and Analysts*, May 2014, 19, https://www.documentcloud.org/documents/1657824-cve-guide.html; and Hedieh Mirahmadi, "Building Resilience Against Violent Extremism: A Community-Based Approach," *Annals of the American Academy of Political and Social Science* 668 (2016): 132, https://www.jstor.org/stable/26361941?seq=1#metadata_info_tab_contents. Further, some have linked potential warning signs even more explicitly to religion. In 2006 the FBI listed "wearing traditional Muslim attire" and "frequent attendance at mosque or prayer group" as indicators of terrorist radicalization. Federal Bureau of Investigation, Counterterrorism Division, *The Radicalization Process: From Conversion to Jihad*, May 10, 2006, 10, http://cryptome.org/fbi-jihad.pdf.

193 Randy Borum, "Radicalization into Violent Extremism I: A Review of Social Science Theories," *Journal of Strategic Security* 4, no. 4 (2012): 8, http://scholarcommons.usf.edu/cgi/viewcontent.cgi?article=1139&context=jss ("A focus on radicalization … risks implying that radical beliefs are a proxy — or at least a necessary precursor — for terrorism. We know this not to be true. Most people who hold radical ideas do not engage in terrorism, and many terrorists — even those who lay claim to a 'cause' — are not deeply ideological and may not 'radicalize' in any traditional sense.").

194 Adam Goldman, Katie Benner, and Zolan Kanno-Youngs, "How Trump's Focus on Antifa Distracted Attention From the Far-Right Threat," *New York Times*, last updated February 1, 2021, https://www.nytimes.com/2021/01/30/us/politics/trump-right-wing-domestic-terrorism.html. See also Zolan Kanno-Youngs and Nicholas Fandos, "DHS. Downplayed Threats From Russia and White Supremacists, Whistler-Blower Says," *New York Times*, September 9, 2020, https://www.nytimes.com/2020/09/09/us/politics/homeland-security-russia-trump.html.

195 Michael German, "The FBI Targets a New Generation of Black Activists," Brennan Center for Justice, June 26, 2020, https://www.brennancenter.org/our-work/analysis-opinion/fbi-targets-new-generation-black-activists.

196 German, "The FBI Targets a New Generation of Black Activists."

197 Adam Federman, "Revealed: How the FBI Targeted Environmental Activists in Domestic Terror Investigations," *Guardian*, September 24, 2019, https://www.theguardian.com/us-news/2019/sep/23/revealed-how-the-fbi-targeted-environmental-activists-in-domestic-terror-investigations; and Michael German and Sara Robinson, *Wrong Priorities on Fighting Terrorism*, Brennan Center for Justice, August 2019, 2, https://www.brennancenter.org/sites/default/files/2019-08/Report_Wrong_Priorities_Terrorism.pdf.

198 Michael German, "Radically Wrong: A Counterproductive Approach to Counterterrorism," American Civil Liberties Union, February 14, 2013, https://www.aclu.org/blog/national-security/privacy-and-surveillance/radically-wrong-counterproductive-approach.

199 Stienstra and Amritt, *Preventing Targeted Violence*, 5. (See Stakeholder Recommendations: "Explain that it is not illegal to hold extremist views. Carrying out or inciting violence for the ideology, however, is illegal"; "[C]onsider using 'violent white supremacists,' not 'alt-right,' because the former refers to those committed to violence. Similarly, when referring to Islamic extremism, consider using 'Al-Qaeda inspired' or 'ISIS inspired.' Doing so avoids implying that a religion is to blame for a violent act.")

200 National Counterterrorism Center, "Terrorism Prevention: A Form of Violence Reduction," First Responder's Toolbox, last accessed June 2, 2021, https://www.dni.gov/files/NCTC/documents/jcat/firstresponderstoolbox/First-Responders-Toolbox---Terrorism-PreventionA-Form-of-Violence-Reduction.pdf.

201 Utah Department of Public Safety, "Pathway to Violence." Other "suspicious behavior" materials include a number of items that are simply crimes on their own, such as "stealing or diverting items — such as equipment, uniforms, or badges — that belong to a facility or secured site." See Utah Department of Public Safety, "See Something Say Something Indicator Infographic," September 23, 2019, https://sbi.utah.gov/wp-content/uploads/sites/23/2019/09/2.-See-Something-Say-Something.pdf.

202 Alathari et al., *Enhancing School Safety*, 11; Alathari et al., *Mass Attacks in Public Spaces — 2019*, 25 ("social media posts with concerning content").

203 Bethany Barnes, "Targeted: A Family and the Quest to Stop the Next School Shooter," OregonLive, *Oregonian*, last updated August 29, 2019, https://www.oregonlive.com/news/erry-2018/06/75f0f464cb3367/targeted_a_family_and_the_ques.html.

204 Alathari et al., *Enhancing School Safety*, 17.

205 Department of Homeland Security, "FY 2020 TVTP Grant Program: Chatham County, GA," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants ("Chatham County will establish a coordinated Homeland Security Program inclusive of a county-wide multi-disciplinary threat assessment and management network which will utilize standardized protocols regarding violent crime, increase awareness and competencies through multi-jurisdictional training sessions, and increase community-based efforts and awareness to encourage reporting threats.").

206 Department of Homeland Security, "FY 2020 TVTP Grant Program: Philadelphia Police Department," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants ("The Philadelphia Police Department will conduct training and outreach with their Fusion Liaison Officers to identify violent extremism indicators as well as behavioral indicators of targeted violence. Training and awareness programs will focus exclusively on the tactics, techniques, and procedures of domestic terrorist groups known to operate in Philadelphia and any emerging violent risks); and Department of Homeland Security, "FY 2020 TVTP Grant Program: Florida International University Police Department," last accessed June 2, 2021, https://www.dhs.gov/tvtpgrants ("The training will enhance the engagement tools of FIUPD that will help build community trust and relationships and provide resources to network across stakeholders through training, awareness programs, education, and other community resource points.").

207 In a document titled "Mitigating Negative Impacts of Social Isolation to Prevent Violence: Information for Parents and Educators of School-Aged Children," OTVTP starts by describing three core public health recommendations to control the COVID-19 pandemic: hand washing, wearing a face covering, and keeping socially distant. Then, however, it frames the issue to implicate the threat of a child "radicalizing to violence," given that social isolation is a posited risk factor for violence. The document informs parents to look out for and respond to "behavioral changes" identified by the CDC guidance on keeping children healthy during the pandemic — "difficulty with attention and concentrating" and "new unhealthy eating habits," for example — because these "may increase an individual's willingness to accept messages of radicalization to violence." Such guidance may be valuable for parents looking to make sure their children stay well during the pandemic, and it should be promoted by public health officials, but it is far removed from criminal or terrorist activity that a security agency should be focused on. See Office for Targeted Violence and Terrorism Prevention, "Mitigating Negative Impacts of Social Isolation to Prevent Violence: Information for Parents and Educators of School-Aged Children," last accessed June 2, 2021, https://www.dhs.gov/sites/default/files/publications/mitigating_social_isolation_in_youth_v_2020-1020_v2.pdf. See also Department of Homeland Security, "Briefing Topic: Building Peer-to-Peer Engagements," May 29, 2020, https://www.dhs.gov/sites/default/files/publications/building_peer-to-peer_engagements_29may2020_0_0.pdf.

208 Office of U.S. Congresswoman Ayanna Pressley, "Reps. Pressley, Omar & Sens. Murphy, Warren Unveil Bill to Get Police Out of Schools," press release, July 29, 2020, https://pressley.house.gov/media/press-releases/reps-pressley-omar-sens-murphy-warren-unveil-bill-get-police-out-schools.

209 Patel and Koushik, *Countering Violent Extremism*, 38.

210 Center for Disease Control and Prevention, "Risk and Protective Factors," February 5, 2021, https://www.cdc.gov/violenceprevention/sexualviolence/riskprotectivefactors.html.

211 Brennan Center for Justice, "Government: Social Media Surveillance," last accessed May 14, 2021, https://www.brennancenter.org/issues/protect-liberty-security/social-media/government-social-media-surveillance ("DHS has reportedly already used its social media monitoring programs to surveil Black Lives Matter activists, individuals involved in anti-Trump protests in New York City, and lawyers and journalists at the southern border."); and Alex Ward, "The Unmarked Federal Agents Arresting People in Portland, Explained," *Vox*, July 20, 2020, https://www.vox.com/2020/7/20/21328387/portland-protests-unmarked-arrest-trump-wold. See Protect Democracy, "False Terrorism Report," last accessed May 14, 2021, https://protectdemocracy.org/project/false-terrorism-report/#section-0. Carrie F. Cordero, Heidi L. Feldman, and Chimène Keitner, "The Law Against Family Separation," *Columbia Human Rights Law* Review 51, no. 2 (2020): 432, https://scholarship.law.georgetown.edu/cgi/viewcontent.cgi?article=3252&context=facpub.

212 Alice Speri, "Federal Agents at Protests Renew Calls to Dismantle Homeland Security," *Intercept*, July 30, 2020, https://theintercept.com/2020/07/30/dismantle-homeland-security/; and Carrie Cordero and Elizabeth Goitein, "A Window to Rein In DHS," Just Security, July 28, 2020, https://www.justsecurity.org/71718/a-window-to-rein-in-dhs.

213 Jackson et al., *Practical Terrorism Prevention*, 119.

[214] House Committee on Homeland Security, "Chairman Thompson and Committee Democrats Introduce DHS Reform Legislation," November 20, 2020, https://homeland.house.gov/news/press-releases/chairman-thompson-and-committee-democrats-introduce-dhs-reform-legislation.

[215] The 13 grants that fund law enforcement directly are: Chatham County, GA; County of Bexar, TX; Hawaii Department of Defense; Kentucky Office of Homeland Security; Pennsylvania Commission on Crime and Delinquency; Utah Department of Public Safety; District of Columbia Homeland Security and Emergency Management Agency; Florida International University Police Department; Muscogee (Creek) Nation Lighthorse Police Department; New York State Division of Homeland Security and Emergency Services; Philadelphia Police Department; Twenty-Nine Palms Band of Mission Indians; and Xavier University. 7 additional grantees have some relationship to law enforcement: Boston Children's Hospital; Bay Area USAI; Citizens Crime Commission of New York City; University of Denver Graduate School of Professional Psychology; Case Western Reserve University; Greenlight Project, Inc. — Counter Extremism Project; and Life After Hate Inc.

[216] The 20 grantees that directly equip localities to identify people who may commit violence are: Boston Children's Hospital; Bay Area USAI; Chatham County, GA; County of Bexar, TX; Hawaii Department of Defense; Kentucky Office of Homeland Security; Pennsylvania Commission on Crime and Delinquency; Citizens Crime Commission of New York City; University of Denver Graduate School of Professional Psychology; Utah Department of Public Safety; Case Western Reserve University; District of Columbia Homeland Security and Emergency Management Agency; Florida International University Police Department; Muflehun; New York Presbyterian Hospital; New York State Division of Homeland Security and Emergency Services; Philadelphia Police Department; Twenty-Nine Palms Band of Mission Indians; Xavier University; and Life After Hate. (Even if they ultimately serve the same goal, this count does not include grants that may be a step removed from the training or threat assessment process, such as those going to the National Governors Association's Center for Best Practices and Arizona State University.)

[217] The Bay Area Urban Area Security Initiative's grant application was available online as part of the San Francisco Board of Supervisors' Budget and Finance Committee documents. See San Francisco Board of Supervisors, "Agenda Packet Content List," https://sfgov.legistar.com/View.ashx?M=F&ID=8974950&GUID=62C1B050-7862-4DF0-911C-581E2625C630.

[218] Trauma and Community Resilience Center, "Inter-ethnic Youth Advisory Board (I-YAB)," Boston Children's Hospital, last accessed May 12, 2021, https://www.childrenshospital.org/centers-and-services/programs/o-_-z/trauma-and-community-resilience-center/multidisciplinary-violence-prevention/interethnic-youth-advisory-board.

[219] B. Heidi Ellis et al., "The Challenge and Promise of a Multidisciplinary Team Response to the Problem of Radicalization," *Terrorism and Political Violence*, July 14, 2020, 5–6, https://www.tandfonline.com/doi/full/10.1080/09546553.2020.1777988.

[220] San Francisco Board of Supervisors, "Agenda Packet Content List," 21–24. Note a component of Bay Area UASI's project will build on protocols established by the U.S. Secret Service and National Threat Assessment Center. See San Francisco Board of Supervisors, "Agenda Packet Content List," 23 ("This initiative will include two components: 1) evolve the current SMCOE's Threat Assessment Center to meet the standardized threat assessment protocols established by the U.S. Secret Service, National Threat Assessment Center (NTAC) protocols; and 2) design and integrate the policy and technology requirements to expand the program to Santa Clara and Santa Cruz Counties' Offices of Education.").

[221] Community Matters, "Safe School Ambassadors," last accessed May 14, 2021, https://community-matters.org/programs-services/youth-empowerment-programs/safe-school-ambassadors/.

[222] Cody Thomas, "Chatham County Police Department Receives Hundreds of Thousands in Grant Money," Fox28 Savannah, October 13, 2020, https://fox28media.com/news/local/chatham-county-police-department-receives-hundreds-of-thousands-in-grant-money.

[223] Robert Catanese, "U.S. Secret Service Threat Assessment Model Targets School Violence," Fox28 Savannah, January 19, 2020, https://fox28media.com/news/local/us-secret-service-threat-assessment-model-targets-school-violence.

[224] Emilie Eaton, "'Not traditional policing': San Antonio initiative aims to prevent mass violence, targeted attacks," San Antonio Express News, January 3, 2021, https://www.expressnews.com/news/local/article/Not-traditional-policing-San-Antonio-15841621.php?converted=1.

[225] Kenji M. Price, "Column: Be Alert for Potential 'Active Shooters,'" *Star Advertiser*, October 11, 2020, https://www.staradvertiser.com/2020/10/11/editorial/island-voices/be-alert-for-potential-active-shooters/#story-section.

[226] Hawaii Department of Defense, "Role of the Hawaii State Fusion Center," last accessed June 2, 2021, https://dod.hawaii.gov/ohs/fusion-center/role-of-the-hsfc.

[227] Kentucky Office of Homeland Security, "KOHS Trains Private-Public Sector Partners as Intelligence Liaison Officers," Facebook, November 16, 2016, https://www.facebook.com/KYHomelandSec/posts/kohs-trains-private-public-sector-partners-as-intelligence-liaison-officersmaxim/1289825884416311/; "Intelligence Liaison Officer Program," Ohio Department of Public Safety, December 2, 2020, https://publicsafety.ohio.gov/wps/portal/gov/odps/what-we-do/our-programs-new/ilo-program/ilo-program.

[228] Andrew G. Beshar and Josiah Keats, 2020 Annual Report, Kentucky Office of Homeland Security, October 30, 2020, 4, https://homelandsecurity.ky.gov/About/Annual%20Reports/2020%20KOHS%20Annual%20Report%20FINAL.pdf.

[229] Pennsylvania Commission on Crime and Delinquency, "About Us," last accessed May 14, 2021, https://www.pccd.pa.gov/AboutUs/Pages/default.aspx.

[230] Lina Alathari et al., *Enhancing School Safety Using a Threat Assessment Model: An Operational Guide for Preventing Targeted School Violence*, National Threat Assessment Center, U.S. Secret Service, Department of Homeland Security, July 2018, https://www.cisa.gov/sites/default/files/publications/18_0711_USSS_NTAC-Enhancing-School-Safety-Guide.pdf; *Threat Assessment in Virginia Public Schools: Model Policies, Procedures, and Guidelines*, Virginia Department of Criminal Justice Services; Charles H. Ramsey and Michael Pennington, *Pennsylvania Commission on Crime and Delinquency School Safety and Security Committee*, Model K–12 *Threat Assessment Procedures and Guidelines*, Pennsylvania Commission on Crime and Delinquency, December 2019, 20n54, https://www.pccd.pa.gov/schoolsafety/Documents/Threat%20Assessment%20Model%20Procedures%20and%20Guidelines.pdf (Adapted from Enhancing School Safety and Threat Assessment in Virginia Public Schools).

[231] U.S. Department of Justice, Bureau of Justice Assistance, notification of grant award to Pennsylvania Commission on Crime and Delinquency for "Pennsylvania K–12 Threat Assessment Technical Assistance and Training Network," September 28, 2019, https://www.pccd.pa.gov/Funding/Documents/PCCD%20Federal%20Awards/2019%20Stop%20School%20Violence%20Award.pdf.

[232] Jody Sokolower, "Promoting Zionism Is Not 'Education to End Hate,'" Monodoweiss, September 29, 2020, https://mondoweiss.net/2020/09/promoting-zionism-is-not-education-to-end-hate/ ("On September 2, Rabbi Marvin Hier, dean and founder of the [Wiesenthal] center, wrote that Trump was a "non-Jewish hero" for recognizing Jerusalem as Israel's capital in the face of international law . . . The Simon Wiesenthal Center just received a $225,692 grant from Homeland Security's Targeted Violence and Terrorism Prevention Program (TVTP) . . . The Wiesenthal Center will not provide anti-bias education; it provides pro-Israel propaganda.").

[233] Zolan Kanno-Youngs and Nicole Hong, "Biden Steps Up Federal Efforts to Combat Domestic Extremism," *New York Times*, April 4, 2021, https://www.nytimes.com/2021/04/04/us/politics/domestic-terrorism-biden.html.

[234] *Targeted Violence and Terrorism Prevention, Hearing Before the Subcomm. on Homeland Security of the House Comm. on Appropriations*, 117th Cong. (2021) (written testimony of Richard Aborn, president, Citizens Crime Commission of New York City, March 24, 2021), https://docs.house.gov/meetings/AP/AP15/20210324/111395/HHRG-117-AP15-Wstate-AbornR-20210324.pdf; and Kanno-Youngs and Hong, "Biden Steps Up Federal Efforts to Combat Domestic Extremism" ("To identify individuals who are not on law enforcement's radar, Mr. Aborn is planning to develop targeted advertisements that would be seen by people who, for instance, were conducting anti-Semitic searches online. Clicking the ads would direct them to the one-on-one intervention program.").

[235] University of Denver Graduate School of Professional Psychology, "Colorado Resilience Collaborative," last accessed May 14, 2021, https://psychology.du.edu/counseling-consultation/colorado-resilience-collaborative.

[236] *Office for Targeted Violence and Terrorism Prevention, Hearing Before the Subcomm. on Homeland Security of the House Comm. on Appropriations*, 117th Cong. (2021) (written testimony of John Cohen, counterterrorism coordinator and assistant secretary for counterterrorism and threat prevention, Office of Strategy, Policy, and Plans, Department of Homeland Security; and John Picarelli, director of the Office for Targeted Violence and Terrorism Prevention, Office of Strategy, Policy, and Plans, Department of Homeland Security, March 24, 2021), 8, https://docs.house.gov/meetings/AP/AP15/20210324/111395/HHRG-117-AP15-Wstate-CohenJ-20210324.pdf.

[237] University of Central Oklahoma, "October 2020 College of Liberal Arts Newsletter," October 2020, https://blogs.uco.edu/clanews/october-2020/.

[238] 1Up Against Hate, "Home," last accessed May 15, 2021, https://www.oneupagainsthate.org/.

[239] 1Up Against Hate, "Resources," last accessed May 15, 2021, https://www.oneupagainsthate.org/resources.

[240] Utah Department of Public Safety, "Threat Management Unit," last accessed May 15, 2021, https://sbi.utah.gov/threat-management-unit/.

[241] Begun Center for Violence Prevention Research and Education, Case Western Reserve University Jack, Joseph and Morton Mandel School of Applied Sciences, "Law Enforcement," last accessed May 15, 2021, https://case.edu/socialwork/begun/research-and-evaluation/law-enforcement.

[242] Rachael Levy and Dan Frosch, "Homeland Security to Grant Millions to Groups to Combat White Supremacists and Other Extremists," *Wall Street Journal*, October 3, 2020, https://www.wsj.com/articles/homeland-security-to-grant-millions-to-groups-to-combat-white-supremacists-and-other-extremists-11601726400.

[243] Begun Center for Violence Prevention Research and Education, Case Western Reserve University Jack, Joseph and Morton Mandel School of Applied Sciences, "About Us — Our Partners," last accessed May 15, 2021, https://case.edu/socialwork/begun/about-us/our-partners.

[244] D.C. Code § 7-2201 – 7-2209, "The National Capital Region Threat Intelligence Consortium," District of Columbia Homeland Security and Emergency Management Agency, last accessed May 15, 2021, https://hsema.dc.gov/NTIC.

245 See National Association for Behavioral Intervention and Threat Assessment (NaBITA), "Agenda — Advanced Violence Risk Assessment Certification Course," September 2020, https://cdn.nabita.org/site-media/nabita/wp-content/uploads/2020/09/16174318/AVRA-Certification-Course-Agenda-1.pdf. See also Florida International University Police Department, "Investigations & Threat Assessment," last accessed May 15, 2021, https://police.fiu.edu/sections/investigations/ ("The Investigations and Threat Assessment Section plays a critical role in the well-being and safety of the university community. Personnel assigned to the Investigations and Threat Assessment Section are trained to investigate complex criminal cases and work with federal, state and local agencies to assess and mitigate threats that may have a negative impact on the safety of our community.").

246 "Advanced Violence Risk Assessment Certification," National Association for Behavioral Intervention and Threat Assessment (NaBITA), last accessed June 2, 2021, https://oldsite.nabita.org/news-events/certification-courses/advanced-violence-risk-assessment-certification-course/.

247 Brian Van Brunt, "The Structured Interview for Violence Risk Assessment (SIVRA-35)," National Behavioral Intervention Team Association, 2012, https://onlinelibrary.wiley.com/doi/pdf/10.1002/9781119221678.app3; See also "The SIVRA-35 Supplemental Question Sheet," Tennessee Board of Regents System, last accessed June 2, 2021, https://www.tbr.edu/sites/tbr.edu/files/media/2016/02/SIVRA-35%20questions_0.pdf.

248 Application for FY 2016 Countering Violent Extremism Grants, Green Light Project, Inc. (d/b/a the Counter Extremism Project), to the Department of Homeland Security, last accessed June 2, 2021, https://www.dhs.gov/sites/default/files/publications/EMW-2016-CA-APP-00119%20Full%20Application.pdf.

249 Counter Extremism Project, "U.S. Department of Homeland Security Awards Grants to Organizations Opposing Extremism," news release, October 8, 2020, https://www.counterextremism.com/press/us-department-homeland-security-awards-grants-organizations-opposing-extremism.

250 Counter Extremism Project, "U.S. Department of Homeland Security Awards Grants."

251 Levy and Frosch, "Homeland Security to Grant Millions."

252 Levy and Frosch, "Homeland Security to Grant Millions."

253 Jessica Donati, "NYPD Analyst Hunted al Qaeda Recruiter for Years. Now They're a Team," *Wall Street Journal*, April 27, 2018, https://www.wsj.com/articles/former-foes-from-al-qaeda-and-new-york-police-ally-to-counter-extremism-1524826800. See also James Toranto, "The Making — and Unmaking — of a Jihadist," *Wall Street Journal*, May 4, 2018, https://www.wsj.com/articles/the-makingand-unmakingof-a-jihadist-1525472372; and Carolyn Presutti, "Former Enemies Band Together to Convert Radicalized Terrorists," Voice of America, June 4, 2018, video, https://www.voanews.com/episode/former-enemies-band-together-convert-radicalized-terrorists-3780546.

254 Application for FY 2016 Countering Violent Extremism Grants, Illinois Criminal Justice Information Authority, to the Department of Homeland Security, last accessed June 2, 2021, https://www.dhs.gov/sites/default/files/publications/EMW-2016-CA-APP-00169%20Full%20Application.pdf.

255 Andy Greenberg, "Google's Clever Plan to Stop Aspiring ISIS Recruits," *Wired*, September 7, 2016, https://www.wired.com/2016/09/googles-clever-plan-stop-aspiring-isis-recruits/.

256 Homeland Security Advisory Council, "Countering Violent Extremism Subcommittee Biographies," Department of Homeland Security, November 2017, 47, https://www.dhs.gov/sites/default/files/publications/Countering%20Violent%20Extremism%20%28CVE%29%20November%202017.pdf.

257 Countering Violent Extremism Symposium, "Humera Khan Biography," last accessed May 15, 2021, http://cvesymposium.com/speaker/humera-khan/ ("She contributes in an advisory capacity to governments and law enforcement agencies in several countries [including US FBI, DHS, DOJ, DNI, DOS, NCTC, NSC and TSA]. In 2012 she received the FBI Director's Community Leadership Award for her work."); and Homeland Security Advisory Council, "Countering Violent Extremism Subcommittee Biographies," 47.

258 American Jewish Committee, "Issues: Radicalism and Extremism," last accessed May 15, 2021, https://www.ajc.org/issues/extremism.

259 See Stevan Weine, Linda Langford, and Nancy Zarse, Communities Acting to Refer and Engage (CARE) Curriculum, Illinois Criminal Justice Information Authority's Targeted Violence Prevention Program, February 2020, 94, https://junaidafeefnet.files.wordpress.com/2020/02/care-training-curriculum-package.pdf (in which people are instructed not to consider protected traits such as race or ethnicity, gender, gender identity, sexual orientation, nationality, manner of dress, and religion or religious practices).

260 Alex Ruppenthal and Asraa Mustufa, "As Trump Relaunches Countering Violent Extremism, Records on Past Illinois Program Reveal Links to FBI, Law Enforcement," *Chicago Reporter*, August 14, 2020, https://www.chicagoreporter.com/as-trump-relaunches-countering-violent-extremism-records-on-past-illinois-program-reveal-links-to-fbi-law-enforcement/; Asraa Mustufa, "Report: Illinois' Countering Violent Extremism Programs Struggle to Gain Community Partners," *Chicago Reporter*, March 21, 2019, https://www.chicagoreporter.com/report-illinois-countering-violent-extremism-programs-struggle-to-gain-community-partners/; and Alex Ruppenthal, "Agency Awarded $200K Grant

Without Approval from 'Partner' Organizations," WTTW, May 23, 2017, https://news.wttw.com/2017/05/23/agency-awarded-200k-grant-without-approval-partner-organizations ("A state criminal justice agency with a track record of mismanaging grants secured a nearly $200,000 federal grant earlier this year without approval from several 'partner' organizations listed in the agency's grant application, including the head of at least one group that had never heard of the program. The Illinois Criminal Justice Information Authority, which addresses issues within the state's criminal justice system, came under fire in 2014 when an investigation by the state auditor general revealed that the agency had broken basic grant protocols in distributing nearly $100 million in anti-violence grants over four years.").

261 Chickasaw Nation Media Relations Office, "Lighthorse Police Department Celebrates 15 Years Working Together with Area Law Enforcement," press release, October 23, 2019, https://chickasaw.net/News/Press-Releases/Release/Lighthorse-Police-Department-celebrates-15-years-w-52234.aspx.

262 See "MCSO Received Grant from Terrorism Prevention Program," Rochester First, December 1, 2020, video, 00:28, https://www.rochesterfirst.com/news/local-news/mcso-received-grant-from-terrorism-prevention-program/ ("The fact that we can increase what we're doing here in Monroe County with this grant and work with the Department of Homeland Security — bring[ing] this idea to Erie County, Onondaga County, and Albany County — is very exciting for us in Monroe County to share our lessons learned in what we've done."); Alex Crichton and Randy Gorbman, "Monroe County Sheriff Announces Formation of 'Threat Advisory Committee,' " WXXI News, February 28, 2019, https://www.wxxinews.org/post/monroe-county-sheriff-announces-formation-threat-advisory-committee ("The Monroe County Sheriff's Office, in collaboration with other law enforcement agencies, social service providers, school districts and many others, is announcing a new community-wide threat assessment and management advisory team. . . . There are a number of local law enforcement, school districts, colleges and universities and service agencies all part of the new effort." A Domestic Violence Center, for example, is among organizations enlisted to "help identify high risk cases or potentially violent situations."); and Monroe County Sheriff, "ROCTAC 6-Month Progress Report," press release, August 4, 2019, https://www.facebook.com/monroesheriffny/photos/pcb.2572571702787455/2573944239316868 (listing as partners, for example, Fairport Central School District, Rochester City School District, Monroe County Sheriff's Office, U.S. Attorney's Office, State Police, Monroe County Child Protective Services, FBI, and the U.S. Secret Service.).

263 Operation250, "Social Media Threat," lesson plan, last accessed May 15, 2021, https://static1.squarespace.com/static/5809286abe6594e82df59790/t/5d43197af24cf00001fc4c74/1564678522511/Social+Media+Threats+%286th+Grade%29.pdf.

264 Operation250, "FAQS," last accessed May 15, 2021, https://www.operation250.org/faqs ("Do You Do Any Work with Teachers? Most commonly our work with teachers is done through conferences and webinars.").

265 Operation250, "FAQS" ("How Did You Start? Op250 started as part of a collegiate program with the Department of Homeland Security back in 2016 where student groups were challenged to develop a program that countered the Islamic State online. What we decided to develop was an educational platform that blended online safety education with discussion starters for teachers and parents about terrorism.").

266 *Targeted Violence and Terrorism Prevention, Hearing Before the Subcomm. on Homeland Security of the House Comm. on Appropriations*, 117th Cong. (2021) 3 (written testimony of Tyler Cote, cofounder and director, Operation250, March 24, 2021), https://docs.house.gov/meetings/AP/AP15/20210324/111395/HHRG-117-AP15-Wstate-CoteT-20210324.pdf. Operation250 has also received a $1 million Department of Justice Grant to "to expand and evaluate how effective it is in educating its various audiences." See University of Massachusetts Lowell, "Anti-Terrorism Education Effort Wins $1 Million from U.S. Department of Justice," press release, October 23, 2018, https://www.uml.edu/news/press-releases/2018/op250102318.aspx.

267 Kentucky Office of Homeland Security, "KOHS Trains Private-Public Sector Partners as Intelligence Liaison Officers," Facebook, November 16, 2016, https://www.facebook.com/KYHomelandSec/posts/kohs-trains-private-public-sector-partners-as-intelligence-liaison-officersmaxim/1289825884416311/ ; "Intelligence Liaison Officer Program," Ohio Department of Public Safety, December 2, 2020, https://publicsafety.ohio.gov/wps/portal/gov/odps/what-we-do/our-programs-new/ilo-program/ilo-program.

268 See Philadelphia Police Department, "Units: Delaware Valley Intelligence Center," last accessed May 15, 2021, https://www.phillypolice.com/units/dvic/index.html.

269 Application for FY 2016 Countering Violent Extremism Grants, National Governors Association for Best Practices, to the Department of Homeland Security, last accessed June 2, 2021, https://www.dhs.gov/sites/default/files/publications/EMW-2016-CA-APP-00276%20Full%20Application.pdf.

270 Lauren Stienstra and Carl Amritt, *Preventing Targeted Violence*, National Governors Association, last accessed May 15, 2021, https://www.nga.org/preventing-targeted-violence/. See also Lauren Stienstra and Carl Amritt, *Preventing Targeted Violence: Issue Brief*, National Governors Association, January 2021, 5, https://www.nga.org/wp-content/uploads/2021/01/PTV_final.pdf.

271 Twenty-Nine Palms Band of Mission Indians, "Tribal Police/Public Safety Captain — Job Description," April 20, 2020, https://www.spotlight29.com/site/assets/files/2806/tribal_police_captain_job_description_4-20-20.pdf (Note tie between "Public Safety Captain" and police).

[272] Mo Jueger, "XUPD Expands into Evanston," *Xavier Newswire*, February 7, 2021, https://xaviernewswire.com/2021/02/07/xupd-expands-into-evanston/ ("The Xavier University Police Department (XUPD) has continued to volunteer with the Evanston Food Bank during the pandemic, and a new grant from the Department of Homeland Security (DHS) may give XUPD an opportunity to advance their initiatives in the surrounding community . . . The department has earned a grant, awarded by the DHS, for $124,000. XUPD hopes to use this grant to conduct in-person anti-violence programming at local middle schools . . . [The program is] geared more towards . . . enhancing communication, establishing a rapport with the law enforcement community so that there's a comfort level instead of fear.").

[273] Julia Ainsley, "Biden DHS Plans to Expand Grants for Studying, Preventing Domestic Violent Extremism," NBC News, February 12, 2021, https://www.nbcnews.com/politics/national-security/biden-dhs-plans-expand-grants-studying-preventing-domestic-violent-extremism-n1257550. See also Levy and Frosch, "Homeland Security to Grant Millions" ("The School of Communication at American University was awarded nearly $570,000 to develop a strategy to undermine disinformation circulated by white supremacists online. Kurt Braddock, a professor at the university who is working on the project, highlighted the program's urgency. 'We're seeing more and more use of this kind of disinformation from right-wing extremists that hope to bring people to their ideology,' Mr. Braddock said. 'By any observable metric, right-wing violent extremism is the biggest threat to domestic security in the U.S.' ").

[274] Kurt Braddock, "Vaccinating Against Hate: Using Attitudinal Inoculation to Confer Resistance to Persuasion by Extremist Propaganda," *Terrorism and Political Violence*, November 25, 2019, https://www.tandfonline.com/doi/abs/10.1080/09546553.2019.1693370. American University Institute for IDEAS, "Funding and Partnerships," last accessed May 15, 2021, https://www.american.edu/centers/ideas-institute/institute-for-ideas-funding.cfm ("Dr. Kurt Braddock — $568,613 [anti-terrorism research]").

[275] McCain Institute for Leadership at Arizona State University, "Prevention Practitioners Network," last accessed May 15, 2021, https://www.mccaininstitute.org/prevention-practitioners-network/.

[276] Levy and Frosch, "Homeland Security to Grant Millions" ("One of the largest grants, nearly $750,000, went to Life After Hate, which was founded by former white supremacists and neo-Nazis and works with people trying to leave violent far-right movements. The group was first awarded funding under the Obama-era program but had its grant rescinded soon after Mr. Trump took office. The cancellation came after the group's co-founder tweeted comments critical of Mr. Trump. Life After Hate said it was told by Homeland Security officials at the time that the decision was made after the department reviewed all the grants awarded under the initial program. Life After Hate said it will use the funding for its ExitUSA initiative, which helps people who have left hate groups try to rebuild their lives and reintegrate into society. The group said the funding would also go to beefing up ExitUSA's staff, which includes former members of far-right hate groups themselves, and toward expanding an online forum where people and their families can reach out for help.").

[277] *Targeted Violence and Terrorism Prevention, Hearing Before the Subcomm. on Homeland Security of the House Comm. on Appropriations*, 117th Cong. (2021) (written testimony of Sammy Rangel, executive director and cofounder, Life After Hate, March 24, 2021), https://docs.house.gov/meetings/AP/AP15/20210324/111395/HHRG-117-AP15-Wstate-RangelS-20210324.pdf.

[278] *Targeted Violence and Terrorism Prevention*, 4 (Sammy Rangel).

[279] *Targeted Violence and Terrorism Prevention*, 3 (Sammy Rangel).

[280] *Targeted Violence and Terrorism Prevention*, 3, 5 (Sammy Rangel).

[281] *Targeted Violence and Terrorism Prevention*, 6–8 (Sammy Rangel).

[282] *Targeted Violence and Terrorism Prevention*, 10 (Sammy Rangel).

[283] Life After Hate Inc., *Preventing Violent Radicalization and Supporting the De-Radicalization Process via Targeted Online and Offline Individualized Interventions*, 2016, http://www.stopcve.com/uploads/1/1/2/4/112447985/2016_life_after_hate_proposal_cve_grant_program-managing_intervention_activities_nd_grants_submission.pdf; and Vanessa Taylor, "2020 Candidates Want to Fund a Program Used to Surveil Muslims on Social Media," October 17, 2019, https://www.vice.com/en/article/xwemzd/2020-candidates-want-to-fund-a-program-used-to-surveil-muslims-on-social-media. See also Taylor Heyman, "Moonshot CVE: The Company Using Adverts to Counter Extremism," *The National*, June 26, 2019, https://www.thenationalnews.com/world/europe/moonshot-cve-the-company-using-adverts-to-counter-extremism-1.879474.

[284] *Targeted Violence and Terrorism Prevention*, 4 (Sammy Rangel).

[285] Tracy Mayor, "Countering violent extremism with data and dedication," MIT Sloan School of Management, March 10, 2021, https://mitsloan.mit.edu/ideas-made-to-matter/countering-violent-extremism-data-and-dedication.