

July 18, 2022

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

The Honorable Kristen Clarke
Assistant Attorney General
Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Garland and Assistant Attorney General Clarke:

As organizations committed to safeguarding our democracy and protecting civil rights, we respectfully request that you investigate the white nationalist group Patriot Front and their recent activity in Idaho, including for potential violation of 18 USC § 241, 18 USC § 249 and other statutes. While dozens of the group's members were arrested last month before they could act on plans to riot at a Pride event in Coeur d'Alene, Idaho, more must be done to hold the group accountable and ensure they do not continue to intimidate historically marginalized communities.

I. Background and History of Patriot Front

Patriot Front was founded after the deadly Unite the Right rally in Charlottesville, Virginia in 2017. Its ideology is based on a deeply racist belief system shared by its members – namely, that their European ancestors conquered America and bequeathed it to them, and no one else.¹ The group, whose members routinely chant the Nazi slogan “blood and soil” during demonstrations across the country, ultimately seeks the establishment of a white ethnostate under the guise of a “return to the traditions and virtues of our [European] forefathers.”² Multiple leaks of Patriot Front's internal written and audio organizing chats document its members' virulent racism, antisemitism, and anti-LGBTQ+ animus.³

¹ “Patriot Front,” Anti-Defamation League (ADL), accessed July 12, 2022, <https://www.adl.org/resources/background/patriot-front>.

² Ibid.

³ Dell Cameron and Tom McKay, “Leaked Chats Reveal Evidence of Hate Crimes by U.S. Fascists,” *Gizmodo*, January 21, 2022, <https://gizmodo.com/patriot-front-leak-data-breach-hate-crimes-1848401943>; Ryan Fatica, “Patriot Front Leaks Reveal Group's Ideology: ‘Jews Attack All Things Good in This World,’” *Unicorn Riot (blog)*, January 24, 2022, <https://unicornriot.ninja/2022/patriot-front-leaks-reveal-groups-ideology-jews-attack-all-things-good-in-this-world/>.

While Patriot Front itself was founded in 2017, its leadership has a deeper history of violence. Patriot Front is a successor organization to Vanguard America, one of the central groups that marched at Unite the Right, and was found liable for a conspiracy to engage in violence by a Virginia jury last year.⁴ Indeed, Patriot Front’s founder, Thomas Rousseau, who was one of those arrested in Coeur d’Alene,⁵ led members of Vanguard America at Unite the Right and marched shoulder-to-shoulder with the man who injured 35 people and killed one by driving his car into a group of peaceful protestors. Today, the group emphasizes secrecy and anonymity and focuses on spreading its message of hate via propaganda, flyering, vandalism, and masked “flash marches.”

Our organizations have tracked Patriot Front’s activities for years leading up to the June arrests of 31 of its members in Coeur d’Alene. Unfortunately, research shows that the group has escalated its activities to include more potentially illegal conduct over time, engaging in increasingly egregious campaigns of vandalism, intimidation, and as of the Fourth of July, an alleged assault.⁶ In the past three years, Patriot Front has “been responsible for the vast majority of white supremacist propaganda distributed in the United States,”⁷ including dozens of acts of property damage, defacing public art themed around racial justice and LGBTQ+ inclusion all over the country.⁸ In 2021, Patriot Front posted 4,894 racist flyers across 43 states, up from 3,862 racist flyers posted in 2020, according to the Map of White Supremacist Flyering maintained by the Southern Poverty Law Center.⁹ Without accountability, these acts of vandalism will continue to terrorize communities and chip away at the foundation of our democracy.

Leaked chats from within the organization have provided additional evidence of coordination around this campaign of vandalism, showing that members are required to publicly place a certain number of Patriot Front stickers and stencils – purchased from the organization’s leadership – in order to remain members in good standing, and that many of the more egregious examples of vandalism were greenlit by regional or national leadership.¹⁰ Indeed, as Rousseau has explained, this kind of “activism” (i.e. vandalism), is *required* for membership in the group.

⁴ Carol Schaeffer and Fritz Zimmerman, “They Are Racist; Some of Them Have Guns. Inside the White Supremacist Group Hiding in Plain Sight,” *ProPublica*, accessed July 12, 2022, <https://www.propublica.org/article/they-are-racist-some-of-them-have-guns-inside-the-white-supremacist-group-hiding-in-plain-sight?token=8x14roDzBQ5p8Y0hCArCtdwGWCNrGooB>.

⁵ “Alleged Leader of Patriot Front Among Those Arrested in Idaho,” CBS News, accessed July 12, 2022, <https://www.cbsnews.com/news/patriot-front-thomas-ryan-rousseau-arrested-idaho-pride/>.

⁶ “Alleged Assault by White Supremacists in Boston Should Be Prosecuted ‘within the Fullest Extent of the Law,’ Mayor Says,” CBS News Boston, accessed July 12, 2022, <https://www.cbsnews.com/news/patriot-front-white-supremacist-march-boston-alleged-assault-should-be-prosecuted-mayor-michelle-wu/>.

⁷ “Patriot Front,” Anti-Defamation League (ADL), accessed July 12, 2022, <https://www.adl.org/resources/backgrounder/patriot-front>.

⁸ “Patriot Front,” Southern Poverty Law Center (SPLC), accessed July 12, 2022, <https://www.splcenter.org/fighting-hate/extremist-files/group/patriot-front>.

⁹ “Map of White Supremacist Flyering in the U.S.,” Southern Poverty Law Center, accessed July 12, 2022, <https://www.splcenter.org/flyering-map>.

¹⁰ Dell Cameron and Tom McKay, “Leaked Chats Reveal Evidence of Hate Crimes by U.S. Fascists,” *Gizmodo*, January 21, 2022, <https://gizmodo.com/patriot-front-leak-data-breach-hate-crimes-1848401943>.

If members fail to engage in this type of frequently illegal behavior, Rousseau has made clear they risk expulsion.¹¹

Within Patriot Front's bigoted worldview, there are clear links between their campaigns of vandalism against public art addressing racial justice, and their attempts to disrupt Pride events, such as Coeur d'Alene's Pride in the Park last month. In addition to art centering Black victims of police brutality and Black historical figures, as well as art belonging to community-based organizations that represent communities of color, the public art defaced by Patriot Front includes rainbow murals celebrating the LGBTQ+ community. Since 2020, Patriot Front has destroyed at least 32 public artworks and memorials across the U.S., including a memorial created to the victims of the Pulse nightclub shooting in Orlando.¹² This reflects the overarching bigotry of a white nationalist organization that strives towards the goal of turning the United States of America into a white ethnostate – a goal that requires and promotes violence toward people of color as well as anyone who does not adhere to the rigid gender roles promoted by white nationalism. Patriot Front's continued escalation presents a direct threat to historically marginalized communities across the country and to our democratic institutions, as clearly demonstrated by the threats and harassment experienced by Coeur d'Alene's elected officials and law enforcement in the wake of their actions to hold Patriot Front accountable.¹³

Despite the evidence against Patriot Front, very few jurisdictions have sought to hold members of Patriot Front accountable (whether civilly or criminally) for their racially motivated and bigoted acts of vandalism and intimidation. This has created an atmosphere of impunity in which Patriot Front has continued to escalate its activities, allegedly leading to a coordinated plot to riot against Coeur d'Alene Pride in the Park. While the Coeur d'Alene law enforcement intervention was an important step that prevented potential violence, the charges thus far against Patriot Front leadership and members amount to a slap on the wrist, and do not address the negative individual and community impact they are having nor are they sufficient to deter similar activity in the future. The thwarted riot came after a months-long campaign from white nationalists targeting the North Idaho LGBTQ+ Pride event, the organization and individuals organizing the parade, and its sponsors.

In fact, despite the group's setback in Coeur d'Alene, it continues to engage in propaganda campaigns, hanging banners over highways in four locations in Washington in recent weeks. And, on the Fourth of July, an estimated 100 members of Patriot Front marched in Boston, allegedly committing an assault against a Black man who attempted to film their activities.

¹¹ "Patriot Front," Anti-Defamation League (ADL), accessed July 12, 2022, <https://www.adl.org/resources/background/patriot-front>.

¹² Aila Slisco, "Memorial for Pulse Nightclub Shooting Defaced by White Supremacists," *Newsweek*, May 15, 2020, <https://www.newsweek.com/memorial-pulse-nightclub-shooting-defaced-white-supremacists-1504513>.

¹³ Joe Walsh, "Idaho Police Receive Death Threats After Arresting White Supremacist 'Patriot Front' Members," *Forbes*, accessed July 12, 2022, <https://www.forbes.com/sites/joewalsh/2022/06/13/idaho-police-receive-death-threats-after-arresting-white-supremacist-patriot-front-members-heres-what-we-know-about-the-group/>.

According to the alleged victim, members of the group knocked him down, hit, and kicked him, resulting in lacerations.¹⁴

II. Action by the Department of Justice is Critical to Holding Patriot Front Accountable

Given the absence of a robust legal response by local jurisdictions, and the understandable fear that communities experience when it comes to pursuing civil legal remedies against white supremacist individuals and groups, it is critical the Department of Justice launch a comprehensive investigation. This is particularly true at a time when Patriot Front is becoming increasingly emboldened and coordinating its activity at a national level, targeting specific locations across the country – the Department of Justice may indeed be the only entity able to address these concerns effectively.

As you know, 18 USC § 241 (Conspiracy Against Rights), makes it unlawful for “two or more persons [to] conspire to injure, oppress, threaten, or intimidate any person in any State... in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same.” Patriot Front’s actions in Coeur d’Alene raise serious concerns that Patriot Front members conspired to oppress and intimidate members of the LGBTQ+ community and others gathering in a place of public accommodation to exercise their First Amendment rights to celebrate Pride. Numerous facts indicate the intimidating nature of the Patriot Front members in Coeur d’Alene. Prior to the arrests, a concerned resident of the town called police to report a large group of men (Patriot Front members) who “looked like a little army” getting inside a U-Haul truck.¹⁵ When the truck was pulled over by state and local enforcement approximately ten minutes later, police found 31 individuals armed with “shields, shin guards, and other riot gear ... including at least one smoke grenade.”¹⁶ Police also noted that several men came prepared with helmets, loudspeakers, and long metal poles.¹⁷ All of this is evidence of action intended to “injure, oppress, threaten, or intimidate.” The fact that the men were masked in white balaclavas so that they were not immediately identifiable only underscores this conclusion.¹⁸

The conspiratorial nature of the activity is also clear. At the scene, police seized “paperwork” that, according to Coeur d’Alene Police Chief Lee White, detailed an extensive operations plan

¹⁴ Laura Crimaldi and Nick Stoico, “Marchers Carrying Flags for White Supremacist Group Move through Downtown Boston,” *Boston Globe*, accessed July 5, 2022, <https://www.bostonglobe.com/2022/07/02/metro/marchers-carrying-flags-white-supremacist-group-spotted-boston/>.

¹⁵ Charlotte Klein, “U-Haul Full of White Supremacists, Preparing to Disrupt Pride Event, Arrested in Idaho,” *Vanity Fair*, June 12, 2022, <https://www.vanityfair.com/news/2022/06/white-supremacists-pride-event-arrested-in-idaho>.

¹⁶ *Ibid.*

¹⁷ Kim Bellware and Bryan Pietsch, “Men Tied to Hate Group Planned for Riot, ‘Confrontation’ at LGBTQ Event, Police Say,” *The Washington Post*, accessed June 29, 2022, <https://www.washingtonpost.com/nation/2022/06/12/idaho-patriot-front-arrested/>; Quinn Welsch, “Coeur d’Alene’s Pride in the Park Was Biggest Event Yet, Despite the Threats, Organizers Say,” *The Spokesman-Review*, accessed June 29, 2022, <https://www.spokesman.com/stories/2022/jun/22/coeur-dalenes-pride-in-the-park-was-biggest-event/>.

¹⁸ Charlotte Klein, “U-Haul Full of White Supremacists, Preparing to Disrupt Pride Event, Arrested in Idaho,” *Vanity Fair*, June 12, 2022, <https://www.vanityfair.com/news/2022/06/white-supremacists-pride-event-arrested-in-idaho>.

targeting several areas downtown, not just the park.¹⁹ Subsequent reporting and court documents alleged that the document outlined specific locations, checkpoints, “drill times,” “prep times,” “observation windows” and “GPS coordinates for a drop point with two backup plans,” and also included the intention to deploy smoke grenades.²⁰ The group would form a column outside the Pride event in City Park and proceed inward, “until barriers to approach are met.”²¹ The group’s outlined exit strategy was to be implemented “once an appropriate amount of time and confrontational dynamic has been established.”²² This is precisely the type of “activism” that is required for membership in the group and must be approved by Patriot Front’s leadership.

In addition, the second clause of 18 USC § 241 makes it unlawful for “two or more persons [to] go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured.” Again, an investigation under this provision is warranted: there were more than two members of Patriot Front masked in white balaclavas with documented plans to interfere with the civil rights of those attending the Pride event.²³

We believe the Patriot Front’s actions also warrant investigation for a potential violation of 18 USC § 249 (Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act). This statute makes it unlawful for any person to “willfully cause[] bodily injury to any person or, through the use of fire, a firearm, a dangerous weapon, or an explosive or incendiary device, [or] attempt[] to cause bodily injury to any person, because of the actual or perceived religion, national origin, gender, sexual orientation, gender identity, or disability of any person,” where the crime affected interstate or foreign commerce or occurred within federal special maritime and territorial jurisdiction. Here, an investigation is warranted as to whether Patriot Front members were planning to attempt to cause bodily injury to members of the LGBTQ+ community and/or counter-protesters during the Idaho Pride event and during the Fourth of July demonstration in Boston – particularly where Patriot Front members were armed with dangerous weapons at both events, and where participants traveled from across the country to attend these events.²⁴

Finally, we urge you to provide support and share investigative information with state Attorneys General and local prosecutors, who may be able to prosecute Patriot Front under state laws,

¹⁹ Daniel Walters, “Dozens of White Supremacists Arrested in Idaho Had Planned to Riot, Authorities Say,” *The New York Times*, June 12, 2022, sec. U.S., <https://www.nytimes.com/2022/06/12/us/idaho-pride-white-supremacists-arrested.html>; Associated Press, “Police Arrest 31 Patriot Front Extremists near Idaho Pride Event on Riot Charges,” *The Guardian*, June 12, 2022, sec. World news, <https://www.theguardian.com/world/2022/jun/12/idaho-police-near-pride-event-arrest-patriot-front-extremists-on-riot-charges>.

²⁰ Quinn Welsch, “Police: Patriot Front Had Detailed Plans to Antagonize Pride in the Park Event in Coeur d’Alene,” *The Spokesman-Review*, accessed June 29, 2022, <https://www.spokesman.com/stories/2022/jun/14/police-patriot-front-had-detailed-plans-to-antagon/>.

²¹ Kaye Thornbrugh, “‘If They Want to Have a War, Let It Begin Here’: New Documents Detail Patriot Front’s Plan,” *Idaho Statesman*, June 15, 2022, <https://www.idahostatesman.com/news/northwest/article262546257.html>.

²² Kaye Thornbrugh, “‘If They Want to Have a War, Let It Begin Here’: New Documents Detail Patriot Front’s Plan,” *Idaho Statesman*, June 15, 2022, <https://www.idahostatesman.com/news/northwest/article262546257.html>.

²³ Quinn Welsch, “Police: Patriot Front Had Detailed Plans to Antagonize Pride in the Park Event in Coeur d’Alene,” *The Spokesman-Review*, accessed June 29, 2022, <https://www.spokesman.com/stories/2022/jun/14/police-patriot-front-had-detailed-plans-to-antagon/>.

²⁴ In Idaho, for example, the underlying facts clearly implicate interstate commerce, as those arrested came from at least eleven different states including Washington, Oregon, Texas, Utah, Colorado, South Dakota, Illinois, Wyoming, Virginia, and Arkansas. See Associated Press, “31 Patriot Front Members Arrested near Idaho Pride Event,” *POLITICO*, accessed July 12, 2022, <https://www.politico.com/news/2022/06/11/patriot-front-members-arrested-idaho-00039000>.

including state prohibitions on paramilitary activity,²⁵ state civil rights laws, and state equivalents to the federal civil conspiracy and hate crime laws discussed above.

The need for federal intervention is both clear and urgent. After all, Patriot Front’s coordinated plan to disrupt Pride in the Park was only thwarted because a concerned community member alerted local law enforcement about a “little army” of masked men. In no small way, Coeur d’Alene was very lucky. But, as Patriot Front continues to organize and agitate, the next city targeted by their menace and vandalism might not be.

In a recent press release, the North Idaho Pride Alliance reminded local stakeholders and the general public that “the disinformation and hateful rhetoric used to target us are ongoing, and we remain vigilant.”²⁶ We urge you to also remain vigilant and to swiftly and thoroughly investigate Patriot Front and, should the evidence warrant, prosecute the group and its members to the fullest extent of the law. We would appreciate a response by August 18, 2022.

You can reach our office by contacting [REDACTED], Associate Director of the James Byrd Jr. Center to Stop Hate at the Lawyers’ Committee for Civil Rights, at [REDACTED] or [REDACTED] Momentum Program Director at Western States Center, at [REDACTED].

Sincerely,

Lawyers’ Committee for Civil Rights Under Law
Western States Center
North Idaho Pride Alliance
Anti-Defamation League
Southern Poverty Law Center
Center for Disability Rights
Global Project Against Hate and Extremism
Human Rights First
Institute for Constitutional Advocacy and Protection
Integrity First for America
Japanese American Citizens League
Lawyers for Civil Rights
Matthew Shepard Foundation
Muslim Advocates
National Council of Jewish Women
Not In Our Town
The Sikh Coalition

²⁵ All 50 states have some kind of provision prohibiting private, unauthorized military activity. See Kristine Phillips, “All States Prohibit ‘Militia Extremists’ and Paramilitary Activities. So Why Aren’t They Stopped?,” *USA TODAY*, accessed July 12, 2022, <https://www.usatoday.com/story/news/politics/2020/11/03/all-states-prohibit-paramilitary-militia-extremists-but/6123774002/>.

²⁶ “NIPA Response to Activities Surrounding and Leading up to Pride in the Park,” North Idaho Pride Alliance, accessed July 12, 2022, <https://www.nipridealliance.com/post/nipa-response-to-activities-surrounding-and-leading-up-to-pride-in-the-park>.

C.C. Christopher Wray, Director, Federal Bureau of Investigation
Matthew Olsen, Assistant Attorney General for the National Security Division
Joshua D. Hurwit, United States Attorney for the District of Idaho
Dick Durbin, Chair, United States Senate Committee on the Judiciary
Jerrold Nadler, Chair, United States House Committee on the Judiciary