

HARNESSING OUR POWER TO END POLITICAL VIOLENCE

2024 GUIDE

ABOUT THIS GUIDE

Harnessing Our Power to End (HOPE) Political Violence is a guide for communities across the United States to organize to counter political violence.

The word "HOPE" is both a noun and a verb. As a noun, it can be defined as "the feeling that what is wanted can be had or that events will turn out for the best." As a verb, it can be defined as "to look forward to with desire and reasonable confidence" or "to believe, desire, or trust."

These meanings all apply to this guide. When we believe and put hope in ourselves, we can accomplish great things. Through organizing our communities, we will achieve a better democracy and country.

AUTHOR

This guide was written by Hardy Merriman for the 22nd Century Initiative and the Horizons Project along with allies working to end political violence.

Work on this guide was in Hardy Merriman's independent capacity. The views expressed here are solely personal to the author and do not represent the views of any employer or other organization with which the author may be affiliated.

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¹ "'Hope' | Meanings & Definitions of English Words," Dictionary.com, September 17, 2020.

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INTRODUCTION

Political violence is a direct assault on US democracy, the Constitution, and the rights and freedoms of people across the nation. It does enormous damage, and it is increasing.

For a country with a population of over 330 million, relatively few in the United States are directly physically attacked for their political activities. However, when these incidents happen, fear ripples outward among public officials and communities and significantly undermines democracy.

Equally damaging is the growing number of people who receive threats based on their political views or professional responsibilities. Virtually no one is exempt from being targeted. Threats are directed at non-partisan election workers; elected officials of both major parties; professionals in schools, healthcare, and libraries; clergy; journalists; members of the judiciary and juries; members of law enforcement; non-profit organizations; historically marginalized groups; businesses; and ordinary people seeking to uphold democracy and constitutional rights.

This is a guide for individuals and groups across the US who are fed up with this. It's for people who recognize the dire stakes that political violence (PV) creates for our country, and who want to work together nonviolently to protect our communities and uphold democracy. We need to stand up to those who want to silence our voices, who try to deny us our rights, and who aim to bully their way into political influence through intimidation and violence.

What is political violence?

Political violence (PV) is one form of oppressive violence in our society. There are others, including violent crime, hate crimes, domestic violence, terrorism, and various forms of psychological violence and structural violence. PV can intersect with these categories. What defines it is that it is:

force or violence, including threats and intimidation, used with a political motivation, to achieve a political goal, to assert political power over another group, or to disseminate a political message to an outside audience.*

All forms of violence have political implications. What distinguishes PV is the clear and direct political intent with which it is used.

* Definition from: Jennifer Dresden and Ben Raderstorf, "Threats of Political Violence Are Injurious to Democracy Too", *The UnPopulist*, January 6, 2024.

Part I of this guide addresses the deeply corrosive impact that PV has on individuals, communities, and democracy. The damage that it creates is so significant that in order to uphold democracy in the United States, it is essential that people around the country organize to counter it.

Part II provides five time-tested principles on how to make political violence backfire against perpetrators and their enablers. This backfire framework was developed based on analysis of cases all over the world. The five principles have frequently been adopted by communities seeking to turn the tide against violence and injustice.

Part III offers guidance on applying the five backfire principles in the current US context. Topics such as planning tactics, developing effective messaging, and finding allies are addressed.

Part IV is a reference section to improve understanding of certain federal and state laws, and other resources, that address political violence. Government plays an essential role in countering PV, and grassroots groups should know when and how to engage with government on this issue. At the same time, government has limits, which is why relying on it primarily to reverse rising PV has been inadequate thus far, and is likely to be insufficient in the future. Instead, what is needed is a combination of bottom-up (grassroots community) and top-down (government and institutional) efforts. This is why nonviolent organizing by communities is essential.

The **Appendix** shares key facts and analysis about PV in the US right now. This kind of background knowledge can be valuable for organizers. Written in simple question and answer format, it addresses questions such as: Who's making threats? (hint: a very small minority); What percentage of the public opposes them? (hint: a very large majority); Which communities are being threatened?; How much are threats rising?; How high is the risk of physical political violence in the United States?; and What actions have government and others taken to counter this threat so far?

"We are at a moment of time where our democracy literally is on the line, and we have to figure out if we are just going to turn it over to a bunch of insurrectionists who think it is perfectly okay to use violence and intimidation to get the rulings that they want in a courtroom. Or are we going to have a democracy where people follow the rule of law? And if I don't stand up and if other people don't stand up, and we don't talk about this, we're going to lose this battle."

- Jill Karofsky, WI Supreme Court Justice

PART I

The Corrosive Impact of Political Violence on Democracy

Many Americans viscerally recognize a growing threat of political violence in our society. Democracy and government stability feel precarious, activities that used to feel safe now generate anxiety, and rhetoric has heated to toxic levels.

Although actual physical political violence is fairly rare, key incidents against federal government officials and institutions receive national attention. For example, the attack on the US Capitol on January 6, 2021 was a violent attack on people (police, members of Congress of both parties, and staff members) that resulted in property destruction, injury, and death. It also was a severe attack on democracy and US society as a whole—aiming to cancel the democratic will of the people.

While this assault is the most publicized example of political violence in recent US history, it is part of a larger trend. Republican Congressman Steve Scalise and three other people were shot in 2017.² In 2023, Speaker of the House Nancy Pelosi's residence was invaded by an attacker who severely injured her husband with a hammer.³ The effect of these and other violent acts and the fear they create are still playing out today.

Beyond these high-profile incidents focused on national politicians, state and local-level cases of physical political violence against civilians also do enormous damage. Examples include the 2018 attack on the Tree of Life synagogue in Pittsburgh that killed 11 people;⁴ the 2019 killing of 22 people at an El Paso Walmart by a man who was targeting Mexicans;⁵ the racially motivated attack that killed ten Black shoppers at a supermarket in Buffalo in 2022;⁶ and the shooting of five volunteers, of whom one died, at a Black

² Pete Williams, Alex Moe, and Erik Ortiz, "Congressman Steve Scalise, Three Others Shot at Alexandria, Virginia Baseball Field," *NBC News*, June 14, 2017.

³ Nadine El-Bawab, Pierre Thomas, Josh Margolin, and Alex Stone, "Suspect in Pelosi Home Invasion Attack Had Zip Ties, Duct Tape: Sources," *ABC News*, October 30, 2022.

⁴ Jeanine Santucci, "Gunman Guilty in Shooting Deaths of 11 Worshippers at Pittsburgh Tree of Life Synagogue," *USA Today*, June 16, 2023.

⁵ Tara Law, "El Paso Shooting Suspect Told Police He Was Targeting 'Mexicans': Here's What to Know About the Case," *Yahoo! News*, August 3, 2019.

⁶ Jenna Zucker, Steve Gorman, and Moira Warburton, "Gunman Kills 10 in Live-Streamed Racial Attack at Supermarket in Buffalo," *Reuters*, May 16, 2022.

Lives Matter rally in Portland, OR.⁷ Politically motivated attacks have also taken place against Asian Americans, members of the LGBTQI community, and other individuals based on their perceived political leanings. As with high-profile attacks on politicians, political violence targeting civilians creates repercussions that are severe, long lasting, and extend nationwide.

A primary reason for this is the fear that such incidents create. Political violence is usually directed at particular individuals or institutions, and aims to eliminate them or coerce them to comply with the demands of the violent perpetrator(s). Yet the overall target of political violence is much broader—it includes every onlooker. In fact, onlookers can be understood as a *primary* target of such activities, and proponents of political violence understand this very well. When violence happens against a single member of Congress, or a single member of local government, or a single nonviolent citizen based on their identity or political activities, it aims to strike fear and change the behavior of *every* member of Congress, *every* member of local government, and *every* citizen who wants to participate in our democracy.

This means that if you reside in the United States and stand for democracy, you are an intended victim of political violence. A goal of political violence is to intimidate you. Those who incite, threaten, and enact political violence want you to change your behavior. They want to control how you use your political voice, influence your personal or professional judgment, and deny you from exercising your constitutional rights or fully engaging in our country's political system.

However, fear fades over time, which means that bullies need tactics to keep people frightened. To achieve this, the number of threats made to individuals at the local, state, and federal level is increasing. People are targeted based on their perceived political views, activities, or job responsibilities, and threats can take many forms—including generalized incitement to violence via media outlets, targeted harassment that is designed to physically intimidate, bomb scares against government and private buildings, direct threats to individuals and their families, and openly carrying weapons such as firearms during public hearings and while protesting. Further activities that intimidate and function as threats include doxing, vandalism, and acts of property destruction. Some actions, such as swatting, also blur the line between threats and physical political violence.

⁷ Robert Mackey, "A Gunman Killed and Injured Protesters at a BLM March: Why Did Police Blame the Victims?," *The Guardian*, February 19, 2024.

⁸ **Doxing** is: "The publishing of sensitive personal information online—including home address, email, phone number, social security number, photos, etc.—to harass, intimidate, extort, stalk, or steal the identity of a target."

Source: PEN America, "Defining 'Online Abuse': A Glossary of Terms," Online Harassment Field Manual.

⁹ **Swatting** is: "Placing a hoax call to law enforcement detailing a completely false threatening event taking place at a target's home or business, with the intention of sending a fully armed police unit (SWAT team) to the target's address."

Although many threats are empty and not carried out, relatively rare incidents of actual physical political violence serve to make all threats seem credible and thus give threats their power.

"Even though the swatting incident at my home was a fake call, alleging an emergency at my home, it was designed to terrorize. It was designed to make me afraid and send a message not only to me but to others."

- Shenna Bellows, Maine secretary of state

HOW POLITICAL VIOLENCE WORKS

It may seem surprising that relatively few incidents of physical political violence, alongside many empty threats from a very small minority of the US population, are so damaging to US society and democracy.

Yet fear is a powerful motivator, and threats and PV strike at the intersection of people's personal lives as well as our political life as a country. Thus, they have detrimental effects on both individuals as well as society as a whole.

Some of these impacts are outlined below.

PERSONAL IMPACTS

Those receiving direct threats of political violence can experience major stress and harm. These include resource costs on a person, employers, and public budgets to ensure security; impairment of a person's ability to carry out their job responsibilities; significant psychological distress due to fear of physical attacks against a person and their family; and, ultimately, resignation of talented and committed people from their jobs and professions altogether.¹⁰

Source: PEN America, "Defining 'Online Abuse."

¹⁰ Evidence and references for these points are found in the **Appendix** of this guide.

"As a public servant of 20 years, I'm incredibly disheartened to see good people stepping down from public service because of the impact that threats – very real threats – have on their sense of security, on their families, on their ability to serve their communities and fulfill their duties."

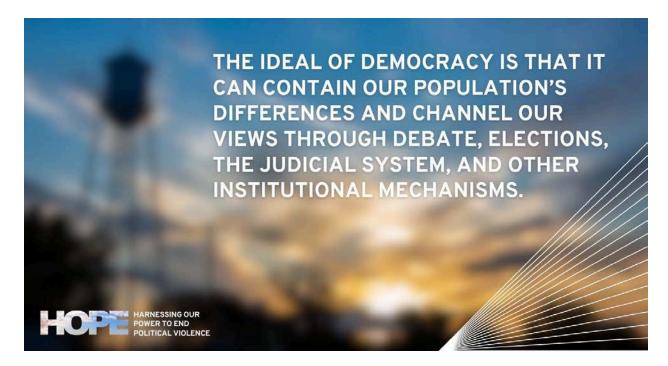
- Lauren McLean, Mayor of Boise, ID

Yet the effects of threats of PV also go beyond those who are directly targeted. Impacts are felt quietly and pervasively by millions of people around the country in their communities, causing them to censor themselves, fear displaying a political yard sign or t-shirt, and abstain from participating in events or activities that they feel may be targeted. Even for those who feel safe in their communities, hearing about incidents elsewhere can lead them to avoid political activities, opt-out of public service (including running for public office), or curtail their speech in person or online.

This means that confronting political violence is a deeply personal matter—it is about claiming, protecting, and strengthening our personal rights, freedoms, and security, as well as those of our communities. No one is immune from fear, and while some do not like to admit it, threats of PV can creep into decision making and cause people to modify their choices, speech, and activities. Some people may also be so accustomed to a baseline feeling of fear of PV that they assume it is normal. However, it is important to recognize that this state of affairs is not ok, and not inevitable. We must work together to reverse it.

IMPACTS ON DEMOCRACY

The threat of PV also has grave significance for democracy. Its impacts on individuals accumulate to the point where our shared system of government is undermined. To understand how this happens, it is helpful to briefly revisit the fundamentals of democracy in theory and practice.



We have a large, diverse, and vibrant country. Nationwide, Americans differ across generations, backgrounds, geography, lifestyles, cultures, wealth, income levels, professions, races, ethnicities, sexual orientations, genders, and religious and political beliefs, among other characteristics.

The ideal of democracy is that it can contain our population's differences and channel our views through debate, elections, the judicial system, and other institutional mechanisms. Political conflict among such a population is inevitable, especially during times of turbulent or rapid change, but democracy aims to remove the threat and use of violence as a way to resolve our differences.

To achieve this, democracy depends on a fairly high level of societal trust, as well as several institutional pillars:

- 1. Free and fair elections.¹¹
- 2. Widespread popular participation in elections. 12
- 3. Civil and political rights, particularly rights to free expression and assembly.¹³

¹¹ "Free and fair elections" means that elections must be open to a wide range of parties and candidates; all adult citizens must be able to participate without fear of casting their ballot; and all votes must be counted and registered in the final election result.

¹² "Widespread popular participation in elections" means that a large portion of the population participates in elections. To enable this, laws, rules, and practices must support civic participation, rather than create excessive barriers to it.

¹³ "Civil and political rights" means that people have rights to freely participate in public life, including speaking freely, forming associations, and assembling (which includes protesting), and to be free from discrimination. These rights support the free debate of ideas, enable individuals to hold government accountable, uphold equality, and

- 4. Free and independent media.¹⁴
- 5. Rule of law.15

All of these pillars are needed for democracy to function. A weakness in any one of them can spread to the others. Thus, the US Constitution guarantees rights of free speech, freedom of the press, freedom of assembly, freedom to petition the government for a redress of grievances, and due process under law. Public officials also swear an oath to uphold the Constitution and to faithfully exercise their duties in accordance with the law.

However, US democracy has also struggled in the past and at present. Historically it has failed to live up consistently to its stated ideals. For example, the federal, state, and local governments have been inconsistent in—and sometimes fallen egregiously short of—upholding democracy's pillars for some groups. Historically, rights have been denied to members of traditionally marginalized communities, often alongside the threat of political violence. Corruption has also undermined accountable government to varying extents. In addition, not all US government institutions are based on fully democratic laws or practices of equal and fair representation for all, including the way senators are elected (two senators per state, regardless of the state's population); the existence of the Senate filibuster; the persistence of gerrymandered legislative districts; the existence of the electoral college; various barriers to third party candidacies; and the fact that the population of Washington, DC, has limited voting rights.

The current wave of political violence compounds US democracy's existing problems. In fact, political violence is one of the greatest attacks on the US Constitution and one of the most corrosive influences on democracy. This is because it can undermine all of the democratic pillars. It is used in attempts to overturn elections; reduce voter turnout; push qualified candidates to avoid public service; spread fear about participating in public life; narrow debate, silence voices, and impede the free expression of ideas; intimidate a free press; and undemocratically influence the decision making of public officials.

Therefore, democracy and the presence of political violence are fundamentally incompatible. Political violence is a tool of <u>authoritarians</u>, and when it increases, US democracy is seriously undermined.¹⁶

protect groups that lose elections or criticize powerholders from persecution by incumbents in government. They are thus essential for democracy to sustain itself.

¹⁴ "Free and independent media" ensures an informed citizenry and serves as an additional check on potential government abuse. It is associated with rights of free expression.

¹⁵ "**Rule of law**" means that laws are upheld and enforced impartially. At minimum, this requires an independent judiciary, and ongoing efforts to curtail corruption.

¹⁶ For example, see: "Authoritarianism: How You Know It When You See It," Horizons Project.

Some may feel that the US version of democracy is already so ineffective that they are not motivated to save it. Yet while US democracy has flaws and need for reform, it still compares very favorably to more authoritarian alternatives.¹⁷ Quite simply, democracy holds an incomparable promise of progress, stability, and security for our country. To make good on this promise, protecting democracy—and hopefully ultimately strengthening it—is essential.

WHY WE MUST ACT

When threats achieve their intended results, they embolden those who use them. It's clear that inciting PV has become politically or economically profitable for certain individuals and groups. Some perpetrators also find threat–making to be psychologically gratifying. For these reasons, the very <u>small minority</u> in the US who incite, threaten, and enact PV won't stop on their own. We, the vast majority, must take action to stop them by imposing costs on their actions.



¹⁷ Research documents the many benefits of democracy over authoritarian governments on issues such as economic growth, peace and security, gender equality, social safety net spending, and other issues. See: "Case for Democracy," V-Dem Institute.

¹⁸ For more information on percentages of Americans that oppose or support political violence, see the **Appendix**.

We are not alone in this effort. The federal, state, and local governments, as well as nongovernmental organizations, have stepped up as well. A number of existing efforts are outlined in the **Appendix** of this guide, and they include actions such as:

- 1. Law enforcement responses, including passing new laws imposing penalties, and developing new government initiatives to address threats of PV.¹⁹
- 2. Litigation against groups that incite and threaten PV.
- 3. Allocating greater resources to the physical and online security of individuals and institutions.
- 4. Having politicians and other public officials denounce PV.
- 5. Calling for greater moderation of content by social media companies.
- 6. Calling for advertising boycotts of platforms that are deemed to tolerate inciteful rhetoric or threats.

Grassroots groups may want to support such efforts. They should also be aware of relevant state and federal laws that aim to address threats of PV (more information about these laws is available in **Part IV**).

However, it's also important to note that current government efforts to counter PV are not adequate by themselves. As the threat of PV rises, governments do not have the resources—and sometimes do not have the political will—to respond fully to this dispersed and growing challenge.²⁰ Critically, governments also have severe limits on the actions they can take regarding threats of PV, as First Amendment protections on free speech mean that the vast majority of threats are not prosecuted.²¹

The actions of advocacy organizations using tactics such as litigation, calls for moderation by social media companies, and calls for economic pressure on advertisers are also important, but they have also not been sufficient.

These efforts are incomplete because one of the greatest sources of power to counter political violence is currently under-engaged. Hundreds of millions of Americans find political violence unacceptable. Yet most have not been given much guidance on how to take actions that impose costs on perpetrators, or support victims.

¹⁹ For an example of government initiatives, see **Part IV** and for links to various government laws, see the **Appendix**.

²⁰ It should also be noted that while government and law enforcement bodies can sometimes be allies in countering certain forms of PV, in other cases they can themselves be enactors of PV.

²¹ For example, in 2022, the US Capitol Police investigated 7,501 threats made to members of Congress. This resulted in only 46 prosecutions (a prosecution rate of approximately 0.6%). This means that over 99% of threats made to members of Congress in 2022 led to no accountability in the criminal justice system. This issue is detailed in more depth in the **Appendix**.



This is a guide for these Americans in communities across the country. A key to turning the tide is having the majority stand up, organize, and build power locally so that they can make political violence backfire.

Part II of this guide introduces five principles for how to achieve this.

Part III applies these five backfire principles to current circumstances in the United States.

Part IV provides information on relevant laws that address political violence, as well as additional resources which can be helpful in planning backfire campaigns.

Lastly, any strategy should be based on available facts and clear analysis relevant to the problem. The **Appendix** provides background about the state of PV in the US today.

PART II

Making Political Violence Backfire: Five Principles

The United States is full of different values, views, and preferences, but hundreds of millions of us agree that democracy—and not political violence—is how we resolve our disputes.²² The power of our vast majority comes from acting together. We must push back against efforts by a small segment of the population that wants to use political violence to seize power, silence dissent, violate constitutional rights, and prevent fellow citizens and community members from engaging in civic life.

Standing up against these bullies may seem risky. Yet consider the alternative—civic disengagement because of apathy or fear, and assuming that political violence is only someone else's responsibility (i.e., government officials and law enforcement) to solve. Such a choice practically guarantees that political violence will get worse and that our democracy will continue toward breakdown.

Thus, we are at a crossroads, and there's little need to guess where each road leads. Our history is a clear guide. The US has a long record of threats and violence being used to restrict the franchise, suppress dissent, and invoke fear and terror. For example, this was the glue that held together Jim Crow and single-party white rule, particularly in the US South. Left unchecked, this kind of toxic mix threatens to move our nation to a time where we may still have elections, but fear of PV is widespread and our rights are not respected. In such a country, independent journalists would be persecuted, legislative and judicial branches would be subverted, and rule of law would be further eroded from corruption, bias, and threats.

Conversely, in US history, democratic progress has been achieved when thousands or millions of people across the country have organized together, exercised their rights of free speech and assembly, participated in elections, and ensured that abusive powerholders are held accountable. This has happened in spite of intimidation and political violence—for example during the women's suffrage movement, the labor rights movement, and the Civil Rights movement.

²² For more information on percentages of Americans that oppose or support political violence, see the **Appendix**.

"The path we choose will determine whether the current trend of political violence and intimidation fades or gives way to something even more sinister. Our democracy's health and our nation's stability depend on our collective response to this dangerous turn."

- Barbara McQuade, former U.S. attorney

This choice to stand up is deeply personal, and once we make that decision, we have to figure out how best to advance our goal and what roles each of us can play. Some people may have free time, political experience, and a high tolerance for risk. Others may feel stretched thin—with little time, risk tolerance, or confidence that they can make a difference. Yet people in both of these circumstances can contribute and are needed. This guide exists to help generate options for community members with various backgrounds, skills, and resources to coordinate their efforts into a common strategy to make political violence backfire. There is a role for everyone.

THE BACKFIRE MODEL

The primary strategy outlined in this guide is based on the "backfire" model. The goal of this model is to make sure that when any kind of political violence takes place, perpetrators face high costs for their actions. When their actions are counterproductive for them, their actions can be said to backfire.

The costs imposed on perpetrators can take two forms. First, there are direct losses—including a loss of political support, a loss of social standing, economic losses, and in some cases being held legally accountable. Second, there is increasing support, power, and mobilization by those who oppose political violence—for example by rallying around people who are targeted by political violence, engaging in greater voter registration and turnout, pushing for new laws to be passed and enforced, and supporting many other efforts that run counter to the goals of the perpetrators.

An advantage of the backfire approach is that it provides both offensive and defensive options. Through undermining perpetrators and simultaneously strengthening groups targeted by PV, it can shift incentives so that political violence is no longer profitable for

individuals and groups. Once the threat of political violence is seen as a political, economic, social, or legal liability, it becomes much easier to deter.

The backfire model is based on research done by scholar Brian Martin and others, and much of the content in this section draws from their work.²³ Martin and others have examined instances around the world in which a wide range of abuses (especially those involving violence) backfired, as well as instances where they did not. Over time, Martin identified five methods that perpetrators rely on to try to inhibit outrage and minimize backfire against injustice. These methods are:

- 1. **Cover-up** Hide the unjust actions, deny they ever happened, and prevent word from spreading about them.
- 2. **Devaluation** Try to lower the social standing of the target.
- 3. **Reinterpretation** Attempt to downplay the amount of damage caused by the injustice, portray the injustice as unavoidable or for a greater good, and/or deflect blame to others.
- 4. **Official channels** Set up inquiries and investigations that move slowly, limit public visibility or input, rely on technical rules, and provide only the appearance of justice.
- 5. **Intimidation and rewards** Threaten people who may speak out against injustice, and reward people for remaining silent.²⁴

Often these methods are effective at preventing or reducing backfire. However, sometimes the perpetrators' tactics fail, and backfire occurs. When it does, it is often because people relied on five principles (which can be remembered as the "5 Rs" below) to heighten outrage and increase mobilization against injustice. These principles are:

- 1. **Reveal** Expose the injustice.
- 2. **Redeem** Validate the target.
- 3. **Reframe** Interpret the event as an injustice.
- 4. **Redirect** Mobilize support and avoid official channels.
- 5. **Resist** Resist intimidation and bribes.²⁵

Each of these principles is discussed in general below. Then in the following chapter they are applied to the specific problem of political violence in the US.

²³ Martin and others have written extensively about backfire. For a list of writings on this subject, see: Brian Martin, "Backfire Materials."

²⁴ Brian Martin, *Backfire Manual: Tactics Against Injustice* (Sparsnäs: Irene Publishing, 2012), 8-10.

²⁵ Martin, *Backfire Manual*, 10-12.

REVEAL: COUNTERING COVER-UP

The first tactic of abusers is to try to cover up injustice. They claim that the injustice didn't happen, or seek to reduce distribution of news about the injustice. Sometimes those who have suffered may also contribute to the cover up by refusing to speak up or share information about the injustice publicly. While this can be frustrating, people who have suffered abuse may have significant fear about being targeted further if they step forward, speak openly, or share evidence.

Yet in order for injustice to backfire, it must be **revealed**. The methods used to do this will depend on specific circumstances—for example, in some cases, revealing can happen through research and other forms of evidence gathering, or through detailed interviews with people who have suffered abuse (and whose consent should be secured before sharing this information more widely). Sometimes activists can also create conditions where cover–up of a potential abuse is more challenging, such as when activists all carry cameras and plan ahead for sustained documentation of public actions, which alerts possible perpetrators in advance that they will be recorded.

Once verified evidence is available, however, it must also be presented in a way that seems credible, and distributed. What is perceived as credible depends on the audience—some audiences are interested in data. Some are interested in stories. Some will find evidence more credible if presented by a person of a certain background or profession, or through a certain kind of media outlet.

In addition, the timing and manner in which activists reveal injustice matters. For example, revealing threats or violent incidents without advance planning may inadvertently *increase* public fear and *decrease* the potential for mobilization, which makes backfire less likely. However, with advance planning, activists can reveal evidence of threats or violence while simultaneously showing determination to stand up to the perpetrators, alongside a specific call to action for community members.

REDEEM: COUNTERING DEVALUATION

Devaluation is "lowering the status or opinion of a person or object" with the goal of making violence or other abuse toward them seem more acceptable. Perpetrators attempt to devalue the people they abuse through a variety of means, including by sharing (directly or through rumors) damaging information—which may be false—about a person who was abused. They may also label a person as a terrorist, criminal, or political extremist. In doing so, they often play to prejudices that are present in society, such as attitudes of racism and sexism.

Perpetrators may further try to provoke a targeted person into saying or doing things that can be used against them. For example, by taunting people, hurling deeply offensive

²⁶ Martin. 24.

insults, or attacking them physically in hopes of creating a counterattack, perpetrators may attempt to create an incident that helps them further devalue those they abuse.

The counter-tactic to this is to humanize (redeem) those who have been abused and to reduce the social distance between them and the broader audience. Humanizing people, providing context and details about their lives, elevating their positive values (which they may share with the broader audience) and actions, and having others (especially those in roles that the audience trusts and respects) speak up on their behalf can all help to counter devaluation. Photos and video may be very helpful to communicate this as well.

In addition, advance training and adopting a code of conduct (which is addressed further in Part III of this guide) for political activities can be helpful in inoculating targeted individuals from being provoked by perpetrators.

In general, it is important to anticipate devaluation attempts and be prepared to address them quickly through any or all of the following: facts and evidence, counter-attacking perpetrators, using humor, and relying on trusted intermediaries.

REFRAME: COUNTERING REINTERPRETATION BY PERPETRATORS

Alongside devaluation, abusers will attempt to reinterpret an incident to make it seem like their abuse did not do much damage (minimizing), was necessary for the greater good (framing), or was not their fault at all (blaming). Sometimes outright lying about various details is also part of their repertoire.²⁷

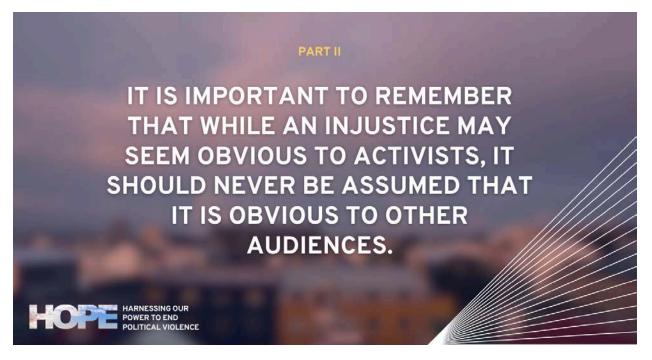
As an example, during its global war on terror, the United States used <u>numerous tactics</u> of torture.²⁸ In an attempt to minimize outrage against these techniques, US officials referred to these as "enhanced interrogation" tactics rather than torture (minimizing). They further claimed that these tactics were legal and necessary (framing), even though torture has a poor record of producing reliable and credible information. When evidence emerged that US guards tortured prisoners in the Abu Ghraib prison in Iraq, investigations were launched. Senior officials blamed soldiers at the prison for the abuse (blaming), while soldiers claimed that they were following orders and/or that their superiors were aware of the abuse. Yet no senior US officials were ultimately charged.

Similarly, after incidents of police brutality are uncovered, police departments may claim that the brutality was not that severe, that police were simply doing their jobs and ensuring public order, and that any police abuse was solely the result of misjudgments by the police present and not indicative of any systemic problems in the police department. In response to further pressure, they may also offer to conduct an internal investigation of the matter.

²⁸ Reed Brody, Getting Away with Torture: The Bush Administration and Mistreatment of Detainees (New York:

Human Rights Watch, July 2011).

²⁷ Martin, 26-28.



Countering these efforts requires **reframing**. Documentation about the impact of and damage from the abuse can help neutralize the perpetrators' narratives. Communicating why the abuse was not justified and why it violates laws or widely held values is also vital. Communicating who should be held accountable for the abuse (for example, reframing abuse from an individual problem to a systemic problem) is also important. Weaving these aspects together into clear narratives and choosing trusted messengers to deliver these narratives can further increase impact. It is important to remember that while an injustice may seem obvious to activists, it should never be assumed that it is obvious to other audiences. Therefore, activists must put facts into context by developing narratives that show the moral outrage of an abuse and mobilize a broader constituency to get off the sidelines.

Since perpetrators almost always attempt to reinterpret their abuse, it is also important to anticipate this tactic and be prepared to quickly counter it.

REDIRECT: NOT RELYING ON OFFICIAL CHANNELS TO DELIVER JUSTICE

When efforts to cover up, devalue, and reinterpret fail, perpetrators try to divert action into official channels such as an investigation or inquiry. These institutional processes have many varieties: Some are internal (such as a government agency investigating their own employee) while others are independent. Some are closed-door while others may be covered live by media outlets. They also often have technical rules about who is allowed to testify or offer information, and how that information is considered. Perpetrators prefer inquiries that are internal and closed-door. However, even public and independent investigations can still result in decreased public mobilization. This is because they tend to work slowly, focus on technical procedures, rely on experts, and

give an appearance that justice will be done.²⁹ Therefore, relying on them can drain grassroots energy. Moreover, once people are demobilized, inquiries may become less aggressive in pursuing the truth.

In the face of such institutional processes, activists have many options, including supporting the process, criticizing the process, making demands of the process, launching their own parallel process, or using the institutional process as a campaigning tactic.³⁰ However, the key point to remember is that activists must not rely solely on the process to deliver justice. Instead, they must continue to **redirect** public outrage toward mobilization. The issue must remain alive among members of the public, so that those who oppose injustice continue to build their strength and exert ongoing pressure.

RESIST: STANDING FIRM AGAINST INTIMIDATION AND BRIBERY

A final tactic used by perpetrators to try to inhibit public concern is to threaten those who speak out or organize against injustice. They may also try to bribe, reward, or otherwise co-opt people into remaining silent or demobilizing. This may extend beyond just targeted activists—sometimes perpetrators may further try to silence activists' family, friends, and colleagues.

Yet, threats and attempts to reward silence are risky for perpetrators, because activists who **resist** them can also turn these actions into catalysts for more backfire. As with other backfire tactics, preparation here is key. Anticipating intimidation and rewards, activists can warn their friends, families, and colleagues of such efforts, prepare to document these efforts, and develop strategies to make them backfire if or when they happen. Furthermore, being public about the fact that a group is prepared for threats may actually have a deterrent effect on perpetrators, making them aware ahead of time that such tactics will be used against them in "the court of public opinion," and possibly also even a court of law.

The backfire model outlined above is designed as a tool to help community members and activists. It is based on tried-and-true principles that have been applied in a variety of cases around the world. The model can be quite useful in coordinating and organizing campaigns to counter abuse, and it can further help people anticipate the kinds of actions that perpetrators will take.

However, the model is also not a formula, and it can't tell people exactly what to do. For example, it doesn't address what specific tactics people should take in a given circumstance (i.e., holding a press conference, launching a social media campaign, protesting, lobbying politicians, launching a boycott, or various forms of labor or school strikes). It also doesn't provide answers about what specific demands or goals people should make when they employ backfire methods.

²⁹ Martin, 29-31.

³⁰ Martin, 83-84.

Part of why the model doesn't directly address these issues is because every circumstance is different, and local activists and community members will have the best knowledge of their particular context, and thus the particular options that make the most sense for them.

This guide can't specifically answer questions for every context, but the following chapter shares some considerations about applying these principles in the US against political violence.

PART III

Applying Backfire Tactics in the US

The backfire model can be applied to a wide range of injustices, including harassment, threats, doxing, and physical violence. It can also be applied at various scales—the model can be helpful in thinking through community responses to large-scale events such as the January 6, 2021 insurrection at the US Capitol, as well as highly localized circumstances, such as threats by an individual against an election worker.

At the same time, the backfire model is only a tool to help people think through options. It cannot tell people what specific actions to do, what messages to use, or what demands to make in any particular case. Those decisions must be based on the details of a particular incident and the decisions of activists and community members who know those details.

However, we can begin to apply the backfire model to the problem of political violence in the US in general and share considerations for its use. Commentary on the five backfire principles and related areas (such as preparation and setting goals) is included below.



PREPARATION

A common theme in the backfire model is the importance of preparation. The model allows people to anticipate the kinds of tactics that perpetrators will use against them ahead of time, which means that people can prepare ahead of time to counter these tactics.

One aspect of preparation is obtaining background knowledge about political violence in general (such as in the **Appendix** of this guide); specific details relevant to your state and county (such as relevant laws and resources covered in **Part IV**); and past incidents of political violence that have happened in your community. You will also likely want to map and identify potential allies—including other community members and activists, community leaders and groups, businesses, journalists, lawyers, political officials, or members of law enforcement who could potentially be helpful under some circumstances at preventing PV or fostering backfire.

Another aspect of preparation is finding other people with whom you can organize. Even when a group is small, it can be much more powerful than acting alone. It is beyond the scope of this guide to discuss various aspects of forming a group, but talking with your own friends, neighbors, colleagues, or acquaintances, and building out from there, is a simple way to begin.³¹

In addition, since community mobilization is a key part of backfire, it can help to offer people proactive training on the backfire model and action planning. Mobilization is more effective when it is well-organized, so setting a code of conduct for possible public actions such as protests can also be established as part of a group agreement. For reasons we will detail subsequently, a commitment to nonviolent means is essential to ensuring that your responses to political violence do not end up backfiring against your own group.

To manage the process of preparation and potential future mobilization, you may also want to establish a division of labor within your group. Some possible roles include:

- **Researcher** Obtains specific background knowledge about laws, institutions, political violence, and available resources to support backfire.
- Messaging and Communications Lead Develops messaging and communications, and distributes talking points when needed.

³¹ For some ideas on group formation, see <u>Hold the Line: A Guide to Defending Democracy</u>. It addresses forming local election protection teams and offers potential team meeting agendas on pages 23-37. You can apply some of the same ideas to forming a team for a backfire campaign.

- Liaison Relationship Builder Identifies potential allies and conducts outreach to them, or delegates the task of outreach in cases when another group member has a better connection.
- Press Liaison and Spokesperson Builds connections with journalists, is the
 point of contact for media inquiries, and is the default spokesperson (although
 maximizing backfire may require different spokespersons at different times,
 depending on the details of a specific incident and particular audiences that may
 need to be reached).
- **Recruitment and Training Lead –** Recruits and trains new members.
- **Action Planning Lead** Leads planning efforts for actions that involve community mobilization.
- **Early Warning Lead** Tracks social media and other channels to determine likely targets and timing for threats of PV.

You will also want to consider whether your group will have a particular focus. For example, will you get involved in trying to make any case of political violence backfire, or will you focus primarily on a particular geographic region or a certain kind of victim (such as election workers, specific community members or groups, or people who hold certain political leanings)? Threats of political violence are targeted at individuals from both major political parties, and perpetrators aim to silence moderate and independent voices so that hardliners prevail. So for example, if your group has strong political leanings in one direction, would your group take action, and what kind of action might you take, if someone with very different political leanings (e.g., in a different political party) were threatened?

Lastly, when political violence seems likely to happen soon—or right after it takes place—your group may also want to quickly engage in a scenario planning exercise, before you take any public action. Doing this involves brainstorming how the perpetrators will use five methods to inhibit outrage, as well as how your group can use the five backfire principles to counter them. Alternatively, you may want to create a simulation where one part of your group plays the role of the perpetrators and other people are assigned to different roles (i.e., community organizations) to game out a few different backfire scenarios.

All of these preparations and organizing will make your efforts more effective, and if you communicate some of them publicly, they may also have a deterrent effect on PV itself. Potential perpetrators may hesitate if they realize they are facing a team that is well-prepared to ensure that they will pay a cost for any abuse.

SETTING GOALS

If you develop a backfire campaign against PV, what goals should you have and what public demands should you make? The backfire model says little about these important topics because they are based on a number of factors that will vary depending on particular circumstances.

Some of your goals may be based on *building capacities within your group*—for example, you could set a goal that you will increase your number of trained supporters by 50% over the next month.

Other goals may be more directly tied to *creating backfire in a particular incident*. For example, in response to recent acts of property destruction meant to intimidate political officials in this city, we will register 20,000 new voters prior to the voter registration deadline for our upcoming election. We will raise \$20,000 for candidate A in response to incitement of threats against them. We will publish five stories (articles, op-eds, letters to the editor) in local news sources this month that advance the five backfire principles. We will develop a coalition of at least three community groups from various political backgrounds to take a public stand against PV within the next two weeks.

Your group may also choose to *issue certain demands*—clear and direct requests of specific powerholders. For example, we demand that all police chiefs in our county commit to conducting political violence awareness and response training among their officers by the end of 2024. We demand that the state legislature appropriate \$10 million to increase investigatory capacity toward threats of PV by the end of the current legislative session. We demand that Congressman B issue a statement within the next 24 hours clearly denouncing incitement to PV by his supporters. We demand that the following major donors to Congressman C publicly state they will discontinue their contributions to him based on his support of political violence, or else we will call for boycotts of their businesses within one week.

How do you know which goals to set and which demands to issue? Two guidelines may be helpful here.

First, **listen** to those who have been targeted by PV, those who are impacted, and those who are in positions of power to do something about the problem. Ask them what they need. Maybe they are afraid to speak out publicly, but they encourage you to speak on their behalf. Maybe there are pieces of legislation or goals that they want to advance, but

they cannot advocate for them in their current position.³² Maybe they are seeking allies or resources that your group can connect them with? Or maybe they want to play an integral role in developing a response to the particular incident affecting them? You won't know until you develop trust with them and ask what they need. Their responses do not need to dictate your actions, but it is important to consider them.

Second, seek to **build power** among those who oppose PV. This is one of the great advantages that community responses have over government responses. Governments can try to prevent political violence, or to prosecute those who break a law. But government responses generally do not strengthen those targeted by PV, or directly counter the political aims of the perpetrators. In contrast, community responses do not face these limitations. For example, if a particular candidate is targeted with threats, a community can respond by holding fundraisers and volunteering to work for the threatened candidate. This kind of response ensures that when political violence is used, it results in greater organization and empowerment of the community and strengthens the target, which runs directly against the political goals of the perpetrators.

In this regard, the five principles of backfire are an empowering mix of defense and offense. They aim to simultaneously block the agenda of the perpetrators and to strengthen those who oppose them. Further considerations on applying these five principles are below.

PRINCIPLE 1: REVEAL

Physical political violence is generally difficult to cover up, and therefore easy to reveal.

However, threats and other forms of PV are often much easier to cover up, especially because victims may fear reporting threats, and threat–makers may remain anonymous. Moreover, even when threats are publicly revealed, they tend to receive much less public attention than physical political violence. This is why threats and other forms of intimidation are so widely used and have done so much damage to our democracy. They usually don't backfire by themselves—it takes extra work by community members to make them costly for perpetrators. Perpetrators are also well aware of this, which is why most avoid committing actual physical political violence.

³² For example, a number of organizations have released resources that offer policy and practical recommendations to counter PV, and these are listed in **Part IV** of this guide. However, some people in government positions or other roles in society may not always feel personally comfortable voicing loud advocacy for various policies, even if they strongly support them.

"Online harassment, threatening phone calls, or repeated notes in a mailbox are not the same as a brick through a window, but they can have a similar psychological effect."

- Jennifer Dresden and Ben Raderstorf, Protect Democracy

Another factor to consider is that once political violence of any kind—whether a threat or a physical act—is revealed, how do you address the risk that exposing it could amplify its negative effects, and thus lead to greater fear and demobilization by the public?

There is no single answer to this question, but there are some considerations. First, you can make contact with the victim of political violence, listen to their needs, and seek their consent to make details of their incident public. Find out if they are willing to speak about the incident, or provide specific evidence of the incident (i.e., photographs or video, a copy of a threatening email, social media post, recorded message, or a letter sent in the mail).

Second, if you choose to try to make an incident of political violence backfire, reveal it publicly in the time, place, and manner that is most advantageous for your goals. Plan your message ahead of time. Think through who should speak about the incident (speakers may be based in part on who can generate attention and be seen as credible by various audiences). Sharing specific details and visual evidence may help it get more media attention.

To mitigate fear that may result from exposure to incidents of PV, details of those incidents can be accompanied by public messages that show resilience, strength, and determination, such as:

- 1. The community is strongly resolved to stand up to bullying.
- 2. The community rejects the use of political violence against anyone, including those with whom we may disagree.
- 3. There is safety in numbers—the vast majority of people oppose PV, while only a very small minority support it.
- 4. Those who oppose political violence are united, organized, and have a plan.
- 5. Those who oppose political violence are prepared to take action to counter it, and here are some actions that community members can take to do so....

- 6. There are many ways for community members to contribute to countering political violence, including lower risk options.
- 7. The law is on our side.
- 8. The stakes of this fight are not just about an individual, they are about determining the kind of society we live in—a democracy that advances toward greater rights and freedom, or an authoritarian society in which fear and violence are allowed to dictate people's public and personal decisions.

These messages can be communicated not just through words, but also by images and actions, such as by showing diverse community members standing together, or launching other public actions that show strength, courage, and unity (examples of several real actions that have been carried out are listed under Principle 4: Redirect).

PRINCIPLE 2: REDEEM

Perpetrators often viciously attempt to devalue those they abuse. This is a particularly damaging practice when amplified by social media. Moreover, perpetrators may feel no need to adhere to facts in their attempts to devalue the victim—they may develop and propagate blatant falsehoods.

Yet the messaging advantage can be with those who oppose political violence, if they are organized and able to use it. There is a much larger audience of people who are receptive to the idea that political violence is wrong, although reaching this audience takes work. Some options to consider in redeeming those targeted with political violence include:

1. Use of surrogates

Find a range of people who are well-respected or have shared identities with different segments of the broader community and who are willing to speak about the incident. In general, the closer a speaker is to the community, the better (this means that getting trusted local leaders to speak can sometimes have more impact than getting state or national leaders). In addition, getting someone with high visibility—a political leader, a celebrity—to take a stand and generate attention can be helpful.

2. Appearance

Think intentionally about the appearance and images of the person who was victimized as well as those who stand with them or speak about them. Should they wear more formal dress and play to the idea of high status? Should they wear casual dress and convey approachability and neighborliness? If uniformed professionals (i.e., doctors, nurses, police) appear alongside them, do they wear their uniforms? There is no single right answer to the question of appearance, but

when attempts are made to devalue the victim, it is important to think of the range of attacks that may come and to think of the range of options to counter them in word, deed, and image.

3. Conduct

How does the victim act? What is their demeanor? Do they express sadness, anger, resolve, calmness, or outrage? Are they prepared to respond in a disciplined way to provocations that may be directed at them in ensuing days and weeks?

4. Values

Are there widely shared values or identities among members of the audience that the victim can appeal to through speech, symbols, or actions?

In addition, when devaluing attacks come, it is also important to consider options for response. For example, scholar Brian Martin outlines four possibilities:

1. Ignore the attacks

You may ignore an attack if you think it is not widely circulated (such as a single social media post that gets little traction) or will be seen as absurd and not credible. Yet how do you know if the attack will be deemed credible or not? Some things to consider are whether the attack builds on pre-existing attitudes in the community, how often it is repeated, and whether some in the community believe the attack comes from an authoritative source. When a claim confirms people's pre-existing biases, is frequently repeated, or comes from a source that some people respect, they are more likely to believe the claim, even when it is false.

2. Make a rational, factual response

You can choose to respond to an attack with clear logic and evidence, such as documents and testimonials. When you can factually rebut the attack and produce evidence to support your claims, independent journalists in particular may be more likely to be swayed by your response.

3. Counterattack

Refuting the attack briefly and clearly, and then pivoting to a counterattack is also an option. Counterattacks are generally more effective when they call into question the ulterior motives of the perpetrators. In this way, they name the game that perpetrators are playing and show how perpetrators are cynically trying to manipulate public opinion. Doing advance research on likely perpetrators can help sharpen counterattacks and quicken your reaction time. To maintain your own credibility and prevent possible claims against you, it is essential that counterattacks be grounded in facts.

4. Use humor

You can mock the attack. This option can be more powerful than some assume. Mocking an attack can show that the attack should not be taken seriously, highlights the absurdity of the perpetrators' actions, and communicates that you are not afraid. For example, many politicians counter or deflect criticism by using humor in their political advertising. The same principle can apply in backfire.³³

Deciding which approach to use depends on the circumstance. To help you determine specific options in a situation, you might split a group of supporters into three subgroups. Each subgroup is then tasked with developing a response to an attack either factually, through counterattack, or humor, and then you compare which response seems most effective or combine some aspects of each. Alternatively, you may determine that no response at all might be your best option.

PRINCIPLE 3: REFRAME

As inciters, threat–makers, and enactors of political violence attempt to devalue their victims, they also simultaneously reinterpret events.³⁴ For example, they may attempt to downplay the damage done, such as when some claimed that the crowd at the January 6, 2021 insurrection at the US Capitol was not that violent. They may further reinterpret political violence as virtuous, for example by referring to violent individuals as "patriots," or by referring to those convicted of violent acts as "political prisoners" or "hostages." Another variation of this is to claim that perpetrators were justified in using violence under self-defense or "stand-your-ground" laws.

Those who incite PV may simultaneously try to deflect blame from themselves by distancing themselves from specific events—for example, by claiming that those responsible were a small group of individuals, rather than part of a broader problem of political violence that inciters contribute to. Some inciters may also try to reinterpret events by claiming that any violence was actually a result of actions from the other side (for example, falsely asserting that the anti-fascist group Antifa instigated violence at the US Capitol on January 6, 2021).

These claims may seem laughable, especially in the face of widely witnessed and obvious incidents. But when the claims are repeated often enough, they have an effect, so they must be countered consistently.

Reframing is the opportunity to do so. Redeeming is about validating the victim. Reframing then casts that victim, the perpetrator(s), acts of political violence, the damage done by those acts, and the broader context into a coherent *narrative*. This

³³ Martin, *Backfire Manual*, 69-71.

³⁴ The roles of inciters, threat-makers, and enactors in perpetrating political violence are outlined in the **Appendix**.

narrative raises the meaning and significance of events, articulates the need for a response, builds your base of support, isolates the perpetrators, and conveys legitimacy on a community's demands as well as subsequent actions to counter political violence.

However, not all acts of political violence are easy to reframe. The damage done by physical violence tends to be easier to communicate. But the damage done by threats is often harder to communicate, because threats do not always leave visual signs. In fact, no physical violence at all needs to be done to have a major impact. The damage of threats alone has numerous components—such as fear, psychological symptoms, monetary costs, and other effects, as outlined in the **Appendix**.

In addition, the damage done by all forms of political violence is not just to the individual, but to society as a whole. Targeted individuals are often portrayed as the only victims, but every onlooker who feels fear is also affected. These effects accumulate over time and democracy is undermined in the process. Communicating this can be a challenge, but the growth of research and polling data on PV (some of which is cited in the **Appendix**) in recent years allows this case to be made effectively.

Addressing the question of who is responsible for an incident of political violence is also an important part of reframing. Inciters create enabling conditions for political violence, yet so often they are then allowed to distance themselves from its impacts and deny their role in the process. They also often face little or no legal accountability. Therefore, you may want to develop narratives that connect inciters to threat–makers and enactors, and show the damage that they do collectively to individuals and our society.

Communicating these points can be part of reframing. The **Appendix** in this guide offers data and research to help you do so.

Considering Different Audiences

Narratives build on facts and data and connect them to tell a story. They are designed to reach different audiences and impact attitudes and behaviors.

This raises the question of what groups you prioritize reaching with your narrative(s), and how you want to reach them. One way to consider this is for you to identify five categories of audiences:

1. Active Allies

Those who are currently actively engaged in countering political violence.

2. Passive Allies

Those who are opposed to political violence, but are currently taking little or no action to counter it.

3. Neutral Groups

Groups that are unaligned or unengaged on the issue of political violence.

4. Passive Opposition

Those who support or enable people who perpetrate political violence, but don't actually engage in incitement or political violence themselves.

5. Active Opposition

Those who currently actively engage in incitement or political violence.³⁵

The largest group among those five categories is passive allies. Developing a narrative that can activate and engage them is a major part of making political violence backfire. Using language, symbols, and messengers that resonate with them can increase your impact. Even if previously passive allies begin to take small actions—like making a small political contribution, displaying a symbol, or committing to voting only for candidates that don't support or enable political violence—the sheer number of individuals taking these small actions is incredibly powerful.

Your narrative may also seek to motivate your active allies, nudge neutral groups and fence-sitters to express their opposition to political violence, or seek to shift passive opposition to become more neutral. If you accomplish these goals, you continue to build your strength and isolate those who actively oppose you.

Some may argue that it is also important to try to depolarize politics by trying to shift the opinions of members of your active opposition. However, attempting to do so is often not the best use of time and energy in a backfire campaign, nor is it necessary in order to change their behavior. If those who actively oppose you recognize that they lose support every time they engage in political violence, many will realize that they need to shift their activities, even if they have not had a change of heart.³⁶

Ensuring that Your Narrative Does Not Backfire Against You

Moving a variety of groups closer to your side is often essential to making political violence backfire. However, not all narratives are equally effective at achieving this, and some narratives and actions you take could even backfire against you. Political violence can evoke strong emotions, like fear or hatred, among targeted groups. When these emotions predominate in the resulting narrative, you may express outrage that speaks

Analyzing these five audience segments can be useful in developing narratives, communications, and actions. However, as you consider which groups fall into which of these five categories, it is also important to remember that there can also be significant variation within groups. Most groups are not monolithic. For example, while most members of a particular organization may be neutral, some may be passive allies, while others may be passive opponents.

³⁵ These five audience segments are based on the Spectrum of Allies strategic planning tool. For more information, see: "Spectrum of Allies," 350.org. https://trainings.350.org/resource/spectrum-of-allies/.

³⁶ There are many valuable initiatives to depolarize US society right now, to foster dialogue across political differences, and to moderate political extremism. These are important efforts, but they are different than trying to make political violence backfire. However, both methodologies (backfire and bridge-building) can be complementary and play a role in reducing support for political violence.

primarily to your current active supporters, while simultaneously estranging passive allies, driving passive opponents to become more active, and reinvigorating your already-active opponents.

"Amid the deep grief, fear, division, and anger that characterize this moment, our words matter more than ever. It is easy to feel that in moments of intense emotion and high stakes—such as this one—exceptions or justifications can be made. It is in fact just the opposite.... These moments mandate that we take the strongest care to use our words responsibly, and to proactively address communication that paves the way for violence."

Over Zero, "A Refresher on Narratives & Violence"

Fortunately, this possibility can be minimized. To ensure that your narrative doesn't backfire against you, it's important to understand the rhetorical strategies of those who incite political violence. You can then develop a narrative that weakens, rather than reinforces, theirs. There are numerous studies of extremist rhetoric, and the organization Over Zero has prepared a useful <u>overview of core points of political violence narratives</u>.³⁷ Key elements of these narratives include:

- 1. The identification and dehumanization of a group that is deemed a threat.
- 2. Creation of a clear unifying identity of people who are being threatened by the dehumanized group.
- 3. The assignment of collective responsibility for the threat to all members of the dehumanized group. The assertion that no one who is part of the dehumanized group is innocent.

https://www.projectoverzero.org/media-and-publications/a-refresher-on-narratives-and-violence.

³⁷ "A Refresher on Narratives & Violence," Over Zero.

- 4. Casting one's own side as victims of the other, threatening group. This can even happen when one's own side controls many formal levers of political and economic power.
- 5. Escalation of the threat to existential proportions—instead of a rhetoric of "us versus them" (which you can have in a democracy, and which can be resolved through regular elections or the legal system), the rhetoric of political violence becomes about "us OR them." Mutual coexistence is deemed impossible. This effectively eliminates the opportunity for compromise, provides a justification to overturn democratic outcomes that extremists do not like, and marginalizes moderates who may question violent rhetoric or aim to build bridges to the other side.
- 6. The elevation of violence as the means by which conflict must be prosecuted. Violence is framed as heroic, patriotic, strong, and necessary to protect one's own community, family, and identity. It is also portrayed as a pathway to a better future. In this way, normal taboos about using violence are overridden because violence is argued to be necessary in order to protect one's loved ones and to advance a higher cause. This enables people simultaneously to perpetrate violence, claim victimhood, and feel that they are morally upstanding in spite of their own actions.

It's important to note that these elements of violent extremist rhetoric do not need to be true in order to be believed. Threats can be fabricated. The idea of an existentially threatening "other" group can be imaginary. Inciters may be well aware of this and not believe everything they say. However, their listeners and followers, who may make threats and enact political violence, may believe this rhetoric fully. Inciters then continue to frame political differences in existential terms in order to keep their listeners and followers scared and engaged. This can include include outlandish claims that are believed by their followers but sound ridiculous to others. It seems absurd that a highly armed man can cast himself as a victim while violently threatening an unarmed protester. Yet the threat-maker may actually believe that he, himself, is the one who is most threatened.

Understanding this rhetorical strategy allows you to develop narratives that effectively counter political violence, rather than reinforce it. Over Zero offers <u>several suggestions</u> in this regard. First, they emphasize the importance of intentionality and tone in setting a narrative, stating:

Words make worlds. Amid the deep grief, fear, division, and anger that characterize this moment, our words matter more than ever. It is easy to feel that in moments of intense emotion and high stakes—such as this one—exceptions or justifications can be made. It is in fact just the opposite. In these moments our words can most directly lead to further violence. These moments mandate that we take the

strongest care to use our words responsibly, and to proactively address communication that paves the way for violence.³⁸

They then provide a number of options for countering such rhetoric, some of which are included below alongside additional commentary:

- Avoid dehumanizing other groups directly or in metaphor.
- Do not frame an entire other group as a threat. Focus instead on the specific threatening actions of specific people.
- "Undermine ideas about groups sharing an essence or being all the same...."
 Highlight the diversity within your group, to counter dehumanizing rhetoric. If someone in your group does something that merits public criticism, you may criticize the individual and simultaneously point out that this person's actions do not represent your entire group.
- Create a narrow "them" (focusing on specific individual behaviors) and make a broad "us" that includes a wide range of people opposed to political violence.
- To counter the "us OR them" mindset of violent groups, "consider highlighting all groups' mutual interdependence, that our futures, safety, and security are bound up with one another."
- "Bolster identities that cut across dividing lines ('cross-cutting identities').... These identities can be local community identities, shared interests (sports), common experiences (motherhood)," shared professional identities, or shared histories and experiences.
- Develop unifying identities that "don't require your audience to lose their existing ones: It is much easier to build a new identity than it is to abandon an existing one (for instance, 'Boston Strong' following the Boston Marathon bombing)."
- "Build and maintain strong social norms against dangerous rhetoric and violence: Show that most people within your group or community disapprove of violence and division and want a different path forward."
- "Showcase and celebrate helping actions or different groups working together... to grieve losses, reject violence, and work for peace. Stories and images are powerful in part because they act as 'social proof,' or evidence, and help to establish or reinforce positive norms. These stories can model the larger 'we' and can undermine negative perceptions between groups."
- "Showcase targeted groups' warmth (compassion, caring for others) and competence (complex emotions, responsibility).... One way to bolster a

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³⁸ Over Zero, A Refresher on Narratives & Violence.

perception of a group being 'warm' is to showcase members' positive intentions or helpful, altruistic, and care-taking actions towards the larger community."³⁹

"To be a patriot is to seek truth and promote nonviolence."

- Barbara McQuade, former U.S. attorney

Incorporating the above aspects into your narrative and reframing efforts can be challenging. When your group is being dehumanized and threatened, it is sometimes easier to fall into dehumanizing and framing another group as a categorical threat. Yet this kind of narrative can play into the hands of inciters and work against you. Certain actions can have this effect as well. For example, choosing to carry guns for protection from politically violent groups can provide a powerful visual image that these groups can use to inflame their base and feed into rhetoric of an existential threat that they claim justifies their violent response.

PRINCIPLE 4: REDIRECT

The backfire model has been applied in many cases where government is complicit in abuse and institutional processes serve (deliberately or inadvertently) to inhibit outrage. Yet in the case of countering political violence in the US right now, government may at times be an ally and institutional processes (e.g., criminal prosecutions, civil claims of defamation, the legislative process, and elections) all have significant and at times constructive roles to play.

This potential for alignment with government in countering some cases of political violence is an opportunity that we will discuss further. However, it is also important to remember that even with a friendly or allied government, focusing on public mobilization to counter political violence remains centrally important, and relying primarily on institutional processes to deliver justice may inhibit public mobilization and backfire. Here are some reasons why:

³⁹ Over Zero, A Refresher on Narratives & Violence.

The Legislative Process

In Congress and state legislatures, legislative efforts may fail on a wide variety of matters, even when they are supported by a large majority of the population. This is often due to undemocratic features of the American political system (i.e., gerrymandering and an abundance of special interest money at all levels, as well as the presence of the filibuster and apportionment of US senators at the federal level), and such defeats can lead to demobilization.

The Judicial System

Court cases can meander for long periods of time before a conclusive result. Judicial outcomes themselves may be heavily influenced by the personal views of judges, or by legal technicalities that are little-understood by the public and may have little to do with the gravity of an alleged crime or abuse. In criminal trials, prosecutions of political violence may also emphasize incidents that increase fear in the general population, and thus help to achieve the aims of the perpetrators. In civil litigation, defamation cases may be settled outside of court, under terms that never require the defendant to recant false claims or take responsibility for their actions.

Independent Investigations

Independent investigations and other government oversight mechanisms (e.g., legislative hearings or appointed commissions) may take a long time to yield results, and recommendations from investigations may never be implemented.

Elections

Elections may provide a better institutional option for channeling popular mobilization, but many undemocratic features of our political system also affect election outcomes (including voter suppression, gerrymandering, money in politics, and domination by the two major political parties). Candidates also may make compromises that disappoint members of their grassroots base, which can shift some supporters from enthusiasm to demobilization.

None of these challenges mean that groups should disengage from government or renounce institutional processes to counter political violence. However, they should not over-rely on these options and should ensure that efforts are also (re)directed toward increasing public mobilization to achieve goals.

Yet how do groups navigate the tension between public mobilization and these institutional processes? There is no single answer—it depends on specific circumstances. Scholar Brian Martin lays out a number of options (listed with slight modifications below) for grassroots groups to consider when facing institutional processes, including:

- 1. Participate in the process.
- 2. Push for a better process.
- 3. Monitor the process.

- 4. Ignore the process.
- 5. Try to discredit or disrupt the process.
- 6. Develop and carry out your own parallel process.
- 7. Use the process as a mobilizing opportunity.⁴⁰

These options are not all mutually exclusive, and option 7, "use the process as a mobilizing opportunity" serves as a compass to help chart the path forward. Demanding an institutional process, or demanding an improvement in a process, can sometimes be an opportunity to mobilize people. Similarly, rallying for or against a process, having members participate in or observe the process, and providing public education (e.g., a running commentary) about the process can all be opportunities for community engagement. Lastly, supporting implementation of the results of the process can provide a basis for community mobilization.

It's also critical to remember that *community mobilization does not necessarily depend* on institutional processes to have an impact. Groups can organize and advance many goals—such as increasing their own grassroots base and organizing capacity; supporting victims of political violence; and increasing social, political, or economic pressure on various perpetrators—without relying on government action.



⁴⁰ This list is based on (with slight modifications) Martin, *Backfire Manual*, 83-84.

Examples of Actions to Promote Backfire

Below are examples of actions that may be part of a backfire campaign. Some groups in the US are already engaged in a number of these activities. Each can be an opportunity to build power and to weaken those who incite, threaten, or perpetrate PV. Collectively, they can help change cost-benefit calculations of those who engage in political violence.

Supporting Victims of PV, and Strengthening Advocates to Counter PV

- Meeting with victims to hear their stories and support them in documenting and reporting threats.
- Offering formal or informal psychological support.⁴¹
- Offering affordable or *pro bono* legal support (for example, through efforts such as the <u>Movement Law Lab</u> or <u>Community Justice Project</u>).
- Advocating on behalf of victims to legislators and law enforcement agencies to take proper action.
- Holding community training sessions on how to be a "first responder" if you
 encounter or witness threats or political violence.
- Raising funds to support targeted individuals (e.g., activists, journalists, civil servants, political candidates) and institutions (e.g., advocacy organizations, religious groups, businesses).
- Volunteering for political campaigns.
- Supporting election turnout by registering voters and volunteering for get-out-the-vote (GOTV) efforts.
- Recruiting new candidates who oppose political violence to run for public office.
- Seeking pledges from public officials to stand and take action against political violence.
- Proactively distributing and promoting positive and accurate information to counter disinformation campaigns.⁴²

⁴¹ Psychological support may happen through private conversations, but it can also be through public acts and displays of solidarity and support. One example to draw from may be anti-cyberbullying campaigns on social media, such as the "<u>I Am A Witness</u>" campaign. Targeted at teens, it included public service announcements by social media influencers directing their audiences to a campaign website that provided actions that people can take, as well as the use of a hashtag and campaign emoji to show solidarity.

⁴² There are many ways in which disinformation can be countered, and research highlights different practices to do so. One promising option is "prebunking," which means proactively trying to raise an audience's awareness of arguments, falsehoods, and tactics that might be used to deceive them. More information about prebunking, and steps on how to do it, see Laura Garcia, "A Guide to Prebunking: A Promising Way to Inoculate Against Misinformation," First Draft, September 2, 2022.

Imposing Costs on Perpetrators of PV

Many of the actions listed above both build power among those who stand for democracy and impose *indirect* costs on perpetrators of political violence. In addition, costs can also be imposed *directly* on perpetrators themselves. However, this can sometimes be complicated since perpetrators are not always known, nor are they necessarily local. Threats may emerge from far outside of a community—from people in different parts of the country, through automated or Al systems, or even internationally. In addition, inciters, threat–makers, and enactors occupy different positions, and some may be more or less susceptible to different forms of pressure. Regardless, some possible activities to impose direct costs include:

- Political pressure through public community mobilizations against political violence, and recall election campaigns against certain public officials.
- Social pressure, through widespread display of symbols, statements by respected leaders, and advertisements opposing political violence and those who engage in it.
- Economic pressure (e.g., calling for boycotts) on individuals and groups, as well as the platforms and advertisers that may support them.

Links to some real cases of community mobilization against alleged engagement in activities or with groups deemed to support hate, extremism, or PV can be found in the following articles:

- "German neo-Nazis tricked into fundraising for anti-Nazi charity" 43
- "How to make fun of Nazis"⁴⁴
- "Why Nazis are so afraid of these clowns"⁴⁵
- "Oklahoma official with white nationalist ties is ousted in recall vote"⁴⁶
- "Love lives in Whitefish, Montana, but so do Neo-Nazis"⁴⁷
- "Whitefish celebrates 'Love Lives Here'"⁴⁸

For a broader analysis of a variety of ways to counter misinformation, see Jon Bateman and Dean Jackson, <u>Countering Disinformation Effectively: An Evidence-Based Policy Guide</u> (Washington: Carnegie Endowment for International Peace, 2024).

⁴³ Chloé Lauvergnier, "German Neo-Nazis Tricked into Fundraising for Anti-Nazi Charity," *France 24*, November 20, 2014

⁴⁴ Moises Velasquez-Manoff, "How to Make Fun of Nazis," *The New York Times*, August 17, 2017.

⁴⁵ Sarah Freeman-Woolpert, "Why Nazis Are So Afraid of These Clowns," Waging Nonviolence, August 25, 2017.

⁴⁶ Brandy Zadrozny, "Oklahoma Official with White Nationalist Ties is Ousted in Recall Vote," *NBC News*, April 2, 2024.

⁴⁷ Anne Helen Peterson, "Love Lives in Whitefish, Montana, But So Do Neo-Nazis," *BuzzFeed News*, February 12, 2017

⁴⁸ Seaborn Larson, "Whitefish Celebrates "Love Lives Here," *Great Falls Tribune*, January 16, 2017.

Designing Campaigns, Strategies, and Tactics

The examples linked above all combine local circumstances with key strategic and tactical principles. Each community and incident is unique, but various strategic and tactical principles can apply in many contexts. Some of these are listed below.

Have a Nonviolent Code of Conduct

Successful tactics involve both *mobilization* and *organization*. Each of these aspects benefits from having a clear code of conduct.⁴⁹ To make political violence backfire, and to increase the overall safety of those mobilizing, it is very important that this code requires people to be nonviolent in their activism.



As a baseline, "nonviolent" means people commit in their political mobilization to no acts of physical violence, no threats of physical violence, and no carrying of weapons. This is important for a number of reasons, including increasing overall safety, undercutting the "us OR them" rhetoric of perpetrators of political violence, keeping the focus directly on PV and those who threaten it, and appealing to the maximum number of onlookers to shift toward your side (we address some of these points further in Principle 5: Resist).

Acts of property destruction and degrading (even if not overtly threatening) language are also generally counterproductive in any public mobilizations against PV. Such acts risk all of the dynamics of violence, and they allow perpetrators to change the topic from their indefensible behavior to the idea that activists opposed to PV are a threat to public

⁴⁹ An example of movement and organizing principles that can form a basis for a code of conduct is found in: Merriman, et al., *Hold the Line: A Guide to Defending Democracy*, 25-27.

order. Some journalists may also oblige a false equivalence between perpetrators of PV and those who behave aggressively and destroy property in response.

Research shows that when a group is seen to engage in violence or rioting, existing strong supporters may remain with that group but large segments of the population, including many other potential supporters and neutral groups, shift their attitudes away.⁵⁰ Thus, violence and rioting tend to put a cap on a group's base of support and significantly limit its potential to grow. In some cases, a group does not realize how much it has curtailed its ability to be effective, because it is only in contact with existing strong supporters and never hears feedback from alienated potential allies or prospective recruits.

In contrast to the above, research has also shown that nonviolent mobilization tends to have the opposite effect of violence, and instead provides an opportunity to increase the support base and mobilization for one's cause.⁵¹

Your code of conduct may cover other matters as well, for example, including specific aspects of the time, place, and manner of mobilization. People may be asked to sign a written pledge to this effect. Groups may also want to offer advance or mandatory training based on the code of conduct. For individuals who want to be supportive but cannot commit to remaining nonviolent in public and political activities, finding other support roles for them that do not risk provoked violent outbursts enable them to stay engaged with little risk to the campaign.

Offering Diverse Options for Engagement

The large percentage of Americans that oppose political violence come from a wide range of backgrounds. Some have time, energy, various resources, activism experience, high risk tolerance, and a desire to mobilize. Others may have fewer of these attributes, but their contributions can still be highly important. For this reason, effective organizers often develop diverse options for engagement, which enable people with various degrees of free time, risk tolerance, and organizing experience to all meaningfully contribute.

Such options for engagement may include public protests; consumer boycotts (in which many individuals can anonymously participate); teach-ins, artistic forms of resistance; creative actions that reinforce social norms of inclusion, kindness, and resolving differences without violence; and providing support to victims of political violence.

⁵⁰ Jordi Muñoz and Eva Anduiza, "'If a Fight Starts, Watch the Crowd': The Effect of Violence on Popular Support for Social Movements," *Journal of Peace Research* 56, no. 4 (2019): 485–498.

⁵¹ Omar Wasow, "Agenda Seeding: How 1960s Black Protests Moved Elites, Public Opinion and Voting," *American Political Science Review* 114, no. 3 (2020): 638–659.



Establishing a range of support roles can also enable people to contribute their diverse skills. These roles may include action organizers, trainers, researchers, logistical planners, providers of legal aid, community builders, fundraisers, graphic designers, social media monitoring and support, and other functions.

Creating Dilemmas for Your Adversaries

Several cases of community mobilization linked to earlier in this section put targeted groups in a dilemma, where any response by them, or no response at all, undercuts their support. "Dilemma actions" like these are based on particular cultural, political, and societal circumstances, but they also contain some common elements that can be planned in advance.⁵² Some of these elements include:

- Focusing on instances where individuals or groups are violating or acting hypocritically toward widely shared cultural, religious, civic, or societal values.
- Drawing on widely shared values to justify your own actions and to draw a sharp contrast with those who oppose you.
- Invoking humor, fun, and/or a festive atmosphere.
- Including a constructive, positive, or service-oriented element to your actions.

⁵² Some of the common elements of dilemma actions can be found here: Srdja Popovic with Sophia A. McClennen, "Core Components of Dilemma Actions," Pranksters vs. Autocrats: Why Dilemma Actions Advance Nonviolent Activism (Ithaca: Cornell University Press, 2020); Sørensen, Majken Jul, and Brian Martin. "The Dilemma Action: Analysis of an Activist Technique." Peace & Change 39, no. 1 (January 2014).

- Being prepared for media coverage, which sometimes means including a
 distinctive visual element, being prepared to speak to the press, and preparing
 your own supporters to propagate your actions online.
- Engaging in actions that keep the focus squarely on injustice and do not allow perpetrators and their allies to easily change the subject and allege transgressions by your group.

These guidelines can help you think carefully through options for action. It is important to consider a variety of action scenarios to determine which will be most effective in your particular circumstances. In addition, it is notable that there is no formula for the perfect dilemma action. Not all actions contain all of the above qualities, and some of these qualities will not fit certain contexts. For example, the Nashville lunch counter sit-ins in 1960 were a highly effective dilemma action against the Jim Crow system in that city, but they were a solemn, rather than festive, public tactic. On the other hand, once activists were arrested and in jail, they sang songs and intentionally kept an outwardly positive demeanor. Notably, significant preparation went into all aspects of this campaign. 53

Tactical Innovation

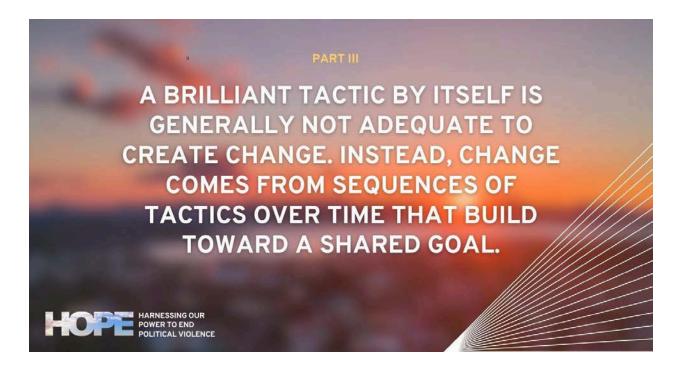
In any conflict, each side learns from the other. If one side becomes too predictable, the other side adapts and learns to effectively respond. In addition, repetition of the same kinds of actions can also decrease enthusiasm among your supporters.

For these reasons, it is important to think through different options and to be innovative. Protests are just one option, and even among protests, there are many different kinds. You can cause PV to backfire by using a range of creative actions that generate social, political, or economic pressure. Some tactics may be targeted at your opponents. Others may be an appeal to your allies. And some tactics may be a combination of both.

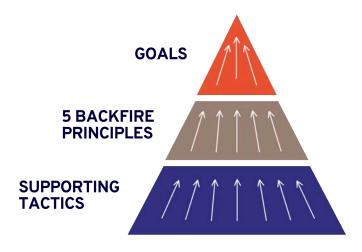
Moving Toward Campaigns

Tactics are the most visible aspects of organizing, but even a brilliant tactic by itself is generally not adequate to create change. Instead, change comes from sequences of tactics over time that build toward a shared goal. These sequences are called "campaigns."

⁵³ For a 25-minute documentary film synopsis of the Nashville campaign, see: "<u>Nashville: We Were Warriors</u>," *A Force More Powerful*, directed by Steve York (1999).



Choosing a campaign goal helps you to select mutually reinforcing tactics that make a cumulative impact. It can also help you assess how various resources might be deployed over time to support your efforts. Your backfire campaign may be visualized as follows:



Implementing campaigns is one of the most important (yet often overlooked) aspects of effective organizing. One <u>study</u> concluded that when nonviolent protesters were violently attacked, the presence of a broader campaign was a *major factor in determining* whether the violence backfired.⁵⁴ In contrast, when violence was used against isolated nonviolent protests that were unconnected to any campaign, backfire was much less

⁵⁴ Jonathan Sutton, Charles R. Butcher, and Isak Svensson, "Explaining Political Jiu-Jitsu: Institution-Building and the Outcomes of Regime Violence Against Unarmed Protests," *Journal of Peace Research* 51, no. 5 (2014): 559–573.

likely. In the cases they examined, the researchers found that 85% of the instances where repression led to increased countermobilization happened when a protest was connected to a campaign.⁵⁵

In addition, the organizing that goes into campaigns tends to have staying power, which is important because the fight against PV takes time. For example, perpetrators of PV may try to rewrite history and reframe events even years after they happen in an attempt to inhibit outrage. To ensure that hard-fought gains are not reversed, campaigns may result in a sustained and organized community presence that commemorates anniversaries of events, and draws attention to past and present injustices and victories.

PRINCIPLE 5: RESIST

When you begin to publicly mobilize against perpetrators of political violence, you may think of your efforts as standing up for your rights, supporting common social norms and values, and protecting victims and your larger community. However, those who perpetrate political violence may perceive your actions as escalating the conflict.

This is especially common when the status quo enables perpetrators of political violence to operate with impunity, which is largely the case in the US for inciters and threat-makers. A backfire campaign disrupts this status quo. It is unexpected. It will be seen as a threat by those who seek to bully and silence communities.

In the face of this challenge, perpetrators are likely to go to the playbook that they know best, which is to double down and engage in further incitement and threats. Disinformation and attacks on people's reputations may be part of these attacks as well. This combination of incitement and disinformation can also lead to an increase in physical political violence, although thus far such physical attacks are relatively rare. Some perpetrators (especially inciters who have significant financial resources) may also threaten defamation lawsuits or other legal claims that have little or no chance of succeeding. The goals of such tactics are simple: to stop the backfire efforts and spread fear. They want to deter onlookers from joining backfire campaigns or from seeking to start new campaigns in other communities.

Another tactic that perpetrators may try to use are rewards, such as bribes (or campaign contributions), for those who stay silent. While financial inducements of this sort may be less likely than threats or incitement by supporters of PV, it is still worth watching out for them. In addition, the concept of offering rewards goes beyond offering money. A reward is already implicit in the threats of perpetrators—they are communicating that the "reward" for those who stay silent is that they will be left alone. This is a form of political extortion that must be firmly called out and rejected—the price of a peaceful life must

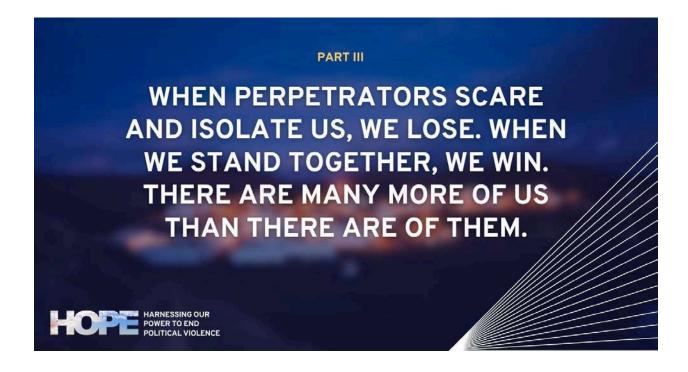
⁵⁵ Sutton, Butcher, and Svensson, "Explaining Political Jiu-Jitsu."

not be civic disengagement and coerced abandonment of one's constitutional rights to free speech and free assembly.

Anticipating these kinds of threats and attacks, what can groups do to resist them? Answering this question involves identifying two key tests that organizers will face, as well as some factors that can help them pass these tests.

Test 1: Solidarity

Solidarity is one of the most important attributes of an effective backfire campaign. When people stand together, they are strong. For this reason, it is critical that groups agree to support each other if any member of the group is attacked. When perpetrators scare and isolate us, we lose. When we stand together, we win. There are many more of us than there are of them.



Therefore, one of the first tests faced by a backfire campaign is when perpetrators try to break solidarity among a campaign's supporters. They are likely to single out and escalate threats and harassment on a small number of individuals or organizations. When they start to do this, the broader community will look at what happens in response. If the perpetrators' threats succeed in demobilizing people, it sends a powerful message to the community that the backfire campaign is not strong enough to win. This then becomes a self-fulfilling prophecy, as potential supporters begin to hesitate in joining the campaign, while inciters and threat-makers feel emboldened to increase their activity.

On the other hand, a well-prepared campaign can cause new threats to backfire. For example, when a campaign organizer or ally is threatened, people rally to their aid. When

a business is threatened, it gets more patrons. When a politician is threatened, they get more donations and volunteers. When an activist is threatened, they get more community support. This kind of solidarity can also create a self-fulfilling prophecy. It shifts the entire psychology of the conflict, as well as perceptions about which side is stronger.

The importance of solidarity has significant implications for planning. It means at minimum that organizers should develop strong ties with allies before public mobilization so that it is easier to make possible future threats against the campaign backfire. It also means that once a campaign has begun, it has to be resilient enough to withstand possible threats and intimidation and continue to pursue its goals.

Test 2: Remaining Nonviolent

The second test is what happens when a campaign is provoked or attacked. Can the campaign remain nonviolent and maintain communications that reach out to the broader public and undercut violent extremist narratives?

Provocations are tough to resist. A single cowardly act of violence against an unarmed protester can activate outrage and underlying trauma, especially if there is video evidence of the attack. Highly inflammatory and degrading rhetoric playing on racism, sexism, or other forms of prejudice can also cause activists to feel that this gives them permission to respond with reciprocal rhetoric.

Yet if activists succumb to provocations, they may significantly increase their own risk of suffering physical violence. Simultaneously, they may alienate potential allies and reinforce mobilization by perpetrators. In other words, when activists engage in violence, or highly inflammatory rhetoric, it tends to decrease backfire against perpetrators of PV and instead backfires against the activists themselves. Some may argue that this is unfair, but that does not make it untrue.

Here is evidence of what's at stake. Acts of physical political violence seem to, at least temporarily, increase the enthusiasm of those who support extremist groups or PV. For example, research by the organization Moonshot, which aims to counter violent extremism, found that in the week after the 2017 violent white nationalist Unite the Right rally in Charlottesville, Virginia, there were:

- Five times as many "searches indicating a desire to get involved with violent groups." This included 220 times as many "searches indicating a desire to donate to the Ku Klux Klan" and nine times as many "searches indicating attempts to join the Ku Klux Klan."
- Three times as many "searches indicating a desire to kill ethnic minorities." This included 19 times as many "searches indicating a desire to kill Jewish Americans" and a 40% increase in "searching indicating a desire to kill Black Americans." ⁵⁶

⁵⁶ Moonshot, "Charlottesville: The Aftermath," Infographic.

Responding to such dynamics with violence likely only makes them much worse. In contrast, fostering backfire holds great potential to shift these dynamics over the medium- and long-term. The revulsion that large segments of the broader population feel toward political violence can fuel mobilization that imposes costs on perpetrators, while also driving greater support to those who oppose PV—including activists, candidates, organizations, public officials, civil servants, and certain businesses.

A resulting decline in political violence may not happen overnight. A period of time will likely have to pass before inciters and threat-makers realize that their tactics will continue to backfire and that they will continue to lose. However, once they understand this, their cost-benefit calculus will shift. Democratic norms of political activity will be strengthened and greater deterrence will be achieved.

Assessing and Mitigating Risk

One of the best ways to build a resilient campaign is to prepare for contingencies ahead of time. Opposing political violence can feel intimidating. Fear and anxiety can cloud our decision making, so it's important to assess the likelihood of several kinds of risks, and the potential to mitigate them. Some considerations are below.

Physical Political Violence

Physical political violence remains relatively rare in the US, and many threat-makers do not carry through on their threats. It's one thing for an individual to sit behind a computer and send anonymous threat messages. It's a very different thing for an individual to take the time to plan an act of physical political violence and then to risk their life, livelihood, and a long prison sentence by carrying it out. In addition, many inciters and threat-makers understand that acts of physical political violence are more likely to backfire against their broader cause as well.

However, we do not know what the future will bring. If numerous backfire campaigns around the US start to challenge PV, the chance that those campaigns will be met by physical political violence may increase for a period of time. Although physical political violence may remain unlikely against any specific campaign, the chance of an act of physical political violence happening at some point to some campaign seems likely.

Even if this risk remains small, the consequences of physical political violence can be major, which means it is important to address how this risk can be mitigated.

There are a number of options. First, individuals can engage in low-risk tactics and take roles that minimize their potential exposure to physical political violence. Low-risk tactics can still be very powerful. For example, if thousands or millions of people donate money, engage in boycotts, register to vote, send messages of support to victims, or volunteer for political candidates, it can make a big difference. There are also many important behind-the-scenes roles in any campaign, including helping with research, logistics, and other administrative and technical functions.

Second, campaigns can carefully craft messaging and choose goals that make physical political violence more likely to backfire. A campaign with goals and framing that have widespread support and are anchored in widely shared community values may cause some proponents of political violence to think twice about the costs and benefits of their possible actions.

Third, campaigns can reach out to potential allies that may help deter or diffuse violence. Such allies may range from religious groups, to legal support groups, to law enforcement.

Fourth, campaigns can invest heavily in training, especially for individuals who may take roles that expose them to the risk of physical violence. Training can engage one's cognition as well as emotions, so that people are psychologically prepared to respond strategically to actions taken against them. For example, in some cases, perpetrators may try to instigate confrontations with activists so that the perpetrators can then use violence as supposedly justified self-defense and claim legal protection under "stand your ground" laws. For campaigns engaged in public mobilization, being prepared for such behavior is important. Activists can also train on de-escalation techniques and practice them.⁵⁷ They may also want to deploy or request the help of <u>peace teams</u> to reduce the risk of violent conflict.⁵⁸ In addition, knowing the relevant laws and circumstances under which to contact law enforcement, and developing protocols around doing so, can be critically important.

Threats, Harassment, and Disinformation

Threats, harassment, and disinformation are a more likely response to backfire campaigns than acts of physical political violence. These activities can create genuine psychological harm to individuals and their families. In addition, threat-makers and purveyors of disinformation may also try to damage the reputations of individuals and put pressure on their employers to end their employment. They may further try to hurt the reputation of businesses and deny them customers.

Understanding these risks, it is important to be prepared to rally behind threatened individuals and provide psychological, social, and sometimes economic support. Doing this can be a form of backfire. For example, showing that threatened individuals will receive more public support or higher visibility (if they want such visibility), or that threatened businesses will get more customers, can have a powerful effect.

Additional considerations include allying with groups that can offer online security training to prevent hacking and defend against online harassment, as well as legal support for those who are targeted. Such training can be helpful even before threats are received. Individuals should be well-versed in relevant laws, the importance of documentation, and the possibilities of bringing defamation lawsuits against perpetrators, or alerting authorities to possible criminal violations.

⁵⁷ Resources on de-escalation can be found in **Part IV**.

⁵⁸ For an example of peace team guidelines, see: Portland Peace Team, "Portland Peace Team Protocols."

Lawsuits

In some cases, activists who call attention to certain facts about a powerful individual or entity could face SLAPP lawsuits (Strategic Lawsuit Against Public Participation). SLAPP suits accuse activists of violations such as "defamation, nuisance, interference with contract, interference with economic advantage, or invasion of privacy," but they are meritless and simply designed to drain resources from defendants and to intimidate onlookers. Thus, they have a similar impact to political violence, because they tend to make people afraid to exercise their constitutional rights of freedom of speech or to petition for a redress of grievances.

One essential preparation to mitigate the risk of SLAPP suits (as well as <u>legitimate claims</u> of <u>defamation</u>) is to ensure that all information that your campaign releases is factual.⁶⁰

Attorneys can offer legal advice and education on how to characterize facts and opinions, and may be willing to provide *pro bono* guidance to activists on mitigating the risk of defamation and SLAPP suits. Over 30 states and Washington, DC, have adopted anti-SLAPP laws to help defendants quickly have these spurious lawsuits dismissed. Building relationships with and consulting attorneys can both reduce the risk of these lawsuits, and help activists and campaigns respond to them if they are accused.

When to Turn to Government and Law Enforcement

Activists who are facing threats of PV will have differing perspectives on when and how to engage with government and law enforcement. Some activists feel comfortable interacting with law enforcement and building relationships, while others may feel unsafe doing so. Some may find that a visible presence by law enforcement at public actions makes them feel reassured, while others may be concerned that such a presence could cause people to hesitate to join a particular public action.

There is no perfect answer to address these considerations. However, regardless of your position, it is important to understand various aspects of government—especially the relevant federal, state, and local laws that apply to your backfire efforts. These are addressed in greater detail in **Part IV**.

In addition, knowing which institutions within government handle various aspects of PV is important. For example, the US Department of Justice has divisions that focus on protecting elections. The FBI plays a role in countering online threats. Local police have different training and focus. In some cases it may make sense to work with one institution of government more than another. If you choose to proactively build relationships with such government entities, appointing liaisons from your group and

⁵⁹ Dennis Hetzel and Brandi M. Snow, "<u>SLAPP Suits</u>," *Free Speech Center*, September 11, 2023.

⁶⁰ Robert Rafii, Esq., "Libel, Slander, and Defamation Law: The Basics," FindLaw, August 17, 2023.

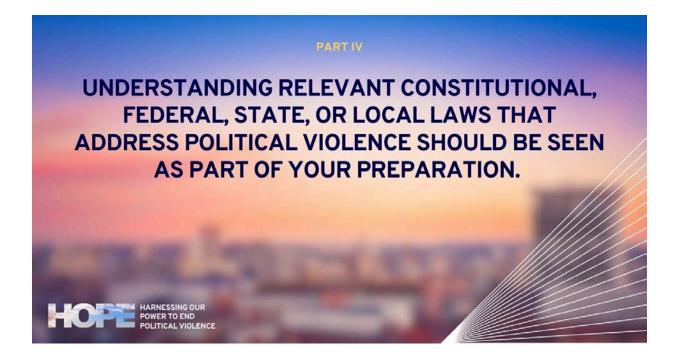
⁶¹ Hetzel and Snow. "SLAPP Suits."

establishing clear points of contact and protocols for possible incident responses can be helpful.

PART IV

Laws that Address Political Violence and the Right to Protest, and Additional Resources for Organizing

The backfire model stresses the importance of preparation by activists. Understanding relevant constitutional, federal, state, or local laws that address political violence should be seen as part of that preparation. In some cases, this knowledge can help you make more effective demands, leverage greater resources, fight devaluation and reinterpretation by perpetrators, engage in more impactful communications, and increase your impact if you choose to interact with government institutions.



In addition, understanding your constitutional rights to freedom of speech and freedom of assembly, among others, can also be part of your preparation for making PV backfire.

Maintaining an understanding of the government and legal environment is an ongoing task because laws and institutions change over time. Even in the last several years, new legislation related to political violence, as well as rights to protest, have been adopted and new mandates and practices have been established within various levels of government.

There are also many allied organizations and groups that work to uphold democracy and counter PV. These groups offer resources on topics ranging from de-escalation techniques, to new research findings, to tools for shaping narratives and messaging. Numerous groups also issue practical and policy recommendations for how they think governments can more effectively counter political violence. Knowing these recommendations may help you formulate possible demands or advocate on behalf of people who are facing threats.

Links to resources on government laws and the work of allied organizations are included in this section. The lists below are just a sampling—there are far more resources than can be included here, and new ones are created regularly. In addition, the mention of various resources or organizations below does not connote endorsement of all of their content and recommendations. Rather, they are presented as information sources that groups may wish to review.

CONSTITUTIONAL AND FEDERAL LAWS ADDRESSING POLITICAL VIOLENCE AND INTIMIDATION

There are many laws that address violence in general our society, and these laws can also apply to political violence. In addition, below are are some resources specifically tailored to address political violence and intimidation.

The Brennan Center for Justice offers a <u>Voter Intimidation and Election Worker</u> <u>Intimidation Resource Guide</u> of federal and state laws that protect voters and election officials from threats. ⁶² They also have a page with a <u>list of federal laws protecting against intimidation of voters and election workers</u>, which includes examples of prohibited behaviors, such as improperly following or monitoring voters at polling places, or threatening dissemination of voters' personal information. ⁶³

The International Center for Not-for-Profit Law (ICNL) has a briefing on "Regulatory options to protect peaceful assembly from the threat posed by firearms." 64

The Institute for Constitutional Advocacy and Protection (ICAP) at Georgetown University Law Center offers numerous legal fact sheets or guidance on a number of issues related to PV, intimidation, and other abuse:

⁶² Katie Friel and Jasleen Singh, "<u>Voter Intimidation and Election Worker Intimidation Resource Guide</u>," *Brennan Center for Justice*, October 28, 2022.

⁶³ "Federal Laws Protecting Against Intimidation of Voters and Election Workers," Brennan Center for Justice, October 28, 2022.

⁶⁴ "Keeping Guns Away from Protests," International Center for Not-for-Profit Law (ICNL), February 2022.

- Protecting against voter intimidation (also available in Spanish).65
- The "Constitutional Sheriffs" movement and the <u>limits on sheriffs' authority to involve themselves in election administration</u>. 66
- Video recording in or near polling places.⁶⁷
- Limits of First Amendment protection of threats and incitement to violence.⁶⁸
- Other issues related to countering political violence at elections and polling places.⁶⁹
- "Countering Bigotry and Extremism in the Ranks: A First Amendment Guide for Law Enforcement Agencies." 70

STATE LAWS ADDRESSING POLITICAL VIOLENCE AND INTIMIDATION

The Brennan Center for Justice offers lists of laws protecting against intimidation of voters and election workers in the following states:

- Arizona
- Florida
- Georgia
- Michigan
- Nevada
- New Hampshire
- North Carolina
- <u>Pennsylvania</u>

⁶⁵ English: "Fact Sheet: Protecting Against Voter Intimidation," *Institute for Constitutional Advocacy and Protection (ICAP), Georgetown Law*; Spanish: "Protección contra la intimidación de los votantes."

⁶⁶ "Fact Sheet: 'Constitutional Sheriffs' and Elections," ICAP.

⁶⁷ "Video Recording In or Near Polling Places," ICAP.

⁶⁸ "Fact Sheet on Threats and Incitement to Violence Related to the Election," ICAP.

⁶⁹ "Guidance Related to Elections and Polling Places," ICAP.

⁷⁰ "Countering Bigotry and Extremism in the Ranks: A First Amendment Guide for Law Enforcement Agencies," ICAP.

- Texas
- Wisconsin⁷¹

They also issued a <u>Voter Intimidation and Election Worker Intimidation Resource Guide</u> of federal and state laws that protect voters and election officials from threats.⁷²

ICAP at Georgetown University Law Center has published <u>fact sheets on unlawful militias</u> <u>in all 50 states</u>.⁷³ These "provide key information about lawful and unlawful militias, state laws prohibiting private militias and paramilitary activity, and what to do if citizens see groups of armed individuals near polling places."⁷⁴ The fact sheets can be downloaded individually or as part of a comprehensive report.⁷⁵

ICAP has also created factsheets related to the "Constitutional Sheriffs" movement and laws regarding the authority of sheriffs and the administration of election laws in:⁷⁶

- Illinois
- Michigan
- Minnesota
- Ohio
- Wisconsin

CONSTITUTIONAL AND FEDERAL LAWS RELATED TO RIGHTS TO PROTEST AND PUBLIC SAFETY

The American Civil Liberties Union (ACLU) offers a "Know Your Rights" page related to protesters' rights in English and <u>Spanish</u>, with practical guidance on organizing protests, attending protests, taking pictures or video at protests, and understanding your rights if you are stopped by police while protesting.⁷⁷ It also includes steps on what to do if you

⁷¹ All state fact sheets: "Laws Protecting Voters and Election Workers from Intimidation," *Brennan Center for Justice*.

⁷² Friel and Singh, "Voter Intimidation."

⁷³ "State Fact Sheets." ICAP.

⁷⁴ "Fact Sheets on Unlawful Militias for All 50 States Now Available from Georgetown Law's Institute for Constitutional Advocacy and Protection," *ICAP*, Press Release, September 22, 2020.

⁷⁵ Prohibiting Private Armies at Public Rallies, 3rd edition (Washington: ICAP, 2020).

⁷⁶ All state factsheets are downloadable here: "'Constitutional Sheriffs' and Elections," ICAP.

⁷⁷ English: "Know Your Rights: Protesters' Rights," ACLU; Spanish: "Derechos de los manifestantes."

believe your rights to protest are being violated. ACLU also offers a page providing a wide range of <u>information on rights of protesters</u>.⁷⁸

ICNL offers a <u>list of reforms</u> that were introduced or enacted after June 2020 to protect freedom of assembly in the United States. Topics include:

- Restriction on less lethal weapons
- Restrictions of guns at protests
- Restrictions on military weapons to law enforcement
- Restrictions on surveillance technology

Topics also include <u>reforms to public order laws</u>, <u>repeals of laws against masking your face</u>, and requirements that <u>law enforcement must prominently display identification</u> (name, badge number, and agency).⁷⁹

ICAP at Georgetown University Law Center published <u>Protests & Public Safety: A Guide for Cities & Citizens</u> to help "local jurisdictions understand their role in fostering First Amendment activity while protecting the safety of protesters and the public." The guide contains:

... legal principles, best practices, and creative solutions upon which local jurisdictions may draw to protect public safety while respecting constitutional rights during rallies, protests, and other public events. The toolkit offers detailed legal analysis suitable for municipal and state attorneys, as well as more general legal guardrails, best practices, and frequently asked questions intended to be more easily accessible to non-lawyer elected and appointed officials, concerned residents, and activists.⁸¹

They also created a <u>Frequently Asked Questions</u> (FAQs) fact sheet about protests and <u>public safety</u> and <u>guidance</u> on <u>Protecting Public Safety and Free Expression on Campus</u> and <u>Protecting Pride Events from Armed Extremist Activity</u>.⁸²

⁷⁸ "Rights of Protesters," ACLU.

⁷⁹ "Reforms Introduced to Protect the Freedom of Assembly," ICNL.

⁸⁰ Protests & Public Safety: A Guide for Cities & Citizens (Washington: ICAP, 2020).

⁸¹ Protests & Public Safety.

⁸² "Frequently Asked Questions," *Protests & Public Safety*; "Protecting Public Safety and Free Expression on Campus," *ICAP*; "Guidance: Protecting Pride Events from Armed Extremist Activity," *ICAP*.

STATE AND LOCAL LAWS RELATED TO RIGHTS TO PROTEST AND PUBLIC SAFETY

While the US Constitution supports a right to protest, state and local laws also impact protest rights (for example, states can have different definitions of when a protest may be defined as an "unlawful assembly" or a "riot," and different laws governing potential liability for protesters; various localities have differing permitting requirements). It is important to check with local attorneys or officials about laws that may affect protest activity where you are.

Some states have also made efforts to <u>limit protest rights</u>, and <u>recent protest legislation</u> in states across the US is tracked online and <u>analyzed</u> by the ICNL.⁸³

POLICY AND PRACTICAL RECOMMENDATIONS RELATED TO COUNTERING POLITICAL VIOLENCE

Numerous organizations offer practical and policy recommendations to counter political violence, as well as related phenomena such as disinformation. Some of these are listed below (although by listing these, this guide is not endorsing any particular recommendations).

- The Committee for Safe and Secure Elections
 - o Providing Safety and Security to Elections and Election Workers⁸⁴
- The Brennan Center for Justice
 - Election Officials Under Attack: How to Protect Administrators and Safeguard Democracy⁸⁵
 - o Intimidation of State and Local Officeholders: The Threat to Democracy⁸⁶

⁸³ Jonathan Pedneault, "US States Take Aim at Protesters' Rights," *Human Rights Watch*, February 16, 2021; "US Protest Law Tracker," *ICNL*; "Analysis of US Anti-Protest Bills," *ICNL*.

^{84 &}quot;Providing Safety and Security to Elections and Election Workers," Committee for Safe and Secure Elections.

⁸⁵ "Election Officials Under Attack," *Brennan Center for Justice*, June 16, 2021.

⁸⁶ Gowri Ramachandran, Chisun Lee, Maya Kornberg, Kimberly Peeler-Allen, Ruby Edlin, Julia Fishman, Jiyoon Park, and Grady Yuthok Short, *Intimidation of State and Local Officeholders: The Threat to Democracy* (Washington: Brennan Center for Justice, 2024).

- o Securing the 2024 Election⁸⁷
- o How States Can Prevent Election Subversion in 2024 and Beyond⁸⁸
- o Guns and Voting⁸⁹
- The McCain Institute and the Center for American Progress
 - o A National Policy Blueprint to End White Supremacist Violence⁹⁰
- Institute for Strategic Dialogue
 - o Public Figures, Public Rage: Candidate Abuse on Social Media⁹¹
- Carnegie Endowment for International Peace
 - o Countering Disinformation Effectively: An Evidence-based Policy Guide⁹²
 - o Five Strategies to Support U.S. Democracy⁹³

ADDITIONAL RESOURCES

De-escalation Training and Techniques

 The Bridging Divides Initiative has written resources on de-escalation techniques for government officials and election and poll workers. They also have links to de-escalation and active bystander trainings and resources in all 50 states.⁹⁴

⁸⁷ Derek Tisler and Lawrence Norden, Securing the 2024 Election (Washington: Brennan Center for Justice, 2023).

⁸⁸ Alice Clapman, *How States Can Prevent Election Subversion in 2024 and Beyond* (Washington: Brennan Center for Justice, 2023).

⁸⁹ Sean Morales-Doyle, Robyn Sanders, Allison Anderman, and Jessica Ojeda, *Guns and Voting* (Washington: Brennan Center for Justice, 2023).

⁹⁰ Katrina Mulligan, Brette Steele, and Simon Clark, A National Policy Blueprint to End White Supremacist Violence (Washington: Center for American Progress, 2021).

⁹¹ Cécile Guerin and Eisha Maharasingam-Shah, *Public Figures, Public Rage: Candidate Abuse on Social Media* (London: Institute for Strategic Dialogue, 2020).

⁹² Bateman and Jackson, *Countering Disinformation Effectively*.

⁹³ Rachel Kleinfeld, *Five Strategies to Support US Democracy* (Washington: Carnegie Endowment for International Peace, 2022).

⁹⁴ "Elevating De-Escalation and Community Safety Approaches," Bridging Divides Initiative.

They further include links to de-escalation resources for <u>community members & volunteers</u> (created by the DC Peace Team) and de-escalation guidance for <u>law enforcement</u> (created by the Crime and Justice Institute).⁹⁵

- The US Government's Cybersecurity and Infrastructure Security Agency (CISA) includes de-escalation resources in <u>English</u>, <u>Chinese</u>, <u>French</u>, <u>Korean</u>, and <u>Spanish</u>.⁹⁶
- The Cybersecurity and Infrastructure Security Agency has a <u>Non-Confrontational</u> <u>Techniques for Election Workers training</u> video.⁹⁷

Physical Safety

The US Election Assistance Commission has a <u>comprehensive page covering numerous</u> <u>security topics related to election officials</u>. Some of the resources may also be relevant to other individuals working outside of elections as well. Topics include:

- Personal Security.
- Personal Security for Elections Officials checklist.
- How to Report a Threat.
- Challenges for Election Officials.
- <u>Defining Common Threats and Harassment</u>.
- Assess Your Safety.
- Document Everything.
- Self Care

The Elections Group produced the guide <u>Running Elections Without Fear: Ensuring Physical Safety for Election Personnel</u>, which focuses on a range of security aspects, including how to build relationships with and engage with law enforcement.⁹⁹

⁹⁵ DC Peace Team, "Active Bystander Intervention and De-Escalation," Bridging Divides Initiative; "Guidelines for Law Enforcement Role at Public Meetings: Communication & De-Escalation Planning," Crime & Justice Institute.

⁹⁶ All language versions are available here: "De-Escalation Series Translations," Cybersecurity & Infrastructure Security Agency.

⁹⁷ "Non-Confrontational Techniques for Election Workers Training," CISA, YouTube video, October 12, 2022.

⁹⁸ "Election Official Security," US Election Assistance Commission, April 25, 2024.

⁹⁹ The Elections Group, Running Elections Without Fear: Ensuring Physical Safety for Election Personnel.

Online Safety

The US Election Assistance Commission offers short resources on:

- Cybersecurity Best Practices.¹⁰⁰
- Removing Personal Identifying Information (PII) from a Google Search.¹⁰¹

The organization PEN America offers an extensive free <u>field manual on how to protect</u> <u>against many forms of online harassment and abuse</u>.¹⁰² The manual addresses how to prepare, respond, practice self-care, evaluate possible legal options to address abuse and harassment, and to ask for support when needed. It is available in English, <u>Arabic</u>, <u>French</u>, <u>Spanish</u>, and <u>Swahili</u>.¹⁰³

Security Positive and the Elections Group developed a guide on online safety for election officials: Defending Democracy: Protecting Election Officials from Digital Threats.¹⁰⁴

Self-care

The Carter Center has produced a self-care guide for elections officials: <u>Taking Care of Yourself to Serve Others:</u> A Well-being Resource Guide for Elections Officials. ¹⁰⁵

Communications, Narrative, and Messaging

Project Over Zero has several guides on communicating during times of potential or actual political violence:

- Communicating During Contentious Times: Dos and Don'ts to Rise Above the Noise 106
- Guidance on Reporting During Contentious Times 107
- A Refresher on Narratives & Violence¹⁰⁸
- Tools for developing messaging¹⁰⁹

¹⁰⁰ "Cybersecurity Best Practices," US Election Assistance Commission, April 25, 2024.

¹⁰¹ "Memo: Removing Personal Identifying Information (PII) from a Google Search," *US Election Assistance Commission*, June 2022.

¹⁰² Online Harassment Field Manual, PEN America.

¹⁰³ All translated version are available here: https://onlineharassmentfieldmanual.pen.org/

¹⁰⁴ The Elections Group, *Defending Democracy: Protecting Election Officials from Digital Threats*.

¹⁰⁵ The Carter Center, Taking Care of Yourself to Serve Others: A Well-being Resource Guide for Election Officials.

¹⁰⁶ Over Zero, Communicating During Contentious Times: Dos and Don'ts to Rise Above the Noise.

¹⁰⁷ Over Zero, "Guidance on Reporting During Contentious Times."

¹⁰⁸ Over Zero, A Refresher on Narratives & Violence.

¹⁰⁹ Over Zero, "2. Design Process and Tools."

APPENDIX

What We Know about Threats and Political Violence in the US

To make political violence backfire, it's important to learn from available information about its use in the US—for example, how common is political violence in the US right now?; what do we know about who's making threats?; and other questions. New information is being produced all the time, so what exists in this Appendix is current as of May 2024.

This section is written in a simple question-and-answer format. It addresses the following questions:

- 1. How is "political violence" defined?
- 2. How many people support political violence in the US, and how many oppose it?
- 3. What is the likelihood of acts of physical political violence in the US?
- 4. Which groups are most likely to incite, threaten, or enact physical political violence?
- 5. Which groups are most likely to receive threats?
- 6. How much are threats and physical political violence increasing?
- 7. Why is political violence increasing?
- 8. What are some documented impacts of political violence in the US?
- 9. What is being done to counter political violence thus far?
- 10. What role can communities play in this process?

1. How is "political violence" defined?

In communities across the United States, people are concerned about many forms of violence. This includes physical and direct forms such as violent crime, domestic violence, terrorism, hate crimes, and police brutality; emotional forms such as psychological violence; and indirect forms such as structural violence.

Political violence (PV) can overlap with these categories. What defines it is that it is:

force or violence, including threats and intimidation, used with a political motivation, to achieve a political goal, to assert political power over another group, or to disseminate a political message to an outside audience.¹¹⁰

Political violence therefore has multiple forms and effects. It can take the form of *direct threats and physical violence* targeting individuals. It can also take the form of *implied threats and intimidation* against onlookers and broader audiences. It can take place in *single high-visibility events* (such as the January 6, 2021 attack on the US Capitol), but it can also happen in *low visibility and pervasive ways* (such as carrying weapons during political activity, or making threatening general statements online or in person) that aim to victimize both individuals and communities. In any of these forms, the effects of political violence can be highly damaging.



While this guide uses the above definition, there are other good definitions of political violence as well—including some that are more narrow and focus primarily on acts that inflict direct physical harm.¹¹¹ No single definition is perfect.

¹¹⁰ Dresden and Raderstorf, "Threats of Political Violence."

¹¹¹ For example, another definition is that political violence is "violence aimed at political ends—meant to control or change who benefits from, and participates fully in, U.S. political, economic, and socio-cultural life." See: Nichole Argo Ben Itzhak, Rachel Brown, Heather Hurlburt, Laura Livingston, and Samantha Owens, *Building US Resilience to Political Violence: A Globally Informed Framework for Analysis and Action* (Washington: Over Zero and New America, 2019).

In addition, while the definition used in this guide is broad, sometimes it is helpful to focus on particular aspects of political violence rather than a single broad definition. For example, in this guide, we often distinguish between "threats of political violence" and "acts of physical political violence," because although these aspects of PV are related, it can also be useful to analyze them separately.

2. How many people support political violence in the US, and how many oppose it?

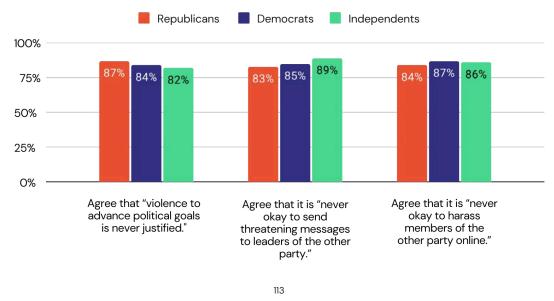
Surveys have tracked Americans' willingness to support political violence over recent years. Although there is some variation in results—which is likely due to the way polling questions are phrased, the timing when a poll is taken, and the composition of a poll's respondents—they consistently find that overwhelmingly Democrats, Republicans, and Independents reject political violence. Surveys also find that a small minority believes that political violence is acceptable in some cases. And an even smaller minority seem willing to actually commit such acts.



For example, a January 2024 report by <u>Democracy Fund</u> found that over 80% of respondents agreed that "violence to advance political goals is never justified," it is "never okay to send threatening messages to leaders of the other party," and it is "never okay to harass members of the other party online." Results are broken down below according to party identification.

¹¹² Joe Goldman, Lee Drutman, and Oscar Pocasangre, *Democracy Hypocrisy: Examining America's Fragile Democratic Convictions* (Washington: Democracy Fund, 2024).

Survey responses of 1,633 US adults (age 18 and up) online from November 15 to December 6, 2022



In addition to this widespread and bipartisan opposition to political violence, the report also looked at the percentage of survey respondents who have consistently expressed support for political violence across four previous surveys going back to November 2019. It found that:

- Only approximately 2.5% of respondents consistently felt the use of political violence was justified, and/or that it was okay to harass members of another political party.
- Only approximately 1.3% or respondents consistently felt that it was ok to send intimidating messages to leaders of the other party.¹¹⁴

From this data, one can conclude that the number of Americans who reject political violence is more than 30 times greater than the number of Americans who consistently support it.

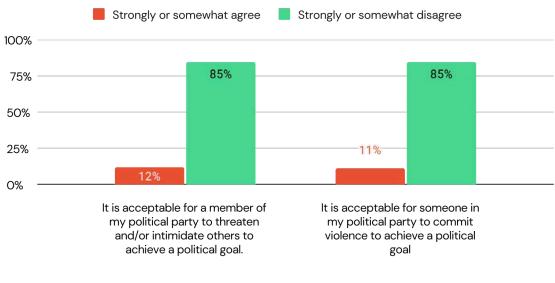
Other polls find greater potential support for political violence among the American public, but they still come to similar conclusions: that the vast majority oppose political violence and a small minority support it.

¹¹³ Data source: Goldman, Drutman, and Pocasangre, *Democracy Hypocrisy*.

¹¹⁴ These statistics are based on the author's calculations of polling data presented in Goldman, Drutman, and Pocasangre, *Democracy Hypocrisy*.

For example, an August 2022 poll by Reuters/IPSOS found:115

Poll results of 1,005 US adults (age 18 and up) between August 16-17, 2022



116

In addition, the <u>Reuters/IPSOS</u> poll found that 66% of respondents (60% of Republicans, 73% of Democrats, and 63% of Independents) expressed that they were concerned about acts of violence committed against people in their community because of their political beliefs.¹¹⁷

A related question is whether support for political violence is rising or falling. On this, different polls come to different conclusions, likely based on the way they phrase the question. For example, a survey by PRRI/Brookings released in October 2023 asked a general question about political violence and found that:

support for political violence has increased over the last two years. Today, nearly a quarter of Americans (23%) agree that "because things have gotten so far off track, true American patriots may have to resort to violence in order to save our country," up from 15% in 2021.¹¹⁸

Notably, there are two aspects of the way this survey question was phrased that likely contribute to its relatively high finding of support for political violence. First, the question refers to speculation about the future by using the phrase "may have to resort to violence." Thus, the poll result is likely higher than the number of people who think political violence is needed right now. Second, the poll question refers to whether "true American patriots may

¹¹⁵ Ipsos, "Public Poll Findings and Methodology: Reuters/Ipsos – Political Violence."

¹¹⁶ Data source: Ipsos, "Public Poll Findings."

¹¹⁷ Ipsos, "Public Poll Findings."

¹¹⁸ PRRI, "Survey: Three-quarters of Americans See Democracy at Risk in 2024 Election," Press release, October 24, 2023.

However, another poll covering approximately the same two-year time period suggests a contradictory conclusion. Asking about the use violence to achieve a specific goal, the University of Chicago's Project on Security & Threats (CPOST) found that the percentage of people agreeing that "The use of force is justified to restore Donald Trump to the Presidency" declined from approximately <u>9% in June 2021</u> to about <u>4.5% in April 2023</u>, and then moving to <u>7% in June 2023</u>. ¹¹⁹

Several conclusions emerge from these numbers:

- 1. The vast majority of Americans from both major political parties, as well as Independents, oppose political violence.
- 2. A significant majority of Americans are concerned about political violence.
- 3. A small minority of Americans believe that political violence may be necessary now or at some point in the future.
- 4. Based on existing survey data, it is unclear whether the small minority of Americans that may support political violence has grown or declined since 2021—this is probably the result of various surveys asking different kinds of questions to discern this.
- 5. Only a very small percentage of Americans (approximately 2.5%) seem consistently committed to political violence as a way of making change.
- 6. Among the very small percentage of Americans who seem consistently committed to political violence as a way of making change, only a very small fraction of them seem willing to act on that view (as we will see in question 3 below).

3. What is the likelihood of acts of physical political violence in the US?

Determining the likelihood of political violence depends in part on how one defines the phenomenon. While at least <u>six different</u> entities in the United States (ranging from universities to research groups) track political violence, there is no single standard definition for the term.¹²⁰

have to resort to violence in order to save our country." Many Americans identify as patriots, and their answer to this question may be more about affirming this identity than it is about believing political violence is necessary now.

¹¹⁹ Chicago Project on Security and Threats, "Deep Destructive and Disturbing: What We Know About the Today's American Insurrectionist Movement," Slides presented to Adlai Stevenson Center on Democracy, August 6, 2021; Robert Pape, Introducing CPOST's New 'Political and Violent Dangers to Democracy' Tracker (Chicago: CPOST, 2023); Robert Pape, Dangers to Democracy: Tracking Deep Distrust of Democratic Institutions, Conspiracy Beliefs, and Support for Political Violence Among Americans (Chicago: CPOST, 2023).

¹²⁰ Ned Parker and Peter Eisler, "Political Violence in Polarized US at Its Worst Since 1970s," Reuters, August 9, 2023.

In addition, even when researchers adopt a shared definition focusing only on *physical* political violence, challenges still remain with tracking such incidents. This is because political violence involves determining both an act and intent (does the attacker aim to advance political goals?). All violence has political implications, but answering the question of clear political intent can be difficult at times. For example, under what circumstances should violent hate crimes or acts of domestic terrorism in the US be defined as acts of physical political violence? Or when police use violence against civilians or protesters (who can have a range of goals, and conduct themselves in many different ways), under what circumstances should that be considered political violence?

In spite of these definitional and tracking challenges, there is a general view that the actual incidence of physical harm from political violence in the US is still quite low for a country with a population of over 330 million people.

Here are findings of two analyses that use different narrow definitions of PV and assess different data on this topic:

1. An August 9, 2023 <u>special report</u> by the media organization Reuters identified 213 cases of political violence nationwide since January 6, 2021. These acts resulted in a total of 39 deaths, which can be attributed to eight assailants. The kinds of political violence that resulted in death varied, with the special report stating:

Some deaths followed one-on-one disputes, such as a fatal brawl last year between two Florida men arguing over Trump's business acumen. Others happened in public settings, such as the shooting of five social justice protesters in Portland last year by a man immersed in far-right political rhetoric. Politically motivated mass killings claimed 24 of the lives, including the May 2022 shooting of 10 Black shoppers in Buffalo by a white supremacist who called for a race war.¹²²

¹²¹ Parker and Eisler, "Political Violence in Polarized US."

The Reuters special report defined political violence as: "acts committed by members of the public and linked to an election or partisan political dispute, or premeditated physical attacks driven by a clearly identifiable ideology."

It added the following clarifications: "Incidents initiated by police or other government agents in their official capacity were excluded.

[&]quot;Hate crimes were included if there was evidence they were committed in service of an expressed political belief or ideology, such as an attack on a Black person by a member of a white supremacist group or an avowed white nationalist. The tally excludes spontaneous hate crimes in which there was no evidence of a premeditated ideological motive.

[&]quot;Substantial and intentional property damage associated with protest movements was included, except in cases where the damage was incidental in conflicts with counter-demonstrators or police. Relatively minor property damage, such as graffiti, was not included.

[&]quot;Cases limited to threats and harassment were excluded."

2. An <u>analysis of data</u> from the <u>Armed Conflict Location and Event Data project</u> (which is a leading source of information on violence worldwide) found a higher number of incidents and fatalities than the Reuters analysis, but the total was still relatively low considering the size of the US. The authors state that:

245 instances of political violence took place in the United States in 2022, the most recent year that included national elections. Most of these events were relatively small in scale, such as minor protests that turned violent. Any level of political violence in the United States is too high, but for the average American, the personal risk of experiencing physical harm from political violence specifically remains fairly low.¹²³

From these 245 instances of political violence in 2022, there were 97 fatalities. They were followed in 2023 by 214 incidents resulting in 64 fatalities. 124

If these numbers on political violence seem too low to you, it is important to remember that incidents of physical political violence—especially incidents where injuries were minor—are likely underreported. You may also have different criteria to define physical political violence than the ones that were used in these two analyses. For example, Reuters notes that "Incidents initiated by police or other government agents in their official capacity were excluded" from their data. However, taken together, the Reuters and ACLED data suggest that with a fairly narrow definition of PV, focused on physical violence that is directly attributable to a clear and specific political motive, the incidence of physical political violence remains relatively low in the US. This is so even though the FBI's reported incidence of hate crimes (the majority of which do not involve physical violence) in the US rose from 10,840 incidents in 2021 to 11,634 incidents in 2022, and even though the overall rate of homicide remains high in the US, relative to other comparable democratic countries.¹²⁵

Thus, while fear of PV has risen in recent years, and US society struggles with numerous forms of violence in general, actual physical political violence (narrowly defined) has remained relatively rare. For this reason, some argue that threats of political violence are doing greater damage to the US and to people's lives than physical political violence itself. For example, former FBI director James Comey argues that "we have a much bigger problem with threats of violence than we do with actual violence." 126

¹²³ Dresden and Raderstorf, "Threats of Political Violence."

¹²⁴ Search criteria for political violence in the ACLED dataset included "battles", "violence against civilians", "explosions/remote violence", and "riots". These criteria are each defined in ACLED's <u>Armed Conflict Location & Event Data Project Codebook</u>, 2023.

¹²⁵ US Department of Justice, "2021 Hate Crimes Statistics"; US Department of Justice, "Facts and Statistics"; Warren Fiske, "Gun Homicides 22 Times More Frequent in US Than European Union," *Austin American-Statesman*, December 5, 2022.

¹²⁶ James Comey, "Donald Trump Isn't Coming for Us: The Rule of Law Is Coming for Him," *The Washington Post*, January 10, 2024.

4. Which groups are most likely to incite, threaten, or enact physical political violence?

The current US climate for political violence can be analyzed based on three kinds of actors:

- 1. Those who seek to incite threats (inciters)
- 2. Those who make threats or engage in other acts of intimidation (threat-makers)
- 3. Those who enact direct physical political violence (enactors)

People in these groups can overlap (for example, inciters are sometimes also threat-makers, and threat-makers are sometimes also enactors). However, it can be helpful to analyze each group distinctly to understand how the ecosystem of political violence works, the roles that various groups play, and their attributes.

Inciters

Inciters target and dehumanize individuals and groups with toxic rhetoric, which sets conditions for PV. Inciters can be thought of as political entrepreneurs—they have an interest in building a following so they can profit politically and economically by creating toxic polarization, feeding outrage, and trafficking in disinformation (which contains direct falsehoods) and/or malinformation (which contains some facts with highly misleading context). Notably, inciters often have no interest in personally risking their own lives or livelihoods to enact threats. Rather, they see a market that they feed content to, they profit from it, and threats and political violence are a result.



We tend to know who inciters are—they generally want to be known and use various media platforms because building their influence is part of their goal.

However, some inciters try to remain anonymous while building a following. In certain cases, this can be because they are foreign-backed.¹²⁷ The <u>Department of Homeland Security notes</u> that foreign actors have:

sought to contribute to U.S. internal discord and weaken its focus and position internationally. These actors have amplified narratives that radicalized individuals have cited to justify violence, including conspiracy theories and false or misleading narratives promoting U.S. societal division.... Some of these actors have used these conspiracy theories to justify calls for violence against U.S. officials and institutions.¹²⁸

Threat-makers

We don't have complete data on who threat-makers are. Many of them engage anonymously and many threats are likely unreported to government authorities or other institutions that try to track political violence.

However, there is some data from which we can draw. First, we can look at support for political violence across various demographic groups to figure out which groups have the greatest number of potential threat–makers (although notably, a higher number of potential threat–makers is not the only important factor here—the intensity of their views about political violence also matters). Second, we can analyze the limited data that exists about who actually makes threats.

Based on this information, here are some general conclusions:

- 1. Support for political violence exists among groups on various parts of the US political spectrum.
- 2. Support for political violence tends to be higher among people on the political right than the political left, although there is some variation in this finding.
- 3. The vast majority of threat-makers are men.
- 4. Threat-makers tend to be older, more educated, and more financially secure than the general population of violent criminals.

¹²⁷ For example, in 2020 the FBI concluded that the Iranian government was behind a website called "Enemies of the People" that included images, home addresses, and other personal information about more than a dozen US federal and state officials, as well as employees of the company Dominion Voting Systems. It claimed, "The following individuals have aided and abetted the fraudulent election against Trump" and added crosshairs to their photos. It further included hashtags #remembertheirfaces and #NoQuarterForTraitors. See: Ellen Nakashima, Amy Gardner, and Aaron C. Davis, "FBI Links Iran to 'Enemies of the People' Hit List Targeting Top Officials Who've Refuted Trump's Election Fraud Claims," *The Washington Post*, December 22, 2020.

¹²⁸ US Department of Homeland Security, "Summary of the Terrorism Threat to the United States," *National Terrorism Advisory System Bulletin*, June 7, 2022.

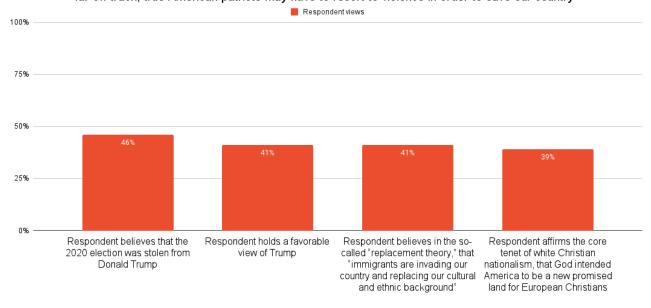
5. Some threat-makers pretend to be domestically based, but actually originate as part of foreign government activity.

The first two conclusions about political ideology and support for PV are based on polling and surveys. For example, a PRRI/Brookings survey released in October 2023 found that 33% of Republicans, 13% of Democrats, and 22% of Independents agreed with the statement that "because things have gotten so far off track, true American patriots may have to resort to violence in order to save our country." 129

In addition, the survey found even higher levels of potential support for political violence among people who held the following views (which correlate with the political right):¹³⁰

- Americans who believe that the 2020 election was stolen from Donald Trump (46%);
- Americans who hold a favorable view of Trump (41%);
- Americans who believe in the so-called "replacement theory," that "immigrants
 are invading our country and replacing our cultural and ethnic background" (41%);
 and
- Americans who affirm the core tenet of white Christian nationalism, that God intended America to be a new promised land for European Christians (39%).

Percentage of respondents that hold certain views and agree with the statement that "because things have gotten so far off track, true American patriots may have to resort to violence in order to save our country"



¹³¹

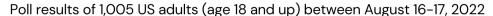
[&]quot;Survey: Three-quarters of Americans," PRRI.

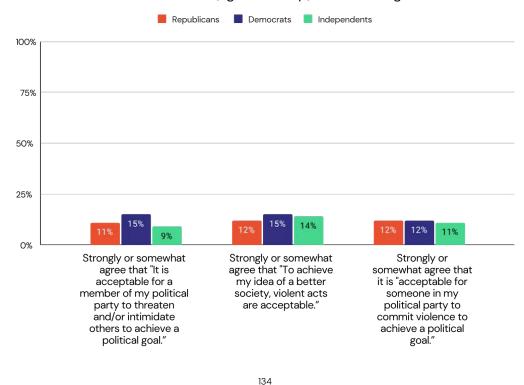
¹³⁰ "Survey: Three-quarters of Americans," PRRI.

¹³¹ Data source: PRRI.

However, findings on this topic are not always consistent. For example, an August 2022 poll by <u>Reuters/IPSOS</u> found overall lower support for political violence among all groups, and also found somewhat greater support for political violence among Democratic respondents than Republican respondents, including that: 132

- 11% of Republicans, 15% of Democrats, and 9% of Independents expressed at least some agreement that "It is acceptable for a member of my political party to threaten and/or intimidate others to achieve a political goal."
- 12% of Republicans, 15% of Democrats, and 14% of Independents expressed at least some agreement that "To achieve my idea of a better society, violent acts are acceptable."
- 12% of Republicans, 12% of Democrats, and 11% of Independents expressed at least some agreement that it is "acceptable for someone in my political party to commit violence to achieve a political goal." ¹³³





¹³² Chris Jackson, Annaleise Azevedo Lohr, Jocelyn Duran, "Very Few Americans Believe Political Violence is Acceptable," *Ipsos*, August 22, 2022.

¹³³ Jackson, Azevedo Lohr, and Duran, "Very Few Americans."

¹³⁴ Data source: Jackson, Azevedo Lohr, and Duran.

In addition, threat–making is not just a result of believing that political violence may be necessary. It also relates to the intensity of that belief. On this point, there is reason to suspect the actual number of people who strongly support the use of political violence is smaller than the above polls indicate. For example, a January 2024 report by Democracy Fund looked at the percentage of survey respondents who consistently supported violence across all four of their surveys going back to November 2019 (consistent support likely corresponds to intensity of belief). They found that over the approximately four–year period:

- Only 4% of Republicans, 2% of Democrats, and 0% of Independents consistently felt the use of political violence was justified, and/or that it was okay to harass members of another political party.
- Only 2% of Republicans, 1% of Democrats, and 0% of Independents consistently felt that it was ok to send intimidating messages to leaders of the other party.¹³⁶

Beyond looking at public polling, we can also draw lessons from data about actual threats. <u>CNN analyzed</u> 540 cases of individuals who were federally charged for threats against public officials or institutions between January 2013 and November 2023. They found that the vast majority (nearly 95%) were male, with a median age of 37. They also cite University of Maryland criminology professor Gary LaFree suggesting that threat-makers tend to be older, better educated, and more financially secure than perpetrators of other violent crimes.

CNN further commented that mental health issues, divorce, solitude, grief, and substance abuse were "recurring theme[s] in the lives of many offenders." However, it should be noted that the vast majority of individuals who experience these life circumstances do not go onto threaten political violence, and that primarily attributing threats to these circumstances overlooks the powerful role that inciters play in fomenting PV.

Lastly, some anonymous threats may not originate from people in the US at all, and in fact may be directed by foreign governments. For example, in 2021 the <u>US Department of</u>

¹³⁵ Goldman, Drutman, and Pocasangre, *Democracy Hypocrisy*.

¹³⁶ Goldman, Drutman, and Pocasangre.

¹³⁷ The CNN study "defined politically motivated threats as those targeting named elected officials or election employees or threats focusing on hot-button political issues like abortion rights, police brutality or gun control. Threats that stemmed from a perceived personal grievance – for example, an inmate who threatened the prosecutor of his case and also targeted an elected official in his message – were not considered politically motivated." Rob Kuznia, Majlie de Puy Kamp, Alex Leeds Matthews, Kyung Lah, Anna-Maja Rappard, and Yahya Abou-Ghazala, "A Deluge of Violent Messages: How a Surge in Threats to Public Officials Could Disrupt American Democracy," *CNN*, December 7, 2023.

¹³⁸ Kuznia, et al., "Deluge of Violent Messages."

<u>Justice charged two Iranian nationals</u> with an array of offenses related to the 2020 election, including:

an online voter intimidation campaign involving the dissemination of a threatening message... purporting to be from the Proud Boys, to tens of thousands of registered voters.... The emails were sent to registered Democrats and threatened the recipients with physical injury if they did not change their party affiliation and vote for President Trump.¹³⁹

Enactors

While a small minority of Americans make threats of PV, a far smaller percentage actually enact physical political violence.



What do we know about these people? Based on existing research and expert analysis, we can conclude that the vast majority of deadly political violence attacks are carried out by right-wing individuals, and that the threat of physical political violence appears to come mostly from lone offenders and small groups. In addition, evidence suggests that threat-makers and enactors are often distinct from each other—that those who threaten political violence often do not perpetrate physical political violence, and those who enact physical political violence sometimes do not make direct threats beforehand.

The prevalence of deadly right-wing political violence is substantiated by multiple sources. For example, the August 9, 2023 <u>special report</u> by the media organization

¹³⁹ US Department of Justice, "Two Iranian Nationals Charged for Cyber-Enabled Disinformation and Threat Campaign Designed to Influence the 2020 US Presidential Election," *Office of Public Affairs Press Release*, November 18, 2021.

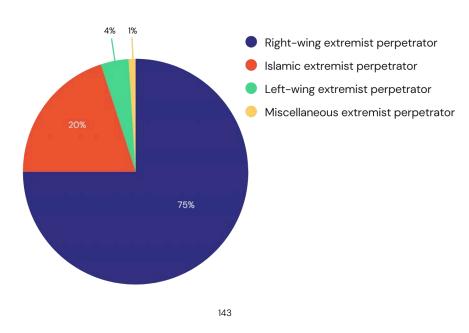
Reuters (mentioned already in response to question 3 in this section) identified 213 cases of political violence since January 6, 2021. Reuters found that "Of the 14 fatal political attacks since the [January 6, 2021] Capitol riot in which the perpetrator or suspect had a clear partisan leaning, 13 were right-wing assailants. One was on the left."

In addition, an <u>analysis by the Anti-Defamation League</u> (ADL) that focused on "extremist mass killings" found that:

All the extremist-related murders in 2022 were committed by right-wing extremists of various kinds, who typically commit most such killings each year.... Left-wing extremists engage in violence ranging from assaults to fire-bombings and arsons, but since the late 1980s have not often targeted people with deadly violence.¹⁴²

The ADL report also found that right-wing extremists were responsible for 75% of all extremist-related murders between 2013 and 2022. Meanwhile, 20% were attributed to Islamic extremists, while only 4% were attributed to left-wing extremists, and 1% to miscellaneous extremist groups.

Extremist-related murders in the US: 2013-2022



¹⁴⁰ Parker and Eisler, "Political Violence in Polarized US."

¹⁴¹ Parker and Eisler.

¹⁴² Mark Pitcavage, *Murder & Extremism in the United States in 2022: Including an In-Depth Analysis of Extremist Mass Killings* (New York: Anti-Defamation League, 2022).

¹⁴³ Data source: Pitcavage, Murder & Extremism.

Notably, these findings directly contradict the views of many Americans. In a May 2022 poll conducted by Yahoo/YouGov, most respondents believed that the threat of deadly political violence in the US originated more equally from the political right and the political left. Only 18% answered correctly that almost all "U.S. murders linked to political extremism over the last decade" were committed by right-wing extremists.¹⁴⁴

The people most likely to carry out these attacks are also assessed to be individuals radicalized in the US and often acting alone or in small groups. As stated in the US Department of Homeland Security's Threat Assessment for 2024:

During the next year, we assess that the threat of violence from individuals radicalized in the United States will remain high, but largely unchanged, marked by lone offenders or small group attacks that occur with little warning.¹⁴⁵

Among these radicalized individuals, how often do threat-makers also become enactors of physical political violence? We can't be certain, but the answer may be that this happens with less frequency than is commonly assumed. For example, in their analysis of 540 cases of prosecuted threats against public officials, <u>CNN found</u> that "at least 44 cases in which people who made threats took additional steps to follow through." This represents only approximately 8% of cases, which means that in many cases CNN did not find that threat-makers took clear steps to enact physical political violence.

However, what about those who enact political violence—do they tend to make threats beforehand? It appears that sometimes they do not. As Katherine Keneally of the Institute for Strategic Dialogue comments, serious attackers <u>may not issue threats</u> "because they are very much focused on wanting to stay under the radar." For example, according to the US Secret Service and other authorities, the right-wing assailant who seriously injured the husband of Speaker of the House Nancy Pelosi in 2023 issued no threats in advance. Similarly, the left-wing assailant who shot Congressman Steve Scalise and others in 2017 also issued no threats in advance. ¹⁴⁸

¹⁴⁴ "Yahoo! News Survey, May 23, 2022," YouGov. https://d3nkl3psvxxpe9.cloudfront.net/documents/20220523_yahoo_toplines.pdf.

¹⁴⁵ Office of Intelligence and Analysis, *Homeland Thread Assessment 2024* (Washington: Department of Homeland Security, 2023).

¹⁴⁶ Kuznia, et al., "A Deluge of Violent Messages."

¹⁴⁷ Kuznia, et al.

¹⁴⁸ Kuznia, et al.

5. Which groups are most likely to receive threats?

Threats are directed to many groups in US society. People at the local, state, and national level of any gender, race, ethnicity, or political leaning can be threatened with PV. Amidst this widespread attack on democracy, it is also notable that on average some groups seem to receive more threats than others. Knowing who is most likely to be threatened is important in understanding the impact that PV has (which we discuss further in question 8 in this section) and anticipating which individuals or groups may be most likely to need support.

Some insights and research findings are that:

- 1. Local election workers are highly targeted.
- 2. Members of state legislatures are highly targeted.
- 3. Local elected officials are highly targeted.
- 4. Elected officials from both political parties receive a significant amount of threats.
- 5. Women are significantly more likely than men to be targeted.
- 6. People of color are more likely to receive threats.
- 7. When individuals are in the news, they are more likely to receive threats.

The deliberate targeting of election officials with threats is not surprising. People who espouse ideas that are not able to win popular support in elections may seek instead to sabotage elections themselves. An <u>analysis of 400 cases</u> of locally targeted threats across 43 states occurring between January 2020 and September 2022 found that targeted groups included:

election officials or poll workers (35 percent), followed by school officials (31 percent), other locally elected or appointed officials (21 percent), and health officials (12 percent).¹⁴⁹

Individuals in all of the above groups need support. However, part of what sets election workers apart is the consistency with which they have been targeted, and their immediate and essential role in maintaining democracy. Recent analysis from a February–March 2024 survey reveals that 38% of local election officials reported experiencing threats, harassment, or abuse because of their job, and 54% are concerned about the safety of their colleagues and/or staff. Evidence also points to the increased likelihood of threats or harassment in swing states with high levels of election fraud claims. ¹⁵¹

¹⁴⁹ Joel Day, Aleena Khan, and Michael Loadenthal, "Elected Officials Are Being Threatened and Attacked: We're Tracking That," *The Washington Post*, November 9, 2022.

¹⁵⁰ "Local Election Officials Survey," Brennan Center for Justice, May 2024.

¹⁵¹ Day, Khan, and Loadenthal, "Elected Officials Are Being Threatened"; US Department of Justice, "Readout of Election Threats Task Force Briefing with Election Officials and Workers," *Office of Public Affairs Press Release*, August 1, 2022.

In addition to election officials, state legislators also seem to receive a particularly high number of threats. A <u>broad national survey</u> of more than 1,700 officials from all 50 states, which was completed in October 2023, found that:

- 43% of state legislators experienced threats over the past three years.
- 18% of local elected officeholders experienced threats over the past three years. 152

Similarly, local elected officials (i.e., mayors, city councilmembers, and county officials) are all likely to be targeted. A <u>national survey of local elected officials</u> from December 2023–January 2024 revealed that:

- 34% of local officials reported that they were "harassed verbally, in writing, or online" over the previous three months.
- 17% that they were "threatened verbally, in writing, or online" over the previous three months.
- 1% were "attacked physically" over the previous three months. 153

Data also suggests that comparable numbers of both Democrat and Republican officials are targeted by threats. For example, in the previously cited <u>national survey of local</u> <u>elected officials</u>, 18% of Democrats, 19% of Independents, and 20% of Republicans reported threats over the previous three months.¹⁵⁴



¹⁵² Ramachandran, et al., *Intimidation of State and Local Officeholders*.

¹⁵³ "Threats and Harassment in Local Government: Benchmarking Report," CivicPulse and Bridging Divides Initiative, January 2024.

¹⁵⁴ "Threats and Harassment," CivicPulse and Bridging Divides Initiative.

<u>Analysis of federally prosecuted threats</u> during the Trump and Biden administrations also found a balance of threats between parties, concluding that "Republicans and Democrats were targeted almost evenly: 82 threats leveled at named Republican officials and 80 threats against named Democrats..."

Threats to members of Congress further show equal targeting of both parties. For example, the <u>US Capitol Police investigated</u> 7,501 cases of threats in 2022 and commented that "All Members of Congress receive threats and concerning statements" and "The number of threats against both parties are similar." ¹⁵⁶

We should not conclude from this, however, that an equal number of threats against Democrats and Republicans means that there is also an equal number of threat-makers from both parties. A common aspect of political violence is to try to scare members of one's own party to accept or support more extreme political positions and to punish party members who seek moderation. This means that some threat-makers may threaten members of their own party as well as members of the opposing party.

Beyond examining an individual's role and party, we also know that in general women, and people of color are more likely to receive threats. One study assesses that women are on average 3.4 times more likely to receive threats and harassment than men.¹⁵⁷ Another from December 2023–January 2024 found that 23% of women local elected officials received threats over the past three months, versus 18% of male local elected officials.¹⁵⁸

This same study also found that "racial and ethnic minorities experience all hostile event types [insults, harassment, threats, and attacks] to a greater degree than non-minorities," with 25% of minority elected officials receiving threats in the last three months, versus 18% of non-minority elected officials. Other studies reinforce this finding, showing that people of color, and particularly women of color, tend to be subject to a higher incidence of a range of abusive conduct (including, but not limited to, threats) in their roles as mayors, local elected officials, and as political candidates.

¹⁵⁵ "New Data on Threats and Harassment in Local Government: Analysis Shows Consistently High Baseline of Harassment," Bridging Divides Initiative, September 26, 2023.

¹⁵⁶ United States Capitol Police, "USCP Threat Assessment Cases for 2022," *Press Release*, January 17, 2023.

¹⁵⁷ Day, Khan, and Loadenthal, "Elected Officials Are Being Threatened."

¹⁵⁸ "Threats and Harassment," CivicPulse and Bridging Divides Initiative.

¹⁵⁹ CivicPulse and Bridging Divides Initiative.

¹⁶⁰ Rebekah Herrick, Sue Thomas, Heidi Gerbracht, Ceri Jenkins, and Emily Miota, "Intersectional Psychological Violence, Threats, and Physical Violence Against Mayors in 2021," *Women Mayors Network*, May 11, 2022; "New Data on Threats," Bridging Divides Initiative; Dhanaraj Thakur and DeVan Hankerson Madrigal, *An Unrepresentative Democracy: How Disinformation and Online Abuse Hinder Women of Color Political Candidates in the United States* (Washington: Center for Democracy and Technology, 2022).

In addition to the heightened incidence of threats of PV against women and people of color, <u>rising hate crimes against LGBTQ communities</u>, particularly around <u>drag shows</u>, likely also means a higher incidence of threats of PV for these communities as well.¹⁶¹

Lastly, heightened media exposure of individuals results in a higher incidence of threats. This may be one of the most reliable short-term predictors of who will be targeted. <u>US Capitol Police Chief Thomas Manger commented</u>, "Any time a member of Congress is in the news, whether it's good or bad or just neutral ... you will see a spike in threats to that individual member. It just gets people to notice." ¹⁶²

Inciters draw attention to individuals or events in ways that increase threats. For example, <u>CNN found</u> "a pronounced spike in threat cases in the leadup to and the immediate aftermath of the January 6 attack, underscoring the mass hysteria that made the period so dangerous and destabilizing." ¹⁶³

6. How much are threats and acts of physical political violence increasing?

There are several challenges in answering this question. The first is that various definitions of threats and political violence will yield different results. In addition, any official tally of threats is <u>likely an undercount</u>, because many threats go unreported. For example, a <u>2024 survey of local election officials</u> found that 45% who had been threatened did not report the threat to law enforcement. In the first is that various definitions of the threat to law enforcement.

It can also be difficult to discern exact lines for when harassment becomes intimidation and when intimidation becomes a direct threat. More generally, tracking any political violence can be challenging because it is not always clear whether an attacker's motivation qualifies as political intent.

Nonetheless, data shows that both threats and physical political violence have risen significantly since <u>2016</u>. There is also evidence that they have stabilized in recent years (although they remain at a much higher level than a decade ago) and may have even declined somewhat in the last two years.

Here is some supporting evidence:

¹⁶¹ "Year in Review: Anti-LGBTQ+ Hate & Extremism Incidents, 2022 – 2023," Anti-Defamation League, June 22, 2023; Tim Squirrell and Jacob Davey, *Understanding Threats and Harassment Targeting Drag Shows and the LGBTQ+ Community* (London: Institute for Strategic Dialogue, 2023).

¹⁶² Kuznia, et al., "Deluge of Violent Messages."

¹⁶³ Kuznia, et al.

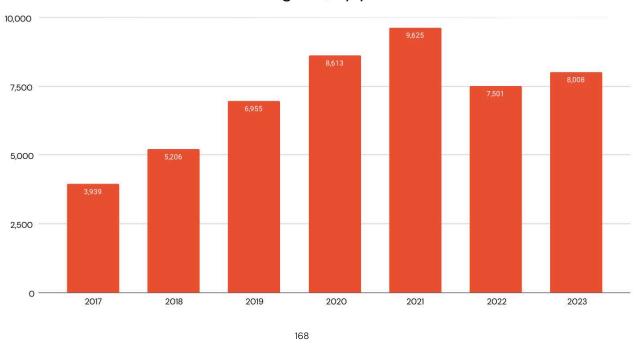
¹⁶⁴ Day, Khan, and Loadenthal, "Elected Officials Are Being Threatened."

¹⁶⁵ "Local Election Officials Survey," Brennan Center for Justice, May 2024.

¹⁶⁶ Parker and Eisler, "Political Violence in Polarized US."

The US Capitol Police (USCP) has released their numbers of investigated threat cases from 2017-2023, showing rapid growth of threats during this time, followed by an overall decline after 2021:¹⁶⁷

United States Capitol Police (USCP) investigated threats to members of Congress, by year



Notably, even with the recent decline over the last two years, the number of investigated threats in 2023 was still more than double the number of threats investigated in 2017.

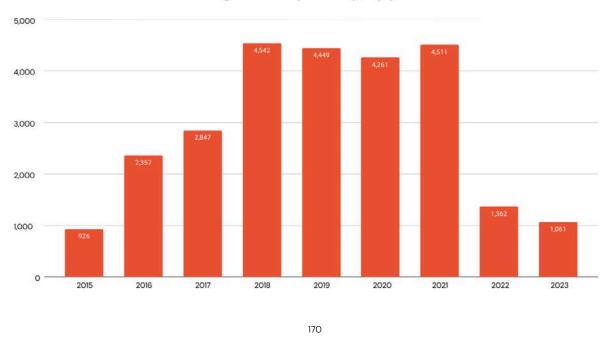
The US Marshals Service, which provides protection to federal judges, jurors, and other courtroom personnel, similarly reported a large uptick in threats and "inappropriate communications" against the judiciary starting in 2016 and then declining in 2022 and 2023. These are reported as follows:

¹⁶⁷ United States Capitol Police. "USCP Threat Assessment Cases for 2022"; United States Capitol Police. "USCP Threat Assessment Cases for 2023," Press release, January 18, 2024.

¹⁶⁸ Data source: United States Capitol Police, "USCP Threat Assessment Cases for 2022" and "USCP Threat Assessment Cases for 2023."

¹⁶⁹ CNN Editorial Research, "Judges Targeted Fast Facts," *CNN*, April 24, 2024; US Marshals Service, "Fact Sheet: Judicial Security 2024," *Office of Public Affairs*, October 1, 2023.

US Marshals Service reports of "inappropriate communications" against the judiciary, by year



A <u>CNN investigation</u> of federally prosecuted threats against public officials or institutions also came to a similar conclusion. It found that "Politically motivated threats to public officials increased 178% during Trump's presidency," and also that such threats decreased in 2022.¹⁷¹ It further found that during this time "threats to both parties rose sharply," with the increase of threats to Republicans even greater than the increase for Democrats.¹⁷² It appears that threats affected "all levels of public officials, from members of Congress to state election officials to governors to city council candidates." In addition, the investigation found that "threats related to hot political topics like abortion or police brutality also skyrocketed during the Trump years, increasing by more than 300% from Obama's second term."

This rise in threats has certainly been noticed by public officials. A <u>2024 survey</u> of local election officials found that 70% feel that threats have increased since 2020." Similarly, a 2023 survey of intimidation of state and local officeholders found that:

¹⁷⁰ Data source: CNN Editorial Research, "Judges Targeted Fast Facts"; US Marshals Service, "Fact Sheet: Judicial Security 2024."

¹⁷¹ Kuznia, et al., "Deluge of Violent Messages."

¹⁷²The investigation elaborated that "More Republican officials—who were almost never singled out during Obama's second term—were targeted than Democrats in prosecuted threats during the Trump years (43 Republicans targeted vs. 35 Democrats). However, the number of Democrats who were threatened during Obama's term—16—more than doubled under Trump." Kuznia, et al.

¹⁷³ "Local Election Officials Survey," Brennan Center for Justice, May 2024.

- 38% of state legislators "reported that the amount of abuse they experience has increased since first taking public office," while only 16% reported that it has decreased.
- 29% of state legislators "reported that the seriousness of the incidents has increased," while only 12% reported that it has decreased.

Beyond the rising incidents of threats, the risk of physical political violence also seems to be increasing. According to University of Maryland criminologist Gary LaFree, who has tracked violence and terrorism in a database between 1970 and 2020, incidents of political violence began rising in 2016.¹⁷⁵

This coincides with an overall rise in incidents of domestic terrorism (such as mass shootings, although not all of these incidents are necessarily political violence), which have grown by 357% over the last decade, according to the US Government Accountability Office. Similarly, according to FBI reports, hate crimes in the US have risen since at least 2014. The coincidents of domestic terrorism (such as mass shootings, although not all of these incidents are necessarily political violence), which have grown by 357% over the last decade, according to the US Government.

Nonetheless, as noted previously, physical political violence (narrowly defined) remains relatively rare.

7. Why is political violence increasing?

There are a range of intersecting factors that contribute to the rise in political violence in the US. These include the actions and rhetoric of powerholders, technologies such as social media that propagate disinformation, certain underlying attitudes and political views in the US population, and the incentives of individuals and groups.

Of these four factors, the first three have received a significant amount of public attention, and they are briefly outlined below. However, the fourth factor—the incentives of individuals and groups—has received relatively less attention, even though it is one of the most important. Furthermore, the fourth factor is also the easiest for communities to directly influence, and by doing so, they can make political violence backfire.

¹⁷⁴ Ramachandran, et al., *Intimidation of State and Local Officeholders*.

¹⁷⁵ University of Maryland, "Professor Gary LaFree quoted in Reuters Special Report," Criminology and Criminal Justice Department.

¹⁷⁶ US Government Accountability Office, "The Rising Threat of Domestic Terrorism in the US and Federal Efforts to Combat It," *WatchBlog*, March 2, 2023.

¹⁷⁷ Gloria Oladipo, "FBI Report Shows Stark Increase in US Hate Crimes and Drop in Violent Crime," *The Guardian*, October 16, 2023; Weihua Li and Jamiles Lartey, "New FBI Data Shows More Hate Crimes: These Groups Saw the Sharpest Rise," *The Marshall Project*, March 25, 2023.

Powerholders, Technologies, Public Sentiment, and Incentives

Media attention to PV tends to focus on the actions of powerholders (i.e., politicians and certain commentators) and the use of online spaces (i.e., social media) to promote disinformation and polarization. These drivers were especially powerful during the COVID-19 pandemic.

Some powerholders have also inflamed and increased the threat of PV related to certain issues (sometimes these are referred to as potential "trigger" issues), including matters related to abortion, the electoral process, immigration policy, public school curricula, and LGBTQ rights.¹⁷⁸

This toxic rhetoric, combined with online disinformation, builds on certain underlying sentiments in the population, which can make people more receptive to the idea of political violence.¹⁷⁹ These sentiments include a loss of faith in US democracy (due to economic inequality, political gridlock, corruption, or the seeming inability of government to address certain problems); racism, sexism, and other forms of prejudice; fear of demographic and cultural changes in the United States; and an "arms race" mentality by which people justify their own support for PV based on the belief that their political opponents support PV.¹⁸⁰

The Department of Homeland Security speaks to the interplay of these factors in their June 2022 Summary of Terrorism Threat to the United States,

The continued proliferation of false or misleading narratives regarding current events could reinforce existing personal grievances or ideologies, and in combination with other factors, could inspire individuals to mobilize to violence.¹⁸¹

Manavir Singh, "Don't Believe What They're Telling You About Misinformation," *The New Yorker*, April 15, 2024; and Claire Wardle, "Misunderstanding Misinformation," *Issues in Science and Technology* 39, no. 3 (Spring 2023); 38–40.

A summary of the research findings are that: "In an observational study (N = 1,973), we find that US partisans are willing to subvert democratic norms to the extent that they believe opposing partisans are willing to do the same. In experimental studies (N = 2,543, N = 1,848), we revealed to partisans that their opponents are more committed to democratic norms than they think. As a result, the partisans became more committed to upholding democratic norms themselves and less willing to vote for candidates who break these norms." Alia Braley, Gabriel S. Lenz, Dhaval Adjodah, Hossein Rahnama, and Alex Pentland, "Why Voters Who Value Democracy Participate in Democratic Backsliding," *Nature Human Behaviour* 7, no. 8 (2023): 1–12.

¹⁷⁸ Kuznia, et al., "Deluge of Violent Messages."

¹⁷⁹ For two analyses of the interaction of disinformation and underlying attitudes, see:

¹⁸⁰ For example, see: Edward Lempinen, "Berkeley Political Scientists Chart a Promising Course to Ease Toxic Polarization," *Berkeley News*, May 22, 2023.

¹⁸¹ US Department of Homeland Security, "Summary of the Terrorism Threat."

However, these general factors driving political violence are not the full story. They all contribute to a fourth factor, which is the incentives of individuals and groups. These incentives particularly help to explain the deeply damaging rise in threats in the US. In short, threats are increasing because they provide benefits to those who incite and make them.

For those who want power but know they cannot enact their agenda through a free and fair democratic process, threats are a powerful and cheap way to attack democracy and advance an authoritarian alternative. Inciting threats is also often politically and economically profitable in a personal sense for individuals, who may build an online following. Threats can further provide a psychological benefit (feeling powerful, feeling part of a group) to those who make them.



This cost-benefit analysis helps to explain why there is a sharp rise in threats, while at the same time relatively few people actually carry out physical political violence. Physical political violence entails personal risk, and often also requires resources, planning, and time spent identifying an opportunity. Threats are much cheaper and can accomplish a similar result (e.g., influencing decision making, and scaring people into silence and withdrawal from political life) with minimal risk, resources, and planning. A computer or mobile phone provides the means (email, text message, etc.), motive (toxic media), and opportunity (anytime, since the internet is always available) to make threats.

This powerful impact of personal and group incentives is a challenge to address, but it is also an opportunity, because it means that shifting these incentives can have a significant effect on curtailing PV. If incitement and making threats becomes more costly and provides fewer benefits, the marketplace for these behaviors will diminish, along with the associated acts of physical political violence that they inspire.

The federal, state, and local governments are aware of these incentives, yet are limited in their ability to change them. Typical government approaches to stopping unwanted behaviors—such as passing laws that impose civil fines or criminal prosecution—have not worked well against incitement and threats. This means that those who engage in these behaviors tend to reap benefits while going unpunished. Many threats are made anonymously or never reported to authorities, but critically, many threats are also protected as free speech, so the risk of legal consequences for perpetrators is minimal. For example, of the 7,501 threats investigated by the US Capitol Police in 2022, only 46 (0.6%) led to prosecutions. In addition, the US Department of Justice noted in 2022 that its Election Threats Task Force reviewed over 1,000 contacts that were "reported as hostile or harassing" by election workers and concluded that only "approximately 11 percent of those contacts met the threshold for a federal criminal investigation." Of those 11 percent, even fewer may result in federal charges.



Fortunately, as the number of threats has risen in recent years, <u>prosecutions have risen</u> as well, and according to <u>one study</u>, nearly 80% of prosecutions resulted in convictions. However, the incredibly small number of prosecutions overall reflects the conclusion of US Capitol Police consulting psychologist Mario Scalora, who stated, "<u>This is not a problem we can only arrest our way out of.</u>" 185

¹⁸² Kuznia, et al., "A Deluge of Violent Messages."

¹⁸³ Day, Khan, and Loadenthal, "Elected Officials Are Being Threatened."

¹⁸⁴ Kuznia, et al.; Peter Simi and Seamus Hughes, "Understanding Threats to Public Officials," *DigitalCommons@UNO*, August 2023.

¹⁸⁵ Philip Bump, "The Terrorizing Style in American Politics," Washington Post, September 14, 2023.

"This is not a problem we can only arrest our way out of."

- Mario Scalora, US Capitol Policy consulting psychologist

Moreover, difficulties with prosecutions cannot be fully addressed by adding more criminal statutes. New laws can help (and we provide some examples of these in response to question 9 in this section), but legal approaches in general face a major constitutional challenge in determining the boundary between protected First Amendment speech and illegal activity. It is a lilustrating this difficulty, Seamus Hughes, a senior researcher at the National Counterterrorism Innovation, Technology and Education Center (NCITE) at the University of Nebraska offers an example of the distinction between the threats: "I'm going to kill you at 12:01' versus 'I'm going to kill you." He comments that "If you got a good lawyer, you're off on the second one."

8. What are some documented impacts of political violence in the US?

Threats and physical political violence can happen relatively quickly, but the extent of damage that they do is rarely immediately apparent. Rather, it unfolds over time, and often in subtle ways. This is because much of their impact comes from increases in fear and shifts in behavior among portions of the population.

Some of the major effects of PV are also difficult to quantify. For example, who can determine how many talented and committed people over the last decade in communities across the country have privately chosen to abstain from speaking freely, exercising their rights, or participating in public life out of fear of political violence? In addition, how has this enabled the very small minority of Americans who threaten political violence to shape public debate, influence who chooses to run (or not to run) for public office, and sway the decisions of public officials, businesses, journalists, and others?¹⁸⁸ There are strong indications that these dynamics have happened, and the extent of their impact is likely very significant, but difficult to calculate.

¹⁸⁶ The specificity of a threat, the intent of the perpetrator, and the impact of on the victim can all be considered in legal proceedings. For more details, the news organization Reuters published a detailed analysis of various threats and assessed their legality: Peter Eisler, Jason Szep, Linda So, and Sam Hart, "Anatomy of a Death Threat," *Reuters Graphics*, December 30, 2021.

¹⁸⁷ Kuznia, et al.

¹⁸⁸ For example, numerous members of Congress have commented off the record that their fear of political violence has influenced key votes. Aaron Blake, "The Role of Violent Threats in Trump's GOP Reign, According to Republicans," *Washington Post*, December 12, 2021.

Nonetheless, available evidence reveals a variety of impacts, including that threats and fear of political violence:

- 1. Have caused politicians to change votes on significant legislative matters.
- 2. Impose significant psychological distress, physiological harm, and resource costs on elected officials and civil servants. These may also negatively impact job performance.
- 3. Drive qualified politicians and civil servants out of public service.
- 4. Are likely to result in a more white and male election candidate pool.
- 5. Create barriers to public officials connecting with their constituents.

The sum total of these effects—and many others that we can't directly quantify—is that the threat of PV empowers a small subsection of the population to seize power against the majority through anti-democratic means.

Evidence of some of specific impacts is detailed below:

Causing Politicians to Change Votes

Compelling accounts of the power of threats and fear of political violence emerged from Congress shortly after the January 6, 2021 insurrection at the US Capitol. During the ensuing impeachment and Senate trial of President Trump, a number of Republicans are reported to have changed their voting behavior out of fear. For example, Senator Mitt Romney's biographer McKay Coppins wrote:

One Republican congressman confided to Romney that he wanted to vote for Trump's second impeachment, but chose not to out of fear for his family's safety. The congressman reasoned that Trump would be impeached by House Democrats with or without him — why put his wife and children at risk if it wouldn't change the outcome?

Later, during the Senate trial, Romney heard the same calculation while talking with a small group of Republican colleagues. When one senator, a member of leadership, said he was leaning toward voting to convict, the others urged him to reconsider. You can't do that, Romney recalled someone saying. Think of your personal safety, said another. Think of your children. The senator eventually decided they were right. 189

Fear afflicted the House of Representatives as well. Journalist Tim Alberta wrote a <u>profile</u> of freshman Republican Congressman Peter Meijer, <u>stating that:</u>

On the House floor [on Jan. 6], moments before the vote, Meijer approached a member who appeared on the verge of a breakdown. He asked his new

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¹⁸⁹ Bump, "Terrorizing Style."

colleague if he was okay. The member responded that he was not; that no matter his belief in the legitimacy of the election, he could no longer vote to certify the results, because he feared for his family's safety. "Remember, this wasn't a hypothetical. You were casting that vote after seeing with your own two eyes what some of these people are capable of," Meijer says. "If they're willing to come after you inside the U.S. Capitol, what will they do when you're at home with your kids?"

...

At one point, Meijer described to me the psychological forces at work in his party, the reasons so many Republicans have refused to confront the tragedy of January 6 and the nature of the ongoing threat. Some people are motivated by raw power, he said. Others have acted out of partisan spite, or ignorance, or warped perceptions of truth and lies. But the chief explanation, he said, is fear. People are afraid for their safety. They are afraid for their careers. Above all, they are afraid of fighting a losing battle in an empty foxhole.¹⁹⁰

These are just several examples. <u>Additional statements</u> about the impact of fear on legislators were made by Rep. Liz Cheney, Rep. Jason Crow, and Pennsylvania State Senate majority leader Kim Ward, as well as several anonymous GOP lawmakers.¹⁹¹

"The majority of them are paralyzed with fear. I had a lot of conversations with my Republican colleagues last night, and a couple of them broke down in tears — saying that they are afraid for their lives if they vote for this impeachment."

- Congressman Jason Crow

Surveys of local officeholders also find a similar dynamic. While not directly showing changed votes due to threats and fear of PV, <u>a study released in January 2024</u> compiled responses from more than 1,700 local officeholders across all 50 US states and found that:

¹⁹⁰ Tim Alberta, "Peter Meijer Voted to Impeach. Can He Survive in the GOP?," *The Atlantic*, October 31, 2023; Blake, "Role of Violent Threats."

¹⁹¹ Blake, "Role of Violent Threats."

- Approximately 20 percent of state officeholders and 40 percent of local officeholders acknowledged they were less willing to work on controversial topics due to abuse.
- Fifty-three percent of state legislators believed that abuse had deterred their colleagues from taking on controversial topics. 192

Psychological Harm, Resource Costs, and Effects on Job Performance

Threats and fear of political violence inflict psychological and physiological harm on people. <u>Damage can include</u> emotional states such as sadness, anxiety, and recurring or intrusive thoughts as well as physical symptoms such as insomnia and headaches.¹⁹³

For example, <u>a 2021 survey of nearly 1,000 mayors</u> from cities across the US examined the impacts on those who experienced threats, property destruction, physical violence, and/or acts of psychological violence (i.e., online racial, gender-based, or sexual degradation). It found that:

- 13.1% of mayors reported their experience as "very upsetting."
- 42.4% reported that their experience was "somewhat upsetting."
- 21.2% reported "intrusive memories, nightmares, or similar effects."
- 41.3% reported "increased levels of irritability, sleep disturbance, problems concentrating, or exaggerated startle responses."
- 13% reported that their experience "diverted their attention from work and family quite a lot," and 36.9% reported that it "did so at least a little." 194

This aligns with the <u>observation of professor Liliana Mason</u>, who studies political violence, commenting that threats have "an acute effect of stopping people from doing their iobs." ¹⁹⁵

Fear of PV can also cause individuals to feel isolated. In interviews with more than 30 diverse elected officials, the Bridging Divides Initiative found that they "overwhelmingly reported feelings of isolation and loneliness." They also found that "Almost all respondents indicated at least some level of behavioral change following threats and/or harassment" including "relatively small measures, such as deleting social media accounts, as well as more drastic steps, such as no longer inviting people over for social gatherings or acquiring a concealed-carry firearms permit." ¹⁹⁶

¹⁹² Ramachandran, et al., "Intimidation of State."

¹⁹³ Carter Center, Taking Care of Yourself.

¹⁹⁴ Herrick, et al., "Intersectional Psychological Violence."

¹⁹⁵ Sarah Ellison, Yvonne Wingett Sanchez, and Patrick Marley, "Violent Political Threats Surge as 2024 Begins, Haunting American Democracy," *Washington Post*, January 11, 2024.

¹⁹⁶ Ellison, Wingett Sanchez, and Marley, "Violent Political Threats."

In <u>another set of interviews</u>, multiple elected officials in small towns described the lengths they went to avoid "being in public' in their community including going to grocery and drug stores in different cities and even states, avoiding social gatherings, and alerting family and friends to their movements about town."¹⁹⁷

In addition, family members can also experience psychological harm from threats and fear of PV, and individuals or families can further suffer significant monetary costs. These can include the cost of heightened security measures, loss of income (in the case of job resignation), and in certain cases temporary or prolonged relocation from one's own home. For example, the Detroit Free Press reported that Michigan Governor Gretchen Whitmer's husband "retired from his dental practice about eight years earlier than planned, significantly impairing his retirement plans, because of threats arising from her job during the COVID-19 pandemic." In another case, Richard Barron, a former election director in Fulton County, GA, resigned after receiving hundreds of threats after the 2020 election. Barron commented that "My daughter became worried about me," and "My condo has floor-to-ceiling windows and she didn't want me near the windows where they are overlooking the street."

"[Election] Directors are retiring and they're not coming back. That's a lot of knowledge lost."

- Corinne Duncan, director of elections in Buncombe county, NC

Driving Qualified People Out of Public Service

Given the psychological distress and family hardship that can result from PV, it is not surprising that it drives some people out of public service. For example, in the aftermath of threats and intimidation from the 2020 election, local elections officials resigned at an alarming rate. A 2023 survey of local election officials across the country estimated that approximately 1 in 5 election officials nationwide will be serving in their first presidential election in 2024.²⁰¹

¹⁹⁷ "The Cost of Local Government Leadership," CivicPulse and Bridging Divides Initiative, November 30, 2023.

¹⁹⁸ "Election Officials Under Attack," Brennan Center for Justice.

¹⁹⁹ Paul Egan, "Gretchen Whitmer's Husband, Marc Mallory, Retired Early from Dentistry Due to Threats," *Detroit Free Press*, January 5, 2023; Barbara McQuade, "Swatting and the Dangerous Rise of Political Violence," *New York Times*, January 23, 2024.

²⁰⁰ Kuznia, et al.

²⁰¹ "Local Election Officials Survey," Brennan Center for Justice, April 2023.

The survey also found that:

- Nearly three in four feel that threats against election officials have increased in recent years.
- Over half say they are concerned that threats, harassment, and intimidation will harm retention and recruitment; likewise, nearly half are concerned about the safety of their colleagues and/or staff.
- 30% say they have personally been abused, harassed, or threatened because of their job as a local election official.²⁰²

About 18% of election officials also reported that they know of "one or two" officials who left their jobs "at least in part because of fear for their safety, increased threats, or intimidation," and 4% said they "know many" officials who left their jobs for these reasons.

Another 2023 study of <u>11 Western states representing 76 million Americans</u> found that "more than 160 chief local election officials have left their positions since November 2020. This represents roughly 40% of the total chief local election officials in the region..."

Collectively, these departing election officials held more than 1,800 years of professional experience. One example is Leslie Hoffman, the top election official in Yavapai County, AZ, who announced she was leaving her post in 2022. She commented: "I'm a Republican recorder living in a Republican county where the candidate that they wanted to win won by 2-to-1 in this county and still getting grief, and so is my staff." She attributed her decision to resign, as well as the resignation of another election director, largely to "the nastiness that we have dealt with."

"I'm a Republican recorder living in a Republican county where the candidate that they wanted to win won by 2-to-1 in this county and still getting grief, and so is my staff."

- Leslie Hoffman, County Recorder, Yavapai County, AZ

²⁰² Threats of political violence are not the only concern of these officials. Under-resourcing of elections offices, misinformation and harassment, and pressure and political interference from political leaders were all listed as concerns by local election officials. "Local Election Officials Survey," Brennan Center for Justice, April 2023.

²⁰³ Adrien Von Voorhis, Amelia Minkin, Amisa Ratliff, Ariana Rojas, Kathryn Thomas, and Michael Beckel, *The High Cost of High Turnover* (Washington: Issue One, 2023).

²⁰⁴ Christina A. Cassidy, "Facing Harassment and Death Threats, Some Election Workers Weigh Whether to Stay," *PBS NewsHour*, July 8, 2022.

In addition to the loss of experience and institutional knowledge, this turnover of election workers requires public resources—recruiting, hiring, and training all cost money. Departing election workers are also concerned about the views and competencies of new workers who will replace them. A 2023 survey of local election officials found that 43% of respondents were either "somewhat" or "very" concerned that "in future elections, some incoming local election officials might believe that there was widespread voter fraud during recent elections." ²⁰⁵

Mayors and state legislators have also been particularly targeted by threats of political violence, and here too, we find strong evidence that this is driving qualified leaders out of public office. For example, a 2021 survey of nearly 1,000 mayors nationwide found that 32.2% of respondents had considered leaving office due to threats, harassment, and political violence. White non-Hispanic women mayors were the most likely (44.3%) to consider leaving due to these factors, followed by women of color (31%), white non-Hispanic men (30.2%), and men of color (20%).²⁰⁶

Consistent with this, a more recent <u>October 2023 survey</u> of state legislators and local officeholders found that:

More than 40 percent of local officeholders said they were less willing to run for reelection or higher office at the time they were surveyed because of abuse. For women, the rates of possible attrition are higher, with approximately half saying they were less willing to continue serving.²⁰⁷

As one example, former Vermont State House Representative Kiah Morris "<u>reported at least 26 incidents to the local police where she and her family felt threatened between 2016 and 2018</u>," and this caused her to <u>relocate from her home to a new city</u>. The severity of abuse, which took place both on and offline, ultimately led Rep. Morris to prematurely resign in 2018.

Narrowing the Candidate Pool

Just as the threat of PV drives people out of the political process, it also drives qualified individuals away from seeking public service in the first place. For example, a 2021 survey of nearly 1,000 mayors around the US found that, "More than two-thirds (69.8%) of mayors knew someone who chose not to run for office" due to possible abuse and threats.²⁰⁹

²⁰⁵ "Local Election Officials Survey," Brennan Center for Justice, 2023.

²⁰⁶ Rebekah Herrick, Sue Thomas, Heidi Gerbracht, and Emily Miota, "Gender and Race Differences in Mayors' Experiences of Violence," *Center for American Women and Politics*.

²⁰⁷ Ramachandran, et al., *Intimidation of State and Local Officeholders*.

²⁰⁸ Thakur and Hankerson Madrigal, *An Unrepresentative Democracy*; Amna Nawaz, Candice Norwood, and Matt Loffman, "For Black Women in Government, Highlighting Threats and Abuse Can Make It Worse," *PBS NewsHour*, June 29, 2021.

²⁰⁹ Herrick, et al., "Gender and Race Differences."

A 2021 survey of nearly 1,000 mayors around the US found that, "More than two-thirds (69.8%) of mayors knew someone who chose not to run for office" due to possible abuse and threats.

- "Gender and Race Differences in Mayors' Experiences of Violence," CAWP

This dynamic has the potential to exacerbate existing gender and racial disparities in the composition of political candidates and elected officials in the US. Historically men have been more likely to consider running for public office than women, and white people have been more likely to run for office than people of color. One effect of political violence may be to widen this representation gap, and thus narrow the candidate pool in the US to a more male, and possibly more white, demographic.

To offer a baseline, according to a <u>2014 study</u>, 2% of Americans have chosen to run for public office (local, state, or federal) at some point in their lives. While men and women each comprise approximately half of the US population, among those who have chosen to run for public office, 75% were men, while only 25% were women.²¹⁰

Consistent with this, a 2021 survey of 4,000 "potential candidates" (people identified as having professional backgrounds such as lawyers, businesspeople, educators, and political activists that are common among elected officials) found that 60% of men had considered running for office, while only 40% of women had.²¹¹

Combined with evidence also showing that women elected officials are more likely to be targeted with threats and abuse, and that they are <u>more likely than men to consider not running for re-election as a result</u>, it is quite likely that the persistence of threats and PV will lead to fewer women choosing to run for public office in the first place.²¹²

²¹⁰ Seth Motel, "Who Runs for Office?: A Profile of the 2%," Pew Research Center, September 3, 2014.

²¹¹ Jennifer L. Lawless and Richard L. Fox, "Running for Office is Still for Men: Some Data on the 'Ambition Gap,'" *Brookings Institution*, February 8, 2022.

²¹² Herrick, et al., "Gender and Race Differences."

"Early on, when we were getting the list of credible threats coming in for members of Congress, they were centered around members of color and there are only 25 black women that serve in the United States Congress... there's not that many of us... which I think is part of the whole thing of people trying to scare [black women] into silence."

— US Congresswoman Nikema Williams

Threats and fear of PV may also drive fewer people of color to choose to run for office—exacerbating a historic racial gap among political candidates. According to the 2014 study cited previously, white people comprised 66% of the US population but comprised 82% of people who ran for public office. Hispanic and Black people comprised 15% and 12% of the US population respectively, yet only comprised 6% and 5% of political candidates.²¹³

Research finds that non-white elected officials are <u>more likely to receive threats than</u> <u>their white counterparts</u>. ²¹⁴ It is entirely possible that this kind of targeting may have a deterrent effect on non-white potential candidates choosing to run for public office, and thus create a more white candidate pool across the US. To give a sense of this kind of targeting, <u>US Representative Nikema Williams stated of her experience in Congress</u>:

Early on, when we were getting the list of credible threats coming in for members of Congress, they were centered around members of color and there are only 25 black women that serve in the United States Congress... there's not that many of us... which I think is part of the whole thing of people trying to scare people [black women] into silence.²¹⁵

In spite of these threats disproportionately targeting people of color who hold public office, <u>evidence also suggests</u> that thus far people of color who are already in office may be more willing than their white counterparts to run for re-election in spite of threats and abuse.²¹⁶

²¹³ Motel. "Who Runs for Office?"

²¹⁴ "Local Officials Continue to Face High, Widespread Hostility: Latest Findings from Ongoing Threats and Harassment Survey," Bridging Divides Initiative, February 8, 2024.

²¹⁵ Thakur and Hankerson Madrigal, *An Unrepresentative Democracy*.

Nawaz, Norwood, and Loffman, "For Black Women in Government."

²¹⁶ Herrick, et al., "Gender and Race Differences."

Creating Barriers to Engagement Between Public Officials and Constituents

In the face of threats and fear of political violence, some public officials have become more hesitant to engage openly with the public. For example, a 2023 survey of more than 1,700 local officeholders across all 50 states found that:

- Approximately half of officeholders reported reluctance to communicate via social media because of abuse.
- Twenty-three percent of state legislators said they were less likely to hold events in public spaces because of abuse.²¹⁷

Another survey conducted from December 2023–January 2024 of over 400 local elected officials found that even just exposure to insults while working as an elected official decreased a person's willingness to "attend events in public spaces, go out in public when not working, and post on social media." If insults alone have this effect, it is a reasonable deduction that threats of PV amplify it further.

9. What is being done to counter political violence thus far?

Institutions within the federal, state, and local governments, as well as advocacy organizations, have all taken actions to try to counter political violence. However, not all of these efforts are equally distributed geographically, and they vary in terms of who or how they aim to support and protect.

For example, significant attention has been devoted to addressing threats of political violence against elections, election workers, elected officials, and voters at official polling sites. However, relatively fewer new resources have been devoted to addressing threats against the vast number of politically active people who are not government workers or are not at a government building or polling site at the time of an incident.

It is understandable that government and various organizations would emphasize the importance of protecting vital democratic institutions, public servants, and processes such as elections. Nonetheless, even within these efforts, there are significant gaps and limits, as well as large areas of countering political violence against civilians that remain inadequately addressed.

Below are examples of existing approaches to countering PV. They are organized into several categories, including:

- 1. Tracking and analysis.
- 2. Advocacy and education.
- 3. Preventing or reducing political violence.

²¹⁷ Ramachandran, et al., *Intimidation of State and Local Officeholders*.

²¹⁸ "Local Officials Continue to Face," Bridging Divides Initiative.

- 4. Supporting targeted individuals.
- 5. Increasing detection of and accountability for perpetrators.

The descriptions below are illustrative and not a comprehensive list of the continually developing landscape of efforts. In addition, the focus below is on activities and initiatives. Some of the various laws that address political violence are noted in **Part IV** of this guide.

1. Tracking and Analyzing the Problem

Several entities track the threat and risk of political violence, and/or its impacts. These include the <u>Bridging Divides Initiative</u>, the <u>Armed Conflict Location & Event Data Project</u> (ACLED), the <u>Brennan Center for Justice</u>, the <u>Chicago Project on Security and Threats</u> (CPOST) at the University of Chicago, <u>Democracy Fund</u>, researchers at the <u>National Counterterrorism Innovation</u>, <u>Technology</u>, and <u>Education (NCITE)</u> at the University of Nebraska, <u>Protect Democracy</u>, and the <u>Trust Network</u>.

News organizations have also done significant analysis on this topic, including <u>CNN</u> and <u>Reuters</u>.

2. Advocacy and Education to Address the Problem

A number of organizations make public educational resources and/or recommendations to directly or indirectly address political violence. These include the <u>Brennan Center for Justice</u>, the <u>Committee for Safe and Secure Elections</u>, the <u>Elections Group</u>, <u>Protect Democracy</u>, <u>Horizons Project</u>, <u>Institute for Constitutional Advocacy and Protection</u> at Georgetown University, the <u>International Center for Not-for-Profit Law</u>, <u>Issue One</u>, <u>Over Zero</u>, and <u>Search for Common Ground</u>.

3. Preventing or Reducing Political Violence

Efforts to prevent or reduce political violence include work in the following areas:

• Bridging polarization, developing inclusive narratives, and fostering dialogue

A wide range of groups aim to reduce societal polarization and promote dialogue among populations with differing views. Organizations such as <u>Braver Angels</u>, Democracy Cafe, <u>Living Room Conversations</u>, the <u>National Conversation Project</u>, and the <u>National Institute for Civil Discourse</u> all foster dialogue across lines of political difference.²¹⁹ The <u>Listen First Project</u> organized the #ListenFirst Coalition comprised of "500+ organizations bringing Americans together across divides to listen and understand each other, to find common ground, and to make bridge-building and collaboration norms."

²¹⁹ Sarah McCammon, "Can We Come Together? How Americans Are Trying to Talk Across The Divide," *NPR*, April 5, 2019

²²⁰ Listen First Project.

Some groups also focus specifically on dialogue to prevent political violence, such as Urban Rural Action's "Prevent Targeted Violence" program in Arizona, Pennsylvania, and Wisconsin.

There is also online and downloadable information on navigating political differences, including resources on communication, narratives, and peacebuilding by the organizations <u>Over Zero</u> and <u>Search for Common Ground</u>.

Groups have also called for pledges of civility from elected officials. For example, the Connecticut Conference of Municipalities advanced a "civility pledge" that calls for "respecting others and their viewpoints and finding solutions for betterment of community." It was signed by over 90 leaders from approximately 60 municipalities. In addition, the National Governors Association started their Disagree Better Initiative to "reduce partisan animosity and foster healthy debate by modeling a more positive and optimistic way of working through policy problems." Property of the control o

Security resources and training for civilians, public servants, and institutions

There are a growing number of resources and trainings available to help individuals increase their online and physical security and reduce the risk of political violence.

For example, the Bridging Divides Initiative provides an extensive list of training options and resources on <u>de-escalation</u> techniques.

The United States Election Assistance Commission provides a <u>list of resources on security for election officials</u>, covering physical safety, how to document and report threats, how to boost online privacy, how to reach out for help, and other topics.

The US Department of Homeland Security also offers <u>numerous resources on</u> security for individuals and infrastructure.

Many election offices are also taking active measures to increase security. According to a <u>survey of 928 local election officials</u> from February-March 2024, 44% have "updated polling place contingency plan[s]," 41% have "contacted law enforcement to share information and/or create emergency response plans," 41%

²²¹ Kevin Maloney, "92 Municipal Leaders from Nearly 60 Towns Take CCM's 'Civility Pledge' to Help Lead Local Efforts Toward More Respectful Civil Engagement in CT Communities," *CCM*.

²²² Braley Dodson, "Connecticut Leaders Take 'Civility Pledge," WTNH, December 12, 2022.

²²³ "Disagree Better," National Governors Association.

"participated in or led security trainings," and 40% have "enhanced the physical security of election offices or polling places" since 2020.²²⁴

Some states such as <u>Arizona</u>, <u>California</u>, <u>Colorado</u>, <u>and Washington</u> also have programs for election officials and public servants to protect their privacy—for example, by preventing disclosure of their home addresses in response to public records requests.²²⁵ The <u>Arizona bill</u> was introduced by a Republican, received bipartisan support, and was signed by a Democratic governor.²²⁶

The Office of the Arizona Secretary of State has also <u>coordinated mass-shooter</u> <u>drills</u> for election workers and distributed medical resources, barricades, and hammers to break windows in the event of an armed attacker.²²⁷ Election workers' home addresses were registered with law enforcement to try to prevent danger from swatting.

Michigan instituted de-escalation training for election workers and is <u>adopting a</u> <u>texting program</u> similar to Georgia's where workers can contact their bosses and law enforcement if they feel in danger.²²⁸

• Countering disinformation

Calls have been made for social media companies to more aggressively moderate disinformation, with varying degrees of success.

Election officials have also sought to counter disinformation by calling on elected representatives to vouch for the integrity of elections. For example, the executive board of the Colorado County Clerks Association sent a <u>letter to elected officials</u> asking them to <u>express their confidence in elections</u> and "come forward and help us correct the record and regain trust taken from our elections by bullies and bad actors" that engage in "a concerted national and statewide effort to deceive, not through any problems with our actual voting systems." The letter also included talking points for elected officials to use if they were asked about election integrity issues.

²²⁴ "Local Election Officials Survey," Brennan Center for Justice, May 2024.

²²⁵ Joe Allen, "One Quiet Bipartisan Way State Legislatures Are Making Election Administration Stronger," *Protect Democracy*, July 7, 2023; "Providing Safety and Security," Committee for Safe and Secure Elections.

²²⁶ "Arizona Senate Bill 1061," LegiScan, 2023.

²²⁷ Yvonne Wingett Sanchez, "Election Officials Go on Offense to Prevent Disruptions of 2024 Vote," *Washington Post*, February 9, 2024.

²²⁸ Wingett Sanchez, "Election Officials."

²²⁹ Colorado County Clerks Association, "A Call to Action for Elected Officials," Public Letter, December 8, 2023; Wingett Sanchez, "Election Officials."

Arizona has also been particularly active in trying to counter disinformation. The secretary of state <u>launched an effort</u> to help members of the public and government staff to discern fake photos and videos produced by artificial intelligence.²³⁰ Officials within Arizona's Maricopa County have also given "<u>more than 200 tours</u> of their ballot-counting facility, taking people step-by-step through the vote-counting process," and <u>increased the number of workers</u> (from 2 employees to 7, with a plan to hire more) assigned to respond to election-related inquiries from the public.²³¹ They further <u>tested an emergency communications center</u> in 2022 to communicate with the public about the election process and debunk disinformation in English and Spanish.²³² Officials in Pinal County, AZ, are streaming live footage of ballot drop boxes and using GPS devices to track the movement of ballots and voting equipment as a way to preempt potential misinformation about voting and ballot counting.²³³

• Public denunciations by political leaders

Political leaders at times have spoken out to condemn political violence, which can have a significant impact. Unfortunately, some of these same leaders also engage in or tolerate toxic and dehumanizing rhetoric that can incite political violence, which foments and enables the same problem that they are simultaneously condemning.

4. Supporting Targeted Individuals

• Transportation support

In 2020, <u>some election offices</u> "provided cab fare, rented vehicles and even obtained temporary license plates so election personnel could not be tracked by their vehicles or identified by their plates."

• Legal, reputation, and privacy support

In response to extensive <u>harassment and intimidation of workers</u>, in 2022 <u>Washoe County, NV, approved</u> "payment for legal and personal services by outside third-party organizations in situations where employees are unfairly publicly

²³⁰ John Sakellariadis, "Arizona Creates Own Deep-fake Election Hoaxes to Prepare for 2024," *Politico*, December 22, 2023.

²³¹ Wingett Sanchez, "Election Officials."

²³² Wingett Sanchez, "Election Officials."

²³³ Wingett Sanchez, "Election Officials."

²³⁴ Running Elections Without Fear, The Elections Group.

attacked, harassed, or disparaged by members of the public or by political organizations."²³⁵

• Resources for support and self-care

The Carter Center released a mental health and physical and online security resource for election officials. ²³⁶

5. Increasing Detection of and Accountability for Perpetrators

• Defamation lawsuits

After the <u>2020</u> and <u>2022</u> elections, defamation lawsuits were filed against a number of individuals and entities whose claims may have also helped to incite threats of PV.²³⁷ Groups like <u>Protect Democracy</u> also provide litigation support in various cases.

• Calling for advertising boycotts of individuals and platforms that seem to tolerate, enable, or incite hate or threats

Nongovernmental groups sometimes call for advertising boycotts of individuals and platforms that are alleged or perceived to be tolerating or enabling extremist rhetoric.

<u>Pressure has also been placed</u> on <u>Trustworthy Accountability Group</u>, which describes itself as the "leading global initiative fighting criminal activity and increasing trust and transparency in digital advertising," to remove X's (formerly known at Twitter) "<u>Brand Safety Certified</u>" seal.²³⁸

• Law enforcement responses, including passing new laws imposing penalties on threats and PV, and training police to address threats of PV

Various federal and state laws protect voters and election workers from intimidation. As an example, the Brennan Center for Justice compiled <u>summaries</u> <u>of federal laws and laws in the following states</u>: Arizona, Florida, Georgia, Michigan, Nevada, New Hampshire, North Carolina, Pennsylvania, Texas, and Wisconsin.²³⁹

²³⁵ Mark Robison, "Election Threats and Stress: Washoe County Registrar of Voters Deanna Spikula Looks Back," *Reno Gazette Journal*, July 31, 2022; Mark Robison, "Washoe County Fights 'Character-Assassinating Accusations' Against Election Staff," *Reno Gazette Journal*, July 18, 2022.

²³⁶ Carter Center, Taking Care of Yourself.

²³⁷ Hagen, Lisa. "There Are Even More 2020 Election Defamation Suits beyond the Fox-Dominion Case." *NPR*, April 19, 2023; Jonathan J. Cooper, "Arizona Republican Election Official Sues Kari Lake for Defamation," *AP News*, June 23, 2023.

²³⁸ Nandini and Claire, "Confirmed: Elon Musk's X Lost a Huge Brand Safety Certification After Our Complaint," *Check My Ads,* March 20, 2024; Trustworthy Accountability Group; "Promote Brand Safety," Trustworthy Accountability Group.

²³⁹ "Laws Protecting Voters," Brennan Center for Justice.

New laws have also been passed in some states. In 2023, after <u>a slew of resignations of top election officials</u> in the previous three years, Nevada passed <u>SB 406</u>, which makes it illegal "to use or threaten or attempt to use any force, intimidation, coercion, violence, restraint or undue influence with the intent to interfere with the performance of duties of an elections official or retaliate against an elections official for the performance of such duties." The bill also makes it "unlawful to disseminate certain information about an elections official," such as doxing. Penalties include up to four years in prison.

The Arizona Democratic <u>secretary of state pushed SB 406</u>, and it passed both state legislative chambers unanimously.²⁴¹ The Republican governor signed it <u>at a public ceremony</u>, alongside the secretary of state.²⁴²

"Federal law prohibits anyone, whether state official or private citizen, from intimidating or threatening any citizen for voting, or attempting to do so. Whether the person intended their actions to intimidate is irrelevant if they have the effect of intimidating voters."

- The Brennan Center, Voter Intimidation and Worker Intimidation Resource Guide

<u>Legislative efforts</u> to protect election officials have also happened in other states, including <u>Maine</u>, <u>Minnesota</u>, <u>Vermont</u>, <u>Washington</u>, <u>New Mexico</u>, and <u>Oklahoma</u>.²⁴³

²⁴⁰ Gabe Stern, "As Election Nears, Nevada County Clerks Grapple with Burnout," *AP News*, October 25, 2022; "SB406 Overview," NELIS, 2023.

²⁴¹ "SB406 Text," NELIS, 2023; Gabe Stern, "Nevada Becomes Latest to Enhance Penalties for Election Worker Intimidation after Statewide Exodus," AP News, May 31, 2023.

²⁴² Stern, "Nevada Becomes Latest."

²⁴³ Stern, "Nevada Becomes Latest"; "Bill to Make Interfering with Election Workers a Crime OK'd," *AP News*, February 7, 2022; Office of the Minnesota Secretary of State Steve Simon, "New Legislation to Protect Election Workers Takes Effect June 15," Press Release, June 15, 2023; Lisa Rathke and Christina A. Cassidy, "States Seek to Protect Election Workers amid Growing Threats," *AP News*, February 3, 2022; "Bill Hardening Penalties for Election Worker Harassment OK'd," *AP News*, January 13, 2022; Morgan Lee, "New Mexico Senate Seeks New Protections for Election Workers," *AP News*, February 8, 2022; Oklahoma State Election Board, "New Law Provides Security for Oklahoma Election Workers," Press Release, May 4, 2023.

However, new legislation to protect election workers is still absent in many places. A <u>2024 survey of 928 local election workers</u> around the country found that only 15% reported new legislation since 2020 that aims to protect them, and only 13% reported new funding to increase safety from the federal, state, or local government. Yet, when such legislation passed, 73% of election workers reported that it increased their sense of safety for them and their staff, and when new funding was provided, 83% reported such increases.²⁴⁴

10. What role can communities play in countering political violence?

Countering political violence effectively requires efforts from multiple groups. Government institutions and organizations are responding, but their efforts cannot substitute for the critical role of organized communities around the country becoming more involved.

This is in part because government efforts face several challenges and limits. First, there are limits in political will—not all states, counties, or cities will necessarily pass strong legislation to counter threats and PV. Government also has limited resources, and thus tends to focus its efforts at points that it feels more able to address (e.g., increasing protection for elections and elected officials at government buildings and polling sites). Based on the constitutional right to freedom of speech, governments also have major limits on what kinds of harassment, threats, and intimidation they can prosecute. Lastly, governments have limits in the kinds of responses (their primary options are prosecutions and fines) that they can apply to perpetrators.

Community engagement is thus necessary to address this problem. With the vast majority of the US population rejecting political violence—and only a tiny minority showing sustained support for it—people who actively oppose political violence have the potential to tap into enormous public sentiment and power. They also have much more flexibility in their activities than governments—for example, they can provide a range of forms of support to candidates who are facing threats. However, in order to use their power effectively, communities need to be organized and to develop strategies to exert influence. That is what this guide is dedicated to.

This conclusion about the essential role of community mobilization aligns with statements by individuals facing heightened risk of threats. One of the few research studies that asked threatened <u>elected officials about the importance of community efforts to counter PV</u> found that:

In one-on-one conversations, elected officials reported—with a high degree of satisfaction—interventions from their community to support them. Local officials described instances of communities holding supportive rallies, working together to combat harassers in public space, and putting out

²⁴⁴ "Local Election Officials Survey," Brennan Center for Justice, May 2024.

messages of support on social media as reinforcing their confidence in their service to their community and a sense of belonging. These instances stand in sharp contrast to local officials who described friends and community members who shied away from public or private displays of support.²⁴⁵

It can feel uneasy to step forward and get involved in countering political violence. However, unless there are more active efforts to push back, the problem is likely to get worse. There are many options for community members to get involved—including lowand high-visibility roles—as well as both direct and indirect actions that people can take.

Over the last century, when faced with injustice, groups in the US and elsewhere have stepped up nonviolently to fight for rights and democracy. They made violence backfire. We have the benefit of learning from their experiences and applying some of those lessons to countering political violence in the US today.

²⁴⁵ "Cost of Local Government Leadership," CivicPulse and Bridging Divides Initiative.

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