

Subversive Groups: Maneuvering Encounters with Fringe Groups

Title:	Subversive Groups: Maneuvering Encounters with Fringe Groups
Lesson Purpose:	To provide the student with the knowledge and skills needed to safely and effectively identify fringe groups and effectively maneuver interactions with these groups.
Training Objectives:	At the end of this block of instruction, the participant will be able to achieve the following objectives in accordance with information presented during the instructional period: 1. Explain, in your own words, the protections included in the First Amendment and how they apply to fringe groups. 2. Identify applicable North Carolina General Statutes relating to owning and carrying firearms and explain, in your own words, how they apply to law enforcement interactions with fringe groups. 3. Detail, in writing, the various subversive groups active in North Carolina, including their ideology and identifying symbols. 4. Define <i>accelerationism</i> and explain, in writing, how it affects encounters between subversive groups and interactions with law enforcement officers. 5. Identify at least two (2) common tactics used by fringe groups when encountering law enforcement.
Hours/Credits:	Two (2)
Instructional Method:	Lecture, Discussion
Training Environment:	Academic Classroom, On-line
Testing Requirements:	Written Test
Materials Required:	Student Lesson Plan Pen/Pencil/Paper
References:	ADL. 2021. "Hate Group." Anti-Defamation League, Accessed May 1, 2020. https://www.adl.org/resources/glossary-terms/hate-group .

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Date Reviewed: April 2021

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Date Reviewed: May 2021

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I. Introduction

A. Opening Statement

Over the last decade, there have been 429 confirmed extremist-related killings in the United States.¹ This number is likely much higher as some murders go unsolved or the suspect's connection to an extremist group is never discovered. A violent attack by ideological extremists can be targeted at a single individual or a large crowd, such as the Pulse nightclub shooting in which 49 innocent victims were murdered. "It is important, too, to remember that extremist murders represent merely the tip of a pyramid of extremist violence in the United States. For every person killed by an extremist, many more are wounded or injured in attempted murders and assaults. Extremists engage in a wide variety of violent and criminal acts related to their causes, including terrorist plots and conspiracies, hate crime assaults, terroristic threats, campaigns of intimidation and harassment and other offenses."²

B. Training Objectives

At the end of this block of instruction, the participant will be able to achieve the following objectives in accordance with information received during the instructional period

1. Explain, in your own words, the protections included in the First Amendment and how they apply to fringe groups.
2. Identify applicable North Carolina General Statutes relating to owning and carrying firearms and explain, in your own words, how they apply to law enforcement interactions with fringe groups.
3. Detail, in writing, the various subversive groups active in North Carolina, including their ideology and identifying symbols.
4. Define *accelerationism* and explain, in writing, how it affects encounters between subversive groups and interactions with law enforcement officers.
5. Identify at least two (2) common tactics used by fringe groups when encountering law enforcement.

C. Reasons

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Every year, law enforcement officers around the country are killed or injured by violent extremists. In many cases, the officers are explicitly targeted because they are law enforcement. Other times, officers are responding to other crimes when they are met with violence from subversive groups. In 2020, three law enforcement officers were killed by ideological extremists, and 26 officers were murdered over the last ten years.³ Countless more have been injured or faced violent resistance when encountering extremists. Law enforcement officers must understand extremist ideologies, current trends, and common tactics used to maneuver through an encounter with these subversive groups effectively.

II. Body

A. The First Amendment

One of the most challenging aspects of interacting with or investigating a subversive group is that many of their actions are not only legal but protected by the United States Constitution. The First Amendment of the Constitution states, “Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”⁴ Subversive groups use the First Amendment protections to spread their radical message, but in some cases, their speech and their actions may cross the line into illegal behavior.

1. Freedom of Speech

The First Amendment protections for speech and press are directed toward the right to criticize and publish freely. While First Amendment rights are not absolute—they are subject to reasonable time, place, and manner limitation by the federal and state government—the Amendment bars most prior restraints of expression and punishment of all but a narrow range of expression. *Prior restraint* means prohibiting speech before it is made.⁵

a) Belief

Freedom of expression begins with freedom of belief or non-belief. The government cannot coerce its citizens to affirm or disavow a belief. A right to believe or not believe has little value without the corresponding right to express that belief or lack thereof.⁶ Again, though, freedom of expression is subject to reasonable time, place, and manner restrictions by the government. The government can, for example, prohibit participants in an otherwise lawful pro-

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abortion demonstration from lying down in the street and blocking traffic.⁷

b) Symbolic Speech

Protected speech includes the spoken and written word, the act of not speaking, and symbolic conduct. The First Amendment may also protect actions intended to convey meaning or symbolic speech. The United States Supreme Court has ruled, for example, that burning the American flag is symbolic speech and protected by the First Amendment.⁸ In a similar vein, the United States Supreme Court has upheld the right of a Vietnam War protester to wear a jacket with the phrase “f--the draft” inscribed on the back.⁹ Similarly, clothing, banners, patches, flags, music, and print materials identifying subversive groups and their ideology are protected by the First Amendment.

c) Restrictions on Speech

The government can regulate certain narrow historically recognized categories of speech for content, meaning they can punish someone for what they say. These categories include obscenity, fighting words, threats, and incendiary speech.

The government can also institute certain time, place, and manner restrictions on speech in certain public places. These restrictions limit when, where, and how someone can speak to protect some interest unrelated to the speech. Permit requirements for rallies and preventing traffic obstructions are common examples of this type of regulation. The restrictions must be content neutral, meaning they must not differentiate between people based upon what they are saying. They also must be narrowly tailored to serve a significant government interest and leave open ample alternative channels of communication.¹⁰

(1) Obscenity

Obscenity is a depiction of sexual conduct that taken as a whole, by the average person, applying contemporary community standards, appeals to the prurient interest in sex, portrays sex in a patently offensive way, and does not have a serious literary, artistic, political, or scientific value.¹¹ The

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restriction against obscenity relates to images and depictions of obscene material. In general, speech does not fit in this limitation, and authorities cannot limit speech by labeling it obscene.

(2) Fighting Words

Words addressed to an ordinary citizen with the intention and likelihood of inciting immediate physical retaliation are not protected by the First Amendment. Note that insults alone are not fighting words unless they are so provocative as to incite violence.¹² The United States Supreme Court has stated that because of the nature of the job, law enforcement officers are expected to endure more significant verbal abuse than the ordinary citizen (the Court reasoned that an officer's professionalism and training make him much less likely to be incited to a violent reaction).¹³

(3) True Threats

True threats encompass those statements where the speaker means to communicate a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals.¹⁴

(4) Incendiary Speech

Incendiary speech advocates the imminent violent use of force against the government. Protests against the government are, of course, lawful unless and until the speaker encourages the protesters to engage in violent, lawless action, and such lawlessness is likely to occur.¹⁵

(5) In general, the First Amendment protects hate speech. Negative terms and phrases based on race, ethnicity, gender, and sexual preference are protected speech. If the speaker makes threats, uses fighting words, or incites violence, they may commit a crime based on the aforementioned limitations. Though not an exhaustive list, some of those crimes may include Communicating Threats,

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Ethnic Intimidations, Disorderly Conduct, Unlawful Assembly, and Inciting a Riot.

2. Freedom of Assembly

The Constitution allows people to assemble peaceably, but there are limitations.

a) Peaceful

Assemblies are lawful as long as they are peaceful. If the crowd becomes violent, destructive, or engages in any other behavior that is dangerous to others, it can become an unlawful assembly.

b) Public Assembly

Gatherings are limited to public property and cannot take place on private property without the owners' permission. Protestors gathering outside an animal testing facility or abortion clinic cannot protest in the parking lot because it is private property. They are allowed to demonstrate on public land near the facility, such as the utility right of way or the sidewalk, as long as they do not restrict pedestrian or vehicular traffic.

c) Limitations

Local governments can require a permit for an assembly or demonstration. The permit can specify time, place, and manner restrictions. The permitting scheme must be content neutral. The permit application may also require information regarding the organizer and other details regarding how the assembly will be conducted.¹⁶

B. Owning and Carrying Firearms in North Carolina

The Second Amendment of the Constitution states that “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”¹⁷ This constitutional protection is extended to the states through the Fourteenth Amendment,¹⁸ although each state may still enact reasonable regulations governing the owning and carrying of firearms.

1. Open Carry

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The North Carolina Constitution states, “A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed...Nothing herein shall justify the practice of carrying concealed weapons, or prevent the General Assembly from enacting penal statutes against that practice.”¹⁹ In *State v. Kerner* (1921), the North Carolina Supreme Court ruled that the North Carolina Constitution protects the open carry of firearms.²⁰

2. Restrictions

The right to keep and bear arms is not absolute, and some restrictions have been imposed regarding where possessing a firearm is not allowed.

- a) Under North Carolina law, “it is unlawful for any person to possess, or carry, whether openly or concealed, any deadly weapon, not used solely for instructional or officially sanctioned ceremonial purposes in the State Capitol Building, Executive Mansion, the Western Residence of the Governor or the grounds of any of these buildings, and in any building housing any court of the General Court of Justice.”²¹ (Class 1 misdemeanor)
- b) Unless a person has a valid permit to conceal carry, or is otherwise exempt from obtaining a permit for carrying concealed at parades or funerals, it is also “unlawful for any person participating in, affiliated with, or present as a spectator at any parade, funeral procession, picket line, or demonstration upon any private health care facility or upon any public place owned or under the control of the State or any of its political subdivisions to willfully or intentionally possess or have immediate access to any dangerous weapon.”²² (Class 1 misdemeanor)
- c) Counties and municipalities may pass ordinances prohibiting the possession of firearms on certain public-owned property.²³

C. Subversive Groups in North Carolina

Subversive groups “intend to overthrow, destroy, or undermine an established or existing system, especially a legally constituted government or set of beliefs.”²⁴

1. Anti-Government Organizations

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Anti-government groups are opposed to the New World Order, engage in conspiracy theories, or advocate extreme anti-government doctrines. "Anti-government groups do not necessarily advocate or engage in violence or other criminal activities, though some have. Many warn of impending government violence or the need to prepare for a coming revolution. Many anti-government groups are not racist."²⁵

Anti-government organizations follow various conspiracy-related ideologies. Some believe the current government is illegitimate based on misrepresented historical events or treaties. Others believe in a governmental overreach that has taken away our constitutional rights. Some organizations simply ignore the laws passed by an illegitimate government; for example, Sovereign Citizens will not follow laws regarding driver's licenses or motor vehicle registration. Other groups are preparing for a violent uprising which they compare to a second revolutionary war and a second civil war. Anti-government organizations include:

a) Three Percenters (III%ers, 3%ers)

The Three Percenters compare themselves to the minutemen during the Revolutionary War. Minutemen were groups of trained citizens available to respond at a minute's notice. They incorrectly estimate that only three percent of American colonists actively fought against the British. The Three Percenters view themselves as modern-day minute men, ready to respond at a minute's notice to the federal government's growing power.²⁶

The Three Percenters were involved in the demonstration on January 6, 2021, in which protestors stormed the United States Capitol.²⁷ This violent riot resulted in the death of one police officer and injured dozens more.

b) Oath Keepers

The Oath Keepers comprise former military and law enforcement officers dedicated to resisting an overreaching federal government. They fear the impending formation of a one-world government once our government has taken away all of our rights.

As current and former government employees, they believe they will be given unlawful orders as part of the

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government overreach. They have a list of orders they will not obey, including any order to disarm people, conduct warrantless searches or seizures, impose martial law, and force citizens into detention camps, among other things.²⁸

The Oath Keepers were also involved in the violent demonstration at the Capitol in 2021.²⁹

c) Boogaloo Bois

Boogaloo is an anti-government and anti-police movement. They are often identifiable at protest events by their Hawaiian shirts worn with military gear. The movement has no formal hierarchy but shares beliefs in a coming war and anti-government and anti-police ideologies. Some boogaloo groups may believe in a coming race war, while others believe the war will begin when the government comes after our guns.

(1) Evolution of Boogaloo

- (a) The term boogaloo is a reference to the movie *Breakin' 2: Electric Boogaloo*. Antigovernment and militia supporters changed the name to *Civil War 2: Electric Boogaloo*, referring to what they believe to be an upcoming civil war. Believers shortened the saying to boogaloo and other variations such as big igloo, blue igloo, and big luau. The term does not identify a particular group but a belief in a coming war.
- (b) The Boogaloo movement started as an online group and expressed their views using memes and humorous posts. In many cases, they threaten violence using Minecraft as a cover: *We should blow up the police station in Minecraft*. In recent months an online movement has become a real threat to law enforcement. Small Boogaloo groups were seen at the gun rally in Virginia and the anti-lockdown protest in Raleigh, NC, in 2020.

(2) Recent Activity

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- (a) On May 27, 2020, following the highly publicized death of George Floyd while in police custody, a post on the Big Igloo Bois Facebook page called for solidarity with protestors. The moderators of the page stated, “This is not a race issue. For far too long we have allowed them to murder us in our homes, and in the streets. We need to stand with the people of Minneapolis. We need to support them in this protest against a system that allows police brutality to go unchecked.”³⁰
- (b) In June 2020, three former military personnel were arrested for planning to attack government targets while the police were distracted by protests. They hoped to cause more damage and more rioting in the Las Vegas area.³¹
- (c) In September 2020, two Boogaloo Bois members were arrested and charged with supporting Hamas and attempting to kill police officers and politicians in Minnesota. The men were part of a faction of the Boogaloo Bois called the Boojahideen. They built firearm suppressors and sold them to an undercover agent posing as a member of Hamas. The suppressors were intended to be used to carry out attacks on military members overseas. The men also offered to fight as mercenaries to raise money for recruitment and purchase land for a training compound. While providing support for Hamas overseas, the men also wanted to carry out violent attacks on government buildings, politicians, and police officers in the United States.³²

Boogaloo groups may be seen at rallies for many causes as long as there is an anti-government or anti-police theme. This could include BLM protests, gun rights demonstrations, lockdown/face mask demonstrations, or any other group demonstrating against government power and control. They

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believe law enforcement abuse their powers through the use of red flag laws and no-knock warrants. Some have been known to booby-trap their homes to stop police from making entry.³³

d) Sovereign Citizens

Sovereign Citizens base their belief systems on a series of misrepresented historical events and conspiracy theories. There are two categories of Sovereign citizens.

(1) 14th Amendment

Sovereign Citizens believe before the ratification of the 14th Amendment, people were citizens of a state like North Carolina. The 14th Amendment enslaved all Americans by creating citizens of the United States, which would have no rights other than those given to them by the federal government.³⁴ Sovereigns believe the government tricked Americans into becoming citizens of the United States by offering them privileges, such as driver's licenses and Social Security, which were hidden contracts with the government through which Americans unknowingly gave away their sovereignty.

The sovereigns claim the use of capital letters on the birth certificate creates a straw man or corporate identity. Throughout an individual's life, all legal documents, such as driver's license, bills, vehicle registrations, and most legal paperwork, utilize capital letters and, therefore, will all only apply to his straw man.³⁵ They believe in a process called "redemption," in which they can separate themselves from their straw man. Not only can they become free of the laws of the illegitimate government, but they can also get access to the funds in the treasury account of their straw man.³⁶ While many have tried unsuccessfully, they still believe this process is possible if they find the proper wording for their legal paperwork.

(2) Indigenous Person

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Indigenous persons believe, for various reasons, they are not subject to the authority of the U.S. government. There is an attempt to trace a sacred history whereby their ancestors come over to America from Morocco, in North Africa. And before that, they are related to the ancient Canaanites and Moabites of the Bible.³⁷ They believe their ancestors arrived in America before the Europeans and are, therefore, an indigenous person.

Members of the Washitaw Nation believe they were the Mississippi-Missouri valley's original inhabitants, and the government stole this land from them in the Louisiana Purchase.³⁸ Other Moorish groups use the 1786 treaty between Morocco and the United States to conclude that Moors have different citizenship statuses in the United States.³⁹ Moorish Sovereign Citizens will frequently change their name or add Bey, El, or both to their surname.

e) Other Organizations

There are several lesser-known anti-government organizations present throughout North Carolina. Small organizations may emerge or dissolve quickly, with members changing affiliation as they do. The Southern Poverty Law Center (SPLC) keeps a database of extremist organizations on their website:

<https://www.splcenter.org/fighting-hate/extremist-files>

Current Anti-Government Groups in North Carolina include:⁴⁰ This list is not exhaustive and may change over time.

- (1) America's Remedy
- (2) Camp Constitution
- (3) Free North Carolina
- (4) North-Carolina American Republic
- (5) Stokes County Militia
- (6) Light Foot Militia

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f) Identifying Anti-Government Organizations

Subversive groups will often identify themselves using flags, symbols, patches, or phrases. It is important to note that all of these identifiers are legal and are protected by the First Amendment right to free speech. These symbols are included for officer safety purposes only and are not intended to indicate criminal behavior.

(1) Flags

Anti-government groups will usually use two common flags. The Gadsden flag is a yellow flag containing a picture of a rattlesnake and the words, "Don't Tread on Me." The Gadsden flag originated during the American Revolution and has been used to represent the U.S. Marine Corps and the U.S. Navy⁴¹. It is a symbol that is still commonly used by many Americans that do not have extremist views, but has been co-opted by several extremist organizations. Groups may also fly the flag of the United States upside down. This represents the union being in dire distress.

(2) Symbols

While these flags may be used by several organizations, and even by some that do not belong to any subversive groups, symbols displayed on clothing, tattoos, and patches are unique for each group. Some patches may identify the area of the country or to which chapter a person belongs. This will allow officers to determine if members from out of state are coming into North Carolina, indicating cooperative training or planning.

2. Anarchists

An anarchist is "a person who rebels against any authority, established order, or ruling power: one who uses violent means to overthrow the established order."⁴²

a) Black Rose Anarchist Federation

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The Black Rose Anarchist Federation was formed in 2013 through a merger of six groups from across the country. According to their mission statement, they “are an organization of revolutionaries who share common visions of a new world – a world where people collectively control their own workplaces, communities and land and where all basic needs are met. A world where power and participation flow from the bottom upwards and society is organized for peoples’ aspirations, passions, and needs rather than profit, white supremacy and racial domination, patriarchy, or imperialism; and where we live sustainably with the planet.”⁴³

b) Antifa

Versions of this anti-fascist group have been around since the 1920s. The predecessors of Antifa “were the German and Italian leftists who, following the First World War, banded together to fight proto-Fascist gangs.”⁴⁴ “The modern American Antifa movement began in the 1980s with a group called Anti-Racist Action. Its members confronted neo-Nazi skinheads at punk gigs in the American Midwest and elsewhere.”⁴⁵

Antifa “gained new prominence in the United States after the white supremacist Unite the Right rally in Charlottesville, VA, in August 2017.”⁴⁶ Antifa has expanded its definition of fascist/fascism to include white supremacists and other extremists and many conservatives and supporters of President Trump. There have been several instances where encounters with Antifa have turned violent.⁴⁷

Membership numbers are challenging to estimate as the organization tends to be very secretive. They also lack central leadership and organize in local independent cells. Antifa members sometimes work with other local activist networks rallying around the same issues, such as the Occupy movement or Black Lives Matter. They believe militant anti-fascism is self-defense because of the history of violence that fascists pose.

c) Symbols of Anarchist Groups

Anarchist groups will also display some type of symbol to identify their organization. The symbols are typically seen

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on a flag, clothing, or a sign. In some cases, anarchists use the black bloc tactic as a way to avoid identification. This tactic involves dressing all in black and covering their face with bandanas or masks.

3. Hate Groups

“An organization whose goals and activities are primarily or substantially based on a shared antipathy towards people of one or more other different races, religions, ethnicities/nationalities/national origins, genders, and/or sexual identities.”⁴⁸

a) Aryan Knights

Aryan Knights are an anti-Semitic neo-Nazi organization. They have committed acts of violence throughout their existence. In 2005, August Kress, a branch leader in Florida openly tried to contact al Qaeda to ally with the terrorist organization.⁴⁹

b) Confederate Hammerskins/Crew 38

The Hammerskin Nation is a nationwide organization of skinheads. According to the ADL, “the Hammerskin Nation is the most violent and best-organized neo-Nazi skinhead group in the United States. A number of its members have been convicted of harassing, beating, or murdering minorities.”⁵⁰

Crew 38 is another organization associated with the Hammerskin Nation. The 3 (C) and 8 (H) represent crossed hammers.

c) Ku Klux Klan

The Klan is the oldest and most well-known hate group in the U.S. They were formed shortly after the Civil War as a resistance movement against reconstruction and increased rights for freed slaves. “The KKK engaged in terrorist raids against African Americans and white Republicans at night, employing intimidation, destruction of property, assault, and murder to achieve its aims and influence upcoming elections.”⁵¹

d) Proud Boys

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Founded in 2016, the organization claims to be a fraternal group spreading a message of anti-political correctness and anti-white guilt. Members, including the founder, Gavin McInnes, have made comments that present a more extreme view than white male pride. They have made racist comments against Hispanics, Blacks, Muslims, and Jews and sexist, misogynistic comments about women. The Proud Boys have been associated with other hate groups at rallies and protests, including the Unite the Right rally in Charlottesville, VA.⁵² Early in 2021, the Proud Boys began to increase their anti-police/anti-government rhetoric.

e) Black Hebrew Israelites

The Black Hebrew Israelites believe they are the true descendants of the biblical Jews. “They also believe that God will make whites, who these groups consider spawns of the devil, into their slaves, forced into eternal servitude.”⁵³

On December 10, 2019, two shooters linked to the Black Hebrew Israelite movement entered a kosher deli and began shooting. The attack killed one police officer and three civilians and wounded two police officers and one civilian.⁵⁴

The following groups are part of the Black Hebrew Israelites movement:⁵⁵

- (1) Israel United in Christ
- (2) Israelite School of Universal Practical Knowledge
- (3) Israel Church of God in Jesus Christ
- (4) Sicarii Hebrew Israelites
- (5) House of Israel
- (6) True Nation
- (7) Israelites Saints of Christ

f) The Nation of Islam (NOI)

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The NOI was founded in 1930 by Wallace Fard Muhammad. The teachings of the Nation claim black people are part of a superior race.⁵⁶ “Since its founding in 1930, the Nation of Islam (NOI) has grown into one of the wealthiest and best-known organizations in black America, offering numerous programs and events designed to uplift African Americans. Nonetheless, its bizarre theology of innate black superiority over whites – a belief system vehemently and consistently rejected by mainstream Muslims – and the deeply racist, antisemitic, and anti-gay rhetoric of its leaders, including top minister Louis Farrakhan, have earned the NOI a prominent position in the ranks of organized hate.”⁵⁷

The Five Percent Nation is an offshoot of the NOI. It was founded in 1963 when Clarence Edward Smith (Clarence 13X, Allah the Father, Father) left the NOI.⁵⁸ It is reported that he left because he did not believe Wallace Fard Muhammad was the living God.

g) Revolutionary Black Panther Party

According to their website, “the Revolutionary Black Panther Party (coined the continuity party) has been on the Front Line as the majority military branch of the Black Armed Forces. Committed to protecting and defending our people against genocide, ethnic cleansing, crimes against humanity, the Black African Holocaust and Race War waged against people of African descent (Black People). ... With a firm Revolutionary Black Power commitment to the struggle for Freedom and Justice of THE PEOPLE, as REVOLUTIONARY BLACK NATIONALIST-PAN AFRICANS, *African centered* Marxist-Leninist & Neo-African Socialists!”⁵⁹

h) New Black Panther Party – A militant black separatist organization that encourages direct (sometimes violent) action to achieve their goals. The Revolutionary Black Panther Party has distanced itself from the New Black Panther Party, calling them a black racist hate group that hijacked the Panther name and symbols.

Former chairmen of the New Black Panther Party, such as Khalid Abdul Muhammad and Malik Shabazz, were kicked out of the Nation of Islam for their inflammatory speech

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and have continued to promote hate as they rose through the ranks of the NBPP.⁶⁰

i) Not F**king Around Coalition (NFAC)

The NFAC is a black militia and black separatist organization that is made up of former military members. NFAC was founded by Grandmaster Jay, who is an army vet and former presidential candidate. According to Grandmaster Jay, NFAC is “an eye for an eye organization” that seeks “facilitating of the exodus from this country of those who are willing to leave to go someplace else, where racism is not an issue...to determine their own destiny, determine their own economy, defend their own homeland, and build their own culture.”⁶¹ The NFAC is a reasonably young organization and became publicly known in 2019 during the protests over Ahmaud Arbery and Breonna Taylor's killings.

j) Symbols of Hate Groups

White supremacist groups use a combination of symbols taken from Nazi Germany and numbers. Symbols such as the swastika and SS bolts are widely used. Numbers are also significant, each correlating to a letter of the alphabet (12 = Aryan Brotherhood, 88 = Heil Hitler). The Black Panther organizations often depict a clenched fist or a black panther.

The Anti-Defamation League (ADL) maintains a database of frequently used symbols and hand gestures of hate organizations. <https://www.adl.org/hate-symbols>

4. Conspiracy Theories

Conspiracy theory radio and websites provide ammunition and legitimacy to anti-government organizations. They are dangerous because they reach all fringe groups regardless of their beliefs. Anti-government, militia, black separatists, anarchists, and even Foreign Terrorist Organizations (FTO) use this misinformation to further their cause, recruit new members, and justify violent action.

Conspiracy theories sow distrust in our government and create grievances leading people toward extremism. Conspiracy theories do not provide any solutions to the imagined problems leaving individuals or groups to find their solutions.

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a) QAnon⁶²

In 2016, a rumor began circulating about a sex trafficking operation run out of a Washington, D.C. pizza shop. The ring reportedly involved several high-profile celebrities and political figures. Building on the 2016 Pizzagate conspiracy, Q (an anonymous high-level government official) began posting on 4chan in 2017. Q claimed to know a global cabal of satan-worshipping pedophiles running an international child sex trafficking operation. Former President Donald Trump, is not part of the cabal, and only he has the power and money to stop them. QAnon believers are waiting for a law enforcement operation in which thousands of cabal members will be arrested, and the child trafficking ring will be exposed.

The cabal, comprised of rich Hollywood celebrities and world leaders, is involved in a sex trafficking operation. They perform satanic rituals such as drinking the blood of the children to heal themselves and stay young. There are a few different versions as to why President Trump has not made any arrests yet. Some believe the Russia collusion investigation was a plot created to allow Trump and Special Counsel Robert Mueller to investigate in secret, and this investigation is still ongoing. Others believe the constant investigations against President Trump, including the Mueller investigation, are evidence of the cabal working against the President to discredit him and remove him from office. Still, others believe President Trump has joined the cabal.

b) Alex Jones

His radio show and websites promote government conspiracy theories. These include government plans to imprison citizens, white genocide, false flag operations at Sandy Hook and Marjory Stoneman Douglas High school, 9-11 is an inside job, Pizzagate, and several other anti-government conspiracy theories. In 2018, his accounts were removed from Facebook, Apple, YouTube, and Spotify.⁶³

c) Not only do these conspiracy theories motivate subversive groups, but they also reach individuals across the country. In December 2016, Edgar Maddison, from North Carolina, traveled to Comet Pizza to investigate the Pizzagate claims.

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He fired several rounds from a rifle striking the building.⁶⁴ On Christmas morning in 2020, Anthony Quinn Warner detonated an RV full of explosives in downtown Nashville, TN. The investigation did not reveal any links to extremist groups but found he was motivated by conspiracy theories.⁶⁵

D. Accelerationism

“Accelerationism is the most inherently violent and dangerous ideology circulating in the global white supremacist extremist movement. Accelerationists believe that a race war is not only inevitable but desirable, as it is the only path to achieving white power by bringing about the downfall of current systems of government.”⁶⁶

“Accelerationists call for the expulsion or extermination of Jewish people, ethnic and racial minorities, and white ‘race traitors,’ a category that includes race-mixing white women, academics, journalists, and politicians. Their online conversations are molded by a belief that other white supremacists are insufficiently extreme and that only violence directed against the political system can lead to the establishment of white power.”⁶⁷

Accelerationists believe a single individual (a “lone wolf”) or small cell can trigger their desired race war. The movement does not have a central leadership structure; instead, individuals or small groups are encouraged to train and carry out attacks independently.

1. The Base

“The Base is a small militant neo-Nazi organization that emerged mid-2018 and is primarily active in the U.S. The group members portray themselves as vigilante soldiers defending the ‘European race’ against a broken ‘system’ that has been infected by Jewish values. The Base embraces Hitlerian ideology coupled with a mission to prepare for an impending race war. The group espouses nihilistic and accelerationist rhetoric - an ideology embraced by white supremacists who have determined that a societal collapse is both imminent and necessary. Although the group organizes in virtual space, their on the ground presence has increased to include alleged criminal activity.”⁶⁸

2. Atomwaffen Division (AWD)/National Socialist Order

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AWD is a neo-Nazi organization organized as a series of terror cells that work toward civilizational collapse (Accelerationism). Members believe that violence is the only sure way to establish order in their vision of the world. Their views have been significantly influenced by James Mason, Charles Manson, Joseph Tommasi, and William Pierce, who advocate for violence to overthrow the U.S. government.⁶⁹ Following several arrests in 2020, the organization disbanded and re-emerged under a new name, National Socialist Order.

3. Other Accelerationist Groups⁷⁰

The Base and National Socialist Order are the most well-known and active accelerationist groups but are other groups that operate throughout the United States. These groups are:

- a) Vorherrschaft Division
- b) Feuerkrieg Division
- c) Sonnenkrieg Division

4. Symbols of Accelerationists

a) Images

Images depicting Adolph Hitler and Charles Manson are popular among accelerationists. These images may show them holding guns, with red eyes, or with fire or blood in the background. Another standard image is a figure with a skull for his head.

b) Books

Accelerationists are heavily influenced by two books; *The Seige*, written by James Mason, and *The Turner Diaries*, written by William Pierce.⁷¹ Accelerationists will encourage people to read these books and refer to the authors in their propaganda. Accelerationism is sometimes referred to as the siege mentality or siege.

E. Tactics Used by Fringe Groups When Encountering Law Enforcement

Law enforcement officers have to be extremely careful when encountering subversive individuals or groups. Aside from the danger of violence

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during the encounter, other tactics are used, making any interaction challenging to maneuver.

1. Amendment Auditors

The First Amendment protects a person's freedom of speech, which extends to photographing, videotaping, or protesting by holding up a sign as long as they are in a place they have a legal right to be.⁷²

"We are currently seeing a trend of people filming law enforcement – often referred to as a 'First Amendment audit' – which is then posted online. During these 'audits,' people film police buildings and officers. Once contacted, they can become aggressive, challenging, and often seek to be detained by law enforcement while they are filming so they can post the video of the encounter online."⁷³

Amendment auditors may or may not belong to any specific subversive group, but many of the organizations we discussed today have recorded encounters with law enforcement in an effort to document wrongdoing by officers.

a) Recording

Some amendment auditors simply record buildings or officer interactions. They may film the exterior of a building, enter the lobby, record employees at the front counter, or approach and record any law enforcement/civilian interaction. Their goal in the recording is to provoke a response in which an officer forces them to leave or makes an arrest. By interfering with their recording, the officer may violate their First Amendment rights.

There may be legitimate time, place, and manner restrictions on their recordings. For example, if they enter a restricted area or are recording in a manner causing a significant disturbance an officer can intervene.

b) Law Enforcement Interaction

Other auditors attempt to create a situation and record the law enforcement response. They can do this by exercising their right to free speech in a public place. They will hold up signs and yell, trying to create a response. Their goal is

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to record the officer limiting their free speech on public grounds.

They may also attempt to provoke law enforcement by exercising their right to carry firearms openly. They will remain in an area in which they are legally permitted to carry openly but will try to get as close to a restricted area such as a school or government building as they can. In doing this, they hope to get officers to respond and either ask them to leave or to arrest them on camera.

- c) Recording officer/civilian interactions is becoming more common. Officers must understand that the public has the right to record law enforcement interactions as long as their actions are reasonable and are not creating a safety concern for the officer, the public, or the person recording.
- d) If officers detain or arrest an amendment auditor who is engaged in legal activities, they violate the First and Fourth Amendment rights of that individual. Any use of force associated with the illegal detention or arrest will likewise be viewed as unreasonable. The officers could face significant civil liability for these actions.

2. Non-Compliance During Traffic Stops

a) Minimal Compliance

These individuals will comply with some of the officer's requests. They will produce a driver's license, vehicle registration, and proof of insurance but will refuse any other request. They understand what is required of them during a traffic stop and will roll their window down just enough to pass the documentation to the officer and receive the citation but will refuse to roll their window down completely. They may look at the officer briefly to confirm their identity but will stare straight ahead for most of the traffic stop. Minimal compliance with legal requirements is still compliance; although potentially irritating, it is not illegal.

b) Exercise Their Fifth Amendment Right

In many cases, the driver will exercise their Fifth Amendment right to remain silent. Some may inform the officer that they are exercising their right to remain silent;

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others will just remain completely silent throughout the interaction. Unless the driver has an affirmative duty to do something, like provide a driver's license upon request,⁷⁴ they have the right to remain silent and refuse to answer officers' questions.

c) **Record a Negative Reaction from Law Enforcement**

Whether remaining mostly silent and minimally compliant or belligerent and uncooperative, recording a law enforcement/civilian interaction as propaganda is becoming increasingly popular. The driver hopes to provoke the officer into acting inappropriately. These videos will be uploaded to various internet and social media sites, and in some cases, will be selectively edited. Keep this in mind and maintain a professional demeanor at all times so that you cannot be taken out of context.

3. **Tactics used by Sovereign Citizens**

a) **Person vs. Straw man**

Sovereigns believe they are a person or an individual different from the corporate identity or straw man listed on official paperwork. They will attempt to clarify that they are the person, not the corporate identity or the straw man.

b) **Traveling; Not Driving⁷⁵**

They believe they have a Constitutional right to travel freely, and therefore do not have to comply with motor vehicle laws requiring a driver's license, vehicle registration, or insurance. When asked for these documents, they will inform the officer that they are not driving but instead traveling, which is their Constitutional right.

c) **Not Subject to Laws or Jurisdiction⁷⁶**

Because Sovereigns believe they have freed themselves from the illegitimate government rule through the redemption process, they may claim the officer does not have jurisdiction over them. They may say something like, these laws do not apply to me as a free person, or I am not subject to your laws and jurisdiction.

d) **Am I being detained? ⁷⁷**

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During a traffic stop, Sovereigns will repeatedly ask if they are being detained. Many will argue that the reason for the officer's initial stop is not a criminal infraction, and therefore, the officer cannot detain them without probable cause of a crime. Others view the detention as a kidnapping by an illegitimate government official.

e) Under Duress

When signing law enforcement documents, they may write “under duress” beneath their signature or cite various Uniform Commercial Code sections.

f) Ask to See Your Supervisor

Sovereigns will continually ask to see your supervisor because you do not know the law as well as they do. They will attempt to convince your supervisor that you do not know the law.

g) Paper Terrorism

After an encounter or arrest, Sovereigns engage in paper terrorism, which is a form of harassment. Paper terrorism involves filing frivolous lawsuits, placing false liens on property, and repeatedly sending legal documents. In North Carolina, filing a fraudulent lien is a Class I felony.⁷⁸

4. Demonstration

a) Protest and Counter-protest

A common way for subversive organizations to spread their rhetoric is by holding public demonstrations. Any demonstration or protest has the potential to become violent. This was the case in the summer of 2020 when peaceful protests during the day frequently turned to violence and looting after dark.

The presence of counter-protestors makes the situation more dangerous for the participants and the officer. In 2017, the Unite the Right rally in Charlottesville, Virginia, turned violent as protestors and counter-protestors clashed in several violent encounters. In one incident, a vehicle was driven through a crowd of people, killing one and injuring

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19.⁷⁹ In 2020, a member of the far-right group Patriot Prayer was shot and killed as they counter-protested during the George Floyd protests.⁸⁰

b) Agitators and Inciters

An agitator or instigator is an individual or group that attends peaceful demonstrations with the intent of causing violence. The goal of the inciter is to rile the crowd up and encourage them to take action. Another tactic used by inciters is to provoke law enforcement officers to take action. They hope that the crowd will become angrier or more violent toward officers by instigating a response.

In the summer of 2020, peaceful protests across the country often turned violent, and many officials blamed outside agitators for inciting the violence. In one night in St. Paul, Minnesota, 18 people were arrested for violence. At least four of these individuals lived outside Minnesota and had no ties to St. Paul.⁸¹

c) Black Bloc

Black Bloc is a tactic used by anarchist organizations, including Antifa. The term black bloc originated in Europe when anti-fascist protestors dressed in black and covered their faces to avoid being identified. Today, groups of anarchists dress in all black and cover their faces with masks or bandanas. They attend rallies and protests with the intent of damaging property and engaging in violent altercations. Groups use black bloc tactics to protest for their cause or as a counter-protest tactic to disrupt groups that do not share their beliefs.

III. Conclusion

A. Summary

Encounters with subversive individuals and groups are nothing new for law enforcement officers, and these encounters can turn violent and deadly at any moment. Interacting with or investigating subversive groups can be difficult because their actions, while objectionable to many, are legal. It is essential for law enforcement officers to understand what actions are constitutionally protected and when they cross the line into criminal behavior. Identifying members of a subversive group and understanding

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their ideology can help the officer navigate the investigation and keep them safe during the encounter.

1. Explain, in your own words, the protections included in the First Amendment and how they apply to fringe groups.
2. Identify applicable North Carolina General Statutes relating to owning and carrying firearms and explain, in your own words, how they apply to law enforcement interactions with fringe groups.
3. Detail, in writing, the various subversive groups active in North Carolina, including their ideology and identifying symbols.
4. Define *accelerationism* and explain, in writing, how it affects encounters between subversive groups and interactions with law enforcement officers.
5. Identify at least two (2) common tactics used by fringe groups when encountering law enforcement.

B. Questions from Class

C. Closing Statement

Subversive groups have a grievance against the government and are determined to change or overthrow the system. As law enforcement officers, you are either a part of the system they wish to overthrow or standing in the way of them accomplishing their objectives. Dealing with these individuals can be dangerous, but by identifying their connection to an extremist group early in your encounter, you can increase the chances of a safe and effective outcome.

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NOTES

- ¹ ADL, “Murder and Extremism,” 11.
- ² ADL, “Murder and Extremism,” 9.
- ³ ADL, “Murder and Extremism,” 14-15.
- ⁴ U.S. Constitution amend. I.
- ⁵ *Police Dept. of City of Chicago v. Mosley*, 408 U.S. 92 (1972); *Bantam Books, Inc. v. Sullivan*, 372 U.S. 58 (1963).
- ⁶ *Torasco v. Watkins*, 367 U.S. 488 (1961).
- ⁷ Standing, sitting or lying upon highways or streets prohibited, N.C.G.S. § 20.174.1
- ⁸ *Texas v. Johnson*, 491 U.S. 397 (1989).
- ⁹ *Cohen v. California*, 403 U.S. 15 (1977).
- ¹⁰ *Thomas v. Chicago Park Dist.*, 534 U.S. 316 (2002)
- ¹¹ *Memoirs v. Massachusetts*, 383 U.S. 413 (1966).
- ¹² *Lewis v. New Orleans*, 415 U.S. 130 (1974).
- ¹³ *Lewis v. New Orleans*, 415 U.S. 130 (1974).
- ¹⁴ *Virginia v. Black*, 538 U.S. 343 (2003).
- ¹⁵ *Brandenburg v. Ohio*, 395 U.S. 444 (1969).
- ¹⁶ *Thomas v. Chicago Park Dist.*, 534 U.S. 316 (2002).
- ¹⁷ U.S. Constitution amend II.
- ¹⁸ *McDonald v. City of Chicago*, 561 U.S. 742 (2010).
- ¹⁹ Militia, N.C. Constitution art. 1, § 30.
- ²⁰ *State v. Kerner*, 181 N.C. 574, 107 S.E. 222 (N.C. 1921).
- ²¹ Weapons on certain state property, N.C.G.S. § 14-269.4.

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²² Weapons at parades, etc., N.C.G.S. § 14-277.2.

²³ Statewide uniformity of local regulation, N.C.G.S. § 14-409.40(f).

²⁴ Dictionary.com, para 1.

²⁵ Southern Poverty Law Center, “Antigovernment Movement,” para 11.

²⁶ ADL, “Three Percenters,” para 8.

²⁷ Farivar, para 27.

²⁸ Oath Keepers, “About Oath Keepers.”

²⁹ Farivar, para 27.

³⁰ Evans and Wilson, para 5.

³¹ Price and Sonner, 1-6.

³² Rambaran, para 3-6.

³³ Morse, para 1.

³⁴ Berger, 3.

³⁵ Berger, 5.

³⁶ Berger, 6.

³⁷ Block, para 5-7.

³⁸ NOIA.com, para 3.

³⁹ Parker, 167.

⁴⁰ SPLC, Antigovernment, para 21.

⁴¹ Bruski, para 2.

⁴² Merriam-Webster.

⁴³ Black Rose Anarchist Federation, para 1.

⁴⁴ Penny, para 6.

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- ⁴⁵ BBC, para 2-7.
- ⁴⁶ ADL, “Who are Antifa?”, para 1.
- ⁴⁷ ADL, “Who are Antifa?”, para 1-5.
- ⁴⁸ ADL, “Hate Group,” para 1.
- ⁴⁹ Schuster, para 1.
- ⁵⁰ ADL, “Hammerskin Nation,” para 2.
- ⁵¹ History, “KKK Founded,” para3.
- ⁵² Southern Poverty Law Center, “Proud Boys,” para 1.
- ⁵³ Burke, para 6.
- ⁵⁴ Burke, para 1.
- ⁵⁵ ADL, “Extremist Sects Within the Black Hebrew Israelite Movement,” para 44-73.
- ⁵⁶ Warikoo, para 1.
- ⁵⁷ Southern Poverty Law Center, “Nation of Islam,” para 1.
- ⁵⁸ Gooden, para 2.
- ⁵⁹ The Revolutionary Black Panther Party, para 1-2.
- ⁶⁰ Southern Poverty Law Center, “New Black Panther Party,” para 12-21.
- ⁶¹ Neil, para 9.
- ⁶² Roose, para 7-12.
- ⁶³ Coastin, para 1.
- ⁶⁴ Beaujon, para 1.
- ⁶⁵ Tucker and Balsamo, para 1.
- ⁶⁶ Gartenstein-Ross, para 3
- ⁶⁷ Gartenstein-Ross, para 3.

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⁶⁸ ADL, The Base, para 1-5.

⁶⁹ Southern Poverty Law Center, “Atomwaffen Division,” para 1.

⁷⁰ Mendelson.

⁷¹ Mendelson.

⁷² Baysinger and Thomas, para 3-7.

⁷³ Baysinger and Thomas, para 2.

⁷⁴ Surrender of license, N.C.G.S. § 20-29.

⁷⁵ Lexipol, para 5-6.

⁷⁶ Lexipol, para 7-8.

⁷⁷ Lexipol, para 13-14.

⁷⁸ Filing false lien or encumbrance, N.C.G.S. §14-118.6.

⁷⁹ Keneally, para 2.

⁸⁰ Farivar, para 1-3.

⁸¹ Hughes, para 11.