

RICHARD BLUMENTHAL
CONNECTICUT

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JUDICIARY

VETERANS' AFFAIRS, RANKING MEMBER

United States Senate

WASHINGTON, DC 20510

706 HART SENATE OFFICE BUILDING
WASHINGTON, DC 20510

(202) 224-2823
FAX: (202) 224-9673

90 STATE HOUSE SQUARE, TENTH FLOOR
HARTFORD, CT 06103

(860) 258-6940
FAX: (860) 258-6958

915 LAFAYETTE BOULEVARD, ROOM 230
BRIDGEPORT, CT 06604

(203) 330-0598
FAX: (203) 330-0608

<http://blumenthal.senate.gov>

August 17, 2017

Jefferson B. Sessions III
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Sessions,

Like Americans across the country, I watched in horror as the protests on August 12 in Charlottesville, Virginia, boiled over into violence at the hands of white supremacist groups. James Alex Fields, Jr. – inspired by white supremacist ideologies – killed a young woman, Heather Heyer, and injured 19 others as he drove his car into a crowd of counter-protestors.

As a former federal prosecutor, I appreciate your remarks affirming your intent to investigate this heinous attack as a hate crime and act of domestic terrorism. I am gratified to hear you will “advance the investigation towards the most serious charges that can be brought.” That investigation must include not only the white supremacist individual—Mr. Fields—but the white supremacist groups that fomented and facilitated this terror attack.

This point is made all the more critical by the stunning remarks made by President Donald J. Trump on August 15, where he both condemned Mr. Fields as a “disgrace” but also condoned violent hate groups.

Mr. Fields is indeed a disgrace who must be prosecuted to the fullest extent of the law. But any investigation that places singular blame on one individual ignores the plain reality of what our nation witnessed in Charlottesville and continues to experience today—ongoing domestic terrorism and conspiracy to interfere with civil rights conducted by white supremacist extremist groups.

Federal laws, including 18 U.S.C §241 and the USA PATRIOT Act provide strong tools to pursue this investigation and to prevent future acts of domestic terror. Pursuing this investigation to the fullest extent would in no way infringe upon the bedrock First Amendment right to peaceful protest.

Mr. Fields' association with at least one white supremacist group strongly suggests that he did not act alone. As you know, 18 U.S.C. §241 prohibits two or more individuals from interfering with the exercise of any Constitutional right through injury, oppression, threats, or intimidation. The victims in Charlottesville were exercising the fundamental right to free speech by protesting against white supremacist groups. I urge you to immediately investigate whether Mr. Fields acted in concert with other individuals and to issue criminal charges based on 18 U.S.C. §241 if the facts warrant it.

As you stated during your remarks on August 13, Mr. Fields' actions meet the statutory definition of domestic terrorism under Section 802 of the USA PATRIOT Act. In light of the designation of this attack as domestic terrorism, the Department of Justice must act swiftly to use the authority granted under the USA PATRIOT Act to prevent white supremacist groups from harming people and property again.

By classifying Mr. Fields' attack as domestic terrorism, the Department gains access to a panoply of tools designed to respond not only to Mr. Fields' singular act, but also to stop white supremacist extremists from fomenting and facilitating additional violence. The Department has the authority to bring these groups under the magnifying glass of surveillance. The Department can also take away the resources they use to propagate hatred and incite violence. Approaching this act as domestic terrorism also allows the Department to mobilize a network of officials who are experts in countering all strains of terrorism, including white supremacist extremism.

The events in Charlottesville took place amidst an alarming escalation of violence among white supremacist groups. As you know, the Department of Homeland Security and the FBI issued a Joint Intelligence Bulletin on May 10, 2017 that stated that white supremacist extremists were responsible for more homicides from 2000 to 2016 than any other domestic extremist movement. Racial minorities and Jewish people have accounted for the majority of victims of this extremism. White supremacist groups associated with the protests on August 12 have indicated that they are planning additional events in the coming weeks. In order to prevent another Charlottesville from happening, your Department must act swiftly before another tragedy strikes our communities.

Thank you for your attention to this matter.

Sincerely,



RICHARD BLUMENTHAL
United States Senator