

# DHS GUTTED DOMESTIC TERRORISM ANALYSIS UNIT AFTER REPORT LEAKED

The Southern Poverty Law Center has an interview with the guy who headed DHS' domestic terrorism analysis that produced the report on the rise in domestic right wing extremism, Daryl Johnson. (h/t Aravosis) He describes how, after the report was leaked, DHS first backed off its support of the report.

## What happened after the leak?

I got to the office, and there were lots of phone calls. Citizens were angry. People wanted to speak to DHS authorities. I was very distraught. I felt I could talk to my peers, but beyond that, I couldn't speak for myself. The public affairs office was doing all the PR and media response. We weren't consulted on anything. If I could have responded, I would have said this is why we wrote this. But the response DHS provided just fueled the public's speculation.

## What about Napolitano?

Napolitano initially supported the report. She issued an official press release [on April 14, 2009] that said DHS has the authority to look at all types of threats. And we need to be vigilant. It was very supportive and direct.

Unfortunately, not too many people listened, and they kept applying political pressure. She held a couple of press conferences, trying to put out that same message. And people just kept continuing the pressure, especially

after Congress got involved. *[Editor's note: For example, U.S. Rep. Pete Hoekstra (R-Mich.), then the ranking member of the Permanent Select Committee on Intelligence, wrote to Napolitano to complain about what he called "a shoddy, unsubstantiated, and potentially politicized work."]*

I don't know whether her staff advised her to, but she eventually backtracked. The DHS press spokesman came up with this story that it was all unauthorized and orchestrated by a rogue group of analysts. DHS caved in.

And then, DHS effectively gutted the unit focused on domestic terrorism.

#### **What happened to your DHS unit?**

When the right-wing report was leaked and people politicized it, my management got scared and thought DHS would be scaled back. It created an environment where my analysts and I couldn't get our work done. DHS stopped all of our work and instituted restrictive policies. Eventually, they ended up gutting my unit. All of this happened within six to nine months after the furor over the report. Analysts then began leaving DHS. One analyst went to ICE [U.S. Immigration and Customs Enforcement], another to the FBI, a third went to the U.S. Marshals, and so on. There is just one person there today who is still a "domestic terrorism" analyst.

Since our report was leaked, DHS has not released a single report of its own on this topic. Not anything dealing with non-Islamic domestic extremism—whether it's anti-abortion extremists, white supremacists, "sovereign citizens," eco-terrorists, the whole gamut.

Johnson also reviews that the sole source of sensitivity within DHS came from the Civil Rights and Civil Liberties group, which argued that material support for domestic terrorists did not make one a right wing extremist.

**Did your report generate controversy inside DHS?**

This is how it happened. I got a tasking from the secretary, which demanded a quick turnaround. We went through all the necessary coordination; many people reviewed the draft and made comments. Several people signed off on the report: two supervisors, the Office of General Counsel, multiple editors, etc. The Office of Privacy signed off, and the Office of Policy had no suggestions.

The secretary doesn't oversee agency reports. She couldn't do it, given the number of agencies generating multiple reports a day. As a result, heads of DHS' agencies have authority to review work, coordinate with other agencies, approve and disseminate reports.

One office raised issues – the Office of Civil Rights and Civil Liberties [CRCL]. At the time, we weren't required to give them the report, but my boss thought we should run it past them. They had edits, but the main issue related to the definition of right-wing extremism. That office wanted a narrow definition limited to violent groups and individuals. Our subject-matter experts and management felt the definition needed to be broader.

Under CRCL's definition, if you were in the Klan, burned crosses, had a terrorist in your house and donated money to groups advocating violence, you still would not qualify as a right-wing extremist. Our attorneys basically told them, "We appreciate your input, but we

are approving the more broad definition." This ended up being a sore point with CRCL once the document was released.

Now, I'm actually sort of glad the CRCL spoke up, if only because it shows that someone is reviewing stuff like this.

But CRCL was essentially advocating a double standard for terrorism, such that peaceniks supporting peace in Colombia could be imprisoned for years for offering less support to terrorists than right wingers did. There's a reasonable historic legal justification for that standard.

But it—along with the way our government chose to stop tracking right wing terrorists when a bunch of right wingers made noise—shows the fundamental lie at the heart of our concern for terrorism.