EXCLUSIVE

The FBI's New U.S. Terrorist Threat: 'Black Identity Extremists'

Law enforcement calls it a violent movement. Critics call it racist.

BY JANA WINTER, SHARON WEINBERGER | OCTOBER 6, 2017, 11:42 AM

As white supremacists prepared to descend on Charlottesville, Virginia, in August, the FBI warned about a new movement that was violent, growing, and racially motivated. Only it wasn't white supremacists; it was "black identity extremists."

Amid a rancorous debate over whether the Trump administration has downplayed the threat posed by white supremacist groups, the FBI's counterterrorism division has declared that black identity extremists pose a growing threat of premeditated violence against law enforcement.

"The FBI assesses it is very likely Black Identity Extremist (BIE) perceptions of police brutality against African Americans spurred an increase in premeditated, retaliatory lethal violence against law enforcement and will very likely serve as justification for such violence," reads the report, marked for official use only and obtained by Foreign Policy.

The August 2014 shooting of Michael Brown in Ferguson, Missouri, was the catalyst for widespread anger and violence, the FBI report says, concluding that continued "alleged" police abuses have fueled more violence.

"The FBI assesses it is very likely incidents of alleged police abuse against African Americans since then have continued to feed the resurgence in ideologically motivated, violent criminal activity within the BIE movement," the report states.

Some 748 people have been shot and killed by police so far in 2017, including at least 168 African-Americans.

The report, dated Aug. 3 — just nine days before the white supremacist rally in Charlottesville turned deadly — appears to be the first known reference to "black

identity extremists" as a movement. But former government officials and legal experts said no such movement exists, and some expressed concern that the term is part of a politically motivated effort to find an equivalent threat to white supremacists.

A former senior counterterrorism and intelligence official from the Department of Homeland Security who reviewed the document at FP's request expressed shock at the language.

"This is a new umbrella designation that has no basis," the former official said. "There are civil rights and privacy issues all over this."

The concept of "black identity extremists" appears to be entirely new. FP found only five references to the term in a Google search; all were to law enforcement documents about domestic terrorism from the last two months. One of those online references is to law enforcement training on identifying "domestic terror groups and criminally subversive subcultures which are encountered by law enforcement professionals on a daily basis."

Among the six acts of premeditated violence linked to black identity extremists — it excludes violence toward police carried out in the normal course of their duties — the reports cites the July 2016 shooting of 11 police officers in Dallas. The shooter, Micah Johnson, was reportedly angry at police violence.

"Based on Johnson's journal writings and statements to police, he appeared to have been influenced by BIE ideology," the FBI report states. The attack took place during a Black Lives Matter protest of police shootings, though the BLM movement is not mentioned by name in the report.

Yet those involved in the Black Lives Matter movement have voiced concerns about FBI surveillance.

DeRay McKesson, an activist involved in the Black Lives Matter movement, told FP that the FBI visited his house in the run-up to the Republican National Convention. "I spoke about the FBI visit to my house and the houses of other activists in our final meeting with [President Barack] Obama," he said.

"There is a long tradition of the FBI targeting black activists and this is not surprising," McKesson said.

The FBI declined to comment on the report itself and did not respond to specific questions, but in an emailed statement to FP, the bureau defended its tracking of "black

identity extremists," saying that "the FBI cannot initiate an investigation based solely on an individual's race, ethnicity, national origin, religion, or the exercise of First Amendment rights."

In its August report, the FBI said it expects further attacks by black identity extremists, driven by both the perception and the reality of unfair treatment at the hands of police officers.

"The FBI further assesses it is very likely additional controversial police shootings of African Americans and the associated legal proceedings will continue to serve as drivers for violence against law enforcement," the report says.

Some experts and former government officials said the FBI seemed to be trying to paint disparate groups and individuals as sharing a radical, defined ideology. And in the phrase "black identity extremist" they hear echoes of the FBI's decades-long targeting of black activists as potential radicals, a legacy that only recently began to change.

"They are grouping together Black Panthers, black nationalists, and Washitaw Nation," said the former homeland security official. "Imagine lumping together white nationals, white supremacists, militias, neo-Nazis, and calling it 'white identity extremists.'"

The FBI is linking the people discussed in the report based only on them being black, rather than on any sort of larger ideological connection, the official said. "The race card is being played here deliberately."

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Michael German, a former FBI agent and now a fellow with the Brennan Center for Justice's liberty and national security program, said manufacturing this type of threat was not new. He has criticized earlier FBI reports on "black separatists," arguing that they conflated radical groups operating in the 1970s with attacks in 2010 and later, even though there was no obvious connection.

The use of terms like "black identity extremists" is part of a long-standing FBI attempt to define a movement where none exists. "Basically, it's black people who scare them," German said.

Even former officials who view the government's concerns about black separatists as legitimate balked at the term "black identity extremist," and point out that the threat from individuals or groups who want to establish their own homeland is much less than from the far right.

In 2009, Daryl Johnson, then a Department of Homeland Security intelligence analyst, warned of the rise of right-wing extremism, setting off a firestorm among congressional critics. Johnson, who left the department in 2010, said he could think of no reason why the FBI would create a new category for so-called black identity extremists. "I'm at a loss," he replied, when asked about the term.

"I have no idea of why they would come up with a new term."

There have been concerns about rising violence among black separatist groups in recent years, he said, but it does not approach the threat of right-wing extremism. "When talking about white supremacists versus black supremacists, there are way more white supremacists," Johnson said.

For historians and academics who have looked at the history of FBI surveillance of black Americans, the report also smacks of the sort of blatant racism the bureau has worked hard to leave behind. From the time J. Edgar Hoover took over the anti-radical division in the FBI at the height of the first "red scare" in 1919, the bureau began systematically surveilling black activists.

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"Black protests get conflated for the bureau [with communism], and it begins there," said William Maxwell, a professor at Washington University in St. Louis, who has researched the FBI's monitoring of black writers in the 20th century.

What followed, according to Maxwell, was decades of FBI pursuit of black radicals in the belief, often mistaken, that they were part of a larger subversive movement. "It's deep in the bureau's DNA," he said.

Lately, that seemed to be changing. As FBI director, James Comey famously kept a copy of the Martin Luther King Jr. wiretap order on his desk as a reminder of the bureau's past abuses and made new agents learn the history of the FBI's pursuit of the civil rights leader.

The FBI also appeared to be focusing more attention on the threat of white supremacists. In May, the FBI warned that white supremacist violence was growing, according to a report obtained and published by FP. That same report noted that white supremacists were responsible for more attacks in the United States than any other extremist group, including Islamic extremists.

Critics, however, accuse President Donald Trump of shifting attention away from right-wing violence. This year, the Trump administration decided to focus the Department of Homeland Security's "countering violent extremism" program on Islamic terrorism and deprioritized funding to counter white supremacist groups.

"To hear there is a new initiative targeting black identity extremists is surprising given that shift," said Alvaro Bedoya, the executive director of the Center on Privacy & Technology at Georgetown Law.

Maxwell, the Washington University professor, had an even darker view. "It's classic Hoover-style labeling with little bit of maliciousness and euphemism wrapped up together," he said. "The language — black identity extremist — strikes me as weird and really a continuation of the worst of Hoover's past."

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In a sense, the FBI's desire to identify a unifying ideological underpinning to what are often individual violent acts is not surprising, said David Garrow, a historian who wrote a Pulitzer Prize-winning biography of MLK. "Security agencies want to perceive a threat that is political, a threat that ideological," Garrow said, "but what we're actually

witnessing is men, almost entirely men, acting out in violent criminal ways and grasping at some chimera of political justification."

But the document itself smacks of incompetence more than conspiracy, according to Garrow, who reviewed a copy of the report provided by FP. "The immediate instinct is to think [the FBI] are a threat," he said. "My immediate instinct is to wonder whether they are minimally competent."

Garrow, who has reviewed decades' worth of FBI documents for his work, warned against seeing this report as proof that the FBI is illegally targeting black Americans.

"They are often so clueless," he said of the FBI. "I don't find them a threat."

But the former homeland security official said the report's tendency to lump together different groups that have no obvious connection will make it harder for law enforcement to identify real threats. "It's so convoluted — it's compromising officer safety," the former official said.

And even though the report mentions in a footnote that "political activism" and "strong rhetoric" by themselves don't amount to extremism and "may be constitutionally protected," it identifies anger with police or "anti-white rhetoric" as indicators of a potential "violent threat."

"Just the term 'black identity extremist' is protected," the former official said. "You can identify all you want."

The FBI, however, defended the classification in its statement to FP.

"Domestic terrorism groups differ from traditional criminal groups in that they take action for a different purpose, to bring attention to a social or political cause," the FBI wrote. "Therefore, their existence as a group has a legitimate purpose, at least in part. Their legitimate activity may include acts of protest, advocacy, and civil disobedience."

The FBI says there are "nine persistent extremist movements" in the United States at present. Those include "white supremacy, black identities, militia, sovereign citizens, anarchists, abortion, animal rights, environmental rights, and Puerto Rican Nationalism."

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