

Chad F. Wolf

Written and Spoken Testimony

U.S. Senate Committee on the Judiciary – Subcommittee on the Constitution

Hearing: Politically Violent Attacks: A Threat to Our Constitutional Order

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Thank you, Chairman Schmitt and Ranking Member Welch, for the opportunity to testify before the subcommittee today.

On September 4, 2020, violent opportunists and anarchists had done the unthinkable – reaching 100 consecutive nights of violent protests in Portland, Oregon. These protests were defined by repeated violent attacks on federal law enforcement, civilians, journalists, and federal property. Night after night, hundreds of people would surround the Hatfield Federal Courthouse with the intention of vandalizing and setting fire to it. When law enforcement responded, officers would be assaulted with mortar-style commercial grade fireworks, accelerants, IEDs, sledgehammers, concrete, and slingshots.

At that time, I pleaded with local elected officials – including the Governor and mayor of Portland – to support DHS officers to ensure their safety. Time and again, they refused. They chose politics over public safety, and the results were devastating. Over 280 injuries to law enforcement officers and millions of dollars in damages to the federal courthouse, local private property and businesses.

Back then, nationally elected officials and media personalities smeared law enforcement officers. They called law enforcement professionals “stormtroopers,” the “Gestapo” and “thugs.” They were comparing our law enforcement to America’s historical adversaries.

Unfortunately, I see this pattern and rhetoric repeating itself today – but exacerbated. Similar violence toward law enforcement and similar and irresponsible rhetoric from those on the left describing law enforcement as Nazis. The difference between 2020 and now, however, is that President Trump and his administration know what to expect and are fighting aggressively to hold those who are committing violent attacks accountable.

I strongly support those who lawfully exercise their Constitutional rights, including our First Amendment right to peaceably assemble. But we need to draw a clear line in the sand and protect our communities and our institutions by holding criminals accountable for their actions.

Today, we see radical, violent groups – like Antifa – who **are** organized and well-funded. They plan, they execute, and they purposefully operate in undetectable corners of the internet.

Those who oppose cracking down on violent anarchists often argue that President Trump was wrong to designate them as domestic terrorists because they lack formal structure, leadership, or governance.

This criticism completely misses the point. **Their lack of formal structure is a feature – not a bug.** They operate this way **precisely to evade law enforcement and accountability, and they are proving to be effective with this strategy.** This decentralized model is not novel — it mirrors tactics used by other modern extremist or criminal networks.

Whether or not an individual self-identifies as “antifa” is not the only data point. Much like ISIS-inspired attacks in America, these activists **do** largely share a cohesive ideology that expressly advocates violence to achieve political or social ends. That squarely fits the federal statutory definition of domestic terrorism. Jihadists, cybercriminals, and other criminal networks also lack formal leadership structure but nonetheless are targeted by law enforcement.

But don’t take my word for it. Let the activists speak for themselves.

Just last weekend, protestors called for ICE agents to be “shot” and “wiped out”. Another protestor said he’d kill a high-ranking government official if given the chance. Over the Summer of 2025, there have been numerous antifascist-inspired attacks on law enforcement, journalists, and citizens – most tragically with the sickening and heartbreaking assassination of Charlie Kirk.

The bullet casing left behind by Charlie’s killer echoed the violent rhetoric we often hear at these protests and riots – rhetoric that targets law enforcement, in particular immigration enforcement officials.

Additionally, recent polling has revealed a concerning trend of radicalization – especially amongst younger and liberal Americans – to justify political violence. According to a 2025 Rutgers University poll, a majority of left of center Americans stated it would be at least somewhat justified to murder President Trump or Elon Musk. Nearly 60% of those same Americans believed destroying a Tesla dealership in protest would be at least somewhat justified. A 2025 YouGov poll found that – amongst those who consider themselves “very liberal” – **25% (one in four) believe that violence can be justified to achieve a political goal. That represents five times the number of very conservative Americans when asked the same question.**

The evidence is clear: young, liberal Americans are increasingly justifying, and partaking in, violence to achieve political goals. And those beliefs are what we're witnessing play out in real time on the streets of Chicago, New York, Los Angeles, Portland, and other cities across the country.

Let me state this as clearly as I can: the lawful enforcement of immigration policies passed by the U.S. Congress nearly 60 years ago is no way, shape, or form fascist. If it were, then every single country on earth – no matter the political leadership – would be considered fascist by their definition. Terms like “fascism” are thrown around with reckless abandon, and the number of victims is increasing by the day. The increasingly violent nature of this rhetoric is contributing to the threat environment for journalists, commuters, state, local, and federal law enforcement officers, **and it must stop** – especially when we're talking about elected officials.

My colleagues and I at the America First Policy Institute have spent years advocating for freedom of speech, and against government-sponsored censorship. But what we are seeing play out day after day is not a form of peaceful protest. Destroying property and violently targeting those who they disagree with is not peaceful protest. Harassing, doxxing, or threatening law enforcement is not peaceful protest. Attacking journalists is not peaceful protest. These actions are the antithesis of freedom of speech. **Violence, of any kind and perpetrated by any ideology, can never be equated to lawful protest.** Our country's dedication to enshrining freedom of speech into our Constitution is **designed to avoid violence – not encourage it.**

To address a public safety threat, it's critical to admit that it's a threat in the first place. I implore lawmakers to read the data. Federal immigration and border security law enforcement is facing a 1000% increase in threats, harassment, and doxxing. We owe it to them - and their families - to face these active threats with the seriousness they deserve.

The rise in radical political violence our Nation has experienced in recent years is an undeniable threat to law and order and presents a uniquely challenging issue for law enforcement to face. Thankfully, the Trump Administration, along with members of Congress, are acting swiftly. At the America First Policy Institute, we proudly support many of these policies – but the work has only just begun.

We must continue to give federal law enforcement the resources they need to do their job effectively. We must allow ICE to do their job; as well as enter local jails, courthouses, and other facilities which provide safer environments for the officers and the migrants. We must oppose any legislative attempt to undermine the privacy and safety of federal law enforcement. We must robustly prosecute and increase criminal penalties for assaulting,

harassing, or doxxing federal law enforcement. We must leverage joint taskforces and interdepartmental working groups to share intelligence and conduct operations. We must continue investigating and targeting groups that conduct these protests. The DOJ and FBI should use prosecutorial options – such as sentencing enhancements. We must protect courageous journalists who are doing the work that the mainstream media won't do in covering these protests. But perhaps most importantly, **elected officials must be honest with the American people about public safety threats.**

It is a core responsibility of governmental bodies to protect our sworn officers, journalists, and all Americans from any form of political violence that is showing no signs of slowing down. We owe it to fathers and mothers, we owe it to Erika Kirk, and we owe it to every family who has lost a loved one to political violence, to ensure that their calls for accountability and action are finally answered.

Thank you, and I look forward to your questions.