



COUNTERING EXTREMIST
ACTIVITY:
CASE STUDY ACTIVITY 1



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As Service members or Department of Defense civilian employees, we each take an Oath of Office upon entering into public service. The framers of the Constitution included the requirement to take an oath in the Constitution itself. While the specific wording of that oath may vary depending on the individual role in which you serve, all of our oaths include the commitment to support and defend the Constitution of the United States against all enemies foreign and domestic, and to well and faithfully discharge our duties. Because we each took an oath to support and defend the Constitution, and to do our jobs to the best of our ability, we expect military Service members and DoD civilian employees to be guided in their actions by a professional ethic that prioritizes the team, the mission, and the Nation. You are essential to our success and we need you on our team.

ACTIVITY GOALS

- Recognize the types of extremist activities under DoDI 1325.06
- Identify behaviors that may qualify as active participation in extremist activities under DoDI 1325.06

PROCEDURES

1. Read Case Study and reference material (pg. 3-10)
2. Answer Part 1 Activity handout, (Individual Observations pg. 11).
3. You will have 20 minutes to read case study and individually answer questions.
4. Facilitator led group discussion, 30 minutes. Please share your thoughts and experiences with your group members.
5. Breaks will be taken as needed, 10 minutes on every hour is a guideline and not a requirement per guidance of the facilitator.

Case Study 1

U.S. Army Soldier Charged with Terrorism Offenses Sent Sensitive U.S. Military Information to Members of a Neo-Nazi Group in an Attempt to Facilitate a “Mass Casualty” Attack on his Unit.

Ethan Phelan Melzer’s secret life of hate ran deep. The 24-year-old private in the 173rd Airborne Brigade appeared to be just another young soldier, trying to find his way through military life at Fort Benning, Georgia. However, in his private time, prosecutors allege, Melzer had another, sinister side: He said he liked to perform macabre blood rituals; read obscure, gruesome tracts about torture and child abuse; collected violent iconography; and found like minds in the depths of Telegram, an encrypted messaging app so favored by extremists of all stripes that it is often referred to as “Terror gram.” His handle was “Etil Reggad” — a near anadrome for “Elite Dagger.”

What little is known of Melzer’s past indicates a man drawn to extremes. In his first post-arrest interview with the Army’s Criminal Investigation Division and the FBI, Melzer claimed he’d hung around the wrong crowd at high school in Louisville, Kentucky. “Gang-affiliation-type sh*! — there was a couple of friends that I hung out with that were Bloods,” he claimed, with a markedly different tone from that which he struck as his “Etil Reggad” persona in Rape Waffen, where he claimed to have done an insight role as “a runner for some Bounty Hunter Bloods.” Melzer also told the Rape Waffen administrator that he’d done a second insight role “with antifa.” It’s impossible to verify either claim, though Melzer fits the profile of an adolescent playing with the violent countercultural edges of society. Today, Melzer has virtually no digital footprint, but what can be pieced together about his background suggests an unstable home — his parents separated when he was young, and instead of a secondary education, he enrolled in the Department of Labor’s Job Corps program in Kentucky’s rural Muhlenberg County.

It was in this program, in 2018, at age 20, that Melzer began his descent into Satanism. “In Job Corps, I got a small following of people and used them for feeding, if we’re talking like actual growth wise,” Melzer wrote. The government alleges that Melzer’s phones contained videos and photographs of the young soldier ritually cutting himself, and a Satanist text with its pages drenched in blood was recovered from his barracks.

Melzer joined the U.S. Army in approximately 2018, and he joined O9A by approximately 2019. Members and associates of O9A have espoused violent, neo-Nazi, anti-Semitic, and Satanic beliefs, and have expressed admiration for both Nazis, such as Adolf Hitler, and Islamic jihadists, such as Osama Bin Laden, the now-deceased former leader of al Qaeda. Members and associates of O9A have also participated in acts of violence, including murders.

By Melzer's own account, enlisting in the Army was a ruse — on the encrypted app, he wrote that he had joined up solely to gain knowledge of military weaponry and tactics. "It's great for training," he wrote, adding a cryptic remark about his base. "All of these places the vast majority deserve to be burned."

Melzer repeatedly trash-talked the Army and described it as merely a means to hone his violent skills. "I'm not patriotic for sh*!," he wrote to another radical who was considering enlisting in the Marines. Telegram chats disclosed by the government in court filings reveal his efforts to mask his true beliefs: "I fly under the radar already, act completely normal around other people outside and don't talk about my personal life or beliefs with anyone."

The young paratrooper said he was conducting what he called an "insight role" — both infiltrating and subverting an institution, one of the core tenets of the Order of Nine Angles, a secretive, nihilistic, bloodthirsty Satanist-Nazi sect, to which, prosecutors allege, Melzer swore allegiance.

In approximately October 2019, Melzer deployed abroad with the Army. Prior to planning the attack, Melzer consumed propaganda from multiple extremist groups, including O9A and the Islamic State of Iraq and al-Sham, which is also known as ISIS. For example, in connection with the investigation, the FBI seized from an iCloud account maintained by Melzer an ISIS-issued document with a title that included the phrase "HARVEST OF THE SOLDIERS" and described attacks and murders of U.S. personnel in approximately April 2020.

In approximately April 2020, the Army informed Melzer of plans for a further foreign

deployment by his unit. Melzer thereafter sought to facilitate a deadly attack on his fellow service members. After he was notified of the assignment, Melzer used an encrypted application to send messages to members and associates of O9A and a related group known as the “Rape Waffen Division,” including communications regarding Melzer’s commitment to O9A and sensitive information related to his unit’s anticipated deployment such as locations, movements, and security, for purposes of facilitating an attack on Melzer’s unit. Melzer and his co-conspirators planned what they referred to as a “jihadi attack” during the deployment, with the objective of causing a “mass casualty” event victimizing his fellow service members.

In the back and forth over a number of days in May 2020, according to the evidence presented by federal prosecutors, Melzer and his alleged Al Qaeda and Satanist co-conspirators discussed the location of the base, the precise number of personnel stationed there, and the unit’s defensive capabilities. Melzer also allegedly shared satellite images of the outpost’s layout. The proposed carnage apparently didn’t bother Melzer in the least. In fact, he reveled in the potential fallout from a massacre of American soldiers by jihadist, even if that meant losing his own life. Melzer, wrote “who gives a [expletive] . . . it would be another war . . . I would’ve died successfully . . . cause another 10-year war in the Middle East would definitely leave a mark.”

On or about May 17, 2020, Melzer exchanged electronic communications regarding passing information about the anticipated deployment to a purported member of al Qaeda. Between approximately May 24 and May 25, 2020, Melzer sent additional electronic messages with specific information about his unit’s anticipated deployment, including, among other things, the number of soldiers who would be traveling, the location of the facility to which Melzer expected the unit would be deployed, and information about the facility’s surveillance and defensive capabilities. Melzer promised to leak more information once he arrived at the location of the new deployment in order to try to maximize the likelihood of a successful attack on his unit.

The FBI and the U.S. Army thwarted Melzer’s plot in late-May 2020. Pvt. Melzer was arrested by military investigators at the American military base in Vicenza on May 30, 2020, right before the 173rd Airborne’s expected deployment to Turkey. In interviews with military and

federal investigators following his arrest in Italy, Melzer acknowledged downloading and watching the Satanist videos and jihadi-propaganda films found on his devices, but claimed his enthusiastic remarks about the lethal violence were “satire or dark humor” meant to impress other members of the Rape Waffen Telegram channel. His defense of the charges seemed to be “I did it all for the lulz.” During another voluntary interview with military investigators and the FBI, Melzer admitted his role in plotting the attack. Melzer said that he intended the planned attack to result in the deaths of as many of his fellow service members as possible. Melzer also declared himself to be a traitor against the United States, and described his conduct as tantamount to treason. The young soldier was branded “the enemy within” by the United States attorney for the Southern District of New York, when his indictment was made public on June 22, 2020.

In its indictment, the Department of Justice charged Melzer with planning an attack on his U.S. Army unit by sending sensitive details about the unit – including information about its location, movements, and security – to members of an extremist organization named Order of the Nine Angles (O9A), an occult-based neo-Nazi and white supremacist group. Melzer was charged with conspiring and attempting to murder U.S. nationals, conspiring and attempting to murder military service members, providing and attempting to provide material support to terrorists, and conspiring to murder and maim in a foreign country.

“As the indictment lays out, Ethan Melzer plotted a deadly ambush on his fellow soldiers in the service of a diabolical cocktail of ideologies laced with hate and violence,” said Assistant Attorney General for National Security John C. Demers. “Our women and men in uniform risk their lives for our country, but they should never face such peril at the hands of one of their own. The National Security Division is proud to support the efforts of those who disrupted this planned attack and to seek justice for these acts.”

“As alleged, Ethan Melzer, a private in the U.S. Army, was the enemy within. Melzer allegedly attempted to orchestrate a murderous ambush on his own unit by unlawfully revealing its location, strength, and armaments to a neo-Nazi, anarchist, white supremacist group,” said Acting U.S. Attorney Audrey Strauss for the Southern District of New York. “Melzer allegedly provided this potentially deadly information intending that it be conveyed to jihadist terrorists.

As alleged, Melzer was motivated by racism and hatred as he attempted to carry out this ultimate act of betrayal. Thanks to the efforts of the agents and detectives of the JTTF, our partners in the Departments of Defense and State, and the career prosecutors of this office, a hate-fueled terrorist attack against American soldiers has been thwarted.”

“As alleged, Ethan Melzer sought to facilitate a deadly mass attack on his fellow service members by disclosing sensitive information to multiple extremists, including al-Qa’ida. The FBI’s top priority remains protecting Americans from terrorist attacks, at home and abroad, and this case highlights the outstanding work of the FBI’s Joint Terrorism Task Forces, along with our U.S. military partners, to identify and disrupt threats like this one against our men and women in uniform,” said Assistant Director Jill Sanborn of the FBI’s Counterterrorism Division. “This case is another example of the international responsibilities of the Federal Bureau of Investigation’s New York Joint Terrorism Task Force,” said Dermot Shea, the Commissioner of the New York City Police Department. “It’s FBI agents and New York City police detectives will travel anywhere in the world to bring terrorists to justice, in this case a soldier who is alleged to have forsaken his oath to the United States military and his fellow soldiers.”

On June 24, 2022, Melzer pled guilty to (1) attempting to murder U.S. military service members, in violation of 18 U.S.C. § 1114, which carries a maximum sentence of 20 years in prison; (2) attempting to provide and providing material support to terrorists, in violation of 18 U.S.C. § 2339A, which carries a maximum sentence of 15 years in prison; and (3) illegally transmitting national defense information believing that it could be used to the injury of the United States, in violation of 18 U.S.C. § 793(d), which carries a maximum sentence of 10 years in prison. He is scheduled to be sentenced by Judge Gregory Woods on January 6, 2023.

After the former private stated his guilty plea, Judge Woods asked if he had anything to say about the crimes he had sought to carry out. “I’m sorry, and I regret every single thing that I did,” Melzer said.

References

- Office of Public Affairs. (2020, June 22). *U.S. Army soldier charged with terrorism offenses for Planning Deadly Ambush on service members in his unit*. The United States Department of Justice. Retrieved July 20, 2022, from <https://www.justice.gov/opa/pr/us-army-soldier-charged-terrorism-offenses-planning-deadly-ambush-service-members-his-unit>
- Winston, A. (2022, June 7). *The satanist neo-nazi plot to murder U.S. soldiers*. Rolling Stone. Retrieved July 20, 2022, from <https://www.rollingstone.com/culture/culture-features/the-satanist-neo-nazi-plot-to-murder-u-s-soldiers-1352629/>

**CASE STUDY REFERENCE:
EXTREMIST ACTIVITIES,
AND ACTIVE PARTICIPATION**

Military personnel are prohibited from actively participating in extremist activities.

1. The term “extremist activities” means:

- a. Advocating or engaging in unlawful force, unlawful violence, or other illegal means to deprive individuals of their rights under the United States Constitution or the laws of the United States.¹
- b. Advocating or engaging in unlawful force or violence to achieve goals that are political, religious, discriminatory, or ideological in nature.
- c. Advocating, engaging in, or supporting terrorism, within the United States or abroad.
- d. Advocating, engaging in, or supporting the overthrow of the government of the United States, by force or violence; or seeking to alter the form of these governments by unconstitutional or other unlawful means (e.g., sedition).
- e. Advocating or encouraging military, civilian, or contractor personnel within the DoD or United States Coast Guard to violate the laws of the United States*, or to disobey lawful orders or regulations, for the purpose of disrupting military activities (e.g., subversion), or personally undertaking the same.
- f. Advocating widespread unlawful discrimination based on race, color, national origin, religion, sex (including pregnancy), gender identity, or sexual orientation.

2. The term “Active Participation” means:

- a. Advocating or engaging in the use or threat of unlawful force or violence in support of extremist activities.
- b. Advocating for, or providing material support or resources to, individuals or organizations that promote or threaten the unlawful use of force or violence in support of extremist activities, with the intent to support such promotion or threats.
- c. Knowingly communicating information that compromises the operational security of any military organization or mission, in support of extremist activities.
- d. Recruiting or training others to engage in extremist activities.
- e. Fundraising for, or making personal contributions through donations of any kind (including but not limited to the solicitation, collection, or payment of fees or dues) to, a group or organization that engages in extremist activities, with the intent to support those activities.
- f. Creating, organizing, or taking a leadership role in a group or organization that engages in or advocates for extremist activities, with knowledge of those activities.

¹ “United States” refers to any political subdivision thereof, including that of any state, commonwealth, Territory, or District of Columbia. (DoDI 1325.06, Enclosure 3, Change 2, Section 8).

- g. Actively demonstrating or rallying in support of extremist activities (but not merely observing such demonstrations or rallies as a spectator).
- h. Attending a meeting or activity with the knowledge that the meeting or activity involves extremist activities, with the intent to support those activities:
 - (1) When the nature of the meeting or activity constitutes a breach of law and order;
 - (2) When a reasonable person would determine the meeting or activity is likely to result in violence; or
 - (3) In violation of off-limits sanctions or other lawful orders.
- i. Distributing literature or other promotional materials, on or off a military installation, the primary purpose and content of which is to advocate for extremist activities, with the intent to promote that advocacy.
- j. Knowingly receiving material support or resources from a person or organization that advocates or actively participates in extremist activities with the intent to use the material support or resources in support of extremist activities.
- k. When using a government communications system and with the intent to support extremist activities, knowingly accessing internet web sites or other materials that promote or advocate extremist activities.
- l. Knowingly displaying paraphernalia, words, or symbols in support of extremist activities or in support of groups or organizations that support extremist activities, such as flags, clothing, tattoos, and bumper stickers, whether on or off a military installation.
- m. Engaging in electronic and cyber activities regarding extremist activities, or groups that support extremist activities - including posting, liking, sharing, re-tweeting, or otherwise distributing content - when such action is taken with the intent to promote or otherwise endorse extremist activities. Military personnel are responsible for the content they publish on all personal and public Internet domains, including social media sites, blogs, websites, and applications.
- n. Knowingly taking any other action in support of, or engaging in, extremist activities, when such conduct is prejudicial to good order and discipline or is service-discrediting.

Individual Observations

1. What are some important FACTS you observed from the case study?

2. Review the three charges Private Melzer pled guilty to. Do these match the elements of extremist activities? If yes, how? If no, why?

3. Review the three charges Private Melzer pled guilty to. Do these match the elements of active participation? If yes, how? If no, why?

SUMMARY

- Recognize the types of extremist activities for Service members under DoDI 1325.06
- Identify behaviors that may qualify as active participation in extremist activities under DoDI 1325.06