June 7, 2022

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Dear Attorney General Garland:

We write to request information about how the Department of Justice is addressing the disturbing trend of harassment, intimidation, and violence against religious and other pro-life organizations and individuals in the aftermath of the leaked draft opinion in the Supreme Court case Dobbs v. Jackson Women’s Health Organization. While churches and crisis pregnancy centers have been vandalized, pro-life offices in Oregon and Wisconsin have been targeted by arsonists.¹ We are deeply concerned that this trend will continue should the Supreme Court overturn Roe v. Wade in the coming weeks unless the Department of Justice, the FBI, and U.S. Attorneys’ Offices take a firm public stance and proactive response against these violent threats.

Last October, the Department of Justice wasted no time in publicly responding to threats of violence against educators and school administrators related to COVID-19 policies. You issued a memo in which you stated, “While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views.”² At the same time, the Department created specialized training and guidance for local school boards and school administrators to help “potential victims understand the type of behavior that constitutes threats, how to report threatening conduct to the appropriate law enforcement agencies, and how to capture and preserve evidence of threatening conduct to aid in the investigation and prosecution of these crimes.”³ The Department also took steps to improve coordination between the FBI, the U.S. Attorneys’ Offices, and local law enforcement to “open dedicated lines of communication for threat reporting, assessment, and response.”⁴

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⁴ Garland, 4 October 2021.
Yet in comparison to the current climate, in which multiple acts—not just threats—of violence have been documented, we have not seen the commensurate public response from the Department of Justice that the moment demands. The criminal acts perpetrated against those who oppose legalized abortion are a clear effort to intimidate or coerce individuals who hold pro-life values. We call on the Department of Justice to take these actions seriously and work to prevent violence and, when such acts are perpetrated, investigate and prosecute them as appropriate.

We are dismayed that the open and public urgency with which the Department of Justice undertook efforts in the name of public safety last year is not being replicated currently to protect religious and other pro-life organizations and individuals. We seek answers to the following questions:

1. What is the Department of Justice’s strategy to prevent violence and threats of violence against private organizations and individuals who oppose legalized abortion?

2. What resources does the Department of Justice need to publicize and implement this strategy successfully?

3. What role has the Department of Justice played in investigating and prosecuting individuals committing violence against pro-life organizations and individuals?

The Supreme Court’s ruling in Dobbs is imminent, and thus we ask for a response to these questions by June 10, 2022. Thank you for your service to our country and your attention to this important matter.

Sincerely,

Jerry Moran
United States Senator

Steve Daines
United States Senator

Ron Johnson
United States Senator

Roger F. Wicker
United States Senator
Roger Marshall, M.D.
United States Senator

Mike Crapo
United States Senator

John Boozman
United States Senator

Deb Fischer
United States Senator

Joni K. Ernst
United States Senator

James E. Risch
United States Senator

James M. Inhofe
United States Senator

Ted Cruz
United States Senator

John Thune
United States Senator

Cindy Hyde-Smith
United States Senator

Mike Braun
United States Senator

James Lankford
United States Senator