

May 10, 2022

The Honorable Merrick Garland
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Garland:

Across the nation, radical pro-abortion activists have begun a campaign of violence, destruction, and intimidation in response to the leak of a draft document from the Supreme Court. You must vigorously investigate and prosecute the crimes committed in recent days. The rule of law demands no less.

Video evidence shows dozens of pro-abortion activists surrounding the homes of Supreme Court Justices in an attempt to influence those Justices to change their decision in *Dobbs v. Jackson Women's Health Organization*, the case that asks the Court to overturn *Roe v. Wade*. News outlets report that one individual has targeted Justice Kavanaugh in this manner at least five times, and has targeted at least one other Justice. Neighbors have described her conduct as “dangerous.”¹

This conduct has only one purpose: intimidation. It is also flagrantly illegal. Federal law makes it a crime for a person, “with the intent of influencing any judge, juror, witness, or court officer, in the discharge of his duty,” to “picket[] or parade[] ... in or near a building or residence occupied or used by such judge.” 18 U.S.C. §1507. The First Amendment is no shield to this illegal conduct. Those upset by the leaks have plenty of places to protest that do not involve intimidation and do not place the Justices and their families at risk. And the Supreme Court already upheld a statute similar to this one, stressing that these laws are critical to democracy. Because “influence or domination by either a hostile or friendly mob ... is the very antithesis of due process,” *Cox v. State of La.*, 379 U.S. 559, 562 (1965), the unlawful picketing by these radical activists is nothing less than an attack on the Court itself.

Meanwhile, harrowing reports have arisen in recent days of radical pro-abortion activists attacking pro-life persons and organizations. Over the weekend, criminals firebombed a pro-life organization in Madison, Wisconsin. Along with the arson, they left a threatening note that stated, “If abortions aren’t safe, then you aren’t either.”² Luckily, nobody was

¹ <https://www.washingtonpost.com/dc-md-va/2022/05/07/wooten-holway-protest-justice-kavanaugh-neighbor>

² <https://www.nytimes.com/2022/05/08/us/madison-anti-abortion-center-vandalized.html>

killed in the violent attack. But next time, the victims might not be so lucky. Your office must investigate and prosecute.

Additionally, radical activists have targeted religious organizations in the past week because those organizations hold pro-life religious beliefs. Those activists vandalized a Catholic church in Boulder, Colorado, with pro-abortion slogans and anti-religion messages.³ Anti-religion vandalism in recent days also goes well beyond mere spray paint on doors. One radical organization suggested that its members had already stolen from a Catholic church the holiest of its contents—the Eucharist—and intend to destroy it in an act of gross sacrilege.⁴ These acts of vandalism are not just hateful; they also clearly violate federal law, which prohibits “intentionally damag[ing] or destroy[ing] the property of a place of religious worship.” 18 U.S.C. §248(a)(3).

Activists around the country also have prevented religious Americans from participating in religious services and plan to do so in the future. Radicals interfered with religious services in Los Angeles this past weekend.⁵ This, too, is brazenly illegal under federal law. 18 U.S.C. §248(a)(2).

You must not allow this brazen and unlawful intimidation to go unchecked. Last fall, your Department committed substantial resources to investigating parents at school board meetings. Failure to vigorously investigate and prosecute these crimes would send the message that your Department is only interested in prosecuting the Biden Administration’s political opponents—like parents speaking at school board meetings—leaving victims of actual crimes committed by the far left to fend for themselves. Within two weeks, please respond to my office with a full report about whether you have opened investigations into these cases and the status of those investigations.

Sincerely,

A handwritten signature in black ink, appearing to read "Josh Hawley". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Josh Hawley
United States Senator

³ <https://denver.cbslocal.com/2022/05/04/sacred-heart-mary-catholic-church-boulder-vandalism/>

⁴ <https://twitter.com/RuthSentUs/status/1522942814895546370>; <https://www.foxnews.com/us/activist-group-threatens-burn-eucharist-display-disgust-catholics>

⁵ <https://www.washingtontimes.com/news/2022/may/9/costumed-protesters-disrupt-mass-los-angeles-catho>