

June 14, 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:

Just hours after a man tried to assassinate Justice Kavanaugh, far-left agitators flocked outside his house in brazen violation of federal law. Meanwhile, there is an epidemic of pro-abortion attacks on pregnancy resource centers across the country, and there have been few, if any, arrests. To tamp down on this wave of violence, you must immediately stand up and enforce the law, prosecute those who break it, and condemn the violent rhetoric coming from the left.

The assassination attempt on Justice Kavanaugh's life on June 8 by a man armed with a gun, a knife, and burglary tools did not happen in a vacuum. Activists and even elected officials have openly threatened the Justices. Two years ago, when the Supreme Court last was ruling on a case about abortion, Senator Chuck Schumer took to the steps of the Supreme Court and threatened Justice Kavanaugh by name. He said, "I want to tell you, Kavanaugh. You have released the whirlwind, and you will pay the price. You won't know what hit you if you go forward with these awful decisions." Other politicians have unfortunately followed this example. After the draft Supreme Court opinion was leaked last month, Chicago Mayor Lori Lightfoot said, "This moment has to be a call to arms."¹

In addition to explicit threats by the left, Democratic officials have encouraged other illegal activity against Justices. As you know from my previous letter dated May 10, 2022, federal law makes it a crime to picket or parade in front of a Justice's home. 18 U.S.C. §1507. And the Supreme Court has already upheld statutes like this one. *Cox v. State of La.*, 379 U.S. 559 (1965). Yet on May 10, then-White House Press Secretary Jen Psaki noted the picketing occurring at Justice's homes and said, "We certainly continue to encourage that outside of judges' homes."² Senate Majority Leader Schumer similarly told reporters that demonstrations outside the homes of Supreme Court Justices are "OK with me"³—even though they are a federal crime.

All of this rhetoric emboldens not only the man who tried to take the life of Justice Kavanaugh, but also the radicals who have attacked pregnancy resource centers across the country. According to a recent report, "attacks against crisis pregnancy centers, some of

¹ <https://twitter.com/LoriLightfoot/status/1523844510735908864>

² <https://nypost.com/2022/05/10/psaki-defends-peaceful-abortion-rallies-at-justices-homes/>

³ <https://news.bloomberglaw.com/us-law-week/garland-orders-supreme-court-security-amid-abortion-protests>

them faith-based, have risen steadily since the leak of a draft opinion” last month but that “police have made few arrests, if any.”⁴ The report identifies at least 13 attacks in the last month, including arson and firebombing attacks. This is a disgrace.

When Democratic officials openly say that it is fine to flout the law and commit crimes, radicals take note. That is why it was so outrageous that, hours after the assassination attempt, your office did not immediately arrest illegal picketers who surrounded Justice Kavanaugh’s house in a renewed attempt to intimidate.⁵ Dangerous persons see the failure to enforce the law, and they grow bold.

You wrote in a letter to me on June 8, 2022, that you are taking measures to increase judicial safety. But taking safety seriously requires that you immediately move to counter all illegal activity directed at Supreme Court Justices, as well as all other crimes committed by radical leftists. Please respond to this letter with a full account of why your office did not immediately arrest those who illegally flocked around Justice Kavanaugh’s home on June 8, in violation of §1507, hours after the assassination attempt and also why you are dragging your feet on arresting criminals for the firebombing of pregnancy resource centers across the country.

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

⁴ <https://www.washingtonexaminer.com/restoring-america/community-family/violence-against-anti-abortion-movement-increases-ahead-of-dobbs-decision>

⁵ <https://twitter.com/disclosetv/status/1534681522665570309>