

**From:** Klapper, Matthew B. (OAG)  
**Subject:** FW: Both parties  
**To:** (b)(6) Attorney General Garland  
**Sent:** October 19, 2021 8:02 PM (UTC-04:00)  
**Attached:** HJ research clips DandR.docx

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**From:** Coley, Anthony D. (PAO) (b) (6)  
**Sent:** Tuesday, October 19, 2021 6:43 PM  
**To:** Klapper, Matthew B. (OAG) (b) (6)  
**Subject:** Both parties

## House Judiciary Clips Research

**Dem Members:** Jerrold Nadler (Chair), Madeleine Dean (Vice-Chair), Zoe Lofgren, Sheila Jackson Lee, Steve Cohen, Hank Johnson, Ted Deutch, Karen Bass, Hakeem Jeffries, David Cicilline, Eric Swalwell, Ted Lieu, Jamie Raskin, Pramila Jayapal, Val Demings, Luis Correa, Mary Gay Scanlon, Sylvia Garcia, Joe Neguse, Lucy McBath, Greg Stanton, Veronica Escobar, Mondaire Jones, Deborah Ross, Cori Bush

**GOP Members:** Jim Jordan (Ranking Member), Louie Gohmert, Darrell Issa, Ken Buck, Matt Gaetz, Mike Johnson, Andy Biggs, Tom McClintock, Greg Steube, Tom Tiffany, Thomas Massie, Chip Roy, Dan Bishop, Michelle Fischbach, Victoria Spartz, Scott Fitzgerald, Cliff Bentz, Burgess Owens

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### TV

#### **Republicans:**

[Fox News](#), October 13, 2021 – **Jim Jordan**



- “Merrick Garland says he's going to use the Justice Department to spy on parents at school board meetings.”

[Fox News](#), October 6, 2021 – **Jim Jordan**



- Transcript: [Jim Jordan on 'Hannity'](#)
  - JORDAN: So, but -- no, no, what's the Justice Department looking into right now? Not Hunter and his China business ties and other ties with, you know, questionable people or these art sales. What is the Justice Department looking into? Parents, parents who objected school board meetings to critical race theory are now going to be defined as domestic terrorists with the latest memo that Attorney General Garland sends out. This is what just ticks off Americans so much, Sean, and it's ridiculous.

[Fox News](#), October 5, 2021 – **Jim Jordan**



[Newsmax](#), September 30, 2021 – **Jim Jordan**



[Fox News](#), July 28, 2021 – Jim Jordan



[Fox News](#), October 13, 2021 – Louie Gohmert



[OANN](#), October 5, 2021 – Matt Gaetz



[Fox News](#), October 13, 2021 – **Mike Johnson**



- Calling for ethics inquiry about Panorama

[OANN](#), September 28, 2021 – **Andy Biggs**



[Newsmax](#), October 14, 2021 – **Chip Roy**



**Democrats:**

[MSNBC](#), October 15, 2021 – **Madeleine Dean**



- Transcript: [The Last Word with Lawrence O'Donnell, 10/15/21](#)

[MSNBC](#), October 13, 2021 – Madeleine Dean



[CNN](#), October 15, 2021 – Zoe Lofgren



[MSNBC](#), October 8, 2021 – Hakeem Jeffries



[MSNBC](#), October 10, 2021 – David Cicilline



[MSNBC](#), October 16, 2021 – Ted Lieu



[MSNBC](#), October 17, 2021 – Val Demings



[MSNBC](#), October 10, 2021 – Joe Neguse



## Radio

### ***Democrats:***

**NPR:** [Committee investigating U.S. Capitol riot criticizes Bannon](#), October 8, 2021 (**Zoe Lofgren**)

## Print

### ***Republicans:***

**Washington Post:** [GOP members of Congress turned away at D.C. jail trying to inspect treatment of Jan. 6 suspects](#), by Meagan Flynn, July 29, 2021 (**Louie Gohmert, Matt Gaetz**)

**Fox News:** [Rep. Buck slams Garland for mobilizing FBI in defense of school boards: 'Abuse of power'](#), by Houston Keene, October 5, 2021 (**Ken Buck**)

**Washington Examiner:** [Rep. Matt Gaetz: The swamp is out to drown me with false charges, but I'm not giving up](#), by Matt Gaetz, April 5, 2021 (**Matt Gaetz**)

**USA Today:** [Capitol riot: Rep. Thomas Massie warns of prosecutorial overreach](#), by Scott Wartman, May 18, 2021 (**Thomas Massie, Chip Roy**)

**Deseret News:** [Lawmakers want investigation into OnlyFans 'paywall of porn' platform](#), by Dennis Rombo, August 11, 2021 (**Burgess Owens**)

### ***Democrats:***



**New York Daily News:** [NY congressional democrats demand help from Biden over Rikers Island crisis](#), by Chris Sommerfeldt, September 24, 2021 (**Jerry Nadler, Hakeem Jeffries, Mondaire Jones**)

**Newsweek:** [Ted Lieu Lashes Out After DOJ Pushes Back Against Biden's Advice to Prosecute Bannon](#), by Christina Zhao, October 16, 2021 (**Ted Lieu**)

**Raleigh News and Observer:** [FBI probe into school board threats splits NC politicians](#), by T. Keung Hui and Dawn Baumgartner Vaughan, October 11, 2021 (**Deborah Ross**)

## **Press Releases**

### ***Republicans:***

[Mike Johnson: Parents Have a Right to Exercise Free Speech and Demand Accountability from Public Officials](#), October 14, 2021

[Mike Johnson: House Judiciary Republicans Seek Answers from Attorney General Garland on Alleged Ethics Violation](#), October 13, 2021

[Burgess Owens: Owens Sends Letter Demanding Answers on Why Parents are Being Targeted by the DOJ](#), October 8, 2021

[Chip Roy: Rep. Roy leads effort to stop AG Garland's weaponization of DOJ against concerned parents over CRT](#), October 7, 2021

### ***Democrats:***

[Hank Johnson: Rep. Johnson Joins House Judiciary Democrats to Urge AG Garland to Use Full Force of DOJ to Combat Texas Abortion Ban.](#), September 7, 2021

[Mary Gay Scanlon: Scanlon Joins Bipartisan Lawmakers in Introducing Legislation to Restore DOJ's Office for Access to Justice](#), July 19, 2021

[Deborah Ross: Congresswoman Ross Joins House Judiciary Democrats in Urging AG Garland to Use Full Force of DOJ to Combat Texas Abortion Ban](#), September 8, 2021

[Cori Bush: Rep. Bush Leads House Colleagues in Urging Department of Justice to Stop Seeking Death Penalty](#), August 9, 2021

## **Tweets**

### ***Republicans:***

[Rep. Jim Jordan](#)



Rep. Jim Jordan ✓  
@Jim\_Jordan

...

Remember when the media promised that Merrick Garland was a moderate?

11:21 AM · Oct 6, 2021 · Twitter for iPhone

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[Rep. Matt Gaetz](#)



Former Florida Senate President Don Gaetz on [@Firebrand\\_Pod](#): "School Boards Are the Front Lines of the Culture War"

WATCH: [rumble.com/vnqfed-episode...](https://rumble.com/vnqfed-episode...)



Don Gaetz: School Boards Are the Front Lines of the Culture War  
Visit <https://gaetz.house.gov/firebrand> for ALL Firebrand content!

[Rep. Andy Biggs](#)



Check out my talk with [@TPUSA](#) regarding America's education system:



10:50 AM · Oct 14, 2021 · Twitter Web App

[Rep. Dan Bishop](#)



Rep. Dan Bishop   
@RepDanBishop

...

AG Garland is branding parents as "domestic terrorists" for speaking up about CRT & mask mandates in their children's schools.

It's just political retribution, & it should never happen in America.

My colleagues & I are demanding answers from Garland on his insidious claims.



Henry Rodgers  @henryrodgersdc · Oct 7

EXCLUSIVE: A group of House Republicans has demanded Attorney General Merrick Garland explain the Department of Justice's targeting of American parents protesting against local school officials.

Read my latest with @Dylan\_Housman:

[dailycaller.com/2021/10/07/gop...](https://dailycaller.com/2021/10/07/gop...)

[Show this thread](#)

6:40 PM · Oct 7, 2021 · Twitter Web App

### [Rep. Dan Bishop \(2\)](#)



Rep. Dan Bishop   
@RepDanBishop

...

AG Garland has sicced the FBI and US Attorneys on parents "in every judicial district" to discredit their movement to hold school boards accountable for racist CRT and mask mandates. Most brazen political use of FBI since COINTELPRO; maybe worse. Questions coming, get ready!



North State Journal @nsjnews · Oct 6

"It smacks of using the threat of the FBI to intimidate a pure grassroots political movement across the country," said U.S. Rep. Dan Bishop.  
[nsjonline.com/article/2021/1...](https://nsjonline.com/article/2021/1...) #NCPOL #NCED #NC09

2:53 PM · Oct 6, 2021 · Twitter Web App

### [Rep. Scott Fitzgerald](#)



Rep. Scott Fitzgerald ✓  
@RepFitzgerald

...

(1/2) Parents who advocate for their children’s education should be applauded not labeled as a threat and intimidated to stay silent as @DOJ & @usedgov have recently done. Proud to join my colleagues in demanding accountability from the Biden Admin for these recent scare tactics.

House Ed & Labor Republicans ✓ @EdLaborGOP · Oct 7

Every member of @EdLaborGOP sent a letter to @SecCardona & @TheJusticeDept demanding a Committee briefing regarding the Biden administration’s recent threats against parents concerned about their children’s education.

republicans-edlabor.house.gov/news/documents...

4:16 PM · Oct 7, 2021 · Twitter Web App



Rep. Scott Fitzgerald ✓ @RepFitzgerald · Oct 7

...

Replying to @RepFitzgerald

(2/2) This is precisely why I introduced the CRT Transparency Act, a bill that would ensure schools make their curriculum publicly available online to increase transparency in schools. My @EdLaborGOP colleagues and I want to encourage parent engagement, unlike the Biden Admin.



8

3

### Democrats:

#### [Rep. Hakeem Jeffries](#)



Hakeem Jeffries ✓  
@RepJeffries

...

The Attorney General is testifying before the House Judiciary Committee this week.

We need his leadership to defend our Democracy now more than ever.

7:00 AM · Oct 18, 2021 · TweetDeck

### Full Articles

#### Republicans:

**Washington Post:** [GOP members of Congress turned away at D.C. jail trying to inspect treatment of Jan. 6 suspects](#), by Meagan Flynn, July 29, 2021 (Louie Gohmert, Matt Gaetz)

D.C. jail officials turned away GOP members of Congress who showed up Thursday at the jail, saying they intended to inspect the treatment of suspects detained in the Jan. 6 breach of the U.S. Capitol.

Trailed by cameras from right-wing news organizations, Reps. Matt Gaetz (Fla.), Marjorie Taylor Greene (Ga.), Paul A. Gosar (Ariz.) and Louie Gohmert (Tex.) crowded into the lobby of the D.C. detention facility demanding to be let inside as members of Congress.

A D.C. jail official told them they were “obstructing entrance into this facility” and appeared to accuse the members of trespassing.

“We’re the people that vote on whether or not to fund you, at what level, and we’re trespassing?” Gohmert responded.

The D.C. detention center is not a federal facility and is fully funded by D.C. taxpayers — but Congress has oversight over D.C.’s budget.

Del. Eleanor Holmes Norton (D), the District’s nonvoting representative in Congress, said their “attempt to basically try to break into the D.C. jail is an abuse of their authority over the District.”

“Congress doesn’t have any authority over the D.C. jail. That’s a home-rule issue,” Norton said. “So no member of Congress, or anybody else, is entitled to special access to the D.C. jail.”

The action at the jail was the group’s second this week, after they barged into the Justice Department on Tuesday trying to ask questions about the detention of Jan. 6 suspects awaiting trial and whether any were being held in solitary confinement. Gosar called them “political prisoners” who are being “persecuted” and unjustly punished before trial. Reps. Bob Good (R-Va.) and Andy Biggs (R-Ariz.) joined the group. All have opposed a probe of Jan. 6 and [voted against awarding the Congressional Gold Medal](#) to police officers who responded that day.

Their news conference Tuesday was interrupted by a group of protesters, including a person who repeatedly blew a whistle for the duration. “To the guy that’s blowing the whistle,” Greene said, “we are not deterred.”

They attempted Thursday to tell D.C. jail officials the same thing, knocking on locked doors after a supervisor declined to allow them to tour the facility. They said they showed their congressional IDs and even agreed to wear face masks to try to gain entry. But when the answer remained no, Gohmert said they “were in totalitarian Marxist territory here” and accused D.C. jail officials of operating a “dictatorship.”

“We suspect there is a two-tier justice system in the United States, for Trump supporters that are charged for Jan. 6 and catch-and-release for BLM rioters,” Greene said.

A spokeswoman for the D.C. Department of Corrections said in a statement that the members of Congress arrived “unannounced with an unauthorized camera crew requesting a facility tour.

“By doing so, these officials compromised safety and security operations at the DOC,” the spokeswoman said, adding that all visitors, including public officials, must comply with visitation rules.

D.C. officials [revealed in court in March](#) that they were holding suspects in the Jan. 6 insurrection in “restrictive housing” — separate from the general population — for the suspects’ own protection from assault by other inmates.

The D.C. jail also faced scrutiny earlier this year for its draconian but since-relaxed 23-hour [coronavirus-related lockdowns](#) — but those applied to all inmates, not any one group.

It's unclear exactly how many Jan. 6 suspects are being held there, or whether they remain in restrictive housing. [A Washington Post analysis](#) found in May that about 50 suspects tied to the attack on the Capitol remained held without bond awaiting trial, about 13 percent of more than 400 defendants. But they also are scattered in facilities across the country. Although the cases are federal, some of those charged are held in local facilities before trial under agreements with federal authorities.

The 13 percent of Jan. 6 defendants held in jail before trial is much lower than the roughly 75 percent of federal defendants held in jail before trial nationwide, including in immigration custody, The Post's analysis found. Defendants denied bond were accused of violent offenses — such as assaulting police — or weapons violations, while others were accused of being part of a wider conspiracy. A few defendants [have successfully challenged](#) their pretrial detention in court.

Gohmert and Gosar later tried to say that they were concerned about all people at the D.C. jail being held before trial, saying no one should be punished without being found guilty.

But Greene undercut that claim when she interrupted Gohmert during an ad hoc news conference outside the facility, saying, "Wait, I have a question: What if we had been here just to check on the entire population?"

When Gohmert insisted that's what they were doing, Greene quickly agreed.

**Fox News:** [Rep. Buck slams Garland for mobilizing FBI in defense of school boards: 'Abuse of power'](#), by Houston Keene, October 5, 2021 (**Ken Buck**)

Rep. [Ken Buck](#), R-Colo., slammed [Attorney General](#) Merrick Garland for mobilizing the [Federal Bureau of Investigation](#) (FBI) to protect school boards from alleged threats and intimidation.

The Colorado Republican unloaded on Garland in a letter exclusively obtained by Fox News, with Buck accusing the attorney general of using the FBI and Department of Justice (DOJ) "to intimidate and silence parents who are exercising their First Amendment rights."

"This is an egregious and unprecedented abuse of power and Congress must hold oversight hearings on the Biden administration's politicization of the DOJ's law enforcement functions," Buck said.

"With violent crime surging in every American city, Garland should focus on making our communities safer, instead of attacking parents' constitutional rights," Buck added.

The letter calls Garland's directive "a politically motivated abuse of power" that "displays a lack of reasoned, sound judgment" and says parental concern over what schools are teaching their children "does not give rise to federal crime."

Additionally, Buck wrote that there "appears to be no federal nexus sufficient to justify the directives" Garland set out in his Monday memo as well as his decision "to direct federal law enforcement resources to confront parents" who disagree with the Biden administration.

"School boards are responsible for the education and well-being of the next generation of leaders. Across the country, parents are exercising their First Amendment right to petition their government and voice their frustrations with their local elected leaders," the letter reads. "There are innumerable

examples from the past 18 months of school board members imposing their personal beliefs at the expense of children and families."

"Additionally, many school board members have shown that they believe they are unaccountable to the electorate regarding their curriculum choices. Parents have a constitutionally protected right to assemble and to petition their government. That includes local school boards," Buck continued, noting the "furious debate" nationwide between parents and school boards over controversial subjects, such as critical race theory.

Buck also blasted the National School Board Administration's (NSBA) letter to the Biden administration a day before the memo, writing that to "compare frustrated parents to domestic terrorists or perpetrators of hate crimes is beyond absurd and should be dismissed by any rational adult."

"The NSBA was also unable to mention any specific credible threat or example that would support its outlandish statement," Buck continued, adding that Garland is "choosing to spend the law enforcement resources Congress" has given him "to go after parents who are nonviolently exercising their constitutional rights" instead of more pressing matters, like murders.

"By drawing a moral equivalence between concerned parents and domestic terrorists, whose ranks include Timothy McVeigh and Ted Kaczynski, you are making a mockery of the Department of Justice and the FBI," the congressman said, concluding the letter by encouraging Garland to "reverse course" on his decision.

Garland directed the FBI and U.S. attorney's offices to hold meetings with federal, state and local law enforcement leaders in the next 30 days, during which they will discuss ways to combat what the DOJ called a "disturbing trend" of harassment and threats against school officials.

Critics say the move amounts to an attempt by the Biden administration to bully parents from exercising their First Amendment rights.

The move comes just four days after a leading organization representing the nation's school boards called on the Biden administration and federal law enforcement agencies to assist school boards, which the group said have seen an increase in violent threats in response to COVID-19 restrictions and critical race theory curriculum.

The DOJ did not immediately respond to Fox News' request for comment on Buck's letter.

**Washington Examiner:** [Rep. Matt Gaetz: The swamp is out to drown me with false charges, but I'm not giving up](#), by Matt Gaetz, April 5, 2021 (**Matt Gaetz**)

Washington scandal cycles are predictable, and sex is especially potent in politics. Let me first remind everyone that I am a representative in Congress, not a monk, and certainly not a criminal.

Nancy Pelosi once defended President Bill Clinton after he got an intern to fellate him in the Oval Office. But when it comes to the allegation that I, a grown man, paid for an adult girlfriend's expenses? Well, consider that a bridge too far for the power-hungry hypocrites.

I want to be clear about something as we process the leaks and lies from the past week. To this point, there are exactly zero credible (or even non-credible) accusers willing to come forward by name and

state on the public record that I behaved improperly toward them, in the manner by which Democratic Gov. [Andrew Cuomo](#) has ten accusers.

Instead, CNN, the *New York Times*, *Politico*, and others are just repeating false allegations about a congressman who loathes the swamp and fights both sides of it on a daily basis.

Just as they once falsely attacked President [Donald Trump](#) as a Russian asset, Justice Brett Kavanaugh as a gang rapist, and even John McCain as having fathered a child out of wedlock, they now attack me. Of course, none of what they say ever amounts to anything, yet it is endlessly repeated by leftist television anchors such as Chris Cuomo, who uses his platform to cover for his brother's appalling subjection of nursing home patients to death by the coronavirus. They think themselves such wonderful arbiters of moral purpose.

Folks won't be surprised that bizarre claims are being made about me shortly after I decided to take on the most powerful institutions in the Beltway: the establishment; the FBI; the Biden Justice Department; the Cheney political dynasty; even the Justice Department under Trump.

Yes, just like the mafia, the D.C. swamp protects its "made men." Since I'm taking my turn under the gun, let me address the allegations against me directly. First, I have never, ever paid for sex. And second, I, as an adult man, have not slept with a 17-year-old.

Predictably, the anti-Trump cheerleaders such as Meghan McCain, Bill Kristol, and sadly, some of my feckless colleagues in Congress are going to call for me to resign.

This is how D.C. works. The guilty and wrong point fingers at the innocent and right. Remember President Joe Biden's Ukraine scandal? Or the Lincoln Project's professions of moral superiority? Their scorn and moral posturing is all merely projection.

And no, I am absolutely not resigning.

The *Washington Post* recently accused me of stating that I'm really enjoying my current embrace of monogamy. That is the truest thing they've ever written about me. I'm a better man today than I was years ago. Heck, I hope to be a better man than I was yesterday, every day of my life.

My lifestyle of yesteryear may be different from how I live now, but it was not and is not illegal. I defended Rep. Katie Hill's "throuple" when her own Democratic colleagues wouldn't. I just didn't think it was anyone's business.

It comes as no surprise that my political opponents want to sensationalize and criminalize my prior sex life just as I am getting engaged to the best person I've ever known. It is regrettable that the battle of ideas should thus become so personal. But then again, when your ideas suck, you need to stoop this low.

My personal life is and always has been conducted on my own time and my own dime. Consensual adult relationships are not illegal. Although I'm sure some partisan crooks in Merrick Garland's Justice Department want to pervert the truth and the law to go after me, I will not be intimidated or extorted. The battle for America's future demands gladiators, and I am going to keep getting back up and fighting, every single day.



The Biden Justice Department would rather investigate me for adult, consensual sex than [Hunter Biden](#) for his shady business dealings, than others for illegal leaks, or a former Justice Department official for the evident extortion of a congressman. Go figure.

You'll see more "drip, drip, drip" of leaks into the media from the corrupt Justice Department and others. When you do, ask yourself why. They aren't coming for me — they are coming for you. I'm just in the way.

As for me? I'm going to fight like hell for my constituents and the country I deeply love. You deserve no less, especially right now.

**USA Today: [Capitol riot: Rep. Thomas Massie warns of prosecutorial overreach](#)**, by Scott Wartman, May 18, 2021 **(Thomas Massie, Chip Roy)**

Two Republican congressmen fear "hyper-politicization" will mean unfair treatment for some of the suspects in the [Jan. 6 riot at the U.S. Capitol](#).

Rep. Thomas Massie, the Republican congressman who represents Northern Kentucky, and Rep. Chip Roy, a Texas Republican, outlined their concerns in a May 13 letter to Attorney General Merrick Garland.

"Those that damaged property and assaulted police officers on January 6th should rightfully face justice," Massie and Roy wrote in the joint letter. "However, the public outcry and hyper-politicization of the events on January 6th may incentivize prosecutors to use overly aggressive tactics, overcharge, and abuse the power of the federal government in order to satisfy favored political groups."

On the day of the riot, the threat posed by the crowd concerned Massie enough that he grabbed his gun and [barricaded himself and a few staffers in his office in the Capitol complex](#).

More [than 400 people across the country face federal charges](#) for the attack on the Capitol following a pro-Trump rally on Jan. 6.

In the letter, Massie and Roy said they had "reports" federal prosecutors can't make plea deals without permission from "political appointees" at the Department of Justice. The letter doesn't cite the reports or name the political appointees.

The Enquirer reached out to Roy, Massie and the DOJ seeking clarification.

"Mr. Roy's office has spoken with attorneys handling these cases and we can't comment any further than that," said John Kennedy, Massie's spokesman, in a statement.

Messages to Roy and the DOJ on Monday weren't immediately returned Monday morning.

So far, federal prosecutors have reached one plea deal. Jon Ryan Schaffer, of Indiana, [pleaded guilty to felony counts of obstruction of an official proceeding](#), and entering and remaining in a restricted building or grounds with a deadly or dangerous weapon. Schaffer is a member of the Oath Keepers, [which the FBI described as a paramilitary organization](#).

Prosecutors say Schaffer, armed with bear spray and wearing a tactical vest, put himself at the front of a crowd that pushed past four Capitol Police officers into the building.

Prosecutors have offered plea deals to more defendants, [the New York Times](#), [Associated Press](#) and other agencies have reported.

Massie and Roy also questioned some of the tactics of federal agents in the arrests and raids of suspects related to the Jan. 6 riots.

"There are disturbing reports of heavily armed teams of federal agents bursting into family homes to arrest individuals with no history or likelihood of violence, and even one report of federal agents raiding the wrong home," Massie and Roy wrote.

Massie and Roy didn't cite any more examples. The one incident related to raiding the wrong home might refer to a raid on the home of a woman in Homer, Alaska. FBI agents briefly handcuffed the woman and told them they were looking for Nancy Pelosi's laptop, [the Associated Press reported](#). The woman claimed they had the wrong house and person. News reports have been unable to confirm whether authorities targeted the right person.

Massie and Roy asked for Garland to brief Congress by May 30 on the approval of plea agreements and use of force in raids surrounding the Jan. 6 riot.

"Please give this matter your immediate attention," they wrote. "We look forward to hearing from you."

**Deseret News:** [Lawmakers want investigation into OnlyFans 'paywall of porn' platform](#), by Dennis Romboy, August 11, 2021 **(Burgess Owens)**

More than 100 House Republicans and Democrats, including GOP Utah Rep. Burgess Owens, urged the Department of Justice to investigate a social media platform dubbed the "paywall of porn" for allegedly facilitating child sexual exploitation.

The lawmakers called on Attorney General Merrick Garland to look into the the prevalence of child sexual abuse material on the website OnlyFans.com and the specific steps it takes to ensure minors are protected from exploitation. They say the network has become a "major marketplace" for buying and selling child pornography.

"We write today to call your attention to potentially illegal activity, including child sexual exploitation, that this website is facilitating," the lawmakers, led by Rep. Ann Wagner, R-Mo., [wrote in an Aug. 10 letter](#) to Garland. "With the COVID-19 pandemic forcing our kids to spend more time isolated and online, it is our responsibility to ensure children are protected from bad actors operating via the internet."

OnlyFans is a social media network, like Instagram and YouTube. But unlike YouTube, which forbids "explicit content meant to be sexually gratifying," and Instagram, which allows "nudity in photos of paintings and sculptures," OnlyFans allows everything.

The content subscription service based in London allows content creators to be paid directly from their "fans" on a monthly basis as well as one-time tips and a pay-per-view feature. The platform is mainly used by amateur and professional pornographic models but also has a market with chefs, fitness enthusiasts and musicians seeking to monetize their professions and connect with fans.

Some celebrities have OnlyFans accounts, including rapper and actress Cardi B and actress, model and singer Bella Thorne, who made more than \$1 million on her first day on the site.

Launched in 2016, the company claims more than 100 million users who annually pay out \$3 billion to at least 1 million content creators, according to its website.

In the letter, lawmakers say the presence of sexually explicit images of children is “undeniable” and it appears OnlyFans does not have adequate safeguards or protocols in place to report such material to authorities.

Over the past two years, the National Center for Missing and Exploited Children has seen an increasing amount of child exploitation on OnlyFans. In 2019, it indicated it was aware of 10 cases involving missing children associated with content sold on the site. The center identified at least 80 cases in which missing children were linked with the website’s content this year, according to the letter.

Dawn Hawkins, CEO of the National Center on Sexual Exploitation, said OnlyFans preys and profits from abuse and exploitation of vulnerable people.

“With the rise in child sexual abuse material online, the U.S. Department of Justice should investigate the growing number of reports by law enforcement and child safety organizations that minors are being sold on OnlyFans,” she said in a statement. “Instances of sex trafficking and image-based abuse through OnlyFans are also coming to light.”

Earlier this year, police in Florida’s Miami-Dade County arrested two adults for human trafficking, possession of a sexual performance by a child, and promoting the sexual performance by a child, lawmakers wrote in the letter. According to police reports, the arrests were made after a friend of the underage girl saw videos of her on OnlyFans and notified authorities.

***Democrats:***

**New York Daily News:** [NY congressional democrats demand help from Biden over Rikers Island crisis](#), by Chris Sommerfeldt, September 24, 2021 (**Jerry Nadler, Hakeem Jeffries, Mondaire Jones**)

Thirteen of New York’s House Democrats urged President Biden on Friday to deploy federal resources to help address the “humanitarian crisis” on Rikers Island, charging that Mayor de Blasio is not doing enough to rectify deteriorating conditions at the jail.

In a letter to Biden and Attorney General Merrick Garland, the Democrats, led by Bronx Rep. Ritchie Torres, said de Blasio’s five-pronged Rikers plan falls far short of the “immediate intervention required to deescalate a very real crisis.”

“The federal government has the duty and capacity to step in to provide much-needed oversight and accountability for the staff, officers and detainees that reside on Rikers Island,” reads the letter, which was signed by all members of the city’s Democratic House delegation.

“We cannot continue to allow Rikers Island to deteriorate to the point that it is no longer a safe place for those in custody or those who work in the jails. We are neglecting to meet our responsibility to care for incarcerated New Yorkers with dignity and respect.”

The Democratic group — which also included Reps. Hakeem Jeffries, Jerry Nadler, Carolyn Maloney, Gregory Meeks, Alexandria Ocasio-Cortez, Thomas Suozzi, Grace Meng, Nydia Velázquez, Mondaire Jones, Yvette Clarke, Jamaal Bowman and Adriano Espaillat — did not specify what type of federal action they want from Biden.

The federal government already has an independent Rikers monitor, who [said in court Friday that the city needs outside intervention](#) to stabilize the volatile situation at the jail.

Beyond intervention, the Congress members asked Garland to order the Justice Department's civil rights division to launch a probe into the "deplorable conditions" unfolding on Rikers.

"It should go without saying that these conditions are unacceptable," they wrote.

A spokesman for de Blasio did not return a request for comment. A White House official referred comment to the Justice Department, a spokesman for which did not immediately respond to an email.

This June 20, 2014 file photo shows the Rikers Island jail complex in New York, with the Manhattan skyline in the background. (Seth Wenig/AP)

Twelve inmates in city Correction Department custody have died since December — 11 of them on Rikers Island. Lawmakers and prison-reform advocates have attributed the deaths to a perilous combination of inmate overcrowding, Correction Department staff shortages and decades of systemic neglect on Rikers.

As part of his five-point plan, de Blasio has ordered the reopening of previously shuttered facilities on Rikers to alleviate overcrowding.

Torres and his colleagues said they worried that aspect of the plan could jeopardize de Blasio's own proposal to shutter the jail for good by 2027.

"We find it especially alarming that the plan as proposed could inhibit the timely completion of this goal," they wrote.

**Newsweek:** [Ted Lieu Lashes Out After DOJ Pushes Back Against Biden's Advice to Prosecute Bannon](#), by Christina Zhao, October 16, 2021 (**Ted Lieu**)

Representative [Ted Lieu](#) lashed out on Saturday after the [Department of Justice](#) (DOJ) declined to follow President [Joe Biden](#)'s advice to prosecute Trump political adviser Steven Bannon and others who defy subpoenas from the House select committee investigating the January 6 riot.

Biden said Friday that he "hopes" the committee holds former Trump aides accountable and the DOJ should prosecute those who refuse the panel's subpoenas. Determined to strike an independent tone, the department quickly made clear that it would not be influenced by the White House.

"The Department of Justice will make its own independent decisions in all prosecutions based solely on the facts and the law. Period. Full stop," DOJ spokesperson Anthony Coley said in a statement.

Lieu, a frequent critic of former President [Donald Trump](#), expressed frustration at the slow-moving process of enforcing congressional subpoenas on members of Trump's inner circle.

"CONGRESS SHOULD NOT NEED TO DEPEND ON ANOTHER BRANCH OF GOVERNMENT TO ENFORCE OUR SUBPOENAS. PERIOD. FULL STOP. We need to pass the inherent contempt bill by [Reps. Jamie Raskin,

Madeleine Dean, Joe Neguse, [Val Demings](#) and David Cicilline] and me. Just like courts, we have our own contempt authority," the California Democrat tweeted.

Lieu reintroduced the Inherent Contempt Power Act in April, which would enable [Congress](#) to independently enforce subpoenas and other congressional actions by directly levying penalties against those refusing to comply.

"In the last four years, we encountered an administration that repeatedly stonewalled Congress, refusing to testify, provide documents and even respond to letters—hindering Congress' ability to conduct critical investigations on behalf of the American people," Lieu said in a statement. "Congress has an inherent ability to hold senior officials and private citizens in contempt if they do not comply with congressional subpoenas."

The January 6 committee has issued subpoenas for information and testimony from Bannon and other Trump advisers, including Mark Meadows, Kash Patel and Dan Scavino. Trump's attorney argues that the records are protected by executive privilege and has instructed the advisers to refuse to comply.

The committee warned Thursday that Bannon will be held in criminal contempt for not complying with its subpoena. The other advisers have been allowed further time to comply.

"The Select Committee will use every tool at its disposal to get the information it seeks, and witnesses who try to stonewall the Select Committee will not succeed," Representative Bennie Thompson, chair of the committee, said in a statement.

*Newsweek* reached out to House Speaker [Nancy Pelosi](#) for comment.

**Raleigh News and Observer:** [FBI probe into school board threats splits NC politicians](#), by T. Keung Hui and Dawn Baumgartner Vaughan, October 11, 2021 (**Deborah Ross**)

The federal government's new investigation into threats being made against local school boards is splitting North Carolina's elected officials along partisan lines.

U.S. Attorney General Merrick Garland announced this month that he would have the FBI investigate the "disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff."

Democrats say the probe will help protect school board members who are worried about their safety during a time of heightened tension. But Republicans are charging that the investigation is meant to intimidate parents who are opposed to requiring face masks and the use of what they call Critical Race Theory in schools.

"We are concerned about the appearance of the Department of Justice policing the speech of citizens and concerned parents, North Carolina U.S. Senator Thom Tillis and the other Republican members of the Senate Judiciary Committee wrote in a letter Thursday to Garland.

"We urge you to make very clear to the American public that the Department of Justice will not interfere with the rights of parents to come before school boards and speak with educators about their concerns,

whether regarding coronavirus-related measures, the teaching of critical race theory in schools, sexually explicit books in schools, or any other topic.”

But U.S. Rep. Deborah Ross, a Democrat from Wake County, said the investigation is needed.

“Congresswoman Ross condemns all forms of violence and threats to anyone, especially public officials who are helping transition our students back to school during this uncertain time,” Maddie Carlos, a spokesperson for Ross, said in an email. “We are dealing with an unprecedented health crisis. To ensure the safety of everyone, Rep. Ross believes an investigation is necessary.”

Tensions have risen at school board meetings in North Carolina and nationally over the past year.

It’s not uncommon now for people to be scanned for weapons before attending school board meetings that are guarded by law enforcement officers.

On Sept. 29, the National School Boards Association sent a letter to President Joe Biden asking federal law enforcement to investigate threats against school boards. The letter cited multiple incidents of threats, harassment and violence that have targeted school board members, school administrators and teachers across the nation.

“As these acts of malice, violence, and threats against public school officials have increased, the classification of these heinous actions could be the equivalent to a form of domestic terrorism and hate crimes,” the NSBA wrote.

The chairman of the Stanly County school board in North Carolina announced he was resigning after he had received death threats, The Stanly News & Press reported. Stanly County, about 100 miles west of Raleigh, is among the communities that have seen heated meetings over requiring face masks.

Garland announced that the FBI would work with U.S. attorneys and federal, state, local, territorial and tribal authorities in each school district to develop strategies against the threats.

“The Department takes these incidents seriously and is committed to using its authority and resources to discourage these threats, identify them when they occur, and prosecute them when appropriate,” Garland wrote in a memorandum issued this week.

Reaction to the new federal investigation has been largely split along party lines.

“There is no place for bullying, violence, and aggression at school board meetings,” Rachel Stein, a spokesperson for the North Carolina Democrat Party, said in a statement Friday. “Republicans continue to sow division and fan the flames of non-existent controversies at the detriment of our school board members, students, teachers, and faculty.

“School board members have faced unprecedented obstacles since the start of this pandemic. The North Carolina Democratic Party is thankful to the U.S. Department of Justice for taking necessary steps to ensure the safety of those who serve their local communities and keeping our students safe and healthy.”

North Carolina Attorney General Josh Stein, a Democrat, also praised the new federal investigation.

“Keeping students, teachers, staff, and school board members safe so they can focus on education is absolutely critical,” Stein tweeted this week. “NC is seeing far too much violence in schools — we must do everything we can to protect our classrooms.”

Stein added at North Carolina’s Council of State meeting that school board members “deserve praise, not grief.” Stein and Democratic Gov. Roy Cooper also thanked Republican State Superintendent Catherine Truitt for issuing a statement last month criticizing the threats against school board members and saying that “these acts of aggression cannot be tolerated.”

But Truitt has drawn criticism from some Republicans for issuing the statement. Amid the complaints, Truitt tweeted her opposition to the federal investigation. “No one believes that school board members should be intimidated and harassed,” Truitt tweeted Thursday. “But asking the DOJ to investigate acts of ‘domestic terrorism’ & ‘hate crimes’ when the vast majority of parents are simply exercising their 1st Amendment right is like killing a fly with a hammer.”

Multiple North Carolina Republican elected officials at the national and state level have criticized the investigation. U.S. Rep. Virginia Foxx, a Western North Carolina Republican, called Garland’s memo “disgusting.”

“Harassment, violence, and threats of violence are never the answer, and anyone breaking the law should be investigated and prosecuted,” Foxx, Republican leader of the House Education Committee, said in a statement. “However, our children’s education is worth defending, and using federal law enforcement to stamp out legitimate and passionate differences of opinion is un-American.”

GOP U.S. Rep. Dan Bishop of Charlotte called the investigation “truly sickening” and a “brazen political use of FBI” in tweets this week.

“AG Garland is branding parents as “domestic terrorists” for speaking up about CRT & mask mandates in their children’s schools,” Bishop tweeted Thursday. “It’s just political retribution, & it should never happen in America.”

“The Gestapo has spoken,” Republican Lt. Gov. Mark Robinson tweeted this week about the federal investigation.

State Senate GOP leader Phil Berger said parents were engaged in “peaceful protests” at school board meetings compared to the violence seen at some 2020 Black Lives Matters protests over the killing of Black people by white police officers.

“But the double standard here — defending rioters destroying entire city blocks as ‘mostly peaceful’ while branding moms upset about school curriculum as some sort of national threat — is astonishing and frightening,” Berger posted on Facebook this week.

## **Full Releases**

### ***Republicans:***

[Mike Johnson: Parents Have a Right to Exercise Free Speech and Demand Accountability from Public Officials](#), October 14, 2021

United States Representative Mike Johnson (LA-04) joined Fox Business' *Evening Edit with Liz MacDonald* on Wednesday evening to discuss local school board protests across the country and the efforts of House Republicans to make sure those parents' voices are heard.

House Judiciary Committee Republicans sent a [letter](#) this week to U.S. Attorney General Merrick Garland requesting an ethics inquiry and public report concerning his controversial Department of Justice memo, which directs the Federal Bureau of Investigation and U.S. Attorneys to mobilize against parents who protest at local school board meetings.

Watch the full interview [here](#), and see excerpts below:

***On Judiciary Committee Republicans calling for an ethics inquiry and public report into A.G. Merrick Garland's controversial Department of Justice memo:***

"All of the Republicans on the House Judiciary Committee have an obligation. We are supposed to provide oversight of the Department of Justice. Merrick Garland is the Attorney General, he's the top law enforcement official in this country, he should be above reproach.

"But when he sent out this controversial memo on October 4<sup>th</sup>, it raised a lot of eyebrows. This is the memo of course, where he has directed the FBI and the U.S. Attorneys' offices to mobilize against parents who have the audacity to exercise free speech and protest controversial curricula at their local school board meeting. This is not a federal issue.

"So, beyond the fact that it looks nakedly partisan, we have a deep concern about an ethics problem that has arisen. It is being reported that the Attorney General's son-in-law is the co-founder and owner of a company—get this—that promotes this far-left curricula that is the subject of many of these parents' protests. We need a public report on this, we need an ethics inquiry, and we demanded that today."

***On local school board protests in Loudoun County, Virginia, following reports that the school board covered up the sexual assault of a female student and had her father arrested for demanding accountability:***

"What's happening in Loudoun County, Virginia, is incomprehensible. And parents obviously have a right to exercise free speech and demand accountability from public officials. If what is alleged there is true, it should be an international story. But you may have noticed so few in the mainstream media are covering this at all. Meanwhile, Democrats are trying to silence the speech of parents. They are absolutely wrong to try to stop them. This should be the time for all parents to get engaged, do it lawfully, exercise your free speech, but certainly we have to have some accountability at these local school boards."

***On the Biden Administration aiming federal firepower at concerned parents:***

"The National School Boards Association sent a letter to the Biden Administration demanding that the federal government get involved in this. They equated concerned parents at their school board meetings with domestic terrorists and said they might be engaging in hate crimes. It's outrageous. So, the



Attorney General of the United States responds just a few days later, and issues this directive involving U.S. Attorneys and the FBI. It's over the top and we have to stop it.”

*Congressman Johnson is the Vice Chairman of the House Republican Conference, a member of the House Judiciary and Armed Services Committees, and a former constitutional law litigator.*

[Mike Johnson: House Judiciary Republicans Seek Answers from Attorney General Garland on Alleged Ethics Violation](#), October 13, 2021

House Judiciary Committee Republicans sent a letter today to U.S. Attorney General Merrick Garland requesting an ethics inquiry and public report concerning his controversial Department of Justice memo dated October 4, 2021.

The lawmakers note that the memo—which directs the Federal Bureau of Investigation and U.S. Attorneys to mobilize against parents who protest curricula and mask mandates in local school boards—appears to have been motivated in part by the financial interests of Garland’s family members. Garland’s son-in-law is reportedly a co-founder and owner of a company that promotes far-left curriculum materials which are the subject of many parent protests.

“As our nation’s top law enforcement official, your most fundamental responsibility is to uphold the standards of equal justice under the law and to protect the constitutional rights and liberties of all Americans,” **the letter reads.** “The circumstances around the issues of your memorandum jeopardize these standards and call into question the propriety of your actions. More fundamentally, your directive to insert the might of the federal government into legitimate debates about local education policies shows a serious misunderstanding of the duties of your office.”

**The letter concludes:** “We request you promptly consult with the designated agency ethics official to determine if your actions in this matter have resulted in an ethics violation for a breach of impartiality. The results of this inquiry must be made public and reported to the House and Senate Committees on the Judiciary in order to protect the integrity of the office of Attorney General. Furthermore, depending on the result, your recusal from this issue may be warranted, and the rescission of the memorandum required.”

*The letter was signed by House Judiciary Committee Ranking Member Jim Jordan (OH-04) and committee members Rep. Mike Johnson (LA-04), Rep. Steve Chabot (OH-01), Rep. Louie Gohmert (TX-01), Rep. Darrell Issa (CA-50), Rep. Ken Buck (CO-04), Rep. Matt Gaetz (FL-01), Rep. Andy Biggs (AZ-05), Rep. Tom McClintock (CA-04), Rep. Greg Steube (FL-17), Rep. Tom Tiffany (WI-07), Rep. Thomas Massie (KY-04), Rep. Chip Roy (TX-21), Rep. Dan Bishop (NC-09), Rep. Michelle Fischbach (MN-07), Victoria Spartz (IN-05), Rep. Scott Fitzgerald (WI-05), Cliff Bentz (OR-02), and Burgess Owens (UT-04).*

Read the full letter [here](#) or below:

Dear Attorney General Garland:

This letter is to express our serious concerns about your recent decision to involve federal law enforcement entities in local school board debates and to stifle First Amendment-protected political speech. Your actions are not just inappropriate, but also appear to have been improperly influenced by politics and by your family’s interest in the matter. As members of the House Committee on the

Judiciary, we have a responsibility to conduct oversight of the U.S. Department of Justice (DOJ) and we trust that you will fully cooperate with our inquiry.

On October 4, 2021, you issued a memorandum directing the Federal Bureau of Investigation and U.S. Attorneys' offices to strategize with state and local leaders in response to perceived threats against public school officials. Local law enforcement should properly address and prevent legitimate threats and any actual violence against school board officials. But there is little—if any—basis to interject the immense powers of the federal government into these local matters. Your directive to do so will only serve to discourage parents from voicing concerns or disagreement about the important issues of education policy in their communities.

Your memorandum appears to be motivated by politics more than by any pressing federal law enforcement need. You issued your directive just days after President Biden received a letter from the National School Board Association (NSBA) that equated concerned parents with domestic terrorists and perpetrators of hate crimes. This letter referred to what are legitimate parental concerns about far-left curricula such as Critical Race Theory, radical gender identity ideology, and oppressive coronavirus-related mandates in their local schools. The NSBA urged “the federal government’s intervention against individuals or hate groups who are targeting our schools and educators.”

Even more concerning is the appearance that a member of your family has a financial stake in local school boards adopting a far-left educational curriculum. Reports allege that your son-in-law is the co-founder of Panorama Education, Inc., a company that publishes and sells Critical Race Theory and “anti-racism” materials and works with school districts nationwide to obtain and analyze data on students. The company’s surveys reportedly include intrusive questions such as whether a student feels “gender fluid.” To avoid student privacy laws and collect student data without parental consent, Panorama Education staff members are classified as “school officials.” The company has reportedly surveyed more than 13 million students in 21,000 schools in all 50 states to date and has received funding from liberal activists such as Mark Zuckerberg.

Your actions appear to run afoul of relevant rules of federal ethics. According to the Code of Federal Regulations, an employee of the Executive Branch is discouraged from engaging in conduct that is likely to affect the financial interests of “a person with whom he has a covered relationship.” A covered relationship includes “a relative with whom the employee has a close personal relationship.” You and your daughter and son-in-law may meet this criterion, and it is unclear whether you consulted with the Department’s designated agency ethics official on this matter prior to issuing your memorandum.

As our nation’s top law enforcement official, your most fundamental responsibility is to uphold the standards of equal justice under the law and to protect the constitutional rights and liberties of all Americans. The circumstances around the issues of your memorandum jeopardize these standards and call into question the propriety of your actions. More fundamentally, your directive to insert the might of the federal government into legitimate debates about local education policies shows a serious misunderstanding of the duties of your office.

Thus, we request you promptly consult with the designated agency ethics official to determine if your actions in this matter have resulted in an ethics violation for a breach of impartiality. The results of this inquiry must be made public and reported to the House and Senate Committees on the Judiciary in order to protect the integrity of the office of Attorney General. Furthermore, depending on the result, your recusal from this issue may be warranted, and the rescission of the memorandum required.

Thank you for your prompt attention to this matter. We await your response.

[Burgess Owens: Owens Sends Letter Demanding Answers on Why Parents are Being Targeted by the DOJ](#), October 8, 2021

Today, Childhood, Elementary, and Secondary Education Subcommittee Republican Leader Rep. Burgess Owens (UT-04) signed onto Education and Labor Ranking Member Dr. Virginia Foxx's (NC-05) letter to Education Secretary Miguel Cardona and Attorney General Merrick Garland demanding a Committee briefing regarding the administration's recent threats against parents concerned about their children's education.

**In the letter, the Members write:** *“Even when the subjects may be tough, it is important for school officials, elected officials, and teachers to understand and address parents’ concerns. Violence and threats of violence are never acceptable. Neither are school boards hiding behind law enforcement rather than dealing with parents’ sincere concerns.”*

**The Members continue:** *“Sunshine on these policies is key to ensuring children receive the best education possible; your actions to dismiss or threaten the lawful expression of parents’ legitimate concerns is harmful to our nation.”*

The Members specifically highlight Secretary Cardona's disparaging [comments](#) towards parents, calling them “angry their guy didn't win,” and the Department of Justice's [memo](#) instructing the FBI to squash parents' first amendment rights.

The full letter to Secretary Cardona and Attorney General Garland can be found [here](#).

[Chip Roy: Rep. Roy leads effort to stop AG Garland's weaponization of DOJ against concerned parents over CRT](#), October 7, 2021

On Thursday, following Attorney General Merrick Garland's decision to mobilize the Department of Justice (DOJ) to silence parents and stifle dissent against teaching Critical Race Theory in schools, Rep. Chip Roy (TX-21) led 30 of his House Republican colleagues in demanding that Garland rescind the directive and explain why he gave it in the first place.

*“Calling upon the Federal Bureau of Investigation (FBI) to investigate parents for conflicting views on controversial teachings and policies is a massive overreach of your role as the Attorney General,”* the legislators write in a letter to Garland. *“Under no circumstance should your Department spend time and resources on investigations meant to intimidate American parents into silence.”*

The letter calls for the immediate rescission of the [memo](#) Garland sent earlier this week, while Garland is given until 20 OCT to brief Congress on the matter.

*“Freedom of speech is one of the pillars of our country's founding,”* the letter concludes. *“The DOJ should never be weaponized to curb this most foundational freedom.”*

In May, Rep. Roy introduced legislation to [block federal funding from schools that teach Critical Race Theory](#), saying: *“There is no room for state-sanctioned racism anywhere in our society, and we must oppose it with all our might.”*

Full text of the letter is available at the link [here](#) and below:

*The Honorable Merrick Garland*

*Attorney General*

*United States Department of Justice*

*950 Pennsylvania Avenue, NW*

*Washington, DC 20530*

*Dear Attorney General Garland,*

*We are deeply concerned by your recent announcement that you intend to mobilize the Department of Justice (DOJ) to address the “threat of violence against school administrators.”[1] Your decision comes after the National School Boards Association (NSBA) sent a letter to President Biden referring to parents’ concerns regarding critical race theory in the classroom as “propaganda” and asserting that education leaders are being threatened by “domestic terrorism.”[2]*

*The First Amendment protects the right of parents across the country to make their voices heard in opposition to school mask mandates and radical anti-American critical race theory. This is not “domestic terrorism,” it is protected speech. Calling upon the Federal Bureau of Investigation (FBI) to investigate parents for conflicting views on controversial teachings and policies is a massive overreach of your role as the Attorney General. Under no circumstance should your Department spend time and resources on investigations meant to intimidate American parents into silence.*

*Freedom of speech is one of the pillars of our country’s founding. The DOJ should never be weaponized to curb this most foundational freedom. Therefore – and without any information on true threats of federal concern – we request that you immediately rescind your directive and provide a briefing to Members of Congress by October 20, 2021 on why this decision to attack parents was made.*

*Sincerely,*

*Chip Roy*

*Member of Congress*

*David B. McKinley*

*Member of Congress*

*Jeff Duncan*

*Member of Congress*

*Bob Good*

*Member of Congress*

*Randy Weber*

*Member of Congress*

*Louie Gohmert*

*Member of Congress*

*Mary E. Miller*

*Member of Congress*

*Ted Budd*

*Member of Congress*

*Vicky Hartzler*

*Member of Congress*

*Van Taylor*

*Member of Congress*

*Debbie Lesko*

*Member of Congress*

*Bill Posey*

*Member of Congress*

*Mo Brooks*

*Member of Congress*

*Ralph Norman*

*Member of Congress*

*Barry Loudermilk*

*Member of Congress*

*Andy Harris M.D.*

*Member of Congress*

*Andy Biggs*

*Member of Congress*

*Tom Tiffany*

*Member of Congress*

*Brian Mast*

*Member of Congress*

*Lauren Boebert*

*Member of Congress*

*Matt Rosendale*

*Member of Congress*

*Tom McClintock*

*Member of Congress*

*Dan Bishop*

*Member of Congress*

*Barry Moore*

*Member of Congress*

*Scott Perry*

*Member of Congress*

*Andrew Clyde*

*Member of Congress*

*Marjorie Taylor Greene*

*Member of Congress*

*Jody Hice*

*Member of Congress*

*Jack Bergman*

*Member of Congress*

*Lance Gooden*

*Member of Congress*

*Brian Babin*

*Member of Congress*

**Democrats:**

[Hank Johnson: Rep. Johnson Joins House Judiciary Democrats to Urge AG Garland to Use Full Force of DOJ to Combat Texas Abortion Ban.](#), September 7, 2021

Following the enactment of Texas Law SB 8, House Judiciary Committee Chairman Jerrold Nadler (D-NY) led 23 Committee Democrats in a [letter](#) calling on Attorney General Merrick Garland to use the full force of the Department of Justice to defend a woman's constitutional right to choose an abortion. Members also urged the Attorney General to take legal action up to and including the criminal prosecution of would-be vigilantes attempting to use the private right of action established by SB 8. The letter was issued following Attorney General Garland's [confirmation](#) yesterday that the Department of Justice was exploring "all options" to protect those seeking reproductive health services in Texas.

In their letter, the Members wrote, "As Justice Sotomayor wrote in her dissent to the Court's ruling, '[i]t cannot be the case that a State can evade federal judicial scrutiny by outsourcing the enforcement of unconstitutional laws to its citizenry.' Similarly, the Department of Justice cannot permit private individuals seeking to deprive women of the constitutional right to choose an abortion to escape scrutiny under existing federal law simply because they attempt to do so under the color of state law. Indeed, the Department is fully empowered to prosecute any individual who attempts, 'under color of any law,' to deprive a United States citizen of 'any rights, privileges, or immunities secured or protected by the Constitution.'



In addition to Chairman Nadler, the letter was signed by Representatives Zoe Lofgren (D-CA), Sheila Jackson Lee (D-TX), Steve Cohen (D-TN), Hank Johnson (D-GA), Ted Deutch (D-FL), Karen Bass (D-CA), Hakeem Jeffries (D-NY), David N. Cicilline (D-RI), Eric Swalwell (D-CA), Ted Lieu (D-CA), Jamie Raskin (D-MD), Pramila Jayapal (D-WA), Val Demings (D-FL), Lou Correa (D-CA), Mary Gay Scanlon (D-PA), Sylvia R. Garcia (D-TX), Joe Neguse (D-CO), Lucy McBath (D-GA), Greg Stanton (D-AZ), Madeleine Dean (D-PA), Veronica Escobar (D-TX), Mondaire Jones (D-NY), and Deborah Ross (D-NC).

Full text of the letter can be found below and [here](#).

[Mary Gay Scanlon: Scanlon Joins Bipartisan Lawmakers in Introducing Legislation to Restore DOJ's Office for Access to Justice](#), July 19, 2021

Congresswoman Mary Gay Scanlon joined House Judiciary Committee Chairman Jerrold Nadler (D-NY) and Representatives Fred Upton (R-MI), Brian Fitzpatrick (R-PA), Sheila Jackson Lee (D-TX), and Don Bacon (R-NE) in introducing the Office for Access to Justice Establishment Act of 2021 to establish the Office for Access to Justice within the Department of Justice (DOJ). U.S. Senators Chris Murphy (D-CT) and John Cornyn (R-TX) will introduce companion legislation in the Senate.

Under this legislation, the established Office for Access to Justice would promote fair and just outcomes in the justice system that are accessible to all, irrespective of wealth, status, or station. The bill would formally authorize the Legal Aid Interagency Roundtable to promote civil legal aid and defense, improve coordination and promote federal programs that support vulnerable populations, and develop recommendations for federal funded programs and policies that will improve access to justice.

“Equal justice under the law cannot be achieved when the deck is stacked against those who do not have access to counsel,” **said Rep. Scanlon**. “Decades of studies have shown that the overwhelming majority of Americans cannot obtain legal counsel when they need it. The Office of Access to Justice will help our most vulnerable citizens, the courts, and lawmakers, by identifying best practices and efficiencies, making recommendations to improve services, and addressing gaps in the patchwork of underfunded legal services agencies, pro bono volunteers, and self-help upon which low-income Americans and the courts rely. I’m proud to join this bipartisan effort to expand access to the nation’s legal system, support the work of civil legal aid providers and public defenders, and improve opportunities for representation and equity in our justice system.”

“Every American, regardless of their socioeconomic background, deserves equal justice under the law,” **said Chairman Nadler**. “Unfortunately, far too many do not have access to the legal help they need. That’s why I am introducing legislation to establish the Office for Access to Justice, ensuring that those most in need have the same access to legal help as everyone else. I applaud President Biden for his efforts to revive this vital resource at the Department of Justice, and I look forward to working together as we seek to root out systemic inequities in our justice system.”

“While legal assistance is a constitutional right in criminal cases, many low-income folks face real hurdles in acquiring legal aid in civil cases and other court proceedings. This needs to change,” **said Rep. Upton**. “This important, bipartisan legislation will help ensure that those in need - particularly the most vulnerable among us - have access to legal services, well-trained attorneys, and ample resources so that they have a fair shake in court.”

“We should always strive to uphold a fair and impartial justice system,” **said Rep. Fitzpatrick.** “I am proud to support this legislation, which would improve access to civil legal aid and justice for all Americans, regardless of background.”

“Access to justice cannot be premised upon ability to pay,” **said Rep. Jackson Lee.** “I am proud to support this legislation, as it will ensure that a voice remains within the Department of Justice to protect the right to counsel and to preserve justice for vulnerable communities.”

“We always should seek to improve our judicial system and make it more fair,” **said Rep. Bacon.** “This legislation will further trust within the justice system as they aim to support a vulnerable population in our nation and provide better access to a fair and unbiased legal system. For those who have been underrepresented by the justice system in our communities, this bill will help be a solution and improve the outcomes of our future.”

“Without equal access to legal resources and representation, there is no justice for all. I’m proud to reintroduce this bipartisan legislation with Chairman Nadler and Senator Cornyn that would codify the Office of Access to Justice, which President Biden reinstated so we can ensure all Americans have equal access to legal representation and protect an important constitutional right,” **said Sen. Murphy.**

“Every American deserves access to a fair and impartial justice,” **said Sen. Cornyn.** “By re-establishing the Department’s Office for Access to Justice, we are protecting and preserving justice for all Texans under the Constitution.”

The Office for Access to Justice Establishment Act authorizes the Office for Access to Justice to:

- Serve as the principal legal advisor for the DOJ on rights guaranteed by the Sixth Amendment to the Constitution;
- Provide legal and policy advice to the Attorney General on the issue of ensuring access to justice for low-income and other under-represented groups in the civil and criminal justice system;
- Lead the Legal Aid Interagency Roundtable as the Executive Director;
- Coordinate with other divisions of DOJ to ensure each is properly considering issues of access to justice, including on grant and funding decisions; and
- Consult with the Secretary of State and serve as the authority on access to justice before international and multilateral organizations.

The Office for Access to Justice Establishment Act is endorsed by more than 40 organizations including: R Street Institute, Center for American Progress, Fair and Just Prosecution, Fines and Fees Justice Center, Christian Legal Society, Human Rights Watch, Juvenile Law Center, Voices for Civil Justice, ACLU, and Youth Collaborator.

The full bill text is available [here](#).

A section-by-section is available [here](#).

[Deborah Ross: Congresswoman Ross Joins House Judiciary Democrats in Urging AG Garland to Use Full Force of DOJ to Combat Texas Abortion Ban](#), September 8, 2021

Following the enactment of Texas Law SB 8, Congresswoman Deborah Ross (NC-02) joined House Judiciary Committee Chairman Jerrold Nadler (D-NY) and 22 other Committee Democrats in sending a letter calling on Attorney General Merrick Garland to use the full force of the Department of Justice to defend a woman's constitutional right to access abortion care. Members also urged the Attorney General to take legal action up to and including the criminal prosecution of would-be vigilantes attempting to use the private right of action established by SB 8. The letter was issued following Attorney General Garland's confirmation that the Department of Justice was exploring "all options" to protect those seeking reproductive health services in Texas.

In their letter, the Members wrote, "As Justice Sotomayor wrote in her dissent to the Court's ruling, '[i]t cannot be the case that a State can evade federal judicial scrutiny by outsourcing the enforcement of unconstitutional laws to its citizenry.' Similarly, the Department of Justice cannot permit private individuals seeking to deprive women of the constitutional right to choose an abortion to escape scrutiny under existing federal law simply because they attempt to do so under the color of state law. Indeed, the Department is fully empowered to prosecute any individual who attempts, 'under color of any law,' to deprive a United States citizen of 'any rights, privileges, or immunities secured or protected by the Constitution.'

In addition to Congresswoman Ross and Chairman Nadler, the letter was signed by Representatives Zoe Lofgren (D-CA), Sheila Jackson Lee (D-TX), Steve Cohen (D-TN), Hank Johnson (D-GA), Ted Deutch (D-FL), Karen Bass (D-CA), Hakeem Jeffries (D-NY), David N. Cicilline (D-RI), Eric Swalwell (D-CA), Ted Lieu (D-CA), Jamie Raskin (D-MD), Pramila Jayapal (D-WA), Val Demings (D-FL), Lou Correa (D-CA), Mary Gay Scanlon (D-PA), Sylvia R. Garcia (D-TX), Joe Neguse (D-CO), Lucy McBath (D-GA), Greg Stanton (D-AZ), Madeleine Dean (D-PA), Veronica Escobar (D-TX), and Mondaire Jones (D-NY).

Congresswoman Ross denounced the Texas law as an egregious, unconstitutional attack on reproductive freedom when it went into effect.

Full text of the letter can be found [here](#).

[Cori Bush: Rep. Bush Leads House Colleagues in Urging Department of Justice to Stop Seeking Death Penalty](#), August 9, 2021

Today, **Congresswoman Cori Bush (MO-01)**, along with **Reps. Adriano Espaillat (NY-13), Ayanna Pressley (MA-07), and Jerrold Nadler (NY-10)** sent a **letter** to Department of Justice Attorney General Judge Merrick B. Garland urging him to halt all federal participation in the capital punishment system and prohibit Department attorneys from seeking the death penalty.

"We must work to build a criminal-legal system that is deeply rooted in a love for humanity, which begins with ending the federal death penalty in our country," **said Congresswoman Cori Bush**. "The death penalty is an inhumane punishment that disproportionately violates the human rights of Black, brown, indigenous, and other marginalized people. I'm proud to join my colleagues Reps. Espaillat and Pressley in continuing to urge this administration to end the death penalty."

In the letter, **the members stated**, "Capital punishment is a deeply flawed and inhumane practice that the Department of Justice can and must discontinue. Its known deficiencies, "including arbitrariness in its application, disparate impact on people of color, and the troubling number of exonerations in capital and other serious cases," are thoroughly documented. Despite these realities, the death penalty continues to be imposed in an arbitrary and capricious manner [...] While the United States Congress

considers legislation to abolish the death penalty, which has an unprecedented and growing level of support, the Department of Justice still has a moral obligation to take immediate, decisive action. The Biden-Harris Administration was elected on the promise of abolishing the federal death penalty, and we are committed to using every legislative tool to help fulfill it.”

In January, Congresswoman Bush led 35 of her House colleagues in [sending a letter](#) to President Biden urging him to immediately commute the sentences of everyone on federal death row.

**From:** Klapper, Matthew B. (OAG)  
**Subject:** RE: Judiciary GOP clips  
**To:** Coley, Anthony D. (PAO)  
**Sent:** October 19, 2021 1:03 PM (UTC-04:00)

Had asked for both D and R clips. Is D coming separately?

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**From:** Coley, Anthony D. (PAO) (b) (6)  
**Sent:** Tuesday, October 19, 2021 12:40 PM  
**To:** Klapper, Matthew B. (OAG) (b) (6)  
**Subject:** Fwd: Judiciary GOP clips

Begin forwarded message:

**From:** "Gelber, Sophie (PAO)" (b) (6)  
**Date:** October 19, 2021 at 12:36:33 PM EDT  
**To:** "Coley, Anthony D. (PAO)" (b) (6)  
**Cc:** "Roberts, Alivia P. (PAO)" (b) (6)  
**Subject:** Judiciary GOP clips

Hi Anthony,  
See our research attached and below. Thanks!

**House Judiciary Republicans Research**

GOP Members: Jim Jordan (Ranking Member), Louie Gohmert, Darrell Issa, Ken Buck, Matt Gaetz, Mike Johnson, Andy Biggs, Tom McClintock, Greg Steube, Tom Tiffany, Thomas Massie, Chip Roy, Dan Bishop, Michelle Fischbach, Victoria Spartz, Scott Fitzgerald, Cliff Bentz, Burgess Owens

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Full Releases	<a href="#">p.14</a>

**TV**

[Fox News](#), October 13, 2021 – **Jim Jordan**



[Fox News](#), October 6, 2021 – **Jim Jordan**



- Transcript: [Jim Jordan on 'Hannity'](#)
  - JORDAN: So. but -- no. no. what's the Justice Department looking into right now? Not Hunter and his China business ties and other ties with, you know, questionable people or these art sales. What is the Justice Department looking into? Parents, parents who objected school board meetings to critical race theory are now going to be defined as domestic terrorists with the latest memo that Attorney General Garland sends out. This is what just ticks off Americans so much, Sean, and it's ridiculous.

[Fox News](#), October 5, 2021 – **Jim Jordan**



[Newsmax](#), September 30, 2021 – **Jim Jordan**



[Fox News](#), July 28, 2021 – **Jim Jordan**



[Fox News](#), October 13, 2021 – **Louie Gohmert**



[OANN](#), October 5, 2021 – **Matt Gaetz**



[Fox News](#), October 13, 2021 – **Mike Johnson**



• Calling for ethics inquiry about Panorama  
[OANN](#), September 28, 2021 – **Andy Biggs**



[Newsmax](#), October 14, 2021 – **Chip Roy**



## **Print**

**Washington Post:** [GOP members of Congress turned away at D.C. jail trying to inspect treatment of Jan. 6 suspects](#), by Meagan Flynn, July 29, 2021 (**Louie Gohmert, Matt Gaetz**)

**Fox News:** [Rep. Buck slams Garland for mobilizing FBI in defense of school boards: 'Abuse of power'](#), by Houston Keene, October 5, 2021 (**Ken Buck**)

**Washington Examiner:** [Rep. Matt Gaetz: The swamp is out to drown me with false charges, but I'm not giving up](#), by Matt Gaetz, April 5, 2021 (**Matt Gaetz**)

**USA Today:** [Capitol riot: Rep. Thomas Massie warns of prosecutorial overreach](#), by Scott Wartman, May 18, 2021 (**Thomas Massie, Chip Roy**)

**Deseret News:** [Lawmakers want investigation into OnlyFans 'paywall of porn' platform](#), by Dennis Romboy, August 11, 2021 (**Burgess Owens**)

## **Press Releases**

[Mike Johnson: Parents Have a Right to Exercise Free Speech and Demand Accountability from Public Officials](#), October 14, 2021

[Mike Johnson: House Judiciary Republicans Seek Answers from Attorney General Garland on Alleged Ethics Violation](#), October 13, 2021

[Burgess Owens: Owens Sends Letter Demanding Answers on Why Parents are Being Targeted by the DOJ](#), October 8, 2021

[Chip Roy: Rep. Roy leads effort to stop AG Garland's weaponization of DOJ against concerned parents over CRT](#), October 7, 2021

## **Tweets**

[Rep. Jim Jordan](#)



[Rep. Matt Gaetz](#)





[Rep. Andy Biggs](#)



[Rep. Dan Bishop](#)



[Rep. Dan Bishop \(2\)](#)



[Rep. Scott Fitzgerald](#)





## **Full Articles**

**Washington Post:** [GOP members of Congress turned away at D.C. jail trying to inspect treatment of Jan. 6 suspects](#), by Meagan Flynn, July 29, 2021 (**Louie Gohmert, Matt Gaetz**)

D.C. jail officials turned away GOP members of Congress who showed up Thursday at the jail, saying they intended to inspect the treatment of suspects detained in the Jan. 6 breach of the U.S. Capitol.

Trailed by cameras from right-wing news organizations, Reps. Matt Gaetz (Fla.), Marjorie Taylor Greene (Ga.), Paul A. Gosar (Ariz.) and Louie Gohmert (Tex.) crowded into the lobby of the D.C. detention facility demanding to be let inside as members of Congress.

A D.C. jail official told them they were “obstructing entrance into this facility” and appeared to accuse the members of trespassing.

“We’re the people that vote on whether or not to fund you, at what level, and we’re trespassing?” Gohmert responded.

The D.C. detention center is not a federal facility and is fully funded by D.C. taxpayers — but Congress has oversight over D.C.’s budget.

Del. Eleanor Holmes Norton (D), the District’s nonvoting representative in Congress, said their “attempt to basically try to break into the D.C. jail is an abuse of their authority over the District.”

“Congress doesn’t have any authority over the D.C. jail. That’s a home-rule issue,” Norton said. “So no member of Congress, or anybody else, is entitled to special access to the D.C. jail.”

The action at the jail was the group’s second this week, after they barged into the Justice Department on Tuesday trying to ask questions about the detention of Jan. 6 suspects awaiting trial and whether any were being held in solitary confinement. Gosar called them “political prisoners” who are being “persecuted” and unjustly punished before trial. Reps. Bob Good (R-Va.) and Andy Biggs (R-Ariz.) joined the group. All have opposed a probe of Jan. 6 and [voted against awarding the Congressional Gold Medal](#) to police officers who responded that day.

Their news conference Tuesday was interrupted by a group of protesters, including a person who repeatedly blew a whistle for the duration. “To the guy that’s blowing the whistle,” Greene said, “we are not deterred.”

They attempted Thursday to tell D.C. jail officials the same thing, knocking on locked doors after a supervisor declined to allow them to tour the facility. They said they showed their congressional IDs and even agreed to wear face masks to try to gain entry. But when the answer remained no, Gohmert said they “were in totalitarian Marxist territory here” and accused D.C. jail officials of operating a

“dictatorship.”

“We suspect there is a two-tier justice system in the United States, for Trump supporters that are charged for Jan. 6 and catch-and-release for BLM rioters,” Greene said.

A spokeswoman for the D.C. Department of Corrections said in a statement that the members of Congress arrived “unannounced with an unauthorized camera crew requesting a facility tour.

“By doing so, these officials compromised safety and security operations at the DOC,” the spokeswoman said, adding that all visitors, including public officials, must comply with visitation rules.

D.C. officials [revealed in court in March](#) that they were holding suspects in the Jan. 6 insurrection in “restrictive housing” — separate from the general population — for the suspects’ own protection from assault by other inmates.

The D.C. jail also faced scrutiny earlier this year for its draconian but since-relaxed 23-hour [coronavirus-related lockdowns](#) — but those applied to all inmates, not any one group.

It’s unclear exactly how many Jan. 6 suspects are being held there, or whether they remain in restrictive housing. [A Washington Post analysis](#) found in May that about 50 suspects tied to the attack on the Capitol remained held without bond awaiting trial, about 13 percent of more than 400 defendants. But they also are scattered in facilities across the country. Although the cases are federal, some of those charged are held in local facilities before trial under agreements with federal authorities.

The 13 percent of Jan. 6 defendants held in jail before trial is much lower than the roughly 75 percent of federal defendants held in jail before trial nationwide, including in immigration custody, The Post’s analysis found. Defendants denied bond were accused of violent offenses — such as assaulting police — or weapons violations, while others were accused of being part of a wider conspiracy. A few defendants [have successfully challenged](#) their pretrial detention in court.

Gohmert and Gosar later tried to say that they were concerned about all people at the D.C. jail being held before trial, saying no one should be punished without being found guilty.

But Greene undercut that claim when she interrupted Gohmert during an ad hoc news conference outside the facility, saying, “Wait, I have a question: What if we had been here just to check on the entire population?”

When Gohmert insisted that’s what they were doing, Greene quickly agreed.

**Fox News: [Rep. Buck slams Garland for mobilizing FBI in defense of school boards: 'Abuse of power'](#), by Houston Keene, October 5, 2021 (Ken Buck)**

Rep. [Ken Buck](#), R-Colo., slammed [Attorney General Merrick Garland](#) for mobilizing the [Federal Bureau of Investigation](#) (FBI) to protect school boards from alleged threats and intimidation.

The Colorado Republican unloaded on Garland in a letter exclusively obtained by Fox News, with Buck accusing the attorney general of using the FBI and Department of Justice (DOJ) “to intimidate and silence parents who are exercising their First Amendment rights.”

“This is an egregious and unprecedented abuse of power and Congress must hold oversight hearings on the Biden administration’s politicization of the DOJ’s law enforcement functions,” Buck said.

“With violent crime surging in every American city, Garland should focus on making our communities safer, instead of attacking parents’ constitutional rights,” Buck added.

The letter calls Garland’s directive “a politically motivated abuse of power” that “displays a lack of reasoned, sound judgment” and says parental concern over what schools are teaching their children “does not give rise to federal crime.”

Additionally, Buck wrote that there “appears to be no federal nexus sufficient to justify the directives”

Garland set out in his Monday memo as well as his decision "to direct federal law enforcement resources to confront parents" who disagree with the Biden administration.

"School boards are responsible for the education and well-being of the next generation of leaders. Across the country, parents are exercising their First Amendment right to petition their government and voice their frustrations with their local elected leaders," the letter reads. "There are innumerable examples from the past 18 months of school board members imposing their personal beliefs at the expense of children and families."

"Additionally, many school board members have shown that they believe they are unaccountable to the electorate regarding their curriculum choices. Parents have a constitutionally protected right to assemble and to petition their government. That includes local school boards," Buck continued, noting the "furious debate" nationwide between parents and school boards over controversial subjects, such as critical race theory.

Buck also blasted the National School Board Administration's (NSBA) letter to the Biden administration a day before the memo, writing that to "compare frustrated parents to domestic terrorists or perpetrators of hate crimes is beyond absurd and should be dismissed by any rational adult."

"The NSBA was also unable to mention any specific credible threat or example that would support its outlandish statement," Buck continued, adding that Garland is "choosing to spend the law enforcement resources Congress" has given him "to go after parents who are nonviolently exercising their constitutional rights" instead of more pressing matters, like murders.

"By drawing a moral equivalence between concerned parents and domestic terrorists, whose ranks include Timothy McVeigh and Ted Kaczynski, you are making a mockery of the Department of Justice and the FBI," the congressman said, concluding the letter by encouraging Garland to "reverse course" on his decision.

Garland directed the FBI and U.S. attorney's offices to hold meetings with federal, state and local law enforcement leaders in the next 30 days, during which they will discuss ways to combat what the DOJ called a "disturbing trend" of harassment and threats against school officials.

Critics say the move amounts to an attempt by the Biden administration to bully parents from exercising their First Amendment rights.

The move comes just four days after a leading organization representing the nation's school boards called on the Biden administration and federal law enforcement agencies to assist school boards, which the group said have seen an increase in violent threats in response to COVID-19 restrictions and critical race theory curriculum.

The DOJ did not immediately respond to Fox News' request for comment on Buck's letter.

**Washington Examiner:** [Rep. Matt Gaetz: The swamp is out to drown me with false charges, but I'm not giving up](#), by Matt Gaetz, April 5, 2021 (**Matt Gaetz**)

Washington scandal cycles are predictable, and sex is especially potent in politics. Let me first remind everyone that I am a representative in Congress, not a monk, and certainly not a criminal.

Nancy Pelosi once defended President Bill Clinton after he got an intern to fellate him in the Oval Office. But when it comes to the allegation that I, a grown man, paid for an adult girlfriend's expenses? Well, consider that a bridge too far for the power-hungry hypocrites.

I want to be clear about something as we process the leaks and lies from the past week. To this point, there are exactly zero credible (or even non-credible) accusers willing to come forward by name and state on the public record that I behaved improperly toward them, in the manner by which Democratic

Gov. [Andrew Cuomo](#) has ten accusers.

Instead, CNN, the *New York Times*, *Politico*, and others are just repeating false allegations about a congressman who loathes the swamp and fights both sides of it on a daily basis.

Just as they once falsely attacked President [Donald Trump](#) as a Russian asset, Justice Brett Kavanaugh as a gang rapist, and even John McCain as having fathered a child out of wedlock, they now attack me. Of course, none of what they say ever amounts to anything, yet it is endlessly repeated by leftist television anchors such as Chris Cuomo, who uses his platform to cover for his brother's appalling subjection of nursing home patients to death by the coronavirus. They think themselves such wonderful arbiters of moral purpose.

Folks won't be surprised that bizarre claims are being made about me shortly after I decided to take on the most powerful institutions in the Beltway: the establishment; the FBI; the Biden Justice Department; the Cheney political dynasty; even the Justice Department under Trump.

Yes, just like the mafia, the D.C. swamp protects its "made men." Since I'm taking my turn under the gun, let me address the allegations against me directly. First, I have never, ever paid for sex. And second, I, as an adult man, have not slept with a 17-year-old.

Predictably, the anti-Trump cheerleaders such as Meghan McCain, Bill Kristol, and sadly, some of my feckless colleagues in Congress are going to call for me to resign.

This is how D.C. works. The guilty and wrong point fingers at the innocent and right. Remember President Joe Biden's Ukraine scandal? Or the Lincoln Project's professions of moral superiority? Their scorn and moral posturing is all merely projection.

And no, I am absolutely not resigning.

The *Washington Post* recently accused me of stating that I'm really enjoying my current embrace of monogamy. That is the truest thing they've ever written about me. I'm a better man today than I was years ago. Heck, I hope to be a better man than I was yesterday, every day of my life.

My lifestyle of yesteryear may be different from how I live now, but it was not and is not illegal. I defended Rep. Katie Hill's "throuple" when her own Democratic colleagues wouldn't. I just didn't think it was anyone's business.

It comes as no surprise that my political opponents want to sensationalize and criminalize my prior sex life just as I am getting engaged to the best person I've ever known. It is regrettable that the battle of ideas should thus become so personal. But then again, when your ideas suck, you need to stoop this low.

My personal life is and always has been conducted on my own time and my own dime. Consensual adult relationships are not illegal. Although I'm sure some partisan crooks in Merrick Garland's Justice Department want to pervert the truth and the law to go after me, I will not be intimidated or extorted. The battle for America's future demands gladiators, and I am going to keep getting back up and fighting, every single day.

The Biden Justice Department would rather investigate me for adult, consensual sex than [Hunter Biden](#) for his shady business dealings, than others for illegal leaks, or a former Justice Department official for the evident extortion of a congressman. Go figure.

You'll see more "drip, drip, drip" of leaks into the media from the corrupt Justice Department and others. When you do, ask yourself why. They aren't coming for me — they are coming for you. I'm just in the way.

As for me? I'm going to fight like hell for my constituents and the country I deeply love. You deserve no

less, especially right now.

**USA Today:** [Capitol riot: Rep. Thomas Massie warns of prosecutorial overreach](#), by Scott Wartman, May 18, 2021 (Thomas Massie, Chip Roy)

Two Republican congressmen fear "hyper-politicization" will mean unfair treatment for some of the suspects in the [Jan. 6 riot at the U.S. Capitol](#).

Rep. Thomas Massie, the Republican congressman who represents Northern Kentucky, and Rep. Chip Roy, a Texas Republican, outlined their concerns in a May 13 letter to Attorney General Merrick Garland.

"Those that damaged property and assaulted police officers on January 6th should rightfully face justice," Massie and Roy wrote in the joint letter. "However, the public outcry and hyper-politicization of the events on January 6th may incentivize prosecutors to use overly aggressive tactics, overcharge, and abuse the power of the federal government in order to satisfy favored political groups."

On the day of the riot, the threat posed by the crowd concerned Massie enough that he grabbed his gun and [barricaded himself and a few staffers in his office in the Capitol complex](#).

More [than 400 people across the country face federal charges](#) for the attack on the Capitol following a pro-Trump rally on Jan. 6.

In the letter, Massie and Roy said they had "reports" federal prosecutors can't make plea deals without permission from "political appointees" at the Department of Justice. The letter doesn't cite the reports or name the political appointees.

The Enquirer reached out to Roy, Massie and the DOJ seeking clarification.

"Mr. Roy's office has spoken with attorneys handling these cases and we can't comment any further than that," said John Kennedy, Massie's spokesman, in a statement.

Messages to Roy and the DOJ on Monday weren't immediately returned Monday morning.

So far, federal prosecutors have reached one plea deal. Jon Ryan Schaffer, of Indiana, [pleaded guilty to felony counts of obstruction of an official proceeding](#), and entering and remaining in a restricted building or grounds with a deadly or dangerous weapon. Schaffer is a member of the Oath Keepers, [which the FBI described as a paramilitary organization](#).

Prosecutors say Schaffer, armed with bear spray and wearing a tactical vest, put himself at the front of a crowd that pushed past four Capitol Police officers into the building.

Prosecutors have offered plea deals to more defendants, [the New York Times](#), [Associated Press](#) and other agencies have reported.

Massie and Roy also questioned some of the tactics of federal agents in the arrests and raids of suspects related to the Jan. 6 riots.

"There are disturbing reports of heavily armed teams of federal agents bursting into family homes to arrest individuals with no history or likelihood of violence, and even one report of federal agents raiding the wrong home," Massie and Roy wrote.

Massie and Roy didn't cite any more examples. The one incident related to raiding the wrong home might refer to a raid on the home of a woman in Homer, Alaska. FBI agents briefly handcuffed the woman and told them they were looking for Nancy Pelosi's laptop, [the Associated Press reported](#). The woman claimed they had the wrong house and person. News reports have been unable to confirm whether authorities targeted the right person.

Massie and Roy asked for Garland to brief Congress by May 30 on the approval of plea agreements and use of force in raids surrounding the Jan. 6 riot.

"Please give this matter your immediate attention," they wrote. "We look forward to hearing from you."

**Deseret News:** [Lawmakers want investigation into OnlyFans 'paywall of porn' platform](#), by Dennis Rombo, August 11, 2021 (**Burgess Owens**)

More than 100 House Republicans and Democrats, including GOP Utah Rep. Burgess Owens, urged the Department of Justice to investigate a social media platform dubbed the "paywall of porn" for allegedly facilitating child sexual exploitation.

The lawmakers called on Attorney General Merrick Garland to look into the prevalence of child sexual abuse material on the website OnlyFans.com and the specific steps it takes to ensure minors are protected from exploitation. They say the network has become a "major marketplace" for buying and selling child pornography.

"We write today to call your attention to potentially illegal activity, including child sexual exploitation, that this website is facilitating," the lawmakers, led by Rep. Ann Wagner, R-Mo., [wrote in an Aug. 10 letter](#) to Garland. "With the COVID-19 pandemic forcing our kids to spend more time isolated and online, it is our responsibility to ensure children are protected from bad actors operating via the internet."

OnlyFans is a social media network, like Instagram and YouTube. But unlike YouTube, which forbids "explicit content meant to be sexually gratifying," and Instagram, which allows "nudity in photos of paintings and sculptures," OnlyFans allows everything.

The content subscription service based in London allows content creators to be paid directly from their "fans" on a monthly basis as well as one-time tips and a pay-per-view feature. The platform is mainly used by amateur and professional pornographic models but also has a market with chefs, fitness enthusiasts and musicians seeking to monetize their professions and connect with fans.

Some celebrities have OnlyFans accounts, including rapper and actress Cardi B and actress, model and singer Bella Thorne, who made more than \$1 million on her first day on the site.

Launched in 2016, the company claims more than 100 million users who annually pay out \$3 billion to at least 1 million content creators, according to its website.

In the letter, lawmakers say the presence of sexually explicit images of children is "undeniable" and it appears OnlyFans does not have adequate safeguards or protocols in place to report such material to authorities.

Over the past two years, the National Center for Missing and Exploited Children has seen an increasing amount of child exploitation on OnlyFans. In 2019, it indicated it was aware of 10 cases involving missing children associated with content sold on the site. The center identified at least 80 cases in which missing children were linked with the website's content this year, according to the letter.

Dawn Hawkins, CEO of the National Center on Sexual Exploitation, said OnlyFans preys and profits from abuse and exploitation of vulnerable people.

"With the rise in child sexual abuse material online, the U.S. Department of Justice should investigate the growing number of reports by law enforcement and child safety organizations that minors are being sold on OnlyFans," she said in a statement. "Instances of sex trafficking and image-based abuse through OnlyFans are also coming to light."

Earlier this year, police in Florida's Miami-Dade County arrested two adults for human trafficking, possession of a sexual performance by a child, and promoting the sexual performance by a child, lawmakers wrote in the letter. According to police reports, the arrests were made after a friend of the underage girl saw videos of her on OnlyFans and notified authorities.

### **Full Releases**

[Mike Johnson: Parents Have a Right to Exercise Free Speech and Demand Accountability from Public Officials](#), October 14, 2021

United States Representative Mike Johnson (LA-04) joined Fox Business' *Evening Edit with Liz MacDonald* on Wednesday evening to discuss local school board protests across the country and the efforts of House Republicans to make sure those parents' voices are heard.

House Judiciary Committee Republicans sent a [letter](#) this week to U.S. Attorney General Merrick Garland requesting an ethics inquiry and public report concerning his controversial Department of Justice memo, which directs the Federal Bureau of Investigation and U.S. Attorneys to mobilize against parents who



protest at local school board meetings.

Watch the full interview [here](#), and see excerpts below:

***On Judiciary Committee Republicans calling for an ethics inquiry and public report into A.G. Merrick Garland's controversial Department of Justice memo:***

“All of the Republicans on the House Judiciary Committee have an obligation. We are supposed to provide oversight of the Department of Justice. Merrick Garland is the Attorney General, he's the top law enforcement official in this country, he should be above reproach.

“But when he sent out this controversial memo on October 4<sup>th</sup>, it raised a lot of eyebrows. This is the memo of course, where he has directed the FBI and the U.S. Attorneys' offices to mobilize against parents who have the audacity to exercise free speech and protest controversial curricula at their local school board meeting. This is not a federal issue.

“So, beyond the fact that it looks nakedly partisan, we have a deep concern about an ethics problem that has arisen. It is being reported that the Attorney General's son-in-law is the co-founder and owner of a company—get this—that promotes this far-left curricula that is the subject of many of these parents' protests. We need a public report on this, we need an ethics inquiry, and we demanded that today.”

***On local school board protests in Loudoun County, Virginia, following reports that the school board covered up the sexual assault of a female student and had her father arrested for demanding accountability:***

“What's happening in Loudoun County, Virginia, is incomprehensible. And parents obviously have a right to exercise free speech and demand accountability from public officials. If what is alleged there is true, it should be an international story. But you may have noticed so few in the mainstream media are covering this at all. Meanwhile, Democrats are trying to silence the speech of parents. They are absolutely wrong to try to stop them. This should be the time for all parents to get engaged, do it lawfully, exercise your free speech, but certainly we have to have some accountability at these local school boards.”

***On the Biden Administration aiming federal firepower at concerned parents:***

“The National School Boards Association sent a letter to the Biden Administration demanding that the federal government get involved in this. They equated concerned parents at their school board meetings with domestic terrorists and said they might be engaging in hate crimes. It's outrageous. So, the Attorney General of the United States responds just a few days later, and issues this directive involving U.S. Attorneys and the FBI. It's over the top and we have to stop it.”

*Congressman Johnson is the Vice Chairman of the House Republican Conference, a member of the House Judiciary and Armed Services Committees, and a former constitutional law litigator.*

**[Mike Johnson: House Judiciary Republicans Seek Answers from Attorney General Garland on Alleged Ethics Violation](#), October 13, 2021**

House Judiciary Committee Republicans sent a letter today to U.S. Attorney General Merrick Garland requesting an ethics inquiry and public report concerning his controversial Department of Justice memo dated October 4, 2021.

The lawmakers note that the memo—which directs the Federal Bureau of Investigation and U.S. Attorneys to mobilize against parents who protest curricula and mask mandates in local school boards—appears to have been motivated in part by the financial interests of Garland's family members. Garland's son-in-law is reportedly a co-founder and owner of a company that promotes far-left curriculum materials which are the subject of many parent protests.

“As our nation’s top law enforcement official, your most fundamental responsibility is to uphold the standards of equal justice under the law and to protect the constitutional rights and liberties of all Americans,” **the letter reads.** “The circumstances around the issues of your memorandum jeopardize these standards and call into question the propriety of your actions. More fundamentally, your directive to insert the might of the federal government into legitimate debates about local education policies shows a serious misunderstanding of the duties of your office.”

**The letter concludes:** “We request you promptly consult with the designated agency ethics official to determine if your actions in this matter have resulted in an ethics violation for a breach of impartiality. The results of this inquiry must be made public and reported to the House and Senate Committees on the Judiciary in order to protect the integrity of the office of Attorney General. Furthermore, depending on the result, your recusal from this issue may be warranted, and the rescission of the memorandum required.”

*The letter was signed by House Judiciary Committee Ranking Member Jim Jordan (OH-04) and committee members Rep. Mike Johnson (LA-04), Rep. Steve Chabot (OH-01), Rep. Louie Gohmert (TX-01), Rep. Darrell Issa (CA-50), Rep. Ken Buck (CO-04), Rep. Matt Gaetz (FL-01), Rep. Andy Biggs (AZ-05), Rep. Tom McClintock (CA-04), Rep. Greg Steube (FL-17), Rep. Tom Tiffany (WI-07), Rep. Thomas Massie (KY-04), Rep. Chip Roy (TX-21), Rep. Dan Bishop (NC-09), Rep. Michelle Fischbach (MN-07), Victoria Spartz (IN-05), Rep. Scott Fitzgerald (WI-05), Cliff Bentz (OR-02), and Burgess Owens (UT-04).*

**Read the full letter [here](#) or below:**

Dear Attorney General Garland:

This letter is to express our serious concerns about your recent decision to involve federal law enforcement entities in local school board debates and to stifle First Amendment-protected political speech. Your actions are not just inappropriate, but also appear to have been improperly influenced by politics and by your family’s interest in the matter. As members of the House Committee on the Judiciary, we have a responsibility to conduct oversight of the U.S. Department of Justice (DOJ) and we trust that you will fully cooperate with our inquiry.

On October 4, 2021, you issued a memorandum directing the Federal Bureau of Investigation and U.S. Attorneys’ offices to strategize with state and local leaders in response to perceived threats against public school officials. Local law enforcement should properly address and prevent legitimate threats and any actual violence against school board officials. But there is little—if any—basis to interject the immense powers of the federal government into these local matters. Your directive to do so will only serve to discourage parents from voicing concerns or disagreement about the important issues of education policy in their communities.

Your memorandum appears to be motivated by politics more than by any pressing federal law enforcement need. You issued your directive just days after President Biden received a letter from the National School Board Association (NSBA) that equated concerned parents with domestic terrorists and perpetrators of hate crimes. This letter referred to what are legitimate parental concerns about far-left curricula such as Critical Race Theory, radical gender identity ideology, and oppressive coronavirus-related mandates in their local schools. The NSBA urged “the federal government’s intervention against individuals or hate groups who are targeting our schools and educators.”

Even more concerning is the appearance that a member of your family has a financial stake in local school boards adopting a far-left educational curriculum. Reports allege that your son-in-law is the co-founder of Panorama Education, Inc., a company that publishes and sells Critical Race Theory and “anti-racism” materials and works with school districts nationwide to obtain and analyze data on students. The company’s surveys reportedly include intrusive questions such as whether a student feels “gender fluid.” To avoid student privacy laws and collect student data without parental consent, Panorama Education staff members are classified as “school officials.” The company has reportedly surveyed more than 13 million students in 21,000 schools in all 50 states to date and has received funding from liberal activists

such as Mark Zuckerberg.

Your actions appear to run afoul of relevant rules of federal ethics. According to the Code of Federal Regulations, an employee of the Executive Branch is discouraged from engaging in conduct that is likely to affect the financial interests of “a person with whom he has a covered relationship.” A covered relationship includes “a relative with whom the employee has a close personal relationship.” You and your daughter and son-in-law may meet this criterion, and it is unclear whether you consulted with the Department’s designated agency ethics official on this matter prior to issuing your memorandum.

As our nation’s top law enforcement official, your most fundamental responsibility is to uphold the standards of equal justice under the law and to protect the constitutional rights and liberties of all Americans. The circumstances around the issues of your memorandum jeopardize these standards and call into question the propriety of your actions. More fundamentally, your directive to insert the might of the federal government into legitimate debates about local education policies shows a serious misunderstanding of the duties of your office.

Thus, we request you promptly consult with the designated agency ethics official to determine if your actions in this matter have resulted in an ethics violation for a breach of impartiality. The results of this inquiry must be made public and reported to the House and Senate Committees on the Judiciary in order to protect the integrity of the office of Attorney General. Furthermore, depending on the result, your recusal from this issue may be warranted, and the rescission of the memorandum required.

Thank you for your prompt attention to this matter. We await your response.

[Burgess Owens: Owens Sends Letter Demanding Answers on Why Parents are Being Targeted by the DOJ, October 8, 2021](#)

Today, Childhood, Elementary, and Secondary Education Subcommittee Republican Leader Rep. Burgess Owens (UT-04) signed onto Education and Labor Ranking Member Dr. Virginia Foxx’s (NC-05) letter to Education Secretary Miguel Cardona and Attorney General Merrick Garland demanding a Committee briefing regarding the administration’s recent threats against parents concerned about their children’s education.

**In the letter, the Members write:** *“Even when the subjects may be tough, it is important for school officials, elected officials, and teachers to understand and address parents’ concerns. Violence and threats of violence are never acceptable. Neither are school boards hiding behind law enforcement rather than dealing with parents’ sincere concerns.”*

**The Members continue:** *“Sunshine on these policies is key to ensuring children receive the best education possible; your actions to dismiss or threaten the lawful expression of parents’ legitimate concerns is harmful to our nation.”*

The Members specifically highlight Secretary Cardona’s disparaging [comments](#) towards parents, calling them “angry their guy didn’t win,” and the Department of Justice’s [memo](#) instructing the FBI to squash parents’ first amendment rights.

The full letter to Secretary Cardona and Attorney General Garland can be found [here](#).

[Chip Roy: Rep. Roy leads effort to stop AG Garland’s weaponization of DOJ against concerned parents over CRT, October 7, 2021](#)

On Thursday, following Attorney General Merrick Garland’s decision to mobilize the Department of Justice (DOJ) to silence parents and stifle dissent against teaching Critical Race Theory in schools, Rep. Chip Roy (TX-21) led 30 of his House Republican colleagues in demanding that Garland rescind the directive and explain why he gave it in the first place.

*“Calling upon the Federal Bureau of Investigation (FBI) to investigate parents for conflicting views on controversial teachings and policies is a massive overreach of your role as the Attorney General,” the legislators write in a letter to Garland. “Under no circumstance should your Department spend time and resources on investigations meant to intimidate American parents into silence.”*

The letter calls for the immediate rescission of the [memo](#) Garland sent earlier this week, while Garland is given until 20 OCT to brief Congress on the matter.

*“Freedom of speech is one of the pillars of our country’s founding,” the letter concludes. “The DOJ should never be weaponized to curb this most foundational freedom.”*

In May, Rep. Roy introduced legislation to [block federal funding from schools that teach Critical Race Theory](#), saying: *“There is no room for state-sanctioned racism anywhere in our society, and we must oppose it with all our might.”*

Full text of the letter is available at the link [here](#) and below:

*The Honorable Merrick Garland*

*Attorney General*

*United States Department of Justice*

*950 Pennsylvania Avenue, NW*

*Washington, DC 20530*

*Dear Attorney General Garland,*

*We are deeply concerned by your recent announcement that you intend to mobilize the Department of Justice (DOJ) to address the “threat of violence against school administrators.”<sup>[1]</sup> Your decision comes after the National School Boards Association (NSBA) sent a letter to President Biden referring to parents’ concerns regarding critical race theory in the classroom as “propaganda” and asserting that education leaders are being threatened by “domestic terrorism.”<sup>[2]</sup>*

*The First Amendment protects the right of parents across the country to make their voices heard in opposition to school mask mandates and radical anti-American critical race theory. This is not “domestic terrorism,” it is protected speech. Calling upon the Federal Bureau of Investigation (FBI) to investigate parents for conflicting views on controversial teachings and policies is a massive overreach of your role as the Attorney General. Under no circumstance should your Department spend time and resources on investigations meant to intimidate American parents into silence.*

*Freedom of speech is one of the pillars of our country’s founding. The DOJ should never be weaponized to curb this most foundational freedom. Therefore – and without any information on true threats of federal concern – we request that you immediately rescind your directive and provide a briefing to Members of Congress by October 20, 2021 on why this decision to attack parents was made.*

*Sincerely,*

*Chip Roy*

*Member of Congress*

*David B. McKinley*

*Member of Congress*

*Jeff Duncan*

*Member of Congress*

*Bob Good*

*Member of Congress*

*Randy Weber*

*Member of Congress*

*Louie Gohmert*

*Member of Congress*

*Mary E. Miller*

*Member of Congress*

*Ted Budd*

*Member of Congress*

*Vicky Hartzler*

*Member of Congress*

*Van Taylor*

*Member of Congress*

*Debbie Lesko*

*Member of Congress*

*Bill Posey*

*Member of Congress*

*Mo Brooks*

*Member of Congress*

*Ralph Norman*

*Member of Congress*

*Barry Loudermilk*

*Member of Congress*

*Andy Harris M.D.*

*Member of Congress*

*Andy Biggs*

*Member of Congress*

*Tom Tiffany*

*Member of Congress*

*Brian Mast*

*Member of Congress*

*Lauren Boebert*

*Member of Congress*

*Matt Rosendale*

*Member of Congress*

*Tom McClintock*

*Member of Congress*

*Dan Bishop*

*Member of Congress*

*Barry Moore*

*Member of Congress*

*Scott Perry*

*Member of Congress*

*Andrew Clyde*

*Member of Congress*

*Marjorie Taylor Greene*

*Member of Congress*

*Jody Hice*

*Member of Congress*

*Jack Bergman*

*Member of Congress*

*Lance Gooden*

*Member of Congress*

*Brian Babin*

*Member of Congress*

Sophie Gelber

Press Assistant, Office of Public Affairs

U.S. Department of Justice

(b) (6) – work

(b) (6)



**ODAG UPDATE MEMORANDUM**

**FROM:** Kevin Andrew Chambers

**SUBJECT:** Updates on Priority Workstreams

**DATE:** October 14, 2021

Scoped Out Per Agreement - Also (b)(5)



**5. School Boards Threats**

*Status:*

- (1) On October 4, the AG issued a memorandum regarding threats against school board members and school administrators, creating a task force and directing engagement with state and local law enforcement
- (2) Components have been selected to participate in the Task Force and are designating personnel to represent them
- (3) (b) (5) [REDACTED]

*Next Steps:*

- (1) (b) (5) [REDACTED]

**From:** Klapper, Matthew B. (OAG)  
**Subject:** Re: WaPo fact check question // DOJ memo on school safety  
**To:** Coley, Anthony D. (PAO)  
**Cc:** Seidman, Ricki (OASG)  
**Sent:** October 14, 2021 1:16 PM (UTC-04:00)

I think we should consider (b) (5) . Call if  
want to discuss. Out of mtg in about 20-30.

Sent from my iPhone

On Oct 14, 2021, at 11:55 AM, Coley, Anthony D. (PAO) (b) (6) wrote:

fyi

---

**From:** Rizzo, Salvador (b) (6)  
**Sent:** Thursday, October 14, 2021 10:55 AM  
**To:** Coley, Anthony D. (PAO) (b) (6); Iverson, Dena (PAO)  
(b) (6); Press <Press@jmd.usdoj.gov>  
**Subject:** [EXTERNAL] WaPo fact check question // DOJ memo on school safety

Duplicative Material, Document ID: 0.7.1451.27610

**From:** Seidman, Ricki (OASG)  
**Subject:** Re: WaPo fact check question // DOJ memo on school safety  
**To:** Coley, Anthony D. (PAO)  
**Sent:** October 14, 2021 12:12 PM (UTC-04:00)

Suggestion:

(b) (5) [REDACTED]. I would (b) (5) [REDACTED], I think.

Also point to (b) (5) [REDACTED].

Sent from my iPhone

On Oct 14, 2021, at 11:55 AM, Coley, Anthony D. (PAO) (b) (6) [REDACTED] wrote:

Duplicative Material, Document ID: 0.7.1451.20867

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Fred Lucas Lucas - The Daily Signal  
**To:** Hornbuckle, Wyn (PAO)  
**Cc:** Press  
**Sent:** October 14, 2021 9:27 AM (UTC-04:00)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Wednesday, October 13, 2021 9:55 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Fred Lucas Lucas - The Daily Signal

Date Wednesday, October 13, 2021 - 9:54pm EDT

Name: Fred Lucas Lucas

Email Address: (b) (6)

Topic: Office of Public Affairs Administrative Matters

Media Outlet: The Daily Signal

Deadline: 4 p.m., Oct. 14, 2021, Thursday

Inquiry:

Hello. I am following up on an inquiry from Friday about a request by the America First Legal Foundation to the DOJ IG asking for a probe. The letter, linked below, alleges the White House staff and the Domestic Policy Council pushed the Justice Department into the Oct. 4 memo regarding potential threats to school personnel.

Could someone with the Justice Department assert, yes or no, whether the White House played a role?

The letter to the IG is linked here.

<https://protect2.fireeye.com/v1/url?k=1101e87f-4e9ad08f-1106cc9a-ac1f6b01744c-0aecbc703cf81d73&q=1&e=855abf31-0e4c-4cd9-b686-66e2acea1b0f&u=https%3A%2F%2Fwordpress.aflegal.org%2Fwp-content%2Fuploads%2F2021%2F10%2FGarland-Memo-DOJ-IG-Request-10072021.pdf>

I would appreciate any response.

Thank you.

Fred Lucas  
Chief National Affairs Correspondent  
The Daily Signal

(b) (6)

Twitter: @FredLucasWH

Email: (b) (6)

**From:**  
**Subject:**  
**To:**  
**Sent:** October 13, 2021 5:16 PM (UTC-04:00)

(b) (5) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

**From:** Ramamurti, Arjun R. (OAG)  
**Subject:** Binder  
**To:** Washington, Tracy T (OAG)  
**Sent:** October 13, 2021 4:47 PM (UTC-04:00)  
**Attached:** 1 - Working list of statutes.docx, 2 - (b) (5) .pdf, 3 - (b) (5) .pdf, 4 - (b) (5) .pdf, 5 - (b) (5) .pdf, 6 - (b) (5) .pdf, 7 - (b) (5) .pdf, 8 - (b) (5) .pdf, 9 - (b) (5) .pdf, TABLE OF CONTENTS.docx

Hi Tracy,

I hope you're well. Do you think you could help me assemble a binder whenever you have a chance? The attachments are numbered.

Thank you so much!  
Arjun

# TABLE OF CONTENTS

TAB 1	Task Force List of Relevant Statutes (non-public)
TAB 2	(b) (5) [REDACTED]
TAB 3	(b) (5) [REDACTED]
TAB 4	(b) (5) [REDACTED]
TAB 5	(b) (5) [REDACTED]
TAB 6	(b) (5) [REDACTED] [REDACTED]
TAB 7	(b) (5) [REDACTED] [REDACTED]
TAB 8	(b) (5) [REDACTED]
TAB 9	(b) (5) [REDACTED]



**From:** Iverson, Dena (PAO)  
**Subject:** Fwd: [EXTERNAL] Daily Caller Media Comment Inquiry  
**To:** Hornbuckle, Wyn (PAO)  
**Sent:** October 13, 2021 2:09 PM (UTC-04:00)

I think (b) (5) . Will let you know in a couple,  
(b) (5) .

Sent from my iPhone

Begin forwarded message:

**From:** "Navas, Nicole (PAO)" (b) (6)  
**Date:** October 13, 2021 at 2:01:38 PM EDT  
**To:** "Hornbuckle, Wyn (PAO)" (b) (6)  
**Cc:** "Iverson, Dena (PAO)" (b) (6), "Bradford, Aryele (PAO)"  
(b) (6)  
**Subject:** FW: [EXTERNAL] Daily Caller Media Comment Inquiry

Wyn,  
Can you get back to this reporter?

Nicole Navas Oxman  
Senior Communications Advisor for International Law Enforcement/Spokesperson  
U.S. Department of Justice  
(b) (6)  
(b) (6)  
@USDOJ\_Intl

---

**From:** Kendall Tietz (b) (6)  
**Sent:** Wednesday, October 13, 2021 1:23 PM  
**To:** Navas, Nicole (PAO) (b) (6)  
**Subject:** Re: [EXTERNAL] Media Comment Inquiry

Hello,

Following up on this request, because I haven't heard anything from anyone at the Justice Department explaining what is constitutes as a "disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff."

Thank you,

Kendall Tietz

Education Reporter  
Daily Caller News Foundation

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(b) (6)  
(b) (6)

On Oct 8, 2021, at 6:36 PM, Navas, Nicole (PAO) (b) (6) wrote:

I forwarded this to my colleague to get back. thanks

Nicole Navas Oxman  
Senior Communications Advisor for International Law Enforcement/Spokesperson  
U.S. Department of Justice

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**From:** Kendall Tietz (b) (6)  
**Sent:** Friday, October 8, 2021 4:33 PM  
**To:** Navas, Nicole (PAO) (b) (6); (b)(6) Kendall Mitchell (PAO)  
**Subject:** [EXTERNAL] Media Comment Inquiry

Hello,

I am following up on my earlier request to clarify what the DOJ constitutes as a "disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff"? In addition, can the DOJ address what threats of violence the DOJ is concerned of regarding both Texas's SB8 and schools and teachers? Can the DOJ please provide specific examples of the types of violence that the DOJ fears? Also, if the DOJ is focusing in on violent threats from parents and pro-lifers, why isn't the DOJ tracking violent crimes from Antifa members?

<https://www.justice.gov/opa/pr/justice-department-addresses-violent-threats-against-school-officials-and-teachers>  
<https://www.justice.gov/opa/pr/statement-attorney-general-merrick-b-garland-regarding-texas-sb8-0>

Thank you,

Kendall Tietz

Education Reporter  
Daily Caller News Foundation

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(b) (6)  
(b) (6)

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Joe St. George - EW SCripps  
**To:** Hornbuckle, Wyn (PAO)  
**Cc:** Press  
**Sent:** October 13, 2021 1:34 PM (UTC-04:00)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Wednesday, October 13, 2021 1:33 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Joe St. George - EW SCripps

Date Wednesday, October 13, 2021 - 1:32pm EDT

Name: Joe St. George

Email Address: (b) (6)

Topic: U.S. Attorneys

Media Outlet: EW SCripps

Deadline: Thursday AM

Inquiry:

Hello! Joe St. George here with EW Scripps. I have the memo AG Garland wrote about the justice department now addressing threats to school boards. Is there any more background on this? I am doing a story about what the justice department will actually be doing/how they will be involved. A fact check if you will.

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Henry Rodgers - Daily Caller  
**To:** Hornbuckle, Wyn (PAO)  
**Cc:** Press  
**Sent:** October 13, 2021 1:21 PM (UTC-04:00)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Wednesday, October 13, 2021 12:45 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Henry Rodgers - Daily Caller

Date Wednesday, October 13, 2021 - 12:45pm EDT

Name: Henry Rodgers

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: Daily Caller

Deadline: 12:50

Inquiry:  
Hello,

I wanted to see if you would comment on the letter sent by House Judiciary Republicans about AG Garland, demanding he explains his memorandum directing the FBI to target parents who allegedly threaten violence against public school officials, and called for an ethics investigation to look into his decision making.

I wanted to see if you would add comment on this letter for my story.

I look forward to hearing from you

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Callie Patteson - New York Post  
**To:** Hornbuckle, Wyn (PAO)  
**Cc:** Press  
**Sent:** October 13, 2021 1:20 PM (UTC-04:00)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Wednesday, October 13, 2021 12:55 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Callie Patteson - New York Post

Date Wednesday, October 13, 2021 - 12:55pm EDT

Name: Callie Patteson

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: New York Post

Deadline: ASAP

Inquiry:  
REQUEST FOR COMMENT FROM AG MERRICK GARLAND ON PANORAMA EDUCATION

Good afternoon,  
I am looking for a comment or a statement from Attorney General Merrick Garland in response to the growing criticism the education company co-founded by his son-in-law is receiving, in particular the accusations from GOP senators that Garland could have a conflict of interest in the investigations into violent acts against school personnel. Does Garland have anything to say in response?  
Thank you  
Callie

**From:** Roberts, Alivia P. (PAO)  
**Subject:** <https://www.wusa9.com/article/features/producers-picks/death-threats-and-violence-have-school-boards-pleading-for-fbi-help/65-ce6abbd7-1bf8-48d5-97fe-cb9b234848f3>  
**To:** Gelber, Sophie (PAO)  
**Sent:** October 13, 2021 11:32 AM (UTC-04:00)

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from David Kast - Fox News  
**To:** Hornbuckle, Wyn (PAO)  
**Cc:** Press  
**Sent:** October 12, 2021 4:05 PM (UTC-04:00)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Tuesday, October 12, 2021 3:36 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from David Kast - Fox News

Date Tuesday, October 12, 2021 - 3:36pm EDT

Name: David Kast

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: Fox News

Deadline: 10:00 PM EST 10/12/2021

Inquiry:  
Good evening,

I am reaching out for a statement regarding the DOJ's letter that was released last week on alleged threats against school officials and teachers.  
<https://www.justice.gov/opa/pr/justice-department-addresses-violent-threats-against-school-officials-and-teachers>

A report in The Daily Wire covers a parent who was upset about a sexual assault incident involving his daughter. This incident occurred in May. A few weeks after the incident, the parent wanted to speak at a school board meeting where he was taken out and arrested. The National School Board Association included this individual as a domestic terrorist.

Here is a link to the Daily Wire report:  
<https://www.dailywire.com/news/loudoun-county-schools-tried-to-conceal-sexual-assault-against-daughter-in-bathroom-father-says>

Because the DOJ is now going after parents who choose to speak up at school board meetings, we'd like to know if the parent covered in the Daily Wire report partially inspired your letter.

David Kast  
The Ingraham Angle, Associate Producer  
(b) (6)

**From:** Klapper, Matthew B. (OAG)  
**Subject:** RE: Jonathan Thompson from National Sheriffs Association Call  
**To:** Gupta, Vanita (OASG)  
**Sent:** October 12, 2021 1:42 PM (UTC-04:00)

Thanks.

---

**From:** Gupta, Vanita (OASG) (b) (6)  
**Sent:** Tuesday, October 12, 2021 8:55 AM  
**To:** Klapper, Matthew B. (OAG) (b) (6)  
**Subject:** FW: Jonathan Thompson from National Sheriffs Association Call

---

**From:** Hyun, Peter (OASG) (b) (6)  
**Sent:** Friday, October 8, 2021 6:02 PM  
**To:** Gupta, Vanita (OASG) (b) (6); Colangelo, Matthew (OASG)  
(b) (6)  
**Subject:** Jonathan Thompson from National Sheriffs Association Call

VG/Matthew:

Flagging that I just received a call from JT at National Sheriffs Association. He called me to inquire about the memo re: school board threats.

He asked why DOJ was involving itself in local issues (I let him know my understanding that DOJ investigates threats in various contexts), and claimed that his sheriffs have “not heard any concerns about threats to local school boards.”

I read him the part of the memo that directed the FBI to coordinate/convene with state/locals, and he claimed that his sheriffs, “have not heard from anyone at the bureau, and it would have been nice to have a heads-up.” I told him I would take back his concern.

Thanks,  
Peter

**Peter S. Hyun** | Chief of Staff  
Office of the Associate Attorney General  
(b) (6)  
Desk: (b) (6)  
Cell: (b) (6)



**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Valerie Richardson - The Washington Times  
**To:** Coley, Anthony D. (PAO); Gelber, Sophie (PAO)  
**Cc:** Press  
**Sent:** October 12, 2021 1:21 PM (UTC-04:00)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Tuesday, October 12, 2021 1:19 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Valerie Richardson - The Washington Times

Date Tuesday, October 12, 2021 - 1:18pm EDT

Name: Valerie Richardson

Email Address: (b) (6)

Topic: Chief Information Officer

Media Outlet: The Washington Times

Deadline: Oct. 13

Inquiry:

Hi, AG Garland's Oct. 4 directive on schools cited a "disturbing spike in harassment, intimidation and threats of violence" against school officials. I wanted to see if the DOJ has figures on that. Can you quantify that such an increase has occurred, or is this based on news reports?

**From:** Valerie Richardson  
**Subject:** [EXTERNAL] Wash Times inquiry/school boards  
**To:** Press  
**Sent:** October 12, 2021 1:09 PM (UTC-04:00)

Hi, AG Garland's Oct. 4 directive cited a "disturbing spike in harassment, intimidation and threats of violence" against school officials. I wanted to see if the DOJ has figures on that. Can you quantify that such an increase has occurred, or is this based on news reports?

Thanks very much,

Valerie

--

**Valerie Richardson** | National Reporter / Denver and the West  
Cell (b) (6) | @ValRichardson17



3600 New York Ave NE | Washington DC, 20002

 [washingtontimes.com](https://www.washingtontimes.com)

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**From:** Borter, Gabriella (Reuters)  
**Subject:** [EXTERNAL] Reuters q - DOJ addressing threats against school officials  
**To:** Coley, Anthony D. (PAO)  
**Cc:** Ax, Joseph A. (Reuters)  
**Sent:** October 12, 2021 10:58 AM (UTC-04:00)

Hi Anthony,

Hope you're doing well today. I was wondering if you could direct me to a person or team at the DOJ who is working on the new initiative to address violent threats to school board members and officials in the U.S.? We're very interested in getting in touch to learn more about the scope and nature of the problem and keeping up to date with the DOJ's efforts in this area.

Many thanks in advance!

**Gabriella Borter**

U.S. National Affairs Correspondent

Reuters

(b) (6)

@gabriellaborter

This e-mail is for the sole use of the intended recipient and contains information that may be privileged and/or confidential. If you are not an intended recipient, please notify the sender by return e-mail and delete this e-mail and any attachments. Certain required legal entity disclosures can be accessed on our website:  
<https://www.thomsonreuters.com/en/resources/disclosures.html>

**From:** Ramamurti, Arjun R. (OAG)  
**Subject:** List  
**To:** Gelber, Sophie (PAO)  
**Sent:** October 12, 2021 10:11 AM (UTC-04:00)  
**Attached:** List.docx

Hi Sophie,

Please find the list attached.

Best,  
Arjun

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from James Varney - The Washington Times  
**To:** Pietranton, Kelsey (PAO); Hornbuckle, Wyn (PAO); Stueve, Joshua (PAO)  
**Cc:** Shevlin, Shannon (PAO); Li, Kaei (PAO); Press  
**Sent:** October 11, 2021 6:34 PM (UTC-04:00)

--

Catherine Morris  
Speechwriting/Media Affairs Intern  
Office of Public Affairs | U.S. Department of Justice  
Mobile: (b) (6)  
(b) (6)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Monday, October 11, 2021 1:42 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from James Varney - The Washington Times

Date Monday, October 11, 2021 - 1:41pm EDT

Name: James Varney

Email Address: (b) (6)

Topic: Criminal Law

Media Outlet: The Washington Times

Deadline: Oct. 11

Inquiry:

All: In regards to Mr. Garland's announcement last week that he wanted to investigate alleged threats and intimidation of school board members, teachers and K-12 administrators, could you please tell me what the statutory predicate would be for such investigations by federal officials? Thank you.

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Paul Mironov - RT International News Channel  
**To:** Pietranton, Kelsey (PAO); Hornbuckle, Wyn (PAO)  
**Cc:** Press; Shevlin, Shannon (PAO)  
**Sent:** October 11, 2021 6:28 PM (UTC-04:00)

--

Catherine Morris  
Speechwriting/Media Affairs Intern  
Office of Public Affairs | U.S. Department of Justice  
Mobile: (b) (6)  
(b) (6)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Sunday, October 10, 2021 4:55 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Paul Mironov - RT International News Channel

Date Sunday, October 10, 2021 - 4:55pm EDT

Name: Paul Mironov

Email Address: (b) (6)

Topic: Chief Information Officer

Media Outlet: RT International News Channel

Deadline: 10/11/21

Inquiry:

Dear Sir or Madam,

I am writing on behalf of RT International – the global broadcast news network based in Moscow. We respectfully ask if you could provide a response to the letter sent to President Joe Biden by the National School Boards Association, comparing the actions of Nicole Solas and other parents who are concerned about Critical Race Theory being taught to their children, to domestic terrorism.

For your further information, here is a link to a report on the story –  
<https://www.rt.com/op-ed/537070-schools-crt-race-gender-american/>

We would very much appreciate it if you could clarify why the letter was sent and provide RT with more information on the cases of violence and threats, mentioned in the letter.

We would appreciate receiving your comments on this matter so that we may include all viewpoints in our coverage of this issue.

I thank you in advance for your time and consideration, and look forward to hearing from you at your earliest convenience.

Best regards,  
Paul Mironov  
News Producer  
RT International  
<http://rt.com>  
E-mail: (b) (6)

(b) (6)

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Kyle Morris - Fox News  
**To:** Coley, Anthony D. (PAO); Iverson, Dena (PAO)  
**Cc:** Press; Gelber, Sophie (PAO)  
**Sent:** October 11, 2021 6:00 PM (UTC-04:00)

--

Catherine Morris  
Speechwriting/Media Affairs Intern  
Office of Public Affairs | U.S. Department of Justice  
Mobile: (b) (6)  
(b) (6)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Saturday, October 9, 2021 5:49 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Kyle Morris - Fox News

Date Saturday, October 9, 2021 - 5:49pm EDT

Name: Kyle Morris

Email Address: (b) (6)

Topic: Office of Public Affairs Administrative Matters

Media Outlet: Fox News

Deadline: 10/9/21

Inquiry:

Hi there, I am a reporter with Fox News reaching out in regard to a potential conflict of interest between AG Merrick Garland and his son-in-law's company, Panoram Education, which offers workshop tools for educators across the country.

It was recently reported that Panorama issued a workshop resource which was an article claiming Trump rally attendees were "examples of white supremacy."

Does Garland have a response to this and does he believe his son-in-laws involvement with the company, as Garland issues memos warning parents against protesting school curriculum, is a conflict of interest?

Any additional information or a statement on this would be appreciated.

Thanks



**From:** Coley, Anthony D. (PAO)  
**Subject:**  
**To:** Klapper, Matthew B. (OAG)  
**Sent:** October 9, 2021 4:07 PM (UTC-04:00)

<https://www.cnn.com/2021/10/09/politics/mitch-mcconnell-merrick-garland-what-public-schools-teach-threats/index.html>

For Immediate Release, Saturday, October 9, 2021  
Contacts: David Popp, Doug Andres  
Robert Steurer, Stephanie Penn  
Press release link: <https://bit.ly/2Yz2g9z>

## **McConnell Letter to AG Garland on DOJ Targeting Concerned Parents**

**WASHINGTON D.C.** — *U.S. Senate Republican Leader Mitch McConnell (R-KY) wrote a letter today to Attorney General Merrick Garland concerning his announcement that the Department of Justice will scrutinize and target parents who express concern about their children's public educations.*

The full letter is available [here](#).

Excerpts from the letter are below:

- “Parents absolutely should be telling their local schools what to teach. This is the very basis of representative government. They do this both in elections and—as protected by the First Amendment of the Constitution—while petitioning their government for redress of grievance. Telling elected officials they’re wrong is democracy, not intimidation.”
- “While some schoolboard meetings have involved altercations with the police, they seem to have been isolated and dealt with effectively by local law enforcement. Violence, threats of violence, and other criminal behavior are always wrong. On the other hand, in your very backyard of Virginia, there have been shocking efforts by public officials to organize for the intimidation and harassment of parents who have the temerity to want a better education for their children... It’s exactly this kind of intimidation of private citizens by government officials that our federal civil rights laws were designed to prevent. ”
- “Why, in your view, are state and local law enforcement not adequately equipped to deal with any violence or threats that may arise from schoolboard protests?”

The full letter is available [here](#).

###

**From:** Navas, Nicole (PAO)  
**Subject:** Re: [EXTERNAL] The Daily Caller in ref threats of violence  
**To:** Blevins, Danielle (PAO); Gelber, Sophie (PAO); Coley, Anthony D. (PAO); Hornbuckle, Wyn (PAO)  
**Cc:** Mitchell, Kendall M. (PAO)  
**Sent:** October 8, 2021 5:16 PM (UTC-04:00)

+Wyn, who I learned is handling these inquiries

Nicole Navas Oxman  
Senior Communications Advisor for International Law Enforcement/Spokesperson  
U.S. Department of Justice  
(b) (6)  
(b) (6)  
@USDOJ\_Intl

On Oct 8, 2021, at 4:57 PM, Navas, Nicole (PAO) (b) (6) wrote:

+Danielle and Sophie who was involved in those announcements.

Nicole Navas Oxman  
Senior Communications Advisor for International Law Enforcement/Spokesperson  
U.S. Department of Justice  
(b) (6)  
(b) (6)  
@USDOJ\_Intl

On Oct 8, 2021, at 4:33 PM, Kendall Tietz (b) (6) wrote:

Duplicative Material, Document ID: 0.7.1451.17417

**From:** Navas, Nicole (PAO)  
**Subject:** Fwd: [EXTERNAL] Media Comment Inquiry  
**To:** Mitchell, Kendall M. (PAO)  
**Sent:** October 8, 2021 4:44 PM (UTC-04:00)

Nicole Navas Oxman  
Senior Communications Advisor for International Law Enforcement/Spokesperson  
U.S. Department of Justice

(b) (6)

(b) (6)

@USDOJ\_Intl

Begin forwarded message:

**From:** Kendall Tietz (b) (6)  
**Date:** October 8, 2021 at 4:33:59 PM EDT  
**To:** "Navas, Nicole (PAO)" (b) (6); (b)(6) Kendall Mitchell (PAO)  
**Subject:** [EXTERNAL] Media Comment Inquiry

Duplicative Material, Document ID: 0.7.1451.17417

**From:** Coley, Anthony D. (PAO)  
**Subject:**  
**To:** Klapper, Matthew B. (OAG)  
**Sent:** October 6, 2021 5:16 PM (UTC-04:00)

# AG Garland faces scrutiny over ties to Zuckerberg-backed consultancy amid critical race theory battles

Garland's daughter Rebecca married Xan Tanner, who co-founded Panorama, a consultancy tied to Facebook's Zuckerberg

By [Sam Dorman](#) | [Fox News](#)

Attorney General [Merrick Garland](#) is facing fresh scrutiny for his ties to a company that promotes the type of content parents are opposing in their ongoing battle with [local school boards](#) – a hot-button issue that Garland has recently targeted for investigation at the national level.

"Merrick Garland has declared a war on parents," Asra Nomani of Parents Defending Education (PDE) tweeted Tuesday. "His daughter is married to the cofounder of [@PanoramaEd](#) which is under fire for its multimillion contracts with school boards. At [@DefendingEd](#), parents sent us tips. We raised the alarm. Now Garland is trying to silence parents."

As she noted, The New York Times reported in 2018 that Garland's daughter Rebecca had married Panorama co-founder Xan Tanner. Panorama's ties to Facebook CEO Mark Zuckerberg have also inspired skepticism as his company has come under fire for the way it uses data and impacts users' psychological health.

DOJ and Tanner did not immediately respond to Fox News' requests for comment.

Garland announced Monday that he would coordinate investigation of purported threats and acts of violence against school boards across the U.S. That came after a controversial letter in which the National School Boards Association (NSBA) suggested to the Biden administration that parents were engaging in domestic terrorism.

For months, parents have been fighting what they describe as "woke" indoctrination in schools and purported attempts to fuel that at the administrative level. Nomani's group worries that Panorama Education – the consultancy founded by Tanner – is using data collection as a pretext for school officials to push controversial ideas about race, identity, and sexuality.

PDE previously flagged a \$1.8 million contract for Panorama to conduct social and emotional learning (SEL) monitoring in Fairfax County Public Schools (FCPS), resulting in data on students. Earlier in September, that number was bumped up to more than \$2 million as part of a contract addition with Panorama.

Panorama's contract was part of a broader, \$78.8 million investment of coronavirus relief that FCPS directed towards a "welcoming" and "culturally responsive" environment for students. Its [website](#) explains that the funding is intended to "support equity professional development for school teams, and social-emotional staff to work directly with departments and school-based teams."

A more detailed breakdown of FCPS' plan showed the majority (\$46.2 million) designated for "Intervention Special Education Teacher Contracts." But it also showed \$2.2 million going toward "Equity PD for School Teams" and \$140,115 toward "Equity PD for Equity Leads" — both apparently referring to professional development for staff and faculty.

FCPS' screener seemed to focus more generally on social behavior and emotional health, but also included some content about race.

"Social and emotional learning" (SEL) and "culturally responsive" training have become seemingly innocuous buzzwords in Virginia education, but [critics have worried](#) that they served as conduits for left-wing ideas about race and identity.

"Equity" programs have also come under fire for resemblances to critical race theory and its associated ideas. On its website, Panorama promotes "powerful words" describing equity as

integral to SEL. "If you are talking about social-emotional learning but not equity, you are not talking about SEL," [reads](#) the quote from Dr. Lorenzo Moore, who spoke during Panorama's September 2020 virtual meet-up.

## Concerns about student data and privacy

It's unclear how exactly the data will be utilized, but various statements from the school district indicate that it could raise privacy concerns.

For example a portion of FCPS' request for proposal (RFP) claimed "schools operate as the de facto mental health provider in communities throughout the U.S. As a result, it is essential that school staff are able to appropriately and proactively identify social-emotional barriers to students' ability to access the academic curriculum." [According to FCPS](#), the data is primarily intended for "[s]chool administrators, school psychologists, school social workers, and school counselors."

Additional language in the contract's request for proposal [identifies](#) the would-be contractor as "school officials of the School Board" "for the purposes of receiving access to FCPS Confidential Student Records."

Nomani raised special concern about Facebook CEO Mark Zuckerberg, whose company recently attracted scrutiny for allegedly knowing about, but not acting to prevent the adverse effects of its algorithms. More specifically, a purported whistleblower [claimed](#) that Facebook was aware of its potential impacts on mental health and human trafficking.

Zuckerberg's charitable foundation – dubbed the Chan-Zuckerberg Initiative – was listed in 2017 as one of several organizations that gave a collective \$16 million to Panorama, which would use that for social-emotional efforts. A [press release](#) read: "Panorama Education will use the funding to expand its tools that help school districts develop students' social and emotional skills, promote family engagement with school, and increase college readiness."

An FCPS spokesperson told Fox News last week that "Panorama has signed a legally binding contract with FCPS that specifies how the data will be collected, stored, and used."

"The data will be used only for the purposes of serving FCPS and only for education purposes. In addition, Panorama complies with all applicable federal laws, such as the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA), as well as state and local regulations concerning student data."

Facebook similarly encountered criticism in 2012 when news surfaced that it manipulated news feeds to observe if "exposure to emotions led people to change their own posting behaviours," according to [BBC](#).

"[I]t's outrageous Fairfax County Public Schools is collaborating with a for-profit company funded by Mark Zuckerberg," Nomani, whose son previously attended an FCPS school, told Fox News. "In 2012, Zuckerberg admitted to performing 'emotional manipulation' [studies](#) on Facebook users without their consent or knowledge. His involvement today with surveys examining students' mental health is beyond the pale. Schools must stop trying to manipulate students and focus instead on educating students."

FCPS also offers the ability for parents to opt-out but that too has encountered suspicion.

"The only data we share with Panorama for students who are opted out of the screener is the student's name, student ID, school, and grade level," said the FCPS spokesperson.

"This allows Panorama to confirm that all students who are opted out of the screener are actually removed from their distribution list and do not receive an electronic link to the screener during the administration window. Essentially, this is a quality control mechanism."

Sam Dorman is a reporter with Fox News. Follow him on Twitter [@DormanInDC](#) or at [facebook.com/SamDormanFoxNews](https://facebook.com/SamDormanFoxNews)

**From:** Foran, Sheila (CRT)  
**Subject:** FW: CRT Press Clips  
**To:** Brown, Tiffany A. G. (CRT); Coles, Michelle (CRT); Douglas, Joshua (CRT); Gough, Judy (CRT); Hahn, Mary (OASG); Siegel, Nicole (CRT); Stevens, Karen L (CRT); Washington, Angela (CRT)  
**Sent:** October 5, 2021 7:02 PM (UTC-04:00)  
**Attached:** 10.5 CRT Clips.pdf

Please see attached for today's CRT clips.



## October 5, 2021 – CRT Press Clips

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### SPECIAL LITIGATION

Minnesota Reformer: [Group evaluating MPD protest response are mostly law enforcement veterans](#)

By Deena Winter

Minneapolis hired the firm Hilliard Heintze to evaluate the city’s response to the protests and civil unrest following the police murder of George Floyd. Seven of the eight members of the team doing the work are law enforcement veterans, and the eighth is a firefighter. That has some questioning the rigor of their review of the Minneapolis Police Department.

Mayoral candidate Sheila Nezhad, who is a policy organizer for police abolitionist group Reclaim the Block, said the people most impacted by police violence should steer the accountability process.

“I think investigation by people who are outside of law enforcement should be the bare minimum for any action of justice and accountability,” she said. “The system will never hold itself accountable.”

The city hired risk management company Hillard Heintze. (In April, Hillard Heintze and two other companies merged under the Jensen Hughes name.)

Hillard Heintze was founded in 2004 by a secret service agent and retired Chicago Police Supt. Terry Hillard, though he’s no longer with the company. The city’s Internal Audit Director Ryan Patrick [told](#) the Minneapolis City Council in July Hillard Heintze’s founders are no longer with the company.

The team evaluating Minneapolis is composed of former San Jose Police Chief Robert Davis; former Chicago police officer Robert Boehmer; former executive assistant Houston police chief Michael Dirden; former Ohio State Patrol officer Chad McGinty; Massachusetts police chief Edward Denmark; former Bureau of Alcohol, Tobacco, Firearms agent and director John Torres; former Ohio State Highway Patrol commander Wes Stought and Joshua Dennis, who worked 10 years for the Chicago Fire Department.

Minneapolis City Council Member Linea Palmisano — who led the effort to hire an outside group to do the review — said the council debated whether to request proposals for the review during budget deliberations in December. Once the council decided to go forward with a review, it unanimously voted Feb. 12 to approve the nearly \$230,000 Hillard Heintze contract without discussion.

Palmisano said the company was vetted by city staff and selected as most qualified based on its legal background and experience with civil rights and community engagement. A key requirement was public trust, she said, so while some of the consultants come from law enforcement, many also are experienced in community engagement and police reform.

“I certainly push back on the notion that we contracted with a biased group that was leaning toward law enforcement,” Palmisano said. “Their recommendations on Breonna Taylor did not sugarcoat what happened.”

Palmisano is referring to a [review conducted by Hillard Heintze](#) of the Louisville Metro Police Department after the police killing of Taylor last year as police raided her apartment. The firm issued a scathing [150-page report](#) on what it described as a low-morale department that’s not trusted by people of color.

The *Chicago Sun-Times* called the company a law enforcement dream team, and the *Louisville Courier Journal* said its reviews appear to be thorough and often highly critical. The company demands that departments keep records of stops and arrests to detect bias and release annual reports on officer discipline, the *Journal* reported.

Palmisano also said the Minneapolis team is a racially diverse, although the company’s own documents indicate the team leading the Minneapolis review is all male and mostly white. The team interviewed city staffers and council members, and Palmisano said their questions tended to be more open-ended compared to questions from the Minnesota Department of Human Rights, which she called “overtly biased.”

Jensen Hughes officials declined to comment to the *Reformer*, but the company has defended its police pedigree in the past. The company was hired by the U.S. Department of Justice in 2014 to do a federal review in Baltimore after the city paid out millions for police brutality cases, and has reviewed and monitored departments from the Chicago suburbs to San Francisco.

Davis — who is on the Jensen Hughes team evaluating Minneapolis — told the *Baltimore Sun*, “This is not window dressing,” and touted its federal contracts. In 2015, the Obama DOJ

awarded Hillard Heintze a \$50 million contract to help law enforcement agencies with internal reviews and reforms in nine cities.

Sam Walker, a use-of-force expert who is a professor emeritus at the University of Nebraska at Omaha, said the firm is reputable.

Todd Schuman of Minneapolis became more politically active after the 2017 police killing of his neighbor, Justine Damond, who called 911 to report a possible assault. He filed public records requests about the police review and shared more than 400 pages he received with the *Reformer*.

According to the documents, as of Aug. 17, the firm had done 96 interviews, reviewed almost 2,400 city documents and held two closed listening sessions with “various ward community leaders” and two open listening sessions with about 100 residents.

Schuman said he’s baffled by both the cost and presence of so many law enforcement veterans on the review team: “You don’t need a \$250,000 consulting contract to tell your police officers to not spray chemical weapons into a non-violent crowd,” said “They know what they could do to fix these problems,” he said.

The documents indicate the company is analyzing the mayor’s participation in the MPD Command Center during the crisis, and communication between the mayor’s office and the police and fire departments, community and mutual aid agencies such as the office of Gov. Tim Walz and the National Guard.

Robert Bennett, an attorney who represented Castile and Damond’s families in their civil lawsuits and has dealt with the MPD since the 1980s, said the firm will find a “historically troubled and problemed police force.”

The review is not expected to land until after the November city election, in which Mayor Jacob Frey and the City Council go before the voters, as well as a charter amendment that could strengthen the mayor’s hand over city administration, while another would give fresh authority to the City Council over a new Department of Public Safety.

Mayoral candidate Kate Knuth said it’s important to build trust in the process of doing the review, and “it’s a concern to have such a police focus on the team.”

Other cities have had special prosecutors or independent investigators conduct reviews. Law enforcement should be part of the review, Knuth said, adding, “There’s important things about civilian authority, about protecting First Amendment rights, about basic human rights that I think are also important to have on the team.”

Among the 434 pages of documents Schuman obtained was a separate Hillard Heintze proposal to do a staffing and efficiency study of the MPD. The proposal said the firm would discount its rates 40% from the usual \$378 hourly rate to \$225 “because of our interest in building a strategic relationship with the City of Minneapolis.” They didn’t win that contract.

## DISABILITY RIGHTS

Texas Public Radio: [As fights over mask-wearing in Texas schools rage on, kids are caught in the middle](#)

By Staff

TUESDAY on "The Source" — Disputes over masking policies and the state's mask mandate ban are playing out in classrooms and courtrooms across Texas. Multiple lawsuits have been filed against and by the state, and now the federal government is involved.

As the delta variant continues to surge, kids under age 12 are still ineligible for COVID vaccinations. [The Centers for Disease Control and Prevention](#) recommends universal indoor masking in schools to prevent transmission, but state governors including Texas' [Greg Abbott](#) have issued orders that prohibit masks mandates.

Disability Rights Texas [suing](#) to block the state's ban — a challenge supported by the [U.S. Department of Justice](#). Lawyers for the organization say breaks federal law by discriminating against students with disabilities and underlying medical conditions who are at increased risk of serious complications or death if they contract COVID-19.

The U.S. Department of Education's [Office of Civil Rights](#) announced at the end of August that an [investigation](#) into Texas' mask mandate ban is underway, which will determine whether it discriminates by preventing students with disabilities from returning safely to in-person education.

What do we know about the spread of coronavirus among unvaccinated kids in Texas schools? Are case numbers lower at campuses where masks are a must?

What do medical experts say is the best course of action to ensure the safety and well-being of in-person students and staff, including those with disabilities and who are immunocompromised?

How has Gov. Abbott responded to allegations that his mask mandate ban discriminates against more vulnerable kids? What happens next in the fight over masking in schools, and what are the implications for the more than [5 million children enrolled](#) in Texas schools?

## HOUSING AND CIVIL ENFORCEMENT

Politico: [Banks fight a key part of Biden's agenda by framing it as bad for minorities](#)

By Hailey Fuchs

In August, the Department of Justice filed and settled a lawsuit against Cadence Bank that alleged the company purposefully avoided providing services to individuals in predominantly Black and Hispanic neighborhoods.

Cadence said it believed it had been operating in compliance with lending laws. But it paid an \$8.5 million fine nonetheless.

Now, the bank finds itself involved in another political battle, only this time it is part of a larger effort to claim the mantle of defending communities of color.

Cadence's trade association, the powerful American Bankers Association, is waging a war against a key component of [the Biden administration's economic agenda](#): a requirement that financial institutions report to the Internal Revenue Service each year the gross inflows and outflows on accounts at or above a certain threshold. The financial institutions are doing it by insisting that the proposal, if enacted, would be costly and that marginalized communities would pay the disproportionate price.

According to three individuals close to the discussions, financial institutions lobbying the Hill, including minority banks, have stressed that the provision could be problematic for households of color, who have long been disproportionately left out of the banking system. They've emphasized that additional disclosure requirements would create privacy concerns, which in turn would be an additional barrier for marginalized groups or prompt existing customers to leave.

For critics, it's a misleading and whiplash-inducing effort by the finance industry to claim the moral high ground after decades of being accused of discriminatory practices. But there is some indication that the argument is resonating. The Biden administration had advocated for that minimum threshold to be set at \$600, but lawmakers have reached a tentative agreement that the new threshold will be \$10,000. Under that agreement, the total will not include deposits by payment processors, according to a Democratic aide.

For the banks, that's not enough. They say nearly every American will be subject to the reporting, and they want to eliminate the potential requirements altogether. They are fighting to roll the requirements back even further.

"Banks and other stakeholders have made progress in reducing the number of unbanked in the country, and we are concerned that this proposal could deter individuals who would benefit from a bank account from even applying," said Ian McKendry, a spokesperson for the American Bankers Association, in a statement. "That's not an outcome anyone should want."

Advocates of the disclosure provision say it is intended to ensure that the wealthiest pay their fair share. And experts say the financial institutions' argument is flawed, at best. At worst, said Darrick Hamilton, founding director of the Institute for the Study of Race, Stratification and Political Economy at The New School, the banks are trying to take advantage of a moment of national reckoning over racism and police brutality.

"If banks and financial institutions are concerned about Blacks and Latinx households and Indigenous households being able to access their services, then the focus needs to be on fines, fees and products that are affordable," Hamilton said. "To use race as a mechanism to skirt this requirement, regardless of whether you think this requirement is good or not, becomes disingenuous, and perhaps even a stronger word: just sad. Manipulative, cooptation, those are the words that come to mind."

The disclosure provision that Biden’s team had sought to put into the reconciliation bill was considered low-hanging fruit to raise money to pay for the party’s social spending and climate agenda, upon which the president’s legacy hinges. The administration argues that its plan would raise \$460 billion over the next decade, at least in part as a result of increased compliance once taxpayers realize the IRS has more of their information. And it wouldn’t be burdensome to implement, they add. New data, the Biden administration postulates, would simply build upon the existing reporting required of financial institutions by the federal government.

In a statement, Sen. Ron Wyden (D-Ore.), chair of the Senate Finance Committee, maintained that the provision was intended to target “extremely wealthy tax cheats who are able to steal from working taxpayers,” not the working class.

“For the high fliers who make most of their money through pass-through businesses and the like, there’s virtually no reporting at all,” he said. “So, they think they can get away with cheating and often do. This proposal is about them and ensuring they pay the taxes they already owe. ... Working folks know the tax system is mandatory for them and optional for the wealthy and they support fixing it.”

The banks have marketed their opposition to the measure as a matter of protecting privacy. But opponents have also misconstrued the reach of the provision, arguing that it would require banks to report every transaction over \$600. In a hearing earlier this week, Sen. Cynthia Lummis (R-Wyo.) pressed Biden’s Treasury Secretary Janet Yellen on what she incorrectly believed to be a provision that required the reporting of transactions \$600 or more, like the purchase of a “couch” or a “cow.” (The measure does not require the reporting of individual transactions, just cumulative annual totals.)

“This is not a proposal to provide detailed transaction-level data by banks to the IRS,” Yellen told lawmakers. “We have a tax gap that’s estimated at 7 trillion dollars over the next decade, that is taxes that are due and are not being paid to the government that deprive us of the resources we need to do critical investments to make America more productive and competitive.”

She also argued that the \$600 figure, though low, was necessary so that individuals could not game the system through multiple accounts.

Both Sen. Mike Crapo (R-Idaho), ranking member on the Senate Finance Committee, and Rep. Kevin Brady (R-Texas), the ranking member on the House Ways and Means Committee, have introduced legislation that would block the new reporting requirements. Democrats in August blocked Crapo’s budget bill amendment that opposed the reporting requirement. Brady is retiring. Crapo is not. This year, he received \$5,000 from the Mortgage Bankers Association PAC and \$2,500 from the Independent Community Bankers of America PAC, which have both opposed the measure.

In addition to those privacy concerns, financial institutions argue that the measures, namely the new infrastructure they would require, would be costly, and could create a security risk for vast quantities of personal financial information.

All told, the new requirements “would almost certainly undermine efforts to reach vulnerable populations and unbanked households,” a coalition of business and financial associations wrote to congressional leaders last month.

A household is “unbanked” if no one has a checking or savings account at a bank or credit union, a term often correlated with worse economic outcomes. [A 2019 report](#) from the Federal Deposit Insurance Corporation, an independent government agency, found that an estimated 5.4 percent of American households were unbanked that year. But rates varied widely among racial and ethnic groups. Among Black households, that number is 13.8 percent, and among Hispanic households, 12.2 percent.

Some evidence does suggest that skepticism of financial institutions turns away potential banking customers. The FDIC report found that 36 percent of the unbanked respondents said avoiding banks afforded more privacy, and 48.9 percent said they did not have enough money to meet minimum balance requirements.

But 36.3 percent of the unbanked respondents reported that they did not trust the banks, which experts say is a residual impact of the history of banks' discrimination against people of color. As illustrated by the case against Cadence Bank, which declined to comment for this story, there is a long and fraught history of banks refusing to issue loans to Black communities, which contributed to the country's spawning racial wealth gap. A 2018 study from the National Community Reinvestment Coalition found that the legacy of redlining, the practice whereby banks would deny services to certain neighborhoods, persists today.

When asked about the history of financial institutions marginalizing people of color, Ryan Donovan, executive vice president and chief advocacy officer at Credit Union National Association, argued that credit unions had made significant strides in diversity, equity and inclusion in recent years. And, he added, a policy requiring additional reporting and disclosure from financial institutions was not the solution to help.

But Jacob Faber, an associate professor at New York University, said financial institutions have long argued that the cost of new regulations would fall disproportionately on low-income people. Today, communities of color are less likely to have commercial banks, and those relatively few commercial banks are more likely to have higher fees and more stringent requirements for their accounts, he said, maintaining that the financial institutions' arguments about distrust with the system are cyclical.

“The banks are the ones who are stoking this undue fear so that any kind of fear associated with that is just their own fault,” he said. He also argued that redlining is far from a dead practice —

pointing to the discrimination case against Cadence Bank. “This is something that’s kind of persistent across the whole history of the financial services industry.”

## TRENDING

Associated Press: [Garland says authorities will target school board threats](#)

By Gary Fields

Reprint: [NBC News](#), [ABC News](#), [KTBS \(Shreveport, LA\)](#)

WASHINGTON — Attorney General [Merrick Garland](#) on Monday directed federal authorities to hold strategy sessions in the next 30 days with law enforcement to address the [increasing threats](#) targeting school board members, teachers and other employees in the nation’s public schools.

In a memorandum, Garland said there has been “a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation’s public schools.”

To address the rising problem, Garland said the FBI would work with U.S. attorneys and federal, state, local, territorial and tribal authorities in each district to develop strategies against the threats.

“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,” he said.

The action is in response to an urgent [request last week](#) from the National School Boards Association. The group, which represents school board members around the country, asked President Joe Biden for federal assistance to investigate and stop threats made over policies including mask mandates, likening the vitriol to a form of domestic terrorism.

The association asked for the federal government to investigate cases where threats or violence could be handled as violations of federal laws protecting civil rights. It also asked for the Justice Department, FBI, Homeland Security and Secret Service to help monitor threat levels and assess risks to students, educators, board members and school buildings.

The group’s letter documented more than 20 instances of threats, harassment, disruption, and acts of intimidation in California, Florida, Georgia, New Jersey, Ohio and other states. It cited the September arrest of an Illinois man for aggravated battery and disorderly conduct for allegedly striking a school official at a meeting. In Michigan, a meeting was disrupted when a man performed a Nazi salute to protest masking.

“We are coming after you,” a letter mailed to an Ohio school board member said, according to the group. “You are forcing them to wear mask — for no reason in this world other than control. And for that you will pay dearly.” It called the member “a filthy traitor.”

In making the announcement Garland said the Justice Department would use its authority and resources to discourage the threats and “prosecute them when appropriate. In the coming days, the Department will announce a series of measures designed to address the rise in criminal conduct directed toward school personnel.”



School board members are largely unpaid volunteers, parents and former educators who step forward to shape school policy, choose a superintendent and review the budget, but they have been frightened at how their jobs have suddenly become a culture war battleground. The climate has led a growing number to resign or decide against seeking reelection.

In a statement, Chip Slaven, NSBA interim executive director and CEO, praised the Justice Department's swift action and pointed to the detrimental impact the threats of violence and intimidation have had on the education system.

"Over the last few weeks, school board members and other education leaders have received death threats and have been subjected to threats and harassment, both online and in person," Slaven said. The department's action "is a strong message to individuals with violent intent who are focused on causing chaos, disrupting our public schools, and driving wedges between school boards and the parents, students, and communities they serve."

Politico: [Tensions erupt between environmental justice leaders and White House](#)

By Zack Colman

Members of the environmental justice movement sent an email blast more than 5,600 times over a 48-hour period to top Biden administration officials, disrupting White House communication and sparking a tense exchange between the administration's chief environmental outreach official and one of the key leaders of the movement.

The form-letter blast effectively shut down email communication over two August days between high-ranking Biden administration officials, including national climate adviser Gina McCarthy, her deputy Ali Zaidi, National Economic Council Director Brian Deese and David Kieve, who leads outreach to environmental groups for the White House, according to Erika Thi Patterson, campaign director with the Action Center on Race and the Economy, and two others familiar with the incident.

Patterson said she learned those details when Kieve called her to express dismay in a 17-minute conversation that she characterized as aggressive and offensive.

"It's really outrageous," Patterson said of the Aug. 19 call with Kieve. "With all the crises our communities are facing right now, that all this energy and aggression was focused on receiving emails."

The contretemps over the email blast, outlined here for the first time, symbolizes the administration's challenges in satisfying the left-wing, mostly non-white movement calling for significant clean energy, public transportation, environmental cleanup and workforce investments in low-income neighborhoods and communities of color.

Kieve declined to respond to questions about the email campaign. But a White House official said that in an attempt to smooth the waters, the Biden team invited members of the Stop the Money Pipeline, the coalition of groups that sent the email blast, to meet with senior members of the White House Council on Environmental Quality to "share any concerns that they had about interactions surrounding this mass email campaign."

The coalition declined the offer, the White House official said, because the groups were already in close communication with administration officials.

Nonetheless, many leaders of the movement told POLITICO that bitterness remains, as they worry the White House is doing too little to advance their agenda amid the tense negotiations transpiring in Congress.

“The administration wants the benefit of the doubt,” said Patterson, whose group is comprised of grass-roots activists, many of whom are people of color. “The reality is they haven’t earned it yet.”

Dallas Goldtooth, an organizer with the Indigenous Environmental Network, a Native American group which is also part of the Stop the Money Pipeline, added: “They are taking for granted the tens of thousands of people who are part of this climate movement and the countless frontline communities that are in danger. It’s going to come back to bite them in the butt if they don’t step up. It’s a matter of politics.”

A crucial moment

The increasing turbulence comes at a critical time for keeping the president’s progressive environmental base behind his domestic agenda, according to interviews with 16 people across the Biden administration, lawmakers, environmental groups and members of a White House council to address environmental justice.

At issue is whether the Biden administration will make good on its promises to reduce environmental pollution and invest in low-income neighborhoods and communities of color. Environmental justice veterans commended Biden’s unprecedented pledges to address those concerns, but criticized the lack of tangible results nine months into his presidency.

“In some instances there seems to be a dichotomy between what the administration says they’re committed to and what’s happening on the ground,” said Peggy Shepard, who co-chairs the Biden-created White House Environmental Justice Advisory Council and is executive director of Harlem-based WE ACT for Environmental Justice. “I think the only way that these tensions can be tempered is when the talk is aligned with the walk.”

Some environmental justice leaders told POLITICO that some Biden policy positions jeopardize their communities’ health.

They attacked his support for carbon capture and storage technology, which is designed to catch emissions from burning fossil fuels before they enter the atmosphere but helps perpetuate the extraction of coal, oil and natural gas. They opposed new leases the administration approved for oil and gas drilling in the Gulf of Mexico. They chastised the White House for failing to cancel Trump-era permits for the Line 3 oil sands pipeline running from Canada through Minnesota, a project that has galvanized Indigenous and progressive activists.

“Line 3 is an embarrassment,” said Maria Lopez-Nunez, a member of the White House council who is deputy director of organizing and advocacy for the Newark, N.J.-based Ironbound Community Corporation. “You can probably win a ton of friends by doing the things that are good for human health.”

The coming weeks will reveal how adept the White House is in managing a burgeoning, disparate grassroots environmental movement that differs in strategy, breadth, makeup and desires than traditional Big Green groups rooted in Washington, D.C.

“I do understand the frustration when communities have some hard things that are happening in their community and want things to change,” said White House aide Cecilia Martinez, speaking for the administration. “I want the same thing. That's why I'm here -- to make sure to try to figure out how to make those decisions in the best way possible.”

### A growing breach

Activists in the Stop The Money Pipeline coalition of environmental, financial and progressive groups sent the email blast to White House and Treasury Department officials because they felt the Biden administration was ignoring their recommendations for an executive order designed to protect the financial system against climate change-related disruptions. Those groups want the executive order to create regulatory guidelines that would pressure banks and other financial institutions to stop financing fossil fuel projects like Line 3.

While Biden has issued an order, the White House and federal agencies haven't yet finalized the policies to implement it. Activists want to ensure he and his administration follow through on fulfilling the order through actions that make good on environmental justice pledges. Administration officials and their allies describe the outreach and financial pledges to environmental justice groups and the communities they represent as unparalleled.

Biden signed an executive order his first week in office to ensure 40 percent of federal benefits flow to communities dealing with disproportionate health, environmental, climate and economic burdens, an effort known as Justice40. His campaign held frequent regional dialogues with local groups. He turned the Council on Environmental Quality, often an afterthought in administrations, into a power center staffed with environmental justice experts. His Office of Management and Budget and McCarthy's staff is exploring how to wrest greater environmental justice benefits from existing programs across all agencies.

“We can put Americans to work strengthening public lands and waters, and making our communities — rural and urban — more resilient against extreme weather,” Biden said in a July speech promoting his and Democrats' \$3.5 trillion budget plan. “And we can take on the long-overdue work of advancing environmental justice by addressing pollution.”

But while Biden has taken swifter, broader measures to curb climate change and environmental pollution than any other president, environmental justice organizers remain guarded. Biden still must overcome decades of politicians making sweeping promises to hard-up communities.

Some early Biden hires and steps pleased activists. He established the White House environmental justice council. He eased access to key personnel, noted IEN's Goldtooth. Biden's domestic climate and environment agenda — much of which requires congressional approval — would through Justice40 and invest billions of dollars in neglected neighborhoods. Relations with the administration are “cordial,” even for skeptical groups, said Jackie Fielder, a spokesperson with Stop the Money Pipeline whom Kieve had contacted urging her to halt the email blast.

Martinez, whose title is senior director for environmental justice at the Council on Environmental Quality, said she personally reaches out to local groups for their perspective and hears “appreciation” for the White House’s efforts.

“We have to try to make sure everyone gets a chance to be heard and that we are authentic in addressing their concerns, even though we may not always agree about the solutions,” she said, adding, on Kieve, “David’s been a friend and partner to me, and to community leaders we’ve met along the way. He – and all of us - are committed to the work required in making sure that we center everything we do around addressing inequality and advancing environmental justice.”

Martinez noted that the White House has asked each federal agency to develop community engagement plans to reach environmental-justice groups, understand their issues and mold programs to better address those matters.

“There’s hundreds of [environmental justice] groups and organizations across the country,” Martinez said. “Listening to a small set of groups isn’t going to get us at the whole of the problem of what’s happening in this country, and so we do need to develop broader methods for listening in a truly democratic way.”

But groups say that consultation and rhetorical support only go so far.

Beverly Wright, executive director of the Deep South Center for Environmental Justice, serves on the White House council. There’s “so many meetings that I can’t keep up,” she said. Accessibility isn’t an issue. But whether the process translates into results isn’t clear, said Wright.

“It’s certainly not moving as fast as we would like it to move,” Wright said of the Biden administration’s environmental justice efforts. “They’re very open to communication and suggestions. But the proof is in the pudding.”

#### Battle over fossil-fuel supports

The funds included in Democrats’ \$3.5 trillion reconciliation package excite Wright. She and others said those dollars would help ameliorate environmental harms in her community. Wright said the Biden administration also agreed to pilot programs on clean energy workforce training in disadvantaged areas. Those are promising developments.

But then Biden’s administration also pushed forward with Gulf of Mexico oil and gas leasing. That disheartened the New Orleans resident, who endured yet another devastating hurricane in early September that scientists believe was intensified by climate change, which is propelled mostly by fossil fuel emissions.

That’s the frustrating thing for community leaders: Biden deserves credit for making environmental justice central to his platform in a way no other president has, but his administration’s actions sometimes contradict those goals, said Sacoby Wilson, associate professor of environmental health at the University of Maryland.

“One problem with the current administration is on one hand they say they want to transition to a clean energy economy and on the other they are supporting gas infrastructure,” Wilson said. “That’s a problem. That’s a failure.”

It also speaks to the balancing act of sorting through discrete, local environmental matters while crafting national policy. The Biden administration has backed historic funding to mitigate health threats, promote investment and spark jobs in long-overlooked communities even as it continues backing carbon capture projects favored by energy-sector and trade unions.

But those environmental-justice initiatives are under threat as some moderate Democrats rail against the party's \$3.5 trillion spending plan, which includes \$30 billion for lead water pipe replacements, \$27.5 billion for green banks and billions for workforce training, clean energy tax credits and other policies. The Biden administration's Justice40 initiative would play a significant role in steering those dollars.

Activists call it a put-up-or-shut-up moment for the Biden administration.

The reconciliation package includes "more funding than has ever been seen before" for environmental justice, said Mustafa Santiago Ali, who ran EPA's environmental justice office during the Obama administration. But even Ali, who admitted to having "more access than probably a lot of folks," said he is "really not sure" of the administration's follow-through on the issue.

"At the end of the day a lot of this stuff is political decisions," said Ali, who is now vice president of environmental justice, climate and community revitalization at the National Wildlife Federation. "We're going to see the realness of all this over the next six months."

#### Anxiety over Congress

On Capitol Hill, there is fear that some important environmental justice initiatives could get lost in the legislative shuffle.

House Natural Resources Committee Chair Raúl Grijalva (D-Ariz.) told POLITICO that Biden has "centered" environmental justice "more than any other president." His conversations with administration personnel imbue confidence that they prioritize environmental justice.

Yet Grijalva also acknowledged Biden must expend more political capital to pass key legislative changes, such as ensuring regulators weigh the cumulative environmental and climate effect before permitting new projects and allowing individuals to claim civil rights abuses in environmental lawsuits.

Grijalva also said the administration must play defense on Democrats' \$3.5 reconciliation plan to stay true to those communities. Grijalva would know. He consulted hundreds of groups in a years-long effort to draft sweeping environmental justice legislation; Biden wrapped parts of it into his platform.

"We don't know what the administration in their negotiations with the Senate is agreeing or disagreeing with," Grijalva said. "We're playing in the Senate's backyard right now in which one senator with an inordinate amount of power is able to clip those efforts. That's where we're hoping the Biden administration and the White House hold the line."

**From:** Hornbuckle, Wyn (PAO)  
**Subject:** RE: [EXTERNAL] Media Inquiry from James Varney - The Washington Times  
**To:** (b)(6) James Varney  
**Sent:** October 5, 2021 5:01 PM (UTC-04:00)

Hi James,

As a general matter the department will neither confirm nor deny any ongoing investigation

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Tuesday, October 5, 2021 1:35 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from James Varney - The Washington Times

Date Tuesday, October 5, 2021 - 1:35pm EDT

Name: James Varney

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: The Washington Times

Deadline: Oct. 5

Inquiry:

Re: Mr. Garland's Oct. 4 letter concerning school boards and school officials. Does the Justice Department currently have any active investigations tied to events at school board meetings or involving school officials? Have there been any credible threats the Justice Department has seen in this regard? If so, how many and in what states? Thank you.

**ODAG UPDATE MEMORANDUM**

**FROM:** Kevin Andrew Chambers

**SUBJECT:** Updates on Priority Workstreams

**DATE:** September 30, 2021

Scoped Out Per Agreement - Also (b)(5)



**5. School Boards Threats**

*Status:*

- (1) On October 4, the AG issued a memorandum regarding threats against school board members and school administrators, creating a task force and directing engagement with state and local law enforcement
- (2) Components have been selected to participate in the Task Force and are designating personnel to represent them
- (3) (b) (5) [REDACTED]

*Next Steps:*

- (1) (b) (5) [REDACTED].



**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Nadia Pflaum - KUTV News Salt Lake City (Sinclair)  
**To:** Hornbuckle, Wyn (PAO)  
**Cc:** Shevlin, Shannon (PAO); Press  
**Sent:** October 8, 2021 3:20 PM (UTC-04:00)

--

Catherine Morris  
Speechwriting/Media Affairs Intern  
Office of Public Affairs | U.S. Department of Justice  
Mobile: (b) (6)  
(b) (6)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Friday, October 8, 2021 3:18 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Nadia Pflaum - KUTV News Salt Lake City (Sinclair)

Date Friday, October 8, 2021 - 3:17pm EDT

Name: Nadia Pflaum

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: KUTV News Salt Lake City (Sinclair)

Deadline: 10/20/2021

Inquiry:  
PARTNERSHIP AMONG FEDERAL, STATE, LOCAL, TRIBAL, AND TERRITORIAL LAW  
ENFORCEMENT TO ADDRESS THREATS AGAINST SCHOOL ADMINISTRATORS, BOARD  
MEMBERS, TEACHERS, AND STAFF.

I'm a producer with KUTV 2 News in Salt Lake City and our state and federal representatives have taken some issue with the idea of protecting school employees from harassment and threats. We want to be able to describe the actions and intended outcomes of this effort for our viewers with a bit more detail. Our local FBI offices referred us to the DOJ to provide more information for the public, and we respectfully ask for such.

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Tom Roussey - Sinclair Broadcasting/ABC7 Washington DC  
**To:** Coley, Anthony D. (PAO); Hornbuckle, Wyn (PAO); Pietranton, Kelsey (PAO)  
**Cc:** Shevlin, Shannon (PAO); Press  
**Sent:** October 8, 2021 12:53 PM (UTC-04:00)

--

Catherine Morris  
Speechwriting/Media Affairs Intern  
Office of Public Affairs | U.S. Department of Justice  
Mobile: (b) (6)  
(b) (6)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Friday, October 8, 2021 12:40 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Tom Roussey - Sinclair Broadcasting/ABC7 Washington DC

Date Friday, October 8, 2021 - 12:40pm EDT

Name: Tom Roussey

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: Sinclair Broadcasting/ABC7 Washington DC

Deadline: 3:00 pm today

Inquiry:

My inquiry involves the memo from the attorney general regarding threats against school boards.

I am a reporter with ABC7 in DC doing a story that we are sending out to Sinclair Broadcasting stations throughout the country. Last night at the Fairfax County School Board parents alleged that AG Garland's memo is an attempt to use the FBI and federal government to silence not just illegal threats but legitimate protest and speeches by parents regarding public school systems. I wanted to reach out to get your reaction to these allegations.

Thanks,

Tom Roussey  
ABC7 Reporter

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Liz Elkind - DailyMail.com  
**To:** Hornbuckle, Wyn (PAO)  
**Cc:** Gelber, Sophie (PAO); Press  
**Sent:** October 8, 2021 10:56 AM (UTC-04:00)

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Catherine Morris  
Speechwriting/Media Affairs Intern  
Office of Public Affairs | U.S. Department of Justice  
Mobile: (b) (6)  
(b) (6)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Friday, October 8, 2021 10:32 AM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Liz Elkind - DailyMail.com

Date Friday, October 8, 2021 - 10:31am EDT

Name: Liz Elkind

Email Address: (b) (6)

Topic: Legislative Affairs (OLA)

Media Outlet: DailyMail.com

Deadline: 11:30pm ET

Inquiry:

Hi, I'm seeking comment on Senator McConnell's letter as well as the Senate Judiciary GOP's letter to AG Garland regarding his memo on rising violence against education officials. Thanks.

**From:** Jon Greenberg  
**Subject:** Re: [EXTERNAL] PolitiFact query: DoJ and school board members  
**To:** Hornbuckle, Wyn (PAO)  
**Sent:** October 8, 2021 10:40 AM (UTC-04:00)

Hi Wyn -

If you have time for a follow up, great. What I'm hearing from law profs is that the AG's memo could raise issues of government overreach because it includes the term intimidation. That word, and the term harassment, are sufficiently broad, the profs say, that they could classify as criminal certain speech that might be passionate but still protected under law. Can you send me anything that adds clarity to what the DoJ means by the term "intimidation" Is it in the eye of the beholder? What standards does the DoJ apply?

If you can squeeze this in, it would help.

Thanks.

Jon  
Senior correspondent - [PolitiFact](#)  
(b) (6) cell

On Thu, Oct 7, 2021 at 2:11 PM Jon Greenberg (b) (6) wrote:  
Thanks, Wyn. Appreciate the statement. I just wanted to make sure I wasn't missing anything.

Jon  
Senior correspondent - [PolitiFact](#)  
(b) (6) cell

On Thu, Oct 7, 2021 at 1:53 PM Hornbuckle, Wyn (PAO) (b) (6) wrote:

Hi Jon,

Statement attributable to Wyn Hornbuckle, DOJ spokesman

"There has been misinformation circulated that the Attorney General's directive is an effort to silence those with particular views about COVID-related policies, school curricula, or other topics of public discussion. This is simply not true. As stated clearly in the Attorney General's guidance to the FBI and United States Attorney's Offices, the Department's efforts are about rooting out criminal threats of violence, not about any particular ideology."

Here is the link to the PR: <https://www.justice.gov/opa/pr/justice-department-addresses-violent-threats-against-school-officials-and-teachers>

AG memo: <https://www.justice.gov/ag/page/file/1438986/download>

## Background:

On Monday, October 4, Attorney General Merrick Garland issued a memorandum to the FBI Director, the Acting Assistant Attorney General of the Criminal Division and all US Attorneys to address threats against school administrators, board members, teachers and staff.

As the Attorney General's memo says:

“In recent months, there has been a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation's public schools. **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.** Threats against public servants are not only illegal, they run counter to our nation's core values.” (emphasis added for clarity)

To address these threats the memo said:

“in the coming days, the Department will announce a series of **measures designed to address the rise in criminal conduct directed toward school personnel.**” (emphasis added for clarity)

- Those efforts are expected to include the creation of a task force, consisting of representatives from the department's Criminal Division, National Security Division, Civil Rights Division, the Executive Office for U.S. Attorneys, the FBI, the Community Relations Service and the Office of Justice Programs, to determine how federal enforcement tools can be used to prosecute these crimes, and ways to assist state, Tribal, territorial and local law enforcement where threats of violence may not constitute federal crimes.

The Attorney General memo also directed:

“the Federal Bureau of Investigation, working with each United States Attorney, to convene meetings with federal, state, local, Tribal, and territorial leaders in each federal judicial district within 30 days of the issuance of this memorandum. These meetings will facilitate the discussion of **strategies for addressing threats against school administrators, board members, teachers, and staff, and will open dedicated lines of communication for threat reporting, assessment, and response.**” (emphasis added for clarity)

In addition to the memo, the department also announced that it will create specialized training and guidance for local school boards and school administrators. This training will help school board members and other 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.

---

**From:** Jon Greenberg (b) (6)  
**Sent:** Thursday, October 7, 2021 1:46 PM  
**To:** Hornbuckle, Wyn (PAO) (b) (6)  
**Subject:** Re: [EXTERNAL] PolitiFact query: DoJ and school board members

Hi Wyn -

I'll take whatever you have at hand, and if you want to send more later, that's fine.

Thanks.

Jon

Senior correspondent - [PolitiFact](#)

(b) (6) cell

On Thu, Oct 7, 2021 at 9:19 AM Iverson, Dena (PAO) (b) (6) wrote:

Hi Jon,

Thanks for reaching out. I'm looping in my colleague Wyn who has been fielding inquiries on this.

Dena

Dena Iverson

Principal Deputy Director, Office of Public Affairs

U.S. Department of Justice

(b) (6) - Office

(b) (6) - Cell

(b) (6)

---

**From:** Jon Greenberg (b) (6)  
**Sent:** Thursday, October 7, 2021 9:17 AM  
**To:** Iverson, Dena (PAO) (b) (6)  
**Subject:** [EXTERNAL] PolitiFact query: DoJ and school board members

Hi Dena -

We are vetting [Rick Scott's claim](#) that "Joe Biden's attorney general wants the FBI to go after parents for speaking out at school board meetings to protect kids from radical curriculum like critical race theory."

I want to make sure that I have a clear understanding of what the DoJ has initiated. Please point me toward press releases or directives that you think we should see in that regard.

We'd like to make good progress on this today, so a timely reply is hugely appreciated.

Best,

Jon

Senior correspondent - [PolitiFact](#)

(b) (6) cell

**From:** Mitchell, Kendall M. (PAO)  
**Subject:** CRT Press Clips  
**To:** Bradford, Aryele (PAO); Friel, Gregory B (CRT); Moossy, Robert (CRT); Calderon, Tovah R (CRT); Simons, Shaheena (CRT); Yi, Daniel (CRT); Karlan, Pamela (CRT); Pagnucco, Carrie (CRT); Clarke, Kristen (CRT); Valderrama, Hillary (CRT); Herring, Oneshia (CRT); Robins, Jennifer (CRT); Ahmad, Aziz (CRT); Howe, Suey (CRT); Cochran, Shaylyn (CRT); Felte, James (CRT); Ruisanchez, Alberto (CRT); Rosenbaum, Steven (CRT); Foran, Sheila (CRT); Pellegrino, Whitney (CRT); Stoneman, Christine (CRT); Herren, Chris (CRT); Chandler, Thomas (CRT); Woodard, Karen (CRT); Majeed, Sameena (CRT); Bond, Rebecca (CRT); Roberts, Alivia P. (PAO); Wertz, Jeremy (CRT); Smith, Johnathan (CRT); Coley, Anthony D. (PAO); Lopez, Louis (CRT)  
**Sent:** October 7, 2021 5:26 PM (UTC-04:00)  
**Attached:** 10.7 CRT Clips.pdf

Hi all,

Please see attached for today's CRT clips.

Thanks,  
Kendall

**Kendall Mitchell**  
Press Assistant // Office of Public Affairs  
U.S. Department of Justice

c: (b) (6) [REDACTED]  
e: (b) (6) [REDACTED]



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**SPECIAL LITIGATION**

Associated Press: [ACLU: Feds need to investigate police in Detroit suburb](#)

By Staff

TAYLOR, Mich. (AP) — The American Civil Liberties Union asked the federal government Thursday to investigate the use of force by a suburban Detroit police department, especially incidents involving Black people.

Officers in Taylor have injured people and created an “atmosphere of fear and intimidation” among residents and visitors, the ACLU said in a 14-page letter to the civil rights section of the U.S. Justice Department.

The ACLU referred to 20 instances of alleged or documented excessive force.

In August, a white Taylor officer was charged with assaulting a Black driver in 2020 by punching him in the face through an open window while holding a gun in his other hand. The driver had stopped while being pursued for a domestic disturbance. The case against the officer is pending.

“We aren’t after blood,” said Mark Fancher, an attorney who specializes in racial justice at the ACLU in Detroit. “We’re after a police department that’s responsible and which treats the residents of the community and visitors to that community in a manner that respects their civil and human rights.”

The City of Taylor issued a statement saying it “has been made aware of the complaint filed by the ACLU and will cooperate as requested by the Department of Justice as we always do. The City takes all matters of public concern seriously, especially any alleged improper police conduct.”

Taylor has a population of 63,000.

Council member Butch Ramik, a retired Taylor officer, said he has raised his own concerns about excessive force.

“Anybody has a right to come in and investigate something. If things aren’t getting fixed, then somebody has to do it,” Ramik told The Detroit News.

The Detroit News: [ACLU asks Department of Justice to investigate use of force by Taylor Police Department](#)

By Carol Thompson

The American Civil Liberties Union of Michigan has asked the federal government to investigate the Taylor Police Department, citing instances of alleged police brutality and excessive force.

The ACLU filed a complaint Thursday with the U.S. Department of Justice detailing 20 alleged instances of violence by Taylor police officers, many of which it contends raise concerns about the possibility of racial bias.

The police department has not yet responded to a request for comment on the ACLU's announcement.

ACLU attorneys hope the Department of Justice will determine whether Taylor police have a documented pattern of using excessive force and discriminating against Black people and lead to a culture shift and reforms that make policing in the city more just, said Mark P. Fancher, ACLU of Michigan's Racial Justice Project staff attorney.

Fancher said old notions of policing, wherein officers are trained like "soldiers going to war," are fading. Instead, communities want officers who are trained in mediation, can respond to mental health crises and drug emergencies and can calm people when emotions run high.

"Taylor's police department not only lacks these things, it lacks a culture that aspires to them," he said. "It lacks leadership that promotes them."

Taylor City Councilman Butch Ramik, a retired Taylor police officer, said he has raised similar concerns about allegations of excessive force and racial discrimination in the police department over the last two years.

He claims his concerns largely have been ignored.

"Anybody has a right to come in and complain [about the department]," he said of the ACLU's Thursday announcement. "Anybody has a right to come in and investigate something. If things aren't getting fixed, then somebody has to do it."

Wayne County prosecutors charged Taylor police officer Tyler Peake with assault and misconduct in office, a felony, in August for his alleged role in the assault of Brendan Morgan, whom officers had stopped in relation to a reported domestic violence call.

Prosecutors say body and dash cameras show Peake, 23, punching Morgan, 34, in the face through an open window while holding a handgun in his left hand. Morgan had rolled down his window and raised both hands, where they were visible. Peake continued striking Morgan, prosecutors said.

Peake remains on unpaid administrative leave from the department.

That incident is part of a pattern of inappropriate conduct by Taylor police officers that Fancher said has not been adequately addressed by the department or city leaders.

"If you've got officers that are engaged in that type of conduct and you're not able to contain it, even if you have the best of intentions as a police chief or police leadership or a police administrator, then there are factors present within that institution that make it unlikely that you're going to be effective," he said. "We need to get somebody involved, not us, but somebody who can be effective. We think that's the Department of Justice."

The ACLU also contends the Taylor police department and city government allegedly blackmail victims of police brutality by charging them with crimes and offering to drop those charges if the victims agree not to sue over excessive force.

For instance, ACLU attorneys pointed to Illinois resident Imani Ringgold-D'Abell, who is Black, was pulled over by Taylor police in 2019 while he was driving with his girlfriend and 3-year-old daughter.

Officers said he was speeding. Six police vehicles came to the scene. Officers ordered him out of the car.

When Ringgold-D'Abell asked why, officers pulled him from the car, held him facedown and used a taser on him at least three times, according to a Thursday press release announcing the ACLU complaint.

Police said they stopped Ringgold-D'Abell for speeding, not having his driver's license or proof of insurance. He was charged with several offenses, including interference with police authority. The ACLU said he was told the charges would be dropped if he signed a waiver agreeing not to sue the department.

He refused to sign, the ACLU said. He filed an excessive force lawsuit against the department last month.

Fancher said video footage captured by bystanders and police dash-cams show officers using different levels of response against people of different races.

He pointed to a video of a White man who carried a military-style gun on a city sidewalk and declined to produce his identification when asked or respond to an officer's questions. Officers were "obsequious" and "extremely deferential" to the man during that encounter, Fancher said.

A video of the incident is posted on YouTube by an account called "LibertyIsForEveryone.com."

Contrast that with the treatment of Calvin Jones, who is Black, Fancher said.

Officers pulled him over in 2016. When Jones asked why an officer wanted to see his identification, officers allegedly "smashed his window, dragged him out of his car," and held him in a chokehold until he allegedly lost consciousness, the ACLU release states.

A video of the incident is posted on YouTube by an account called "PoliceActivity."

Jones' encounter with Taylor police first drew the ACLU's attention to the city, Fancher said. He argued the department and city officials did not show interest in discussing reform, and instead defended the officers' response. That's why the organization wants the Department of Justice to step in, he said.

"We aren't after blood," Fancher said. "We're after a police department that's responsible and which treats the residents of the community and visitors to that community in a manner that respects their civil and human rights."

Fox 2 Detroit: [ACLU of Michigan alleges Taylor police use excessive force, demands DOJ investigation](#)

By Amber Ainsworth

**TAYLOR, Mich. (FOX 2)** - The American Civil Liberties Union of [Michigan](#) filed a complaint Thursday demanding that the Department of Justice investigate the [Taylor](#) Police Department.

The ACLU asked for the investigation after allegations of excessive force and brutality by Taylor police.

In the complaint, the ACLU cites 20 "alleged and documented acts of unconstitutional, extreme violence committed by Taylor police officers."

The complaint comes as many lawsuits have recently been filed against the department.

Instances referenced include situations where police allegedly unnecessarily escalated encounters, accusations of physical abuse, and allegations that officers have blackmailed victims of police brutality.

In September, a suit was filed [alleging that officers used excessive force](#) when they stopped Imani Ringgold D'Abell for not having a license plate on his vehicle in 2019. Video from body cams and police vehicle cameras showed D'Abell being tased. The suit alleges that he posed no threat to the officers and was not armed.

In August, body cam video emerged showing a police officer [punching and throwing a man, Brendan Morgan, on the ground](#) in 2020. That officer was charged and placed on unpaid leave.

Other cases mentioned in the lawsuit include a [violent arrest in 2016](#) after a driver, Calvin Jones, wouldn't give an officer his license or registration until he was told why he was pulled over, beatings during traffic stops, and other allegations of force.

## CRIMINAL

NBC News: [Hunting laws allowed Kyle Rittenhouse to carry weapon during fatal shootings in Wisconsin, lawyers say](#)

By Antonio Planas

Attorneys for Kyle Rittenhouse, who is charged with fatally shooting two people during a protest in Wisconsin last year, argued that hunting laws allowed him to carry the assault-style weapon used during the shootings.

Wisconsin law prohibits anyone under age 18 from being armed, but Rittenhouse's attorneys argued that state laws only forbid minors to carry short-barreled rifles and shotguns. The other prohibitions pertaining to children fall under hunting laws, which say children under age 12 can't hunt with guns, Rittenhouse's attorneys said at a hearing Tuesday.

Rittenhouse, of Antioch, Illinois, was 17 on Aug. 25, 2020, when he fatally shot two men and wounded another man while carrying an AR-15-style semiautomatic rifle at a protest prompted by a police shooting of a Black man, prosecutors have said.

“There appears to be an exception for 17-year-olds,” defense attorney Corey Chirafisi said, [the Chicago Tribune reported](#).

Assistant District Attorney Thomas Binger responded that if the defense wants to tell a jury that Rittenhouse was only hunting, it should do so.

“They can submit evidence that the defendant had a certificate to hunt and he was engaged in legal hunting on the streets of Kenosha that night,” Binger said, according to the newspaper.

Binger declined to comment Wednesday. Chirafisi could not be immediately reached for comment.

Rittenhouse is charged with homicide, attempted homicide and being a minor in possession of a firearm.

Kenosha County Circuit Judge Bruce Schroeder denied a defense motion to drop the weapons possession charge, saying that state statutes were “unclear” and that he wanted to review the laws and could revisit the matter later.

On the night of the deadly shootings, [Kenosha was in the throes of several nights of chaotic protests after a white police officer shot Jacob Blake in the back during a domestic disturbance](#). Blake was paralyzed below his waist.

Rittenhouse’s trial is scheduled to begin Nov. 1.

The high-profile case is considered a touchstone of the summer of protests in 2020 after George Floyd’s death in Minneapolis police custody.

Rittenhouse’s case has proved polarizing. Some conservatives and advocates of gun rights have hailed him for standing up to protesters. [His supporters raised \\$2 million for his bail in November](#). Critics have called him a domestic terrorist who aggravated a volatile moment while acting as a vigilante.

Rittenhouse left his home and traveled to the Kenosha protest after a local militia posted an online message seeking help protecting businesses from demonstrators, prosecutors said.

Rittenhouse fatally shot Joseph Rosenbaum in the parking lot of a used car dealership. Moments later, he fatally shot Anthony Huber. And seconds later, he shot and wounded Gaige Grosskreutz, prosecutors said.

Also Tuesday, John Black, who Rittenhouse’s attorneys said is a use-of-force expert, spoke about how Rittenhouse used self-defense in the shootings.

Black testified that video shows Rosenbaum chasing Rittenhouse and reaching for his gun, Huber attacking Rittenhouse with a skateboard and trying to wrestle away his gun, and Grosskreutz running at him with a pistol in his hand.

“A citizen in that position, given those indicators, would it be reasonable for them to believe they were about to be assaulted?” Black said. “I would argue yes.”

Rittenhouse's attorneys want Black to testify at the trial. Schroeder refrained from ruling on the matter Tuesday.

Fox News: [Kyle Rittenhouse's decision to shoot was reasonable, use-of-force expert testifies](#)  
By Emma Colton

A use-of-force expert testified that [Kyle Rittenhouse's](#) decision to shoot three people during a riot in Kenosha, [Wisconsin](#), last year was reasonable.

"A citizen in that position, given those indicators, would it be reasonable for them to believe they were about to be assaulted?" expert John Black said Tuesday during a pretrial hearing Tuesday. "I would argue yes."

Black spent hours outlining the events leading up to Rittenhouse's decisions to shoot Joseph Rosenbaum, Anthony Huber and Gaige Grosskreutz on Aug. 25, 2020. Rosenbaum and Huber died as a result, and Grosskreutz was wounded.

Black testified that video shows Rosenbaum chased Rittenhouse and reached for the teenager's gun, Huber attacked Rittenhouse with a skateboard and tried to wrestle away his gun, and Grosskreutz ran at him with a pistol in his hand.

Rittenhouse is set to stand trial beginning Nov. 1 on multiple counts, including homicide. The 18-year-old argues he opened fire in self-defense after men attacked him during a [riot](#) following the police shooting of Jacob Blake.

Black added in his testimony that he has extensively studied bystander video of the shootings, and noted that Rosenbaum chased Rittenhouse, threw a plastic bag at him, and reached for his gun.

"Now the firearm is a potential weapon for both parties," Black said. "Now we have a potential wrestling match."

After shooting Rosenbaum, Rittenhouse ran down the street, according to bystander video. He stumbled at one point and another man came from the crowd and kicked Rittenhouse in the face, Black said. Rittenhouse also fired at that man, but missed.

Huber then hit Rittenhouse in the neck with a skateboard, and reached for Rittenhouse's gun, Black said. Rittenhouse then shot him. Grosskreutz then approached with his hands up, but was also holding a gun in his right hand. Rittenhouse then shot him in the arm.

Black testified that Rittenhouse maintained control of his gun and was not aimlessly shooting at the crowd.

Rittenhouse's lead attorney, Mark Richards, is trying to persuade Kenosha County Circuit Judge Bruce Schroeder to let Black testify at the trial in November. Schroeder is holding off on making a decision until he also hears testimony from a prosecution expert on use of force on Oct. 25.

Assistant District Attorney Thomas Binger, meanwhile, argued that Black is an expert in the use of force by police, not civilians. Black responded that he has taught civilian self-defense courses.

Binger also questioned whether Rittenhouse would have been justified in using lethal force if he hadn't had a gun. Black argued he was floating a hypothetical, but said if Rittenhouse hadn't been armed with a gun, he may not have been justified in using deadly force.

Rittenhouse was 17 when he traveled from his home in Antioch, Illinois, about 20 miles to Kenosha on Aug. 25, 2020, in response to a call on social media to protect businesses there.

Kenosha News: [Defense expert sticks to self-defense theory, says Rittenhouse justified in use of weapon](#)

By Dan Truttschel

During cross-examination that lasted more than an hour Tuesday afternoon, an expert the defense hopes to use in the case against Kyle Rittenhouse continued to insist the teenager had reason to believe his life was in danger during three shootings last August.

Whether that expert's testimony will ever be heard by a jury remains to be seen.

Kenosha County Assistant District Attorney Thomas Binger continued to pose the question of whether Rittenhouse's life was in danger to John R. Black in testimony that ended late Tuesday afternoon.

Rittenhouse, now 18, of Antioch, Ill., was 17 at the time he shot and killed Joseph Rosenbaum of Kenosha and Anthony Huber of Silver Lake and wounded Gaige Grosskreutz of West Allis last Aug. 25 during civil unrest in the wake of the shooting of Jacob Blake by a Kenosha Police officer.

Rittenhouse, who appeared in court Tuesday, is charged with first-degree reckless homicide for the death of Rosenbaum, first-degree intentional homicide for the death of Huber and attempted first-degree intentional homicide for shooting and injuring Grosskreutz.

Jury selection in the case is set for Nov. 1. Circuit Court Judge Bruce E. Schroeder, who will preside over the trial, did not make a ruling about whether Black will be allowed to testify after Tuesday's proceedings.

The state is expected to have its own witness testify during an Oct. 18 hearing.

Black, a 30-year military veteran and former longtime police officer, said Rittenhouse, who was armed with an AR-style semiautomatic rifle with a 16-inch barrel, had reason to believe his life was in danger in all three interactions that night.

"The gun is what raises it in my argument that a reasonable response is to use lethal force to protect oneself," Black said. "In that vein, the reasonableness cannot be removed from the context of a person who is pursuing him, a person who has thrown something at him, a person who is cornering him in between things and a person who continues to approach, even though that other person, Mr. Rittenhouse, has a weapon."

In the killing of Rosenbaum, the first person Rittenhouse shot, Black agreed with Binger that, minus a gun, the teenager wouldn't have been justified to use force.

"If Mr. Rittenhouse did not have the weapon, and given all the other facts as seen, I would argue, no, it wouldn't be a reasonable response," Black said.



Binger asked Black about a prior interaction between Rosenbaum and Rittenhouse earlier that night, which the expert described as the two being “at odds” or engaged in a “strong level of disagreement.”

Rosenbaum wasn’t armed with a weapon when he was shot, but that doesn’t mean he didn’t pose a threat, Black testified.

“In the video that I saw, other than the bag being thrown, which could be perceived as some sort of irritant or chemical or that type of stuff, other than his physical ability to inflict harm through fist, feet or bodily weapons, he (Rosenbaum) was not that I saw armed with anything else that would be considered a weapon, a knife or otherwise,” Black said.

“It does not mean he didn’t have them. I did not see them within the evidence I have received.”

The questions and answers followed a similar line with regard to the two other shootings.

Huber, who is seen on the video striking Rittenhouse with a skateboard, could have posed a great threat to him even without a gun, Black testified.

“I don’t know what Anthony Huber’s intent was, whether it was to kill Mr. Rittenhouse or not,” he said. “... It would be reasonable to believe that a person in that situation (Huber) is trying to remove my weapon and take it from me. Then they would have control over the weapon, whether that control was to take it away or kill me right then and there.”

In his redirect, defense attorney Mark Richards asked Black if a skateboard could be considered a dangerous weapon.

“The ones I’ve seen (could be),” Black said. “They’re laminated, very, very strong. ... They have metal wheels. Could they actually rip out an eye or break a neck? I could tell you that in my training, I could do it with a skateboard.”

In the shooting of Grosskreutz, Black said the video showed he entered the frame as Huber was involved with Rittenhouse, and added that in his opinion, Grosskreutz continued to move toward the shooter.

“(Grosskreutz) sped up initially to get closer during the time when Mr. Huber was in an altercation with Mr. Rittenhouse,” Black said. “The round goes off, and more importantly, the muzzle flash from the shot against Mr. Huber is plainly visible within the frame and frames that Mr. Grosskreutz is seen approaching, moving, running toward Mr. Rittenhouse.

“Arguably, Mr. Grosskreutz knew, heard and saw indicators that Kyle Rittenhouse had fired his weapon. Mr. Huber disengages, and yet, Mr. Grosskreutz continues to go forward. ... To me, what is significant is this idea of coming in. Mr. Grosskreutz makes a choice to move backward and then re-engage again. I think that is significant.”

Black, who listed 57 previous cases he’s worked on, estimated that 20% of those are as a plaintiff against a police agency.

In testimony earlier Tuesday, Richards said he had hired Black to give insight to what a common citizen would have perceived that night, and not that of a police officer.

To Black, what comes down to reasonable perceptions can’t be divided between the two.

“The overarching thing that is the same regardless is you’re a human first,” he said. “After that, I take a look at the statutes, those that apply to a peace officer as compared to those that apply to a citizen, and I apply the appropriate standards based on their locale (and) their precedence against cases, as well.”

## VOTING

New Hampshire Public Radio: [The top DOJ civil rights official urged senators to restore the Voting Rights Act](#)

By Juana Summers

A top Justice Department official described voting discrimination as "a current-day problem" and urged Congress to move quickly to strengthen a landmark civil rights-era voting law.

"I am here today to sound an alarm. For the Justice Department, restoring and strengthening the Voting Rights Act is a matter of great urgency," Kristen Clarke, the head of the Justice Department's civil rights division, told members of the Senate Judiciary Committee on Wednesday.

Clarke's testimony comes one day after Senate Democrats introduced legislation aimed at restoring voting protections that were [lost in two Supreme Court decisions](#) over the course of the last decade, *Shelby County v. Holder* and *Brnovich v. Democratic National Committee*.

Democrats have been pushing for federal legislation to protect voting rights, fighting against a slew of voting restrictions enacted in Republican-led states. A version of the legislation, named for the late congressman and civil rights icon John Lewis of Georgia, passed in the House earlier this year.

Vermont Democratic Sen. Patrick Leahy introduced new legislation to strengthen the Voting Rights Act.

The sponsor of the Senate bill, Vermont Sen. Patrick Leahy, said he was alarmed at the "toxic and partisan rhetoric around restoring the Voting Rights Act" this year, noting that bipartisan majorities in Congress have reauthorized the Voting Rights Act in the past. But Democratic efforts to pass any federal voting rights legislation, including this bill, have been rejected by Republicans this year who have dismissed it as unnecessary and a Democratic "power grab," as Texas Sen. Ted Cruz did on Wednesday.

"This bill is an assault on democracy," Cruz said, describing the effort as "cynical" and "wrong."

This effort is separate from a pared-down voting rights and elections bill introduced last month. That legislation, [the Freedom to Vote Act](#), was the product of negotiations among a group of Senate Democratic lawmakers including Majority Leader Chuck Schumer and West Virginia Sen. Joe Manchin. The act would establish some federal guidelines on ballot access, in response to voting restrictions enacted by Republican-led state legislatures around the country.

Manchin had been the lone Democratic holdout in supporting the For the People Act, a more sweeping piece of legislation, and has been in conversation with Republicans, hoping to win over some support for the scaled-back bill. So far, Manchin has found no takers among the 50 members of the Republican caucus.

Senate Minority Leader Mitch McConnell has said it would receive no Republican support, criticizing the legislation as a federal takeover of state election administration.

Schumer on Tuesday called the John Lewis Voting Rights Advancement Act an "important complement" to the Freedom to Vote Act, and he's promised to hold a vote on the Freedom to Vote Act as soon as this week.

Other Democratic lawmakers who spoke on the Senate floor Tuesday, including Georgia Sen. Raphael Warnock, said it was essential to pass both pieces of legislation.

"The John Lewis Voting Rights Advancement Act builds for us a fire station to protect against future fires," he said. "The house of democracy is already on fire, so we need the John Lewis Voting Rights Advancement Act, but we also need the Freedom to Vote Act. We've got to put out the fire, we've got to build a fire station for future fires."

Warnock, who counted the late Congressman Lewis as one of his parishioners at Ebenezer Baptist Church in Atlanta, said that he believed as Lewis did, that voting is "a sacred undertaking."

"Voting rights are preservative of all other rights. Voting rights are about the foundation of our democracy," he said. "I believe that if the world's greatest deliberative body can't find a way forward to get this done, history will judge us harshly — and rightly so."

## **DISABILITY RIGHTS**

Wall Street Journal: [Long-Covid Concerns Help Fuel Biden Administration's Broad Vaccine Booster Push](#)

By Stephanie Armour and Felicia Schwartz

Emerging data indicating that a small percentage of vaccinated people develop long-term Covid-19 is helping drive the Biden administration's [push to roll out boosters](#) broadly, according to people familiar with the planning.

Breakthrough infections among fully vaccinated people remain rare and long Covid cases are more common in unvaccinated people. Yet some federal health regulators see the new data as a reason to offer boosters more widely in the coming weeks, the people said. Other health experts, however, say [most people don't need](#) the extra doses.

The [administration has argued](#) publicly for a broad booster campaign citing data that shows immunity from vaccination wanes over time, particularly in older people. So far, however, extra doses of [Pfizer Inc.'s PFE +1.98%](#) shot are cleared only for seniors and certain high-risk adults. The European Medicines Agency, on the other hand, has [endorsed Pfizer boosters](#) more widely, for all adults 18 and over.

Inside the Biden administration, some officials have advocated wide use of the extra doses to prevent Covid-19 infection and further reduce the risk of developing long Covid, even though the risk is low, according to people familiar with the discussions.

Some doctors and health experts have expressed opposition to giving boosters to more than seniors or people with weakened immune systems. They say the vaccines appear to be protecting healthy people against severe Covid-19 and that there isn't evidence to support broader use.

Jeremy Faust, an attending physician at Brigham and Women's Hospital Department of Emergency Medicine, said health authorities should wait to see better data on whether boosters help protect against long Covid before widening a booster campaign.

"I do not know whether boosters will decrease long Covid over and above the protection already provided by the primary series for most people," he said.

There are varying estimates of how many people have long Covid, with previous studies estimating 10% to 30% of patients. It can be hard to quantify exactly how many people have the condition, however, because it only recently became an official diagnosis and not everyone agrees on what the symptoms are.

[Long Covid](#) has generally been used to refer to symptoms that linger for weeks or months beyond infection, even a mild one. [Symptoms include](#) brain fog, fatigue and shortness of breath, as well as a racing heartbeat and an inability to tolerate physical or mental exertion.

The symptoms usually appear [three months after](#) the onset of Covid-19, last for at least two months and cannot be explained by an alternate diagnosis, according to the World Health Organization. They can be new symptoms or persist from the initial illness, and they may fluctuate or reappear over time.

In August, the Food and Drug Administration [authorized an extra dose](#) of the Covid-19 vaccines from Pfizer and partner [BioNTech SE BNTX +5.44%](#) and from [Moderna Inc. MRNA +3.93%](#) for people with weakened immune systems. The booster campaign for the wider public kicked off last month, after the Pfizer-BioNTech [vaccine was cleared](#) for seniors and certain people at high risk.

Although the Biden administration had planned for rolling out the boosters to everyone who had been vaccinated, the FDA along with the Centers for Disease Control and Prevention narrowed the scope somewhat to seniors, many adults with underlying health conditions and workers at high risk of Covid-19 exposure.

The FDA said it would expand the Pfizer-BioNTech booster authorization if more data emerged supporting the expansion.

The agency could authorize use of an extra dose of Moderna's vaccine as soon as this month, while clearance of a [Johnson & Johnson JNJ +1.21%](#) booster is expected to follow soon after, according to people familiar with the matter.

Federal health regulators are concerned that the risk of developing long-term symptoms from Covid-19 could eventually be higher for people who don't get booster shots because emerging data shows the risk, while small, may have grown because of the Delta variant, the people familiar with the discussions said.

Among the emerging evidence influencing regulators is [a small Israeli study](#), published by the New England Journal of Medicine in July, that found that 39 out of 1,497 fully vaccinated healthcare workers developed breakthrough infections, and some 19% of them had symptoms lasting longer than six weeks.

A study conducted by British researchers and [published in September](#) by the Lancet medical journal found that adults who were fully vaccinated are half as likely to report long Covid should they be infected, but the risk still exists particularly among adults who are frail.

Another study on the subject, [published last month](#) by the journal PLOS Medicine, reported that more than a third of people with Covid-19 had symptoms in the three to six months after infection.

“Emerging data on long Covid showing grey matter brain degeneration and cognitive decline pushed me to think there is a rationale for vaccination that goes beyond hospitalization and death,” said Peter Hotez, dean of the National School of Tropical Medicine at Baylor College of Medicine. “I don’t want to get long Covid. I’m 63. I don’t want a brain scan that looks like a 90-year-old.”

Hossein Estiri, one of the authors of [a recent study](#) of 100,000 people with long Covid published by BMC Medicine in September, said giving boosters with an aim of avoiding milder cases may help prevent people from developing longer-term Covid-19.

“We find that many of the patients who have these conditions are young and all of these cases are pretty much mild Covid. So we can argue that if people can avoid getting even mild Covid they are in a better situation,” said Dr. Estiri, an assistant professor of medicine at Harvard Medical School.

ABC News: [As nursing home staff vaccine rates remain low, advocates push for federal mandate](#)  
By Laura Romero and Soo Rin Kim

With the vaccination rate for staffers in [New York](#) state's long-term care facilities jumping from 70% to 92% following a state mandate last week, nursing home advocates are urging the Biden administration to launch a similar mandate for long-term care facilities nationwide -- but the federal agency that oversees nursing home standards has yet to provide guidance on the matter.

Biden administration officials [announced in August](#) that long-term care staffers would soon have to get vaccinated, but the Centers for Medicare & Medicaid Services (CMS) has yet to implement the policy. In the meantime, the vaccination rate among long-term care employees nationwide is languishing at just over 65%.

"The federal mandate was welcomed, but the lack of guidance is concerning," said Michael Wasserman, the past president of the California Association for Long Term Care Medicine and a member of California's Vaccine Advisory Committee. "Having unvaccinated staff caring for residents will result in the transmission of the virus and therefore deaths."

"We cannot implement this soon enough," Wasserman said. "Every day that goes by without guidance will inevitably lead to more deaths."

CMS officials said in a press release last month that they intend to release emergency vaccine regulations in mid to late October. In the meantime, CMS officials told ABC News, the agency is encouraging staff across all [health](#) care settings to get vaccinated, and are encouraging all facilities to "take advantage of the resources available from CMS" to promote the benefits of the COVID-19 vaccine.

Back in August, John Knox Village in Missouri was among the providers that were waiting to get additional guidance from CMS before taking further action, so they could fully understand exactly what the mandate entails. Two months later, they're still waiting for further guidance.

John Knox Village spokesperson Emily Banyas told ABC News that in the meantime, the facility is continuing with its voluntary biweekly vaccination clinics. The staff vaccination rate at the facility is up 5% over last month -- but is still only around 65%.

Overall, only about half the staff in Missouri's long-term care facilities had been fully vaccinated as of Sept. 19, according to the latest data available from CMS, making Missouri one of the lowest-vaccinated states in the country.

In Oklahoma, where the staff vaccination rate is 51.7%, a long-term care executive told ABC News she's hopeful the federal mandate will increase staff vaccination rates -- especially in rural areas. Mary Brinkley, executive director of the Oklahoma chapter of the elder advocacy group LeadingAge, said that in the meantime, providers in rural areas are making a concerted effort to increase their voluntary vaccination rates, with some nursing home operators achieving rates of 80% to 95%.

But in Montana, where the staff vaccination rate is 59.8%, the federal mandate could be the only way the state will see a big increase in employee vaccinations. Due to a state law that bans employers from requiring vaccinations, Montana Health Care Association Executive Director Rose Hughes said that unless a federal mandate is implemented to create an exception for long-term care providers, there's "nothing else they can do" other than to "continuously try to convince staff to get vaccinated through education and information."

However Hughes also told ABC News that she expects a "significant number" of staff to resign when the federal mandate takes effect. Some facilities have already reported losing staff amid the looming order, Hughes said.

In Kentucky, where the vaccination rate among long-term care staff is just 56.2%, a spokesperson for the Kentucky Association of Health Care Facilities said that despite concerns about possible staff resignations, the organization supports employer vaccine mandates and is hopeful that Biden's mandate will result in a significant increase in COVID-19 vaccinations among staff.

As of Sept. 19, about a month after the Biden administration announced plans to require long-term care facilities to vaccinate their staffs or lose Medicare and Medicaid benefits, the national staff vaccination rate had only risen 4.3%, from 61.1% to 65.4%, according to CMS data. The previous month, it had risen by 2.5%.

Eric Carlson, a long-term care expert with the advocacy group Justice in Aging, says that the mandate is needed "in order to prevent deaths and to keep nursing facilities open to visitors."

"The COVID [vaccines](#) have been game-changers in nursing facilities," Carlson told ABC News. "We know that COVID is particularly deadly for nursing facility residents, and that broad vaccination can reduce COVID rates to close to zero. No one should be waiting for someone else in order to do the right thing."

Lisa Sanders, a national spokesperson for LeadingAge, says it is "highly likely" that an increase in workplace vaccine mandates will lead to an overall increase in the vaccination rate.

"What's needed now -- urgently -- is both the actual rule and guidance for implementation," she said.

In Tennessee, where the staff vaccination rate is just under 54%, Tennessee Health Care Association spokesperson Jay Moore told ABC News that while a few long-term care facilities have voluntarily imposed their own mandate, many providers are waiting for the national guidance because "the landscape is changing so rapidly, and there will always be unexpected nuances when the CMS rules are finally promulgated."

Moore said it's a "fair assessment" to say that the lack of additional CMS guidance has put providers in limbo, but that the federal agency is just being careful because it knows that the mandate will have a "tremendous impact on individuals working in [health care](#), the facilities, and the patients in need of services."

"CMS hopefully is just trying to get it right," Moore said.

The George-Anne Media Group (Georgia Southern University): [Biden's Announcement for Disabled Workers](#)

By Jillian King

On September 30th, President Biden declared October 2021 National Disability Employment Awareness Month.

In this [announcement](#), Biden references the passing of the Americans with Disabilities Act (ADA) in 1990 and the continued marginalization of disabled Americans. Specifically it was stated, "Despite the progress our Nation has made in recent decades, people with disabilities are still too often marginalized and denied access to the American dream. Americans with disabilities — particularly women and people of color — have faced long-standing gaps in employment, advancement, and income."

Biden furthered by explaining that, "That is why I have issued Executive Orders to advance diversity, equity, inclusion, and accessibility to bolster career paths and promote economic stability for Americans with disabilities. I have proposed eliminating outdated, discriminatory provisions in the Fair Labor Standards Act that allow employers to pay disabled workers less than the minimum wage."

Many after reading that may have been shocked to learn that paying disabled workers below minimum wage has been legal. Here is an explanation of the legality of subminimum wage: The [Department of Labor's website](#) explains it as follows: "The Fair Labor Standards Act (FLSA) provides for the employment of certain individuals at wage rates below the statutory minimum... included are individuals whose earning or productive capacities are impaired by a physical or mental disability, including those related to age or injury, for the work to be performed."

The Fair Labor Standards Act was passed in 1938, meaning this has been clear and legalized since then.

The legality of paying a disabled person below minimum wage isn't questionable. What some may be wondering is if it's something that is actually happening, and it is. Goodwill was a major corporation that was revealed to have done so.

[Forbes](#) reported in 2013 stating, “According to Labor Department documents dug up by NBC, Goodwill has paid workers in Pennsylvania as little as 22 cents, 38 cents and 41 cents an hour.” Statements from other disabled Goodwill employees in the article also said their pay ranged from \$2.75 to \$5.40 an hour. Goodwill would lower their wages depending on the disabled employees physical ability and time it took for them to hang garments.

Goodwill’s statement at the time was that they were providing employment to people who wouldn’t be employed otherwise, when really these disabled employees were being exploited and paid far, far below a livable wage. With this considered, Goodwill’s executives were making 6 to 7 figures.

Coming back to Biden’s announcement on September 30th, the president is stating that he is making a conscious effort to make these practices as illegal as they are immoral.

While this alone brings plenty of hope, there is also the reminder that much needed reform to Supplemental Security Income has been tabled in congress over the years. Supplemental Security Income, also known as SSI, are monthly checks that come from the government to the elderly and disabled.

The Supplemental Security Income Restoration Act was brought back to congress in June and has received continual support from a few congressmen ([CNBC Article covering this here](#)). Under current SSI regulations, disabled individuals receiving SSI are given amounts that keep them below the poverty line and are in turn not allowed to have over \$2,000 in their accounts at any given time. Other strict rules are within current regulations, including how a disabled individuals can/will lose their benefits if they get married.

Biden’s announcement is an important one. Bringing light to not only disabled Americans, but also disabled women and disabled people of color, feels monumental. But it will only be truly monumental if the needed changes are made.

Healthcare Finance News: [Backus Hospital settles with government over disability discrimination allegations](#)

By Jeff Lagasse

Backus Hospital, a Hartford Healthcare facility based in Norwich, Connecticut, has settled with the federal government over allegations that it discriminated against a deaf patient, according to the U.S. Justice Department and the Department of Health and Human Services.

The settlement stems from an accusation that the hospital failed to provide timely auxiliary aids and services to effectively communicate with a deaf patient during an inpatient stay, which would be in violation of Title III of the Americans with Disabilities Act.

According to the complaint, despite requesting services upon arrival and receiving them during his emergency room stay, the complainant was not provided an interpreter or video remote interpreting services at critical points of care during his inpatient stay, instead relying on hand-written notes to communicate with doctors and staff.

## **WHAT'S THE IMPACT**



Teaming up with the DOJ, HHS' Office for Civil Rights conducted an investigation and review of Backus Hospital's policies and procedures to determine compliance with Section 504 of the Rehabilitation Act of 1973 and Section 1557 of the Affordable Care Act.

Collectively, these federal civil rights laws prohibit any entity that receives federal financial assistance from discriminating against qualified individuals with disabilities, and requires an entity to take steps to ensure communication with individuals with disabilities is as effective as communication with others through the use of appropriate auxiliary aids and services.

Voluntarily entering into the agreement, Backus Hospital promised compliance with federal law and said it would take steps to ensure the availability of auxiliary aids and services, and to monitor such steps. Additionally, the hospital agreed to \$7,500 in compensatory relief for the complainant under the ADA.

"Healthcare providers have a responsibility to provide effective communication, which is a key component to ensuring patients receive quality care," said OCR Director Lisa Pino by statement. "This agreement sends an important message about the importance of eliminating unnecessary barriers to equal treatment for those who are deaf or hard of hearing."

## **THE LARGER TREND**

President Joe Biden's administration has placed a focus on strengthening protections for Americans who are deaf or hard of hearing, exemplified in part by a July [executive order](#) that focused in part on providing easier access to hearing aids.

The four largest hearing aid manufacturers now control 84% of the market, according to the order.

The president wants to see hearing aids, now available only through a doctor's visit, available over the counter. In the order, the president directs HHS to consider issuing proposed rules within 120 days to allow hearing aids to be sold over the counter.

"Hearing aids are so expensive that only 14% of the approximately 48 million Americans with hearing loss use them," the order said. "On average, they cost more than \$5,000 per pair, and those costs are often not covered by health insurance."

In 2017, Congress passed a bipartisan proposal to allow hearing aids to be sold over the counter. However, under the Trump Administration, the FDA failed to issue the necessary rules that would actually allow hearing aids to be sold over the counter, the order said.

## **EDUCATIONAL OPPORTUNITIES**

San Jose Inside: [Mary Papazian Resigns as President of San Jose State in Wake of Justice Department Settlement](#)

By Barry Holtzclaw

Mary A. Papazian announced today that she will resign as the president of San José State University at the end of the fall semester, effective Dec. 21.

The announcement came just 16 days after the U.S. Department of Justice said that SJSU “failed to comply in certain respects with Title IX's prohibitions against sex discrimination” in its settlement of sexual harassment claims against the university in connection with actions by former athletic trainer Scott Shaw.

California State University Chancellor Joseph I. Castro announced today that he will meet with campus stakeholders this fall prior to naming an interim president, which will be followed by a national search for the 31<sup>st</sup> president of SJSU by the CSU Board of Trustees, its seventh president in the last 20 years.

The next president will have to deal with lingering legal claims, and manage wide-ranging reforms in its athletic programs required by the Justice Department settlement, not to mention dealing with issues of trust, reputation and accountability in the broader community.

“The best interest of the campus continues to be at the forefront of every decision I make. After thoughtful consideration, I have made the decision to step away as president,” Papazian said in a statement. “I truly love this university and believe this choice will allow the focus to be positively and solely on our talented, diverse, and outstanding campus. It has been my great honor and privilege to work with the exceptional SJSU students, faculty, staff, alumni and community partners. I am incredibly grateful to the entire SJSU and San José communities for the opportunity to serve at what I consider to be one of the best and most transformational universities in the country. Thank you.”

Papazian became the 30<sup>th</sup> president and third woman to lead the university on July 1, 2016, and her legacy of building significant partnerships with Silicon Valley tech companies that enhanced the reputation and resources of San Jose State remains forever touched by a scandal that began in 2009 with the first allegations of inappropriate behavior by Shaw with the Spartan women's swimming team. The trainer was cleared of charges by the university at the time, but subsequent allegations prompted new investigations by federal authorities.

The FBI acknowledged this summer that it was investigating charges against Shaw, who resigned in 2020. The university's civil settlement with the Justice Department over Title IX violations was announced Sept. 21.

In making the announcement of Papazian's abrupt departure, the university added: "The health and safety of the SJSU campus community remains a priority for President Papazian and SJSU. President Papazian will continue to cooperate with the ongoing external Title IX Procedural Investigation and investigations surrounding former SJSU Director of Sports Medicine Scott Shaw."

“This transition does not impact our intention and obligation to understand what occurred and how the university responded at the time,” Papazian said in her statement. “I made a promise to our community and to the affected student-athletes and their families, and I plan to honor it. My heart, apologies and prayers continue to be with those student-athletes who suffered a breach of trust during their time at the university.”

“President Papazian’s decision to resign from the presidency reflects her compassionate leadership,” said Castro in a statement. “While professionally and personally difficult, this step demonstrates her commitment to the university moving forward. We are grateful for the innovative educational services and cutting-edge resources that she and her team have put into place, which have positioned San José State University as a transformational higher learning institution.”

“I, along with our Board of Trustees, am grateful for Dr. Papazian’s dedication to San José State University,” stated Lillian Kimbell, Chair of the Board. “President Papazian’s commitment to providing equitable student-educational services is illustrated by SJSU’s graduation rates climbing during her tenure, and the average debt remaining far below the national average. During her tenure, SJSU has amplified its research and technology partnerships in Silicon Valley and nationwide to offer its students unique resources at the university.”

San Jose State had told the Justice Department that while it disputed the findings, it would agree to settle the case to avoid a protracted legal battle over “disputed issues,” according to DOJ officials.

Federal investigators concluded that 23 SJSU student athletes were inappropriately touched by Shaw when he was the athletic trainer. Shaw resigned in September 2020. Of these, 13 have accepted the university’s settlement offer to date, according to officials.

The scandal at the university began in 2009 when Spartans swim coach Sage Hopkins first brought forward the allegations of inappropriate touching of female swimmers by Shaw during massage sessions.

The Justice Department found that SJSU failed for more than a decade to respond adequately to reports of sexual harassment, including sexual assault, of female student-athletes by “an athletic trainer then working at SJSU.” The report did not mention Shaw. “Beginning in 2009,” the federal report said, “female student-athletes reported that the trainer subjected them to repeated, unwelcome sexual touching of their breasts, groins, buttocks, and/or pubic areas during treatment in the campus training facilities.”

The department concluded that for years, continuing under Papazian's watch, SJSU’s ineffective response “exposed additional student-athletes to harm.”

The department also determined that SJSU had retaliated against two SJSU employees. The first employee repeatedly alerted school officials to the threat the athletic trainer posed, and the second employee expressed opposition to retaliating against the reporting employee and was terminated by SJSU. The department and SJSU entered into a comprehensive agreement to address the findings of the investigation, which began in June 2020.

“No student should be subjected to sexual harassment at a college or university in our country, especially by an employee who wields a position of power,” Assistant Attorney General Kristen Clarke of the Justice Department’s Civil Rights Division said Sept. 21. “With this agreement, San José State University will provide relief to survivors and transform its Title IX process to ensure accountability in its athletics program and create a safer campus for all its students.”

Clarke thanked current and former students who came forward and shared their experiences, and the employees “who unceasingly advocated for their students.”

“Because of them, San José State University will adopt major reforms to prevent such an abuse of authority from happening ever again,” she said.

Federal investigators said they reviewed thousands of pages of university documents, including documents related to the 2009-10 and 2020-21 investigations into allegations against Shaw, whom it did not name, as well as the related retaliation against SJSU Athletics employees.

In announcing Papazian's resignation, the university today said that, "Based on the SJSU external 2019-20 investigation findings and the DOJ findings," the outgoing SJSU president has taken the following steps.

SJSU restructured and expanded its Title IX office, including the addition of new Title IX experts.

The team, among others, will include the just announced experienced Title IX and Gender Equity Officer (“Title IX coordinator”), responsible for overseeing compliance with, and implementation of, all Title IX-related policies, grievance procedures, and training at SJSU. The Title IX coordinator will oversee the deputy Title IX coordinator and other Title IX personnel and liaisons.

The Title IX Office has received a significant increase in funding to: recruit and hire a new Title IX coordinator, deputy Title IX coordinator, a minimum of two qualified Title IX investigators and an administrative assistant; enhance response to reports of sex discrimination; develop informational materials; and conduct outreach to the SJSU community.

SJSU has launched a new [Wellbeing Attendant \(chaperone\) Policy](#) to ensure both student-athletes and sports medicine staff have a right to request that a Wellbeing Attendant be present for any type of sports medicine treatment.

SJSU is enhancing education and orientation programs focused on sexual assault prevention, reporting options, and resources for survivors, witnesses, and bystanders.

## **IMMIGRANT AND EMPLOYEE RIGHTS**

National Law Review: [DOJ Settles with Large Health Care Organization Regarding Software-Based, Immigration-Related Discrimination Claims](#)

By Staff

On August 25, the Department of Justice (“DOJ”) announced that it has settled an immigration-related discrimination claim with Ascension Health Alliance (“Ascension”), a Missouri-based healthcare organization with more than 2,600 sites – including 146 hospitals and more than 40 senior living facilities – spread out over 19 states and the District of Columbia.

Ascension violated the Immigration and Nationality Act (INA) when it discriminated against work-authorized non-U.S. citizens based on their citizenship status. Ascension required more or

different documents than were necessary when those employees attempted to reverify their continued work authorization.

### Ascension Discriminated Against Non-U.S. Citizen Employees

The department's investigation determined that Ascension made an automatic request that its non-U.S. citizen employees provide new documents to prove their continued work authorizations, even in situations where it was not required. Ascension, using a customized employment eligibility verification software program, electronically completed the form I-9. The software also tracked the expiration dates of non-U.S. citizen employee documents. The investigation revealed that Ascension improperly programmed the software to send automated e-mails requesting continued work authorization to all non-U.S. citizen employees, including U.S. nationals, lawful permanent residents, asylees, and refugees.

In response, the non-U.S. citizens promptly presented documents that did not require verification of employment eligibility. In some instances, Ascension further required non-U.S. citizen employees to provide new eligibility documents in order to continue working. In contrast, such e-mails were not sent to U.S. citizens and, therefore, they did not notify U.S. citizens who were approaching the expiration of their documents.

“Employers are reminded that while software programs may seem efficient, there is still a responsibility to ensure that programming decisions do not result in discrimination,” said Assistant Attorney General Kristen Clarke of the Justice Department's Civil Rights Division. “This settlement makes clear that the Justice Department will vigorously enforce federal civil rights laws and hold employers accountable if their software results in unlawful discrimination.”

### The Settlement

The settlement requires Ascension to pay the U.S. a civil penalty of \$84,832.00. Additionally, Ascension will educate its employees on the requirements of the INA's anti-discrimination provision. This will include providing employees with the Immigrant and Employee Rights Section (IER).

### INA's Anti-Discrimination Provision

Federal law allows all work-authorized individuals, regardless of their immigration status, to choose which valid, legally acceptable documentation to present to demonstrate the employee's legal work authorization status. Non-U.S. citizen employees like lawful permanent residents, refugees, and asylees, among others, have work authorization that does not expire for many years. Such employees are eligible to use several types of documents as proof of work authorization, such as driver's license, unrestricted social security card, etc.

The Civil Rights Division's Immigrant and Employee Rights Section (IER) is the agency responsible for enforcing the INA's anti-discrimination provision. The INA prohibits discrimination based on citizenship, immigration status, or national origin, in hiring, firing, or recruitment or referral for a fee. The statute also prohibits unfair documentary practices and retaliation and intimidation.

## TRENDING

### Daily Caller: [‘Partisan Power Grab’: Ted Cruz Rattles Deputy AG Over Treating Concerned Parents As Domestic Terrorists](#)

By Nicole Silverio

Republican Texas Sen. Ted Cruz grilled U.S. Deputy Attorney General Kristen Clarke at a Wednesday hearing for the Department of Justice (DOJ) allegedly treating parents as domestic terrorists for opposing Critical Race Theory (CRT).

U.S. Attorney General Merrick Garland issued an Oct. 4 memorandum ordering the FBI to meet with local leaders across the country to address potential threats and harassment against school board members, teachers and staff at future board meetings. Cruz challenged Clarke on the DOJ allegedly treating parents opposing CRT as “domestic terrorists.”

Clarke told the Texas senator that the memo responds to threats against “public servants” which she said contradicts “our nation’s core values” and that parents have the First Amendment right to “challenge” school boards on the content being taught to their children.

“Do you believe parents objecting at school boards are domestic terrorists?” Cruz asked. (RELATED: Republican AGs Join Forces To Warn Garland Against ‘Weaponizing’ FBI To Target Parents)

“I don’t, senator,” Clarke replied. The assistant Attorney General declined to answer on whether she participated in discussions about the memo before it was issued.

Cruz defended parents across the country that have stood up to the teaching of CRT, which holds that America is fundamentally racist, yet teaches every person to view every social interaction and person in terms of race. Its adherence pursues “antiracism” through the end of merit, objective truth and the adoption of race-based policies.

The Texas senator pressed Clarke on whether she holds Black Lives Matter rioters and antifa to the same standard as parents objecting to CRT.

“It’s amazing, you’re not willing to condemn people who are murdering police officers and firebombing cities, because your politics aligns with them, but at the same time when it comes to parents at school boards you’re perfectly comfortable with calling a mom at a PTA meeting a domestic terrorist,” Cruz said.

“Ms. Clarke, with all due respect, this demonstrates why the Democrat proposal to take someone with as long of a partisan record as you have and to put you in charge of striking down any voting rights law in the country that you disagree with is nothing but a partisan power grab.”

During an Oct. 5 Senate hearing with Deputy Attorney General Lisa Monaco, Republican Missouri Sen. Josh Hawley said the order is “weaponizing the federal bureaucracy” to target those that disagree with the administration politically. Monaco denied that the administration is intervening in school board meetings and only addressing ongoing and potential threats against school employees.

The National School Board Association (NSBA) urged President Joe Biden’s administration to enforce federal statutes, including the Gun-Free School Zones Act and the USA PATRIOT Act,

to prevent threats and violence that could be “the equivalent to a form of domestic terrorism” against school board members, teachers and other employees in a Sept. 30 letter.

Time Magazine: [Minneapolis Cops Involved in Fatal Shooting Get Separate Attorneys, Signaling Movement in 2013 Case](#)

By Karl Vick

Five Minneapolis police officers involved in the shooting death of an unarmed young Black man in 2013 have retained separate lawyers, a new sign of movement in the investigation into the controversial killing and an indication that officers could testify against each other if any is prosecuted.

Relatives of 22-year-old Terrance Franklin have always alleged that police lied about the circumstances of Franklin’s death, and the Hennepin County Attorney, Michael Freeman, [told TIME in July](#) that the case “troubles” him. Only two of the five officers present during Franklin’s death fired the fatal shots, and when they shared attorneys, all five gave similar accounts and cast the shooting as self-defense. As laid out in a TIME [examination of the case](#), their common account has since been contradicted by forensic evidence gathered by Franklin’s family, who term his death an assassination.

Family members are pressing for criminal charges against the officers, and both Freeman and Minnesota Attorney General Keith Ellison [have said the case should be revisited](#). All five officers—Lucas Peterson and Michael Meath, who acknowledged firing the fatal shots, as well as Andy Stender, Ricardo Muro and Mark Durand—remain on the Minneapolis police force.

“You definitely want to get all the five cops with separate attorneys,” says Christy E. Lopez, a professor at Georgetown Law who, while at the U.S. Department of Justice, led the team that [investigated the police department in Ferguson, Mo.](#), following the 2014 shooting death of Michael Brown by a Ferguson police officer. “With five officers in this kind of case, I would be surprised that they weren’t trying to see whether there’s some officers who are willing to testify against other officers. Almost certainly there’s going to be one or two.”

By getting separate lawyers, the officers could be approached individually by prosecutors, who could offer reduced sentences or even immunity from prosecution in exchange for truthful testimony if a case were to go forward.

Lopez, who was deputy chief in the DOJ’s Civil Rights Division for seven years, said that at one of her recent seminars a federal prosecutor emphasized the importance of police testimony when an officer is accused of wrongdoing. “When they’re trying to prosecute cops, it’s really, really important to get another cop to flip,” she says, “because that officer testifying on another officer really helps negate the pro-police deference that even to this day many juries are willing to have.”

Freeman could not comment, according to a spokesperson. Nor would Ellison, who led the prosecution of former Minneapolis officer Derek Chauvin in the [murder of George Floyd](#). The new attorneys for the officers were likewise tight-lipped. The three who spoke briefly to TIME said they had only begun delving into the details of the case, which is indeed complicated.

On the afternoon of May 10, 2013, Franklin led police on a 90-minute chase after a 911 caller identified him as a possible burglary suspect. The chase ended with five SWAT officers entering

the basement of a house in which Franklin was hiding. Minutes later Franklin was dead, struck by 10 bullets—five to the head—and two cops were in ambulances with leg wounds.

As the five officers told it, Franklin overpowered three of them and gained control of a police submachine gun, wounding the two cops. The account went unchallenged by the Minneapolis Police Department in its self-directed investigation of the encounter.

Probing evidence either overlooked or ignored by the department, Franklin's family offered a darker narrative. An expert's forensic enhancement of a bystander's video contradicted the police timeline, and according to a wrongful death suit, the video's [soundtrack](#) revealed an officer shouting, "Come out little n—r. Don't go puttin' those hands up now!" seconds before Franklin was killed. An investigator for the family's attorney concluded that two of the [fatal rounds](#) were from pistols held side by side near Franklin's head and fired simultaneously.

The lawsuit posited that the two officers were wounded when the submachine gun went off by accident and that Franklin was killed not in self-defense but to cover up the fiasco. A trial date had been set when the Minneapolis City Council in February 2020 settled the suit, paying the family almost \$800,000.

That's where the matter stood when, three months later, Floyd died slowly under Chauvin's knee. The original attorney for three of the five officers, Fred Bruno, blamed the shift in perspective brought on by Floyd's death for the revival of the Franklin case. "There is no new evidence," Bruno said in a June [statement](#) to local media, "only newly procured opinions and shifting politics."

Lopez said that's not entirely wrong. Having [spent years](#) investigating police departments from Chicago to Newark to Missoula, Mont., she is struck by the newfound rigor with which police behavior is now being overseen. She cited two cases from September alone: After a police chase ended in the death of a young Black man on a moped, the Justice Department [charged a Washington D.C. police officer](#) with second-degree murder, and his superior with obstructing justice and conspiring to cover up the incident. And in Georgia, a grand jury [indicted the former prosecutor](#) in the Ahmaud Arbery case, charging that, until the leak of a videotape of the fatal shooting of the Black jogger, she took no action because she knew the men involved.

"There's a real sea change," Lopez says. "It kind of shows you the difference from 2013, when [the Franklin shooting] happened, and now—the different perspective we have on the police responsibility not to shoot. I feel like we're restricting the kind of latitude that we've given them in the past. I think that's a really positive thing."

Newsweek: [Sen. Dick Durbin Says Claims of Massive Voter Fraud Are 'Ruse': 'There's No Basis For It'](#)

By Aila Slisco

Senate Majority Whip [Dick Durbin](#) (D-Ill.) on Wednesday mocked the recent 2020 election "audit" in Arizona's Maricopa County while dismissing evidence-free claims of massive voter fraud in the election as "a ruse."

Durbin made the remarks during a [Senate](#) Judiciary Committee hearing on the [John Lewis](#) Voting Rights Advancement Act. Results from the Maricopa County audit, which was conducted by the inexperienced firm Cyber Ninjas at the behest of the Republican-controlled



Arizona state Senate, were released on September 24 and did not uncover any evidence of massive election fraud.

Durbin, who chairs the committee, dismissed GOP efforts to combat non-existent massive fraud by passing restrictive voting bills at the state level, specifically denouncing the controversial legislation that Republican Texas Governor [Greg Abbott](#) signed into law after a partisan standoff in August. Durbin also mocked the firm that conducted the Maricopa audit by referring to them as the "Ninja Turtles"—a reference to the fictional Teenage Mutant Ninja Turtles.

"Supporters of the [Texas] bill, and we've heard it this afternoon in the committee, claim you've got to do it, it's the only way to stop voter fraud," Durbin said. "So, the Texas attorney general spent 22,000 hours looking for evidence of fraud. You'd think they really would have made their case. What they found to try to justify [the bill] was the following: Only 16 potential cases of fraud out of 17 million registered voters."

"And you remember what happened in Arizona," he added. "\$5.7 million spent on the Ninja Turtles, who were going through all of these ballots and the net result was more votes for Biden, fewer votes for Trump. So this notion of voter fraud is a ruse, as far as I'm concerned. Where there is fraud and waste, we should oppose it whatever party is trying to make an excuse for it. But in this case, there is no basis for it."

A spokesman for Cyber Ninjas responded to Durbin calling the firm "the Ninja Turtles" in a statement to *Newsweek*: "That seems to fairly represent Senator Durbin's usual level of getting things right."

During his opening remarks at the hearing, Durbin lamented that "state lawmakers have already taken unprecedented steps to silence the voices of American voters," noting that over 425 bills had been introduced at the state level that make voting laws more restrictive. By September 27, 19 states had enacted 33 laws that made it more difficult to vote, while 25 states had enacted 62 laws that expanded voting access in 2021, according to the Brennan Center for Justice.

The John Lewis Voting Rights Advancement Act and other national voting rights bills favored by [Democrats](#), such as the For the People Act, face severe challenges in getting passed through the Senate due a lack of Republican support and the upper chamber's filibuster rule, which effectively requires 60 votes for advancement.

Associated Press: [Many maps, no compass: Redistricting panel seeks its path](#)

By Matthew Barakat

FALLS CHURCH, Va. (AP) — With a deadline to draw lines fast approaching, Virginia's new bipartisan redistricting commission is struggling to break a partisan divide on how to divide the state's voters into new legislative districts.

The 16-member commission, evenly split between Democratic and Republican appointees, has scrutinized scores of squiggles on multitudes of maps in an effort to come up with new legislative districts for the 100-member House of Delegates and 40-member state Senate to conform with the population shifts reflected in the 2020 census.

But as the commission heads into a Friday meeting just one day before an Oct. 10 deadline, there is no evidence it has achieved any kind of consensus. Indeed, the commission is still working off two sets of maps: one drawn by a Republican map drawer and one drawn by Democrats.

For a brief period of time, the two teams were able to develop a unified draft map for the Senate, but that has been scrapped and the most recent Senate maps are again divided on partisan lines.

The key difference appears to be how to comply with state and federal laws governing minority voting rights.

The Republican maps create a higher number of Black majority districts, which Republicans argue is the clearest way to comply with federal law to prevent disenfranchisement of Black voters.

The Democratic maps take a different approach. Democrats argue that packing too many Black voters into districts dilutes their strength elsewhere. The Democratic maps favor the creation of districts where Black voters are not necessarily a majority, but can create coalitions with whites and other minorities to give them a significant opportunity to elect the candidate of their choice.

The result of the Democratic approach is maps that give Democrats a higher partisan advantage, when you look at how the districts have voted in past elections. The Republican approach, unsurprisingly, happens to benefit the GOP.

Del. Marcus Simon, a Democrat from Fairfax County, said a new state voting-rights law, passed over Republican opposition, mandates the creation of so-called coalition districts where practicable.

“We made a legislative choice — I know some of you all didn’t vote for it, but we made a decision,” Simon said. “We knew we were handing off this process to a commission, and we wanted to make sure we had clear guidance for the commission to follow.”

Republican Sen. Ryan McDougle, a Republican from Hanover, said he believes federal law takes precedent, and it favors creation of Black majority districts.

“Just because a Democrat gets elected doesn’t make it a minority district,” McDougle said.

Phillip Thompson, executive director of the National Black Nonpartisan Redistricting Organization, and a former executive director of the Loudoun County NAACP, said it bothers him when so much of the discussion focuses on a perception that Black candidates can’t win unless they are given a district with a Black majority. He said he tends to agree that the bigger problem Black voters face is losing overall political strength when packed into a smaller number of districts.

He noted that Loudoun County elected an African American, Phyllis Randall, to chair its Board of Supervisors even though the county has a relatively small Black population.

“Black candidates have to learn to run races in places” that aren’t obviously hospitable, he said. “If we’re ever going to get to a colorblind society, we’re going to have to start making some hard choices.”

One thing the commission is reviewing closely is the ability of Black voters to form coalitions that can elect the candidate of their choice without an outright majority. Studies look for patterns

of “racially polarized voting,” and show that in northern Virginia, there is little evidence of the phenomenon. It’s most prevalent in southside Virginia.

In central Virginia and in Hampton Roads, the study found evidence of racially polarized voting, but not to the extremes found in southside Virginia, so the degree to which a Black majority is necessary to elect a Black candidate is debatable. Central Virginia and Hampton Roads also happen to be the most politically competitive regions in the state, and where most of the map-drawing disputes have been centered.

Making the commission’s task even tougher is the need for a supermajority to approve any map. Approving either a House or a Senate map requires not only the support of 12 of the 16 commissioners, but also approval by six of the eight legislative commissioners and six of the eight citizen commissioners. What’s more, if two of the four appointees from the House of Delegates oppose the House map, it fails even if the other 14 commissioners support it. The same is true of the Senate map.

It’s unclear if missing the Oct. 10 deadline presents a significant problem. The law gives the commission 14 days after “its initial failure to submit a plan to the General Assembly.”

If the commission still can’t submit a plan, or if the General Assembly rejects its plan, the Supreme Court of Virginia will draw the maps.

The Democratic co-chair of the commission, Greta Harris, acknowledged the difficult task the commission faces. At a meeting last week, she urged commissioners to put politics aside and focus on the moral imperative of ensuring fair Black representation.

“I’m at a loss as to how we go forward,” she said. “The thought of what next Friday’s meeting is going to be like turns my stomach right now.”

New York Times: [Opinion: When It Costs \\$53,000 to Vote](#)

By Jesse Wegman

Twenty years ago, Judy Bolden served 18 months in a Florida prison. She has been free ever since, but she is still barred from voting by the state until she pays all court fines and fees associated with her conviction.

When Ms. Bolden sat to be photographed by The Times earlier this year, she said she had received a letter informing her that her outstanding debt was a few hundred dollars. Then she checked the Volusia County website and learned that she actually owes nearly \$53,000. “I was so taken aback,” she said. “I was like, What? That’s not right. I was just deflated. It’s like, when is this going to end?”

Ms. Bolden is one of more than 700,000 people in Florida who are barred from voting because they can’t afford the financial obligations stemming from a prior felony conviction. “It’s like I’m not a citizen,” she said. “That’s what they’re saying.”

Earlier this year we asked Floridians whose voting rights had been denied because of a criminal conviction to sit for photographs, wearing a name tag that lists not their name but their outstanding debt — to the extent they can determine it. This number, which many people attempt to tackle in installments as low as \$30 a month, represents how much it costs them to win back a fundamental constitutional right, and how little it costs the state to withhold that right and silence

the voices of hundreds of thousands of its citizens. The number also echoes the inmate identification number that they were required to wear while behind bars — another mark of the loss of rights and freedoms that are not restored upon release.

This is the way it's been in Florida for a century and a half, ever since the state's Constitution was amended shortly after the Civil War to bar those convicted of a felony from voting. That ban, like similar ones in many other states, was the work of white politicians intent on keeping ballots, and thus political power, out of the hands of millions of Black people who had just been freed from slavery and made full citizens.

Even as other states began reversing their own bans in recent years, Florida remained a holdout — until 2018, when Floridians overwhelmingly approved a constitutional amendment restoring voting rights to nearly everyone with a criminal record, upon the completion of their sentence. (Those convicted of murder or a felony sexual offense were excluded.)

Democratic and Republican voters alike approved the measure, which passed with nearly two-thirds support. Immediately, as many as 1.4 million people in the state became eligible to vote. It was the biggest expansion of voting rights in decades, anywhere in the country.

That should have been the end of it. But within a year, Florida's Republican-led Legislature gutted the reform by passing a law defining a criminal sentence as complete only after the person sentenced has paid all legal financial obligations connected to it.

The state adds insult to injury by making it difficult, if not impossible, for many of these people, like Ms. Bolden, to figure out what they owe. There is no central database with those numbers, and counties vary in their record-keeping diligence. Some convictions are so old that there are no records to be located.

This isn't just Kafkaesque. It may well be the deciding factor in Florida elections: Donald Trump carried the state by roughly 370,000 votes in 2020, or about half the number of Floridians who are denied the right to vote because they can't afford to pay their fines and fees.

That group includes Marq Mitchell, 30, who owed, as best as he can tell, \$7,331.89 stemming from convictions back to when he was 16 years old. He wasn't aware of the debt until he tried to register to vote and received a notice from the county's clerk of court.

"I have no idea what I have to pay," he said. "I just know every time I reach out, it's a different number, and it's increasing."

Right now, Mr. Mitchell isn't paying anything toward his debt. He asked the court to convert it to community service, which would translate to roughly 700 hours of work. "That would be a lot more realistic than expecting me to shovel out \$7,000 while still being able to survive and eat," he said.

For the lucky ones who can determine what they actually owe, the state layers one obstacle on top of another. It continues to add new fees for court appearances. It sells off the debt to private collection agencies, which tack on interest of up to 40 percent. Most crippling of all, it suspends the drivers' licenses of people who miss a payment. In a state where about 90 percent of people use a car to get to work, a suspended license makes it essentially impossible for people to earn the money they need to pay their fines and fees.

“The last four times I’ve been to jail has been because of driving on a suspended license,” Daniel Bullins said. Mr. Bullins, 42, lives in Melbourne, and served about two years in prison.

“The sad part is my mom doesn’t like cops now, and that breaks my heart. She’s 70, there’s no reason for her not to like cops, except for seeing what I’ve gone through,” he said.

Mr. Bullins went to the courthouse to pay down his debt, only to learn that it had been sold off to a private collection agency that charges 25 percent interest. “How are you going to sell somebody’s agony to a company and compound it?” Mr. Bullins asked. “It feels like that’s what they want: some way to pull you back in. It’s like ‘Goodfellas.’ You get away and they bring you back in.

“When prisons became big business, every part of the system became big business,” Mr. Bullins went on. “The whole tower is built on misery.”

Sergio Thornton has been out of prison since 2012, but he still owed about \$20,000 when he was photographed — “all fines and fees, just for selling \$40 worth of drugs,” he said. His original debt was more than double that amount, upward of \$40,000, as he recalls.

“I’m sitting in the courtroom, telling the judge that the only way I could come up with that kind of money is to commit another crime,” Mr. Thornton said. He is currently raising three girls and said he is supposed to be paying \$60 a month toward his legal debt, “but with school coming and rent, you got to pick which bill to pay.” When he fell three months behind in legal debt payments, his license was suspended. The day before he spoke to The Times, he had been laid off from a landscaping job that paid him \$13 an hour.

For many, paying thousands of dollars in legal debt isn’t worth the price. “I’m not paying them nothing,” Frank Summerville, a 34-year-old father of four living in Cocoa, said. “I’m not going to give them a dollar. I gave them four years of my life.” Mr. Summerville got out of prison in 2016 and now works as a mechanic and boat builder. He is qualified to work on airplanes and helicopters, but says he can’t get the clearance required to work at airports because of his convictions. He refuses to pay down his debt and get trapped in a system that seems designed to thwart him. “Why are we going to take our savings and dump it into something that ain’t going to make a difference?”

Aniesha Lynn Austin, 48, hasn’t been paying her debt of almost \$600, either, primarily because she can’t figure out how to. “I didn’t even know I owed this until I was actually released off parole,” she said. Ms. Austin served 27 years in prison before her release in March 2019. She has worked as a sales manager and as the vice president of [Change Comes Now](#), a nonprofit organization that provides services to people coming out of prison. “We’re still trying to find the actual link to pay it. It is from 1996. Trying to is half the battle.”

Raquel Wright, 46, of Vero Beach, has been out for seven years and owed more than \$54,000 when she was photographed. While on work-release, the state withheld 55 percent of her wages — she earned \$8.50 per hour, at AT&T — to cover her room and board, and a smaller percentage to pay down her legal debt. But she hasn’t been able to get a full-time job since she got home, in part because she doesn’t pass background checks, so she has not kept up with payments. With money tight and a 16-year-old daughter at home, other considerations come first. “I have her day-to-day care: feeding, clothing, basic needs. I have our phone bills. I have my car insurance. I have medical bills.” As for the legal debt, Ms. Wright said, “I’m never going to be

able to pay that off in my lifetime. Especially now, being that my employment is hindered with this charge. I'm always told I'm overqualified or I didn't pass the background check."

For some people, getting out from under their legal debt is closer to being a reality. Alan Grate, 59, had just started a job building boats when he spoke to The Times. "I started out at \$14.45 an hour, get a raise every 90 days. I ain't never in my life had a job making that kind of money," Mr. Grate said. He owes \$1,219.50 in court fines and fees after serving 14 and a half years in prison, and pays \$94 a month toward his debt. "At my age, I need to be able to go 10 years straight. I need that Social Security. That's one of my goals: buying a house. I don't want to pay rent all my life. I don't know how much time I got left on this earth."

Then there are the people whose debt is so massive they are effectively barred from voting not just in this life, but for many lifetimes after. Karen Leicht, 64, faced 50 years behind bars for a minor role in an insurance fraud and money laundering scheme that involved several co-defendants. Eventually she negotiated her sentence down to 30 months, which she served, but she could not negotiate the restitution — more than \$59 million. Trying to pay down an amount of that size is "an exercise that's meaningless," she said. "When the judge sentenced me and he was deciding what to put for the amount, he said, 'It doesn't matter what you pay monthly, you will never pay it off.' He didn't even put a monthly amount in."

At this point, voting is the least of Ms. Leicht's concerns. "I am 64. There's no possibility that I could ever retire because they took everything I had, including my condo. If I don't work, that's it," she said.

Even relatively small debts can be permanently disenfranchising for people who simply don't bring in enough money to pay them off. General Peterson, 63, served a total of three and a half years on three convictions and believes he still owes around \$1,100 in fees. He is retired and using his Social Security check to make monthly payments of \$30 on the debt. "You want to help me pay it? That'd be fine with me," he said.

Gotham Gazette: [The Private Sector Must Stand Up for Voting Rights; Here's How](#)  
by Natalie Diaz

We are in the midst of a Republican-led national campaign to restrict voting. [According to the Brennan Center](#), 18 states have already enacted 30 laws this year that will make voting more difficult. The federal government has the ability to pass national laws to mitigate the effects of many state-level restrictions, such as the "For the People Act" and the "John Lewis Voting Rights Advancement Act." But due to the lack of a clear majority for both bills, we cannot wait for the federal government to act. We must mobilize the private sector to counteract the effects of restrictive voting policies.

Across the country, laws have been enacted that restrict voting access by shortening the hours of operation of poll sites, reducing the number of drop boxes available for completed absentee ballots, preventing the distribution of water and food to voters waiting in long lines, purging voter rolls, preventing proactive outreach regarding absentee voting, and more.

The private sector can and should work to mitigate the effects of these policies. Companies should commit to policies advanced [by Time to Vote](#), for example, which mobilizes CEOs and private company leadership teams to pledge that employees will be given the time they need to

cast their ballots. More specifically, companies big and small must offer paid time off to vote. This can be done in many ways: allowing for late arrival to work or early departure from work in order to cast one's vote without penalty and with pay; educating employees internally about local elections, deadlines to register to vote, time frames to conduct one's vote, etc; facilitating the ability to register to vote on site in the workplace; and more.

The beauty of such policies are many. First, working to counteract barriers to vote is nonpartisan, and thus does not politicize the workplace. Second, there is [an interest convergence at play](#). If the need for voting rights and election integrity are essential to the operation and preservation of our democracy, the private sector has every interest in preserving these rights. Our democracy has created the greatest economy the world has ever known. Private companies operate within and benefit from the stability and integrity of our democracy.

And let's be clear that this is also about racial justice. Restrictive voting measures disproportionately disenfranchise racial minorities, and in fact, [are insidiously designed to do just that](#). Those corporations that do not take a clear stand against racial injustice and enact policies to further justice and equity are on a sinking ship as the demographics of the country change and as younger generations demand some level of socio-economic activism from private companies.

The distortion of our democracy as reflected in less participation by racial minorities threatens the sustainability of our democracy, and the environment in which private companies can achieve prosperity.

So what can be done on an individual level? Talk to your employer about programs like Time to Vote. The fact that nearly 2,000 companies across the country have signed on to the pledge gives it legitimacy, and will allow your company to be in the good graces of many other reputable firms. Demand that your company and other large, national firms do not donate to candidates at the local, state, or federal level that do not protect voting rights. Speak out on social media about the importance of the private sector when the government fails to protect our rights.

And remember: none of our rights to participate in our democracy are safe until all of our rights to participate in our democracy are safe.

The Grio: [Vice President Harris meets with Divine Nine as White House is pressed on voting rights](#)

By April Ryan

Vice President **Kamala Harris** walked into the Ceremonial Room of the Eisenhower Executive Office Building, just west of the White House, for an afternoon discussion with a coalition of Black Greek Letter Organization leaders on Wednesday to tackle some of the nation's most pressing issues facing Black America — voting rights, minority business development and vaccinating Black communities.

The group of Divine Nine representatives broke out into applause upon Vice President Harris's arrival and the cheers were heard several times by reporters before they were allowed in to hear from the nation's first Divine Nine member to serve as U.S. vice president.

*TheGrio* was among the reporters ushered into the room where Vice President Harris sat at the head of a long rectangle wooden antique table that was flanked by the national and international leaders of the Panhellenic organizations.

Harris spoke to reporters before delving into the discussion with the leaders. She said, “at my invitation, my Divine Nine family” is here understanding history, “the current and the future falls on leadership.” After the statement, the vice president did not answer reporters’ questions on the filibuster and what the White House plans to commit to on the Black agenda, particularly on voting rights.

In 1913, some of the founders of Delta Sigma Theta Sorority Incorporated participated in the suffragette parade in Washington D.C. Due to racism, the women were not recognized but walked in the back of the line for the right to vote. Fast forward to 2021, the right to vote has been crippled with Supreme Court decisions and states like Texas and Georgia’s restrictive voting laws.

On the Northwest Driveway of the White House after the sit down with Harris, Delta Sigma Theta Sorority Inc. President **Beverly Smith** said, “it was a wonderful meeting.” Smith went on to say, “we talked about a lot of good things” and that “voting rights is always a part of any discussion.”

Although Harris is a member of Alpha Kappa Alpha Sorority Inc., she has always put a focus on the unity of the Divine Nine. Her sorority’s international president, Dr. **Glenda Glover**, sat at the head of the table of the group of Black Greek sorority and fraternity leaders.

A bit later in the day in the White House Press Briefing Room the question on the urgency of voting rights was placed before **Jen Psaki**, White House press secretary.

“And he is frustrated that, despite everything that’s happened around the country, there isn’t more of a movement to get this done — I don’t mean by activists; certainly, there’s a movement there — in Congress,” Psaki said. “And so, I would convey to activists that he is absolutely committed. He wants to get this done. He wants to sign it into law.”

The question remains, if President Joe Biden is frustrated with the lack of legislative movement on voting rights, what will he do? When asked, Psaki returned with a question of what should he do? *TheGrio*’s retort questioned whether President Biden would aid the Vice President Harris’s portfolio issue of voting rights with support by supporting the end of the filibuster so that action on voting rights can proceed.

Psaki said President Biden, the leader of the Democratic Party, is not moving on abolishing the filibuster to fix voting rights. Meanwhile, there are talks about a carve out of the Senate procedural tool in order for Congress to raise the debt ceiling, bypassing Senate Republican opposition.

There are growing and percolating concerns among Democrats that voting rights is not as much of a pressing issue for this White House as they are courting moderate Democrats who don’t necessarily see this issue as important. The face of the fight for voting rights is Black and has been for decades but in 2021 it is an issue that hits every community with new restrictions and negative applications.



**From:** Zinsner, Addie  
**Subject:** RE: [EXTERNAL] RE: DOJ-ED connection, school board meeting disruptions  
**To:** Chambers, Kevin (ODAG)  
**Sent:** October 7, 2021 3:39 PM (UTC-04:00)

Thanks! Just sent.

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**From:** Chambers, Kevin (ODAG) (b) (6)  
**Sent:** Thursday, October 7, 2021 3:21 PM  
**To:** Zinsner, Addie (b) (6)  
**Subject:** Re: [EXTERNAL] RE: DOJ-ED connection, school board meeting disruptions

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Okay. Please set up a traditional dial in. Many Thanks.

Sent from my iPhone

On Oct 7, 2021, at 3:01 PM, Zinsner, Addie (b) (6) wrote:

Hi Kevin,

If 4:30pm tomorrow still works that would be great.

Thanks!  
Addie

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**From:** Chambers, Kevin (ODAG) (b) (6)  
**Sent:** Thursday, October 7, 2021 9:21 AM  
**To:** Zinsner, Addie (b) (6)  
**Subject:** RE: [EXTERNAL] RE: DOJ-ED connection, school board meeting disruptions

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Today is a mess, unfortunately. I can move some things and do tomorrow at 430 or I am wide open on Monday if that is better.

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**From:** Zinsner, Addie (b) (6)  
**Sent:** Thursday, October 7, 2021 9:00 AM  
**To:** Chambers, Kevin (ODAG) (b) (6)  
**Subject:** RE: [EXTERNAL] RE: DOJ-ED connection, school board meeting disruptions

Hi Kevin,

Hope all is well! Suzanne has time today between 1-1:45pm and 4:40-5:00pm. She also has time on Friday at 9:30am and 4:30pm. Just let me know if any of these times might work.

Thanks,  
Addie

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**From:** Goldberg, Suzanne (b) (6)  
**Sent:** Wednesday, October 6, 2021 7:32 AM  
**Cc:** Chambers, Kevin (ODAG) (b) (6); Zinsner, Addie (b) (6)  
**Subject:** Re: [EXTERNAL] RE: DOJ-ED connection, school board meeting disruptions

Kevin, Thanks for your voicemail on Monday. I am not sure why but it only just popped up on my phone this morning.

I was very glad to see the memo, and it would be great to talk in the coming day or two. My schedule is quite cramped as I imagine yours is as well so I am copying Addie Zinsner here to help us find time.

Looking forward to talking soon.

Best,  
Suzanne

On Oct 4, 2021, at 8:57 AM, Goldberg, Suzanne (b) (6) > wrote:

Thanks, Myesha, and Kevin, looking forward to your thoughts. Happy to talk by phone/teams later if that's easiest.

Best,  
Suzanne

Suzanne B. Goldberg  
Acting Assistant Secretary for Civil Rights  
Deputy Assistant Secretary for Strategic Operations and Outreach  
U.S. Department of Education  
(b) (6)

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**From:** Braden, Myesha (ODAG) (b) (6)  
**Sent:** Monday, October 4, 2021 8:55 AM  
**To:** Goldberg, Suzanne (b) (6)  
**Cc:** Chambers, Kevin (ODAG) (b) (6)  
**Subject:** Re: [EXTERNAL] RE: DOJ-ED connection, school board meeting disruptions

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Hi, Suzanne.

DOJ received this letter and is running a process, led by ODAG's Kevin Chambers. He's copied on this email and can provide further information.

Best wishes,

Myesha

Sent from my iPhone

On Oct 2, 2021, at 6:16 PM, Goldberg, Suzanne (b) (6) wrote:

Myesha,

Following up again to share the letter to President Biden that we also received from the National School Boards Association asking for more engagement from the federal government to assist with threats toward school board members. I'm hoping you might be able to share whether there are plans within DOJ related to the issues they raise.

Many thanks,  
Suzanne

Suzanne B. Goldberg  
Acting Assistant Secretary for Civil Rights  
Deputy Assistant Secretary for Strategic Operations and Outreach  
U.S. Department of Education

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**From:** Cochran, Shaylyn (CRT) (b) (6) >  
**Sent:** Friday, October 1, 2021 7:54 PM  
**To:** Braden, Myesha (ODAG) (b) (6); Goldberg, Suzanne (b) (6)  
**Subject:** DOJ-ED connection, school board meeting disruptions

**CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.**

Good Evening Myesha and Suzanne,

I am writing to connect you re: disruptions at school board meetings concerning COVID protocols. I understand from Shaheena that you both are looking into this issue and may benefit from connecting to determine any joint equities between DOJ and ED-OCR.

Best,  
Shaylyn

**Shaylyn Cochran**  
Chief of Staff  
Office of the Assistant Attorney General  
Civil Rights Division  
U.S. Department of Justice  
(b) (6) (work cell)  
(b) (6)

<NSBA Letter to President Biden Concerning Threats to Public Schools and School Board Members.pdf>

**From:** Hornbuckle, Wyn (PAO)  
**Subject:** RE: [EXTERNAL] Media Inquiry from Ronn Blitzer - Fox News  
**To:** (b)(6) Ronn Blitzer  
**Sent:** October 7, 2021 2:55 PM (UTC-04:00)  
Statement attributable to Wyn Hornbuckle, DOJ spokesman

"There has been misinformation circulated that the Attorney General's directive is an effort to silence those with particular views about COVID-related policies, school curricula, or other topics of public discussion. This is simply not true. As stated clearly in the Attorney General's guidance to the FBI and United States Attorney's Offices, the Department's efforts are about rooting out criminal threats of violence, not about any particular ideology."

Here is the link to the PR:

<https://www.justice.gov/opa/pr/justice-department-addresses-violent-threats-against-school-officials-and-teachers>

AG memo: <https://www.justice.gov/ag/page/file/1438986/download>

-----Original Message-----

**From:** Press <Press@jmd.usdoj.gov>  
**Sent:** Thursday, October 7, 2021 9:55 AM  
**To:** Hornbuckle, Wyn (PAO) (b) (6)  
**Cc:** Press <Press@jmd.usdoj.gov>  
**Subject:** FW: [EXTERNAL] Media Inquiry from Ronn Blitzer - Fox News

-----Original Message-----

**From:** no-reply@usdoj.gov <no-reply@usdoj.gov>  
**Sent:** Thursday, October 7, 2021 9:08 AM  
**To:** Press <Press@jmd.usdoj.gov>  
**Subject:** [EXTERNAL] Media Inquiry from Ronn Blitzer - Fox News

Date Thursday, October 7, 2021 - 9:08am EDT

Name: Ronn Blitzer

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: Fox News

Deadline: 10/7/21 9:30am

Inquiry:

Re: Response to AG Garland's memo on intervention in school board conflicts

Hello,

Former federal prosecutor Andrew McCarthy wrote in a piece for National Review that Attorney General Garland knows that his memo is "dangerous nonsense." He said that during the Clinton administration when Garland was a high-ranking DOJ official and McCarthy was a prosecutor, the DOJ pushed back against his desires to charge someone with soliciting acts of violence and seditious conspiracy based on

recorded statements. He said the DOJ warned of free speech issues and a potential chilling effect.

McCarthy also says that ty=he DOJ has no jurisdiction over the types of cases the memo discusses, as those would be state offenses handled by state and local authorities,

Does Attorney General Garland or the DOJ have any response to this?

Thank you.

Ronn Blitzer  
Politics Reporter  
FoxNews.com

**From:** Press  
**Subject:** FW: [EXTERNAL] Media Inquiry from Lauren Dunn - WORLD Digital, www.wng.org  
**To:** Hornbuckle, Wyn (PAO)  
**Cc:** Press  
**Sent:** October 7, 2021 12:38 PM (UTC-04:00)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>  
Sent: Thursday, October 7, 2021 12:24 PM  
To: Press <Press@jmd.usdoj.gov>  
Subject: [EXTERNAL] Media Inquiry from Lauren Dunn - WORLD Digital, www.wng.org

Date Thursday, October 7, 2021 - 12:24pm EDT

Name: Lauren Dunn

Email Address: (b) (6)

Topic: Other (please specify at the top of your message)

Media Outlet: WORLD Digital,  
<https://protect2.fireeye.com/v1/url?k=03720142-5ce9399b-037525a7-ac1f6b01751a-564a708b993b7e9b&q=1&e=727e22c1-0c44-416b-ad66-3228fa1f3b5c&u=http%3A%2F%2Fwww.wng.org%2F>

Deadline: 10/11/21

Inquiry:  
DOJ Directive - School Board Threats

I cover education for WORLD Digital (wng.org) and I'm working on a story about NSBA's recent request that President Biden utilize federal authorities to investigate local school board threats. Would someone from the DOJ be available for a 20-30 minute phone interview sometime tomorrow (Friday) or Monday morning?

Thank you for your time,  
Lauren Dunn  
WORLD Digital Correspondent

(b) (6)