

May 13, 2022

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

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, D.C. 20535

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
245 Murray Lane, S.W.
Washington D.C. 20528

Dear Attorney General Garland, Director Wray and Secretary Mayorkas:

I write to you regarding the recent politically-motivated attack on the Wisconsin Family Action office in Madison, Wisconsin. According to news reports, the attackers threw a Molotov cocktail into the Wisconsin Family Action Madison office and painted “if abortions aren’t safe then you aren’t either” on the building.¹ A pro-abortion group called “Jane’s Revenge” claimed responsibility for the attack, stating “This was only a warning... next time the infrastructure of the enslavers will not survive. . . Wisconsin is the first flashpoint, but we are all over the US, and we will issue no further warnings.”² However, to date, President Biden has made no public remarks, and neither the Department of Justice (DOJ), the Federal Bureau of Investigation (FBI), nor the Department of Homeland Security (DHS) have issued a statement condemning this attack.

I am unfortunately compelled to write to you about this matter because DOJ has a track record of not prosecuting left-wing violence as we have seen with the summer of 2020 riots that

¹ Danielle Wallace, *Wisconsin Anti-Abortion Group Targeted in Molotov Cocktail Arson Attack: Police*, Fox News, May 8, 2022, available at <https://www.foxnews.com/us/wisconsin-anti-abortion-group-molotov-cocktail-arson-attack>.

² Chris Rickert, *Group Claims Responsibility for Attack on Anti-Abortion Organization in Madison, Warns of More Violence*, Wisconsin State Journal, May 10, 2022, available at https://madison.com/news/local/crime-and-courts/group-claims-responsibility-for-attack-on-anti-abortion-organization-promises-more-violence/article_c56741e2-05fe-551f-ada9-078bf58db076.html.

occurred nationwide.³ In 2020, extremists exploited demonstrations across the country to incite riots that resulted in the loss of life, more than 2,000 injuries to law enforcement officers, and over \$1 billion in property damage.⁴ There are currently mobs outside of the residences of the Supreme Court Justices appointed by Presidents George W. Bush and Donald Trump. The intimidation of sitting Supreme Court Justices is a clear violation of federal law,⁵ and, once again, DOJ, FBI, and DHS have yet to condemn these activities. Compare your silence on these events to your robust actions against parents attending public school board meetings to voice their concerns about far-left ideologies being integrated into school curriculums.⁶

Based on the attack on the Madison pro-life organization, Jane's Revenge fits federal agencies' definitions of "domestic violent extremists" and the attack as a "domestic terrorism incident." The FBI defines a 'domestic terrorism incident' as an "ideologically-driven criminal act, including threats or acts of violence made to specific victims, made in furtherance of a domestic ideological goal that has occurred and can be confirmed."⁷ Additionally, the FBI and DHS define a 'domestic violent extremist' as an individual "who seeks to further their ideological goals wholly or in part through unlawful acts of force or violence."⁸ Attacking a pro-life organization in a manner that could have injured or killed the office's occupants due to differing political ideologies fits these definitions. It seems, however, that DOJ and DHS reserve those definitions for parents attending school board meetings or individuals who disagree with the policies of this Administration.⁹

I want to reemphasize that your silence on this abhorrent attack against a pro-life organization is deafening and your continued silence could be construed as a tacit endorsement

³ Aruna Viswanatha, Sadie Gurman, *Almost Half of Federal Cases Against Portland Rioters Have Been Dismissed*, The Wall Street Journal, April 15, 2021, available at <https://www.wsj.com/articles/almost-half-of-federal-cases-against-portland-rioters-have-been-dismissed-11618501979>; C. Douglas Golden, *In Stunning Decision, DOJ Dismisses 31 of 90 Portland Riot Cases, Some Violent*, The Western Journal, March 6, 2021, available at <https://www.westernjournal.com/stunning-decision-doj-dismisses-31-90-portland-riot-cases-violent/>; James Varney, *Prosecutors Dismiss Looting, Rioting Charges Against Hundreds of Protesters Across U.S.*, The Washington Times, June 4, 2020, available at <https://www.washingtontimes.com/news/2020/jun/4/prosecutors-dismiss-looting-rioting-charges-again/>.

⁴ Louis Casiano, *Police Chief Association Releases Number of Officers Injured During Violent Riots*, Fox News, December 1, 2020, available at <https://www.foxnews.com/us/police-chief-officers-injured-riots>; Jennifer Kingson, *Exclusive: \$1 billion-plus riot damage is most expensive in insurance history*, Axios, September 2020, available at <https://www.axios.com/2020/09/16/riots-cost-property-damage>.

⁵ See 18 U.S.C. § 1507.

⁶ Attorney General Merrick Garland, Department of Justice, *Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff*, Memorandum, October 4, 2021, available at <https://www.justice.gov/ag/page/file/1438986/download>; DHS National Terrorism Advisory Bulletin, November 10, 2021, available at <https://www.dhs.gov/ntas/advisory/national-terrorism-advisory-system-bulletin-november-10-2021>; Letter from House Judiciary Committee Republicans to Hon. Merrick Garland, Department of Justice, May 11, 2022, available at <https://twitter.com/JudiciaryGOP/status/1524531031851909120/photo/1>.

⁷ Department of Justice, *Domestic Terrorism: Definitions, Terminology, and Methodology*, November 2020, available at <https://www.fbi.gov/file-repository/fbi-dhs-domestic-terrorism-definitions-terminology-methodology.pdf/view>.

⁸ *Id.*

⁹ Attorney General Merrick Garland, Department of Justice, *Partnership Among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats Against School Administrators, Board Members, Teachers, and Staff*, Memorandum, October 4, 2021, available at <https://www.justice.gov/ag/page/file/1438986/download>.

of such attacks against those who hold different or opposing political beliefs from those of this Administration. I respectfully request the following information to learn more about your positions and actions to address this attack in light of your silence.

1. Has DHS or FBI designated the group, “Jane’s Revenge,” as a domestic violent extremist organization? If not, please provide your reasoning.
2. Will DOJ provide resources to identify and prosecute those responsible for the attack to the Madison Police Department?
3. What actions are DOJ, FBI, and DHS taking to assist state and local law enforcement regarding incidents of harassment, intimidation, and potential domestic threats against pro-life organizations?

Please provide this information as soon as possible but no later than 5:00 p.m. on May 27, 2022. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in blue ink that reads "Ron Johnson". The signature is written in a cursive, flowing style.

Ron Johnson
United States Senator