

**Congress of the United States**  
**Washington, DC 20515**

June 24, 2022

The Honorable Merrick B. Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530

Dear Attorney General Garland:

Since the leak of the draft opinion in *Dobbs v. Jackson Women's Health Organization* on May 2, 2022, there have been at least 40 documented attacks against pro-life pregnancy centers and churches.<sup>1</sup> These attacks include incidences of vandalism, destruction of property, and even firebombing. The radical group Jane's Revenge, which took credit for the May 2022 firebombing of a pregnancy center in Madison, Wisconsin, has even declared it "open season" on pro-life organizations and vowed to ramp up its offensive.<sup>2</sup>

This tide of violence is likely to continue in the coming months as an official court opinion is released. It is critical that the Department of Justice take steps now to protect pro-life pregnancy centers and places of worship.<sup>3</sup> The Clinton Administration took such steps to protect abortion clinics, signing the Freedom of Access to Clinic Entrances (FACE) Act of 1994.<sup>4</sup> The FACE Act makes it a federal crime to use force, threats of force, physical obstruction, intentional injury, or intimidation against clinics providing "reproductive health services" or places of worship, with

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<sup>1</sup> Josh Gerstein and Alexander Ward, "Supreme Court has voted to overturn abortion rights, draft opinion shows," *Politico*, May 5, 2022, <https://www.politico.com/news/2022/05/02/supreme-court-abortion-draft-opinion-00029473>; Susan B. Anthony Pro-Life America, "Pro-Abortion Vandalism, Violence, & Interruptions of Worship," *Susan B. Anthony Pro-Life America*, accessed June 21, 2022, <https://s27319.pcdn.co/wp-content/uploads/2022/06/6.15.22-Pro-Abortion-Vandalism-Violence-Interruptions-Of-Worship.pdf>.

<sup>2</sup> *Ibid*; Danielle Wallace, "Letter signed by radical abortion group Jane's Revenge declares 'open season' on pro-life pregnancy centers," *Fox News*, June 16, 2022, <https://www.foxnews.com/politics/letter-abortion-group-janes-revenge-open-season-pro-life-pregnancy-centers>.

<sup>3</sup> Caroline Downey, "DHS Preparing for Wave of Violence ahead of Potential Roe Reversal," *National Review*, May 18, 2022, <https://www.nationalreview.com/news/dhs-preparing-for-wave-of-violence-ahead-of-potential-ro-reversal/>.

<sup>4</sup> Gwen Ifill, "Clinton Signs Bill Banning Blockades and Violent Acts at Abortion Clinics," *The New York Times*, May 27, 1994, <https://www.nytimes.com/1994/05/27/us/clinton-signs-bill-banning-blockades-and-violent-acts-at-abortion-clinics.html>.

penalties including both fines and imprisonment.<sup>5</sup> It also makes it a federal crime to intentionally damage or destroy the property of such clinics or places of worship.<sup>6</sup> The clinics covered include those offering “services relating to pregnancy.”<sup>7</sup>

During the 1990s the DOJ went so far as preemptively dispatching U.S. Marshals under the law to guard abortion clinics across the country.<sup>8</sup> In doing so, Attorney General Janet Reno was responding to pro-abortion activists comparing acts of violence against abortion clinics to violence against civil rights workers and students in the 1960s, saying that the federal government was “using all federal tools” to protect abortion clinics.<sup>9</sup> The U.S. Marshals Service continued to protect abortion providers into the 2000s under both the Bush and Obama Administrations.<sup>10</sup>

The Supreme Court has likewise upheld related speech restrictions on First Amendment rights, ruling a 36-foot protest “buffer zone” from abortion clinic entrances and driveways constitutional in *Madsen v. Women's Health Center, Inc.* (1993) and a similar 15-foot buffer zone constitutional in *Schenck v. Pro-Choice Network of Western New York* (1997).<sup>11</sup> In *Hill v. Colorado* (2000), the Court upheld a floating 8-foot protest buffer zone for passersby, writing that the legislation did not violate the content-neutrality test established under *Ward v. Rock against Racism* (1989) because it did not apply to the “content of the demonstrators’ speech” but rather the location of that speech.<sup>12</sup>

The assault on pro-life Americans’ constitutional rights to freedom of speech and religion must be stopped. Given efforts from all three branches of government throughout the 1990s to protect abortion, the means to fight back against this lawless behavior are already in place. We urge the Department of Justice to aggressively and immediately take steps to stop the violence and protect the rights of all Americans.

Sincerely,

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<sup>5</sup> 18 U.S. Code § 248.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> Pierre Thomas, “U.S. Marshals Dispatched to Guard Abortion Clinics,” *The Washington Post*, Aug. 2, 1994, <https://www.washingtonpost.com/archive/politics/1994/08/02/us-marshals-dispatched-to-guard-abortion-clinics/80067334-dd30-4a0a-9a00-bfa438da968a/>.

<sup>9</sup> Ibid.

<sup>10</sup> David Johnston, “Ashcroft Orders U.S. Marshals To Protect an Abortion Doctor,” *The New York Times*, July 13, 2001, <https://www.nytimes.com/2001/07/13/us/ashcroft-orders-us-marshals-to-protect-an-abortion-doctor.html>; Department of Justice, “Attorney General on Murder of Doctor George Tiller,” *Department of Justice*, May 31, 2009, <https://www.justice.gov/opa/speech/attorney-general-murder-doctor-george-tiller>.

<sup>11</sup> 512 U.S. 753 (1994); 519 US 357 (1997).

<sup>12</sup> 530 US 703 (2000), 703-704.



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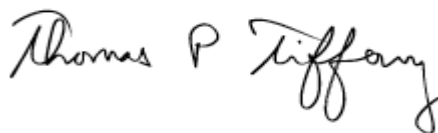
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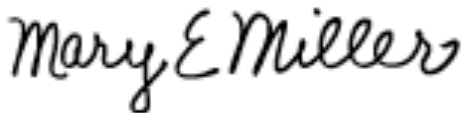
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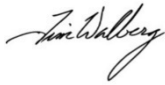
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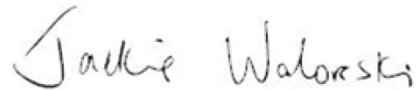
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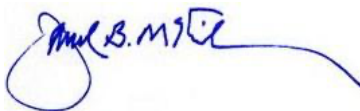
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A handwritten signature in blue ink that reads "Glenn Grothman". The signature is fluid and cursive, with the first name "Glenn" and last name "Grothman" clearly distinguishable.

Glenn Grothman  
Member of Congress