



August 1, 2023

VIA ONLINE PORTAL

Douglas Hibbard
Chief, Initial Request Staff
Office of Information Policy
United States Department of Justice
6th Floor, 441 G St NW
Washington, DC 20530

VIA ELECTRONIC MAIL

Kilian B. Kagle, Chief
4CON, Room 6.153
Civil Rights Division
United States Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530
CRT.FOIArequests@usdoj.gov

Freedom of Information Act Request: Southern Poverty Law Center

Dear Messrs. Hibbard and Kagle:

America First Legal Foundation is a national, nonprofit organization working to promote the rule of law in the United States, prevent executive overreach, and ensure due process and equal protection for all Americans, all to promote public knowledge and understanding of the law and individual rights guaranteed under the Constitution and laws of the United States. To that end, we file Freedom of Information Act (FOIA) requests on issues of pressing public concern, then disseminate the information we obtain, making documents broadly available to the public, scholars, and the media. Using our editorial skills to turn raw materials into distinct work, we distribute that work to a national audience through traditional and social media platforms. AFL's Twitter page has over 160,000 followers, and the Twitter page of our Founder and President has over 480,000 followers.

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I. Background

On June 6, 2023, the Southern Poverty Law Center (“SPLC”) released its 2022 “Year in Hate and Extremism” report.¹ For the first time, the SPLC included in its annual report the designation: “anti-government movement.”² The organizations listed as being part of the “anti-government movement” included national parents’ rights organizations like Moms for Liberty (including its “250+ chapters in 42 states”) and Parents Defending Education.³ The SPLC also listed local organizations such as Parents Against Critical Theory and Virginia Parents Involved in Education.⁴ In listing these parents’ rights groups as part of the anti-government movement, the SPLC claimed that they are part of an “anti-student inclusion movement that targets any inclusive curriculum that contains discussions of race, discrimination and LGBTQ identities.”⁵ Notably, the SPLC’s educational arm — Learning for Justice — provides resources to schools that push teachers to teach elementary schoolers about race, discrimination, and LGBTQ identities.⁶

The SPLC’s false allegations have triggered a wave of threats against parents, putting them in fear for their lives, their careers, and their reputations.⁷ For example, threats sent to Moms for Liberty include the following:⁸

- “Fuck you nasty sows. I will personally eradicate you from Massachusetts.”
- “You are NOTHING but a bunch of FUCKING CUNTS who should be FUCKING DESTROYED AS AN EXTREMIST GROUP YOU FUCKING BIGGOTED [sic] CUNTS ... PLEASE RESPOND Or are your FUCKING CUNTS too Afraid?”
- “Piece of shit fascists like you deserve to be dragged against a wall and force-fed hot lead. Eat shit and die. I genuinely hope all you fascist scum

¹ SPLC, *The Year in Hate & Extremism 2022*, <https://tinyurl.com/yu7mhz3d> (click “Download the report (PDF)”) (last visited Aug. 1, 2023).

² *Id.*; Tyler O’Neil, *Far-Left Group Put Moms for Liberty on Map with KKK Chapters*, DAILY SIGNAL (June 6, 2023) <https://tinyurl.com/bddfz732> (last visited Aug. 1, 2023).

³ SPLC, *The Year in Hate & Extremism 2022* at 21, 24, <https://tinyurl.com/yu7mhz3d> (click “Download the report (PDF)”) (last visited Aug. 1, 2023).

⁴ Tyler O’Neil, *Far-Left Group Put Moms for Liberty on Map with KKK Chapters*, DAILY SIGNAL (June 6, 2023) <https://tinyurl.com/bddfz732> (last visited Aug. 1, 2023).

⁵ SPLC, *The Year in Hate & Extremism 2022* at 10, <https://tinyurl.com/yu7mhz3d> (click “Download the report (PDF)”) (last visited Aug. 1, 2023).

⁶ SPLC, *Prevention and Resilience: Supporting Young People Through Polarizing Times*, <https://lfj.pub/prevention> (last visited Aug. 1, 2023); *see also* INFLUENCE WATCH, *Learning for Justice*, <https://tinyurl.com/r4bwxczb>.

⁷ Tyler O’Neil, *‘I Will Eradicate You’: Moms for Liberty Threatened, Treated as ‘Subhuman,’ After SPLC Attack*, DAILY SIGNAL (July 10, 2023), <https://tinyurl.com/3mts67at> (last visited Aug. 1, 2023).

⁸ *Id.*

get diagnosed with ALS and wither away in front of your loved ones. Seriously, kill yourself. You'd be doing us all a favor.”

The attacks against Moms for Liberty continued at the organization's annual summit last month in Philadelphia, Pennsylvania, where the host site — the Museum of the American Revolution — was vandalized, and mothers were threatened as they left the summit with their children and had their addresses posted online by far-left activists.⁹

At the behest of its leftist teacher union allies, the Biden Administration has weaponized the federal domestic intelligence community and law enforcement to intimidate parents, deter them from protecting their children, and undermine their First Amendment rights. Notoriously, the Biden Administration colluded with the National School Board Association and other extremists, causing Attorney General Garland to issue his October 4, 2021 memorandum directing the FBI to open federal investigations into parents speaking at school board meetings.¹⁰ The revelation that government officials have met with SPLC officials at least eleven times during Biden's rule is therefore alarming.¹¹ And recent whistleblower revelations that the FBI had relied on SPLC materials and information to investigate Catholics as “Racially or Ethnically Motivated Violent Extremists” make it clear that parents have much to fear from his government.¹²

II. Requested Records

Under 5 U.S.C. § 552(a), AFL requests the following records.

- A. Records of meetings with SPLC's directors, officers, and employees including, but not limited to, the following individuals: LaShawn Warren, Brandon Jones, Amanda Trocola, Joseph Levin, Susan Corke, Kirsten Anderson, Joshua Bekenstein, Waikinya Clanton, and Margaret Huang.
- B. Records of communications with SPLC's directors, officers, and/or employees including, but not limited to the following individuals: LaShawn Warren, Brandon Jones, Amanda Trocola, Joseph Levin, Susan Corke, Kirsten Anderson, Joshua Bekenstein, Waikinya Clanton, and Margaret Huang.

⁹ Christopher Tremoglie, Opinion, *Moms for Liberty Supporters Were Doxxed and Physically Threatened*, WASH. EXAMINER (June 29, 2023), <https://tinyurl.com/yxwvckbn> (last visited Aug. 1, 2023).

¹⁰ Press Release, *Chairman Jordan Expands Investigation into Biden Targeting Parents at School Board Meetings*, H. Comm. on the Judiciary (Jun. 6, 2023), <https://tinyurl.com/3rjcsv45> (last visited Aug. 1, 2023).

¹¹ Ben Collier and Tyler O'Neil, *The Company You Keep: White House Logs Show Biden Meeting With Far-Left Smear Factory Tied to Terrorism*, DAILY SIGNAL (July 5, 2023), <https://tinyurl.com/5hy7wn9s> (last visited Aug. 1, 2023).

¹² Kyle Seraphin, *The FBI Doubles Down on Christians and White Supremacy in 2023*, UNCOVERDC (Feb. 8, 2023), <https://tinyurl.com/47mhrsce> (last visited Aug. 1, 2023).

- C. All records, including communications, relating to the SPLC’s 2022 “Year in Hate and Extremism” report.
- D. All communications containing any one of the following terms: “SPLC,” “Southern Poverty Law Center,” “Moms for Liberty,” “Parents Defending Education,” “parent groups,” “parents’ rights,” “parental rights,” and/or “Year in Hate and Extremism.”
- E. All records regarding the processing of the above items.

III. Custodians

For Mr. Hibbard, Office of Information Policy

All political appointees and all career employees with a grade equivalent of GS-15 and above in the:

- A. Office of the Attorney General
- B. Office of the Deputy Attorney General
- C. Office of the Associate Attorney General

For Mr. Kagle, Civil Rights Division

All political appointees and all career employees with a grade equivalent of GS-15 and above in the Civil Rights Division

IV. Processing and Production

Per 5 U.S.C. § 552(a)(4)(A)(iii) and 28 CFR § 16.10, AFL requests a waiver of all search and duplication fees. AFL broadly disseminates information to the public regarding the operations and activities of the federal government, and numerous federal agencies, including the Department of Justice, have routinely granted our fee waiver requests. All records received will be posted on our website and made freely available to the public, and this request is not primarily in our commercial interest.

Processing should strictly comply with the processing guidance in the Attorney General’s Memorandum on Freedom of Information Act Guidelines. If you have any questions about our request or believe further discussions regarding search and processing would facilitate the more efficient production of requested records, please get in touch with me at FOIA@aflegal.org. If AFL’s request for a fee waiver is not granted in full, please get in touch with us immediately upon making that determination.

To accelerate your release of responsive records, AFL welcomes production on an agreed rolling basis. Please provide responsive records in an electronic format by email. Alternatively, please provide responsive records in native or PDF format on a USB drive to America First Legal Foundation, 611 Pennsylvania Ave SE #231, Washington, DC 20003.

Thank you in advance for your cooperation.

Sincerely,

/s/ Ian D. Prior

America First Legal Foundation