



The Honorable Merrick Garland
Attorney General
United States Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

SENT VIA ELECTRONIC MAIL AND UNITED PARCEL SERVICE

April 9, 2024

Mr. Attorney General,

On April 3rd, the Department of Justice proudly announced that four pro-life activists – including an 87-year-old Holocaust survivor – had been convicted of violating the FACE Act for civil disobedience outside a Tennessee abortion clinic.

On April 4th, a man in Verona, New Jersey set Our Lady of the Lake Roman Catholic Church on fire. It was the third time since 2018 that the same man, Elliot Bennett, had engaged in violence and vandalism against the church. He had been previously charged with criminal mischief and a hate crime for the prior incidents, but those were apparently not sufficient to deter him from attempting to destroy the church once and for all.

The Verona incident was the 21st attack on a Catholic church in 2024, the 247th attack since Catholic churches across the country were put under organized siege by pro-abortion domestic terrorists after the Supreme Court leak in May 2022, and the 412th attack since general civil unrest swept the nation in May 2020. We have found evidence of arrests in only about 25% of these cases, and zero federal prosecutions.

As you are surely aware, the FACE Act protects churches in the same way it protects abortion clinics. Under 18 U.S. Code § 248(a)(2), anyone who “by force or threat of force or by physical obstruction, intentionally injures, intimidates or interferes with or attempts to injure, intimidate or interfere with any person lawfully exercising or seeking to exercise the First Amendment right of religious freedom at a place of religious worship” shall be prosecuted under federal law.

And yet under your leadership, the Biden administration has refused to prosecute a single act of violence against a Catholic church despite many other cases of arson and firebombing; pro-abortion protestors blocking church entrances and disrupting Masses; and even physical assaults on priests and parishioners, among many other types of violence. These attacks have

caused at least \$25 million in quantifiable damage to churches and instilled fear into hundreds of Catholic communities.

In December 2021, we sent you a letter detailing our concerns about the epidemic of attacks against Catholic churches. At the time, there had been 113 attacks over 18 months. Associate Attorney General Vanita Gupta replied, promising a “15-day review to ensure that all appropriate resources are being deployed to protect houses of worship.” This was an unfulfilled promise at best and an outright lie at worst. Since then, the violence has not just continued but increased, unabated.

How much more violence needs to happen before you will act? Why is the FACE Act being enforced against Holocaust survivors but not those who attempt to destroy churches or even kill Catholics?

This problem is taking on new urgency this year. Up to a dozen states will be voting on abortion-related ballot initiatives. We have seen surges of attacks against Catholic churches during voting on abortion ballot initiatives in Kansas, Michigan, and Ohio, which had signs expressing their opposition to abortion.

Catholic churches and individual Catholics have an absolute right to practice their faith and vote their consciences. These attacks against Catholic churches standing for the right to life are textbook examples of voter intimidation and voter suppression. You have sued multiple states which you allege are engaging in voter suppression, comparing their laws to those of the Jim Crow era, yet you have not devoted a single minute of federal time to addressing the intimidation and suppression of Catholic voters which bears striking similarities to the prejudice and violence against African Americans during the Jim Crow era.

Catholics need more from the nation’s top law enforcement officer than a broken promise for a 15-day review. We demand action. Please respond to us within 30 days detailing what steps the Department of Justice intends to take to combat the incessant attacks against Catholic churches.

Sincerely,



Brian Burch
President, CatholicVote