

Garland Refuses to Rescind Memo Asking FBI to Probe School Board Threats

Republicans have pressured Garland to retract a directive asking the FBI to help address a rise in harassment and threats of violence against school board members nationwide.

By Lauren Camera

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Attorney General Merrick Garland for the second time in as many weeks defended his decision to mobilize the FBI to work with local and state law enforcement to address the rise of harassment and threats of violence against school board members.

Under increasing pressure from Republicans who have called on Garland to retract the directive, the attorney general once again clarified that the memorandum he issued earlier this month is directed at "concerns about violence, threats of violence, other criminal conduct."

"That's all it's about. And all it asks is for federal law enforcement to consult with, meet with local law enforcement to assess the circumstances, strategize about what may or may not be necessary to provide federal assistance, if it is necessary," he said.

The criticism from Republicans comes in the wake of a memorandum that tasked the FBI and U.S. attorneys' offices to meet in the next 30 days with federal, state and local law enforcement leaders to outline strategies for addressing a spike in harassment, intimidation and threats of violence against school board members across the country.

The attorney general's directive came five days after the National School Boards Association wrote a letter to President Joe Biden asking for federal assistance in responding to the mounting threats and violence that they likened to "domestic terrorism" against school board members related to their decisions on COVID-19 school safety policies, critical race theory and more.

During last week's hearing before the House Judiciary Committee, Republican ranking member Jim Jordan of Ohio hammered Garland for what he characterized as establishing "a snitch line on parents."

The attorney general rejected the characterization that he was labeling parents as domestic terrorists and trying to silence their concerns – sentiments he reiterated Wednesday. Instead, he said, this is the process the Justice Department follows when it addresses similar situations of mounting violent threats against members of Congress and others. Garland also refuted Republican claims that he coaxed the school board association into writing the letter asking for help or worked in any way with the White House to address the matter in short order.

But the Senate Judiciary's Republican members came with even more ammunition as the fallout continued.

Last week, the school boards association issued an apology for not consulting its executive board and for some of the language that was used.

"We regret and apologize for the letter," a letter sent to the association's members from its board of trustees read. "There was no justification for some of the language included in the letter. We should have had a better process in place to allow for consultation on a communication of this significance. We apologize for the strain and stress this situation has caused you and your organization."

The fallout has been severe. Nearly two dozen states have attempted to distance themselves from NSBA since the fallout, with Ohio and Missouri school board associations severing its membership with the national organization this week.

"A direct result of the letter sent by you to President Joe Biden late last month," the letter announcing Ohio's withdrawal read. "If we had been consulted we would have strongly disagreed with NSBA's decision to request federal intervention as well as your claims of domestic terrorism and hate crimes."

"No school board member should ever have to endure threats of violence or acts of intimidation against themselves or their families for making these difficult decisions," the Missouri letter read. "However, attempting to address that issue with federal intervention should not be the first step in most cases, and it is antithetical to our longstanding tradition of local control."

Republicans are seizing on the backtrack.

"The last thing the Justice Department and FBI need is a very vague memo to unleash their power – especially when they've shown zero interest in holding their own accountable," Sen. Chuck Grassley, Iowa Republican and ranking member of the committee, said.

On Tuesday, Jordan, along with House Republican Leader Kevin McCarthy of California and Rep. Virginia Foxx, North Carolina Republican and ranking member of the House Education and Labor Committee, formally requested that Garland withdraw the memorandum and discontinue directives for the FBI to work with local and state law enforcement.

"The Biden administration should be ashamed for attacking parents' desire to protect their children," they [wrote in a letter](#). "Parents should not be forced to take a back seat in their child's education or intimidated into silence. We should be encouraging more parental involvement, not less."

But in testimony on Wednesday, Garland said he had no plans to rescind his memorandum and said the school board association's concerns are justified.

"The letter that was subsequently sent does not change the association's concern about violence with threats of violence," Garland said about the school board association's apology. "It alters some of the language in the letter that we did not rely on and is not contained in my own memorandum. The only thing that the Justice Department is concerned about is violence and threats of violence."

That the attack on Garland's decision to aid school board members was the top talking point for GOP members during both the House and Senate oversight committees is just the latest evidence of how powerful a narrative it is for Republicans ahead of the 2022 midterm elections, especially as they try to woo back droves of suburban women who left the party or didn't vote in the 2020 presidential election.

That strategy is currently on display in the neck-and-neck governor's race in Virginia, where former Democratic Gov. Terry McAuliffe and GOP challenger Glen Youngkin are [tangling over school board issues](#).

President Joe Biden campaigned for McAuliffe on Tuesday evening in Arlington, where the former governor's aides handed out books by the late author Toni Morrison after Youngkin released a political ad this week featuring

a woman who tried to have Morrison's Pulitzer Prize-winning novel "Beloved" banned in public schools.

Former Vice President Mike Pence is set to visit Virginia's Loudoun County on Thursday, which has become ground zero for school board wars over issues concerning critical race theory, mask policies, transgender students' rights and other issues.