



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, DC 20530

The Honorable Chip Roy
Chairman
Subcommittee on the Constitution and
Limited Government
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Roy:

This responds to your letter to the Department of Justice (Department), dated February 16, 2024, in which you requested certain information regarding the Department's enforcement of the Freedom of Access to Clinic Entrances (FACE) Act.

The Department is committed to earning and maintaining the public's trust by following the facts and the law wherever they may lead, without prejudice or improper influence. Investigations and prosecutions under the FACE Act are no exception. As Assistant Attorney General Kristen Clarke stated in her testimony before the Subcommittee, the Department is committed to even-handed enforcement of the FACE Act.

Congress enacted the FACE Act in 1994 in response to an increase in violence toward providers and patients of reproductive health services. Notably, the FACE Act does not distinguish among types of reproductive health services. As the Department states on its website: "The FACE Act is not about abortions. The statute protects all patients, providers, and facilities that provide reproductive health services, including pro-life pregnancy counseling services and any other pregnancy support facilities providing reproductive health care."¹

The Department's Civil Rights Division, along with U.S. Attorneys' Offices around the country, prosecute FACE Act violations. The Department also pursues civil FACE Act claims in appropriate circumstances. Our prosecutions and civil actions rest on the straightforward proposition—which we have stated repeatedly—that violence and threats of violence have no place in the national discussion about reproductive health care. Since the Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization*, the Department has met with pro-choice groups and pro-life groups to discuss the protections afforded under the FACE Act.

¹ U.S. Dep't of Justice, Civil Rights Division, Protecting Patients and Health Care Providers, *available at* <https://www.justice.gov/crt/protecting-patients-and-health-care-providers>.

During these discussions, we encouraged all of them to report any concerns about potential violations to the Federal Bureau of Investigations.

While the Department is unable to provide all of the information requested in your letter regarding FACE Act cases going back to 1994, we can report that since January 2021, the Civil Rights Division has charged 24 FACE Act cases against 55 defendants and obtained 34 convictions. These cases have involved both abortion providers and pregnancy resource centers. In January 2023, the Department secured indictments against two residents of Florida for spray painting threats on pregnancy resource centers in the state. A superseding indictment at the end of March 2023 added charges against two additional defendants.² In July 2023, the Department secured an indictment of an Ohio resident for defacing the property of a pregnancy resource center in Bowling Green, Ohio. The defendant later pleaded guilty to violating the FACE Act and is currently awaiting sentencing.³

In addition, as requested in your letter, enclosed herein are the documents produced by the Department pursuant to a Freedom of Information Act request submitted by the Reveal News Center for Investigative Reporting.

We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Carlos Felipe Uriarte
Assistant Attorney General

Enclosure

² See Press Release, *Two Additional Defendants Charged with Civil Rights Conspiracy Targeting Pregnancy Resource Centers*, (March 29, 2023) available at <https://www.justice.gov/opa/pr/two-additional-defendants-charged-civil-rights-conspiracy-targeting-pregnancy-resource>

³ See Press Release, *Ohio Woman Pleads Guilty to Freedom of Access to Clinic Entrances (FACE) Act Violation for Damaging Pregnancy Center*, (December 8, 2023) available at <https://www.justice.gov/opa/pr/ohio-woman-pleads-guilty-freedom-access-clinic-entrances-face-act-violation-damaging> (last visited April 3, 2024).

The Honorable Chip Roy
Page 3

cc:

The Honorable Mary Gay Scanlon
Ranking Member
Subcommittee on the Constitution and
Limited Government
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515