

AG Merrick Garland directs FBI to target ‘disturbing spike’ in school board threats

Emily Zantow

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Attorney General Merrick Garland told federal officials Monday to meet with law enforcement to discuss strategies for responding to the growing number of threats against school board members, teachers and other education staff.

Mr. Garland issued a memorandum describing a need to address the “disturbing spike” in threats of violence, harassment and intimidation against school officials in recent months.

“While spirited debate about policy matters is protected under our Constitution, that protection does not extend to threats of violence or efforts to intimidate individuals based on their views,” the attorney general said.

His call-to-action comes days after the National School Boards Association (NSBA) sent a letter to President Biden asking for federal law enforcement to investigate and prevent the threats, which it said “could be equivalent to a form of domestic terrorism and hate crimes.”

The letter said school board members across the country have been attacked for approving pandemic-related mask policies and many are facing physical threats linked to “propaganda purporting the false inclusion of critical race theory” in the curriculum.

NSBA cited nearly two dozen examples, including a school board meeting in Michigan where a person protesting masking yelled a Nazi salute and the arrest of an Illinois man who allegedly hit a school official at a meeting.

A letter sent to a school board member in Ohio reportedly said: “You are forcing them to wear [a] mask — for no reason in this world other than control. And for that you will pay dearly.”

The hostility is forcing school board members tasked with approving school budgets and policies — many of whom are unpaid — to resign or not seek another term, according to NSBA.

The association requested that federal authorities examine whether the threats and violence amount to violations of federal laws governing domestic terrorism and civil rights.

It also asked the Justice Department, FBI, the Department of Homeland Security, the Secret Service and the U.S. Postal Inspection Service to assess threat levels and intervene when possible.

Heeding their call, Mr. Garland directed the FBI and state attorneys generals to meet with federal, state, local, tribal and territorial leaders to develop strategies and communication lines for threat reports, assessment and response by Nov. 3.

The attorney general also said the Justice Department is planning to announce a series of actions to address the uptick in criminal conduct against school officials.

“The department takes these incidents seriously and is committed to using its authority and resources to discourage these threats, identify them when they occur, and prosecute them when appropriate,” he said.

Chip Slaven, NSBA interim executive director and CEO, applauded DOJ’s “swift” action in response to the association’s request.

“Over the last few weeks, school board members and other education leaders have received death threats and have been subjected to threats and harassment, both online and in person,” Mr. Slaven said in a statement on Monday.

The department’s effort “is a strong message to individuals with violent intent who are focused on causing chaos, disrupting our public schools and driving wedges between school boards and the parents, students, and communities they serve,” he said.

Meanwhile, Neal McCluskey, director of the Center for Educational Freedom at The Cato Institute, warned of the potential consequences linked to the NSBA’s request.

“While protestors have been unruly, and some physical altercations have occurred, this request threatens to chill even legitimate speech about what school districts teach or do not teach, or policies they have, citing several examples that appear to be clear political speech as criminally threatening,” Mr. McCluskey said in a statement last week.