

ONE HUNDRED SEVENTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
2138 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6216
(202) 225-3951
judiciary.house.gov

March 29, 2021

The Honorable Merrick B. Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Garland:

Anarchists and violent left-wing extremists continue to vandalize and destroy federal property in Portland, Oregon. Following riots that erupted in May 2020, Portland experienced over 100 consecutive nights of violence as anarchists attacked federal courthouses, small businesses, and even police precincts.¹ In August 2020, amid the chaos and civil unrest, Portland Mayor Ted Wheeler rejected the Trump Administration's offer to assist in bringing law and order back to the city.² Shortly thereafter, the Department of Justice (DOJ) designated Portland as a jurisdiction that has "permitted violence and destruction of property to persist" and one that has "refused to undertake reasonable measures to counteract criminal activities."³ We write to request information about DOJ's recent efforts to prosecute crimes against federal property in Portland.

The vandalism and destruction of federal and private property that began last summer in Portland has not stopped. On March 10, 2021, the Department of Homeland Security (DHS) removed protective fencing around the Mark O. Hatfield United States Courthouse "as part of a broader effort to help the city return to normalcy."⁴ However, on March 11, 2021, just hours after the fencing was removed, left-wing agitators attempted to force their way into the courthouse

¹ David Shipley, *What Happened to Portland?*, BLOOMBERG OPINION (Sep. 17, 2020), <https://www.bloomberg.com/opinion/articles/2020-09-17/u-s-protests-stopped-in-portland-oregon-they-continued-why>.

² Letter from Ted Wheeler, Mayor of Portland, to Donald J. Trump, former President of the United States (Aug. 28, 2020), <https://www.portland.gov/sites/default/files/2020-08/8.28.20-letter-to-president-trump.pdf>.

³ Press Release, U.S. Dep't of Justice, Department of Justice Identifies New York City, Portland and Seattle As Jurisdictions Permitting Violence And Destruction of Property (Sep. 21, 2020), <https://www.justice.gov/opa/pr/departments-justice-identifies-new-york-city-portland-and-seattle-jurisdictions-permitting>.

⁴ Lucas Manfredi, *Portland courthouse turns back into fortress after riots spike again*, FOX NEWS (Mar. 15, 2021), <https://www.foxnews.com/us/portland-courthouse-turns-back-into-fortress-after-violent-antifa-riots-spike-again>.

and set fire to the building.⁵ Some individuals also burned American flags, smashed windows of local businesses, and attempted to storm a local bank.⁶

Since last summer, several federal courthouses and government properties in Portland have been damaged or vandalized. In addition to the Mark O. Hatfield United States Courthouse, left-wing agitators have attacked the Edith Green-Wendall Wyatt Federal Building, the Gus J. Solomon U.S. Courthouse, the Pioneer Courthouse, and the U.S. Immigration and Customs Enforcement building.⁷ Although repairs to these federal properties are ongoing, the current cost of repairs has reached at least \$2.3 million.⁸ This figure will inevitably rise as repairs continue.

The situation in Portland has been exacerbated by the recent budget cuts to the Portland Police Bureau. On June 17, 2020, amid the chaos and violence, the Portland City Council voted to approve \$16 million in cuts to the Portland Police Bureau, which dissolved its Gun Violence Reduction Team, School Resource Officers, and the Transit Police Division.⁹ Between May 29, 2020, and August 27, 2020, federal law enforcement officers arrested over 100 individuals in Portland for crimes including, arson, assault, and damaging federal government property.¹⁰

On February 24, 2021, the Subcommittee on Crime, Terrorism, and Homeland Security held a hearing at which journalist Andy Ngo testified that Antifa and left-wing anarchists in Portland have “developed a riot apparatus that included streams of funding for accommodation, travel, riot gear, and weapons, which resulted in a murder, hundreds of arson attacks, mass injuries, and mass property destruction.”¹¹ Mr. Ngo stressed to the Congress the importance of not “downplaying antifa’s violent extremism.”¹² Former Attorney General William P. Barr testified last summer that the DOJ considered attacks on federal property in Portland to be “federal crimes under statutes enacted by this Congress.”¹³

⁵ Zachary Evans, *Rioters Set Fire to Federal Courthouse in Portland One Day after Fencing Removed*, NATIONAL REVIEW (Mar. 12, 2021), <https://www.nationalreview.com/news/rioters-set-fire-to-federal-courthouse-in-portland-one-day-after-fencing-removed/>.

⁶ Andrew Mark Miller, *Antifa rioters burn US flags, storm courthouse, and clash with police in Portland, Oregon*, WASH. EXAMINER (Mar. 12, 2021), <https://www.washingtonexaminer.com/news/antifa-burn-american-flags-storm-courthouse-portland>.

⁷ Noelle Crombie, *Price tag so far for protest-related damage to federal buildings in Portland: \$2.3 million*, OREGON LIVE (Feb. 2, 2021), <https://www.oregonlive.com/crime/2021/02/price-tag-so-far-for-protest-related-damage-to-federal-buildings-in-portland-23-million.html>.

⁸ *Id.*

⁹ *Portland, Ore., cuts police budget by \$16 million, dissolves programs*, OANN (Nov. 6, 2020), <https://www.oann.com/portland-votes-against-18m-police-funding-cut/>.

¹⁰ Press Release, U.S. Dep’t of Justice, *74 People Facing Federal Charges for Crimes Committed During Portland Demonstrations* (Aug. 27, 2020), <https://www.justice.gov/usao-or/pr/74-people-facing-federal-charges-crimes-committed-during-portland-demonstrations>.

¹¹ *The Rise of Domestic Terrorism in America: Hearing Before the H. Subcomm. On Crime, Terrorism and Homeland Security of the H. Comm. On the Judiciary*, 117th Cong. (2021) (statement of Andy Ngo).

¹² *Id.*

¹³ *Oversight of the Department of Justice Part II: Attorney General William P. Barr, Hearing Before the H. Comm. on the Judiciary*, 116th Cong. (2020) (statement of Attorney General William P. Barr).

The Biden Administration has a duty to ensure that the federal law is enforced and that individuals who seek to destroy and vandalize federal property in Portland are prosecuted to the fullest extent of the law. In light of Mr. Ngo's testimony to the Committee and to better understand the Department of Justice's efforts to enforce federal law and protect federal property in Portland, we respectfully request the following information:

1. Please explain the Justice Department's current efforts to identify and prosecute individuals who are attacking federal law enforcement and damaging and vandalizing federal property in Portland, Oregon.
2. Please explain how the Justice Department, in coordination with other relevant federal law enforcement agencies, is working to prevent individuals from damaging and vandalizing federal property in Portland, Oregon.
3. Please explain whether the Justice Department still believes Portland, Oregon, has "permitted violence and destruction of property to persist" and has "refused to undertake reasonable measures to counteract criminal activities."¹⁴
4. Please explain whether the Justice Department still believes that "peaceful protestors do not throw explosives into federal courthouses, tear down plywood with crowbars, or launch fecal matter at federal officers. Such acts are in fact federal crimes under statutes enacted by this Congress."¹⁵

Please provide this information as soon as possible, but no later than 5:00 p.m. on April 12, 2021. After you have provided this information in writing, we ask that you provide a staff-level briefing. This briefing may be conducted remotely for convenience and safety issues.

The House Committee on the Judiciary has jurisdiction pursuant to Rule X of the Rules of the House of Representatives to conduct oversight of matters concerning "subversive activities affecting the internal security of the United States" as well as "criminal law enforcement and criminalization."¹⁶

¹⁴ Press Release, Dep't of Justice, Department of Justice Identifies New York City, Portland and Seattle As Jurisdictions Permitting Violence And Destruction of Property (Sep. 21, 2020), <https://www.justice.gov/opa/pr/departments-justice-identifies-new-york-city-portland-and-seattle-jurisdictions-permitting>.

¹⁵ *Oversight of the Department of Justice Part II: Attorney General William P. Barr, Hearing Before the H. Comm. on the Judiciary*, 116th Cong. (2020) (statement of Attorney General William P. Barr).

¹⁶ Rules of the House of Representatives, R. X, 117th Cong. (2021).

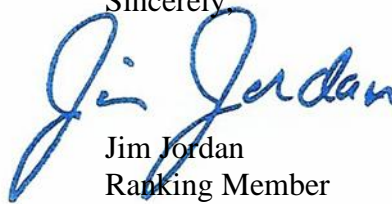
The Honorable Merrick B. Garland

March 29, 2021

Page 4

To schedule the briefing or if you have any questions about this request, please ask your staff to contact Judiciary Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is written in a cursive, flowing style.

Jim Jordan
Ranking Member

cc: The Honorable Jerrold L. Nadler
Chairman