



Attorney General William Barr
U.S. Department of Justice
950 Pennsylvania Ave., NW
Washington D.C. 20530

December 13, 2020

Attorney General Barr:

The Lawyers' Committee for Civil Rights Under Law writes to express serious concern regarding attacks carried out by the Proud Boys and others on Black churches, pedestrians, and others in Washington, D.C. on December 12, 2020. The Proud Boys are a western-chauvinist group with ties to white nationalism¹ and whose members regularly engage in violence,² including in Charlottesville, Virginia Portland, Oregon and Washington, D.C. Their acts raise serious concerns under various federal laws, including the Church Arson Prevention Act. We call on the U.S. Department of Justice to immediately launch a thorough investigation into these attacks and act to ensure that *all* Americans are free to engage in their religious practices and First Amendment rights without fear of race-based violence. The actions of the Proud Boys mirror the cross-burnings and other acts of terror perpetrated by the Ku Klux Klan in the era of Jim Crow and must be responded to with all due speed and consequence.

The Lawyers' Committee is a nonprofit organization formed in 1963 at the request of President John F. Kennedy to enlist the private bar's leadership and resources in combating racial discrimination and the resulting inequality of opportunity. The Lawyers' Committee's principal mission is to secure equal justice for all through the rule of law, targeting in particular the inequities confronting Black Americans and other racial and ethnic minorities.

Based on information that we have received, last night hundreds of Proud Boy members, many in Proud Boy colors (yellow and black) took to the streets of DC attacking counter protesters and passersby.³ Many of the Proud Boy members also wore helmets and bullet proof vests, and marched in military type rows. Clashes were reported near Black Lives Matter Plaza, Franklin Square, Harry's Bar, and other locations around downtown.⁴

In addition to clashing with counter-protesters and passersby, the Proud Boys ripped Black Lives Matter (BLM) banners from at least two historically Black churches in the downtown D.C. area,

¹ Southern Poverty Law Center, *Proud Boys*, <https://www.splcenter.org/fighting-hate/extremist-files/group/proud-boys>.

² See, e.g., Jason Wilson, *Who are the Proud Boys, 'western chauvinists' involved in political violence?*, THE GUARDIAN (July 14, 2018) at <https://www.theguardian.com/world/2018/jul/14/proud-boys-far-right-portland-oregon>

³ Jessica Contrera (@mjcontrera), TWITTER (Dec. 12, 8:24 PM), <https://twitter.com/mjcontrera> and @greg_doucette, TWITTER (Dec. 12, 11:57 PM), <https://twitter.com/i/status/1337985000940187651>.

⁴ Emily Davies, Rachel Weiner, Clarence Williams, Marissa J. Lang and Jessica Contrera, *Multiple people stabbed after thousands gather for pro-Trump demonstrations in Washington*, THE WASHINGTON POST (Dec. 12, 2020), https://www.washingtonpost.com/local/trump-dc-rally-maga/2020/12/11/8b5af818-3bdb-11eb-bc68-96af0daae728_story.html

including the Metropolitan African Methodist Episcopal Church and Asbury United Methodist Church. Both banners were then destroyed – the African Methodist Episcopal Church BLM banner being stomped on, kicked, and torn,⁵ while the Asbury United BLM banner was burnt, as Proud Boys surrounded it, poured accelerant on the flames, and cheered.⁶

Unfortunately, this type of attack on Black religious institutions is not new and has a long history. Arsons, attempted arsons and destruction of church property targeting Black churches occurred throughout the 19th and 20th century and still occur with frightening frequency today. Just last year, a Louisiana man burnt three Black churches, before being arrested and prosecuted under federal law.⁷ As has been documented, the perpetrators of these attacks are generally white men, driven by racism.⁸

These attacks raise serious concerns under a host of federal laws, including the Church Arson Prevention Act of 1996. In passing the Church Arson Prevention Act, Congress found that arson or other vandalism targeting places of religious worship, poses a “serious national problem.” The Act made federal criminal code prohibitions against, and penalties for, damaging religious property or obstructing any person’s free exercise of religious beliefs where the offense affects interstate commerce. In addition, the act prohibits intentionally defacing, damaging, or destroying religious real property (or attempting to do so) because of the race, color, or ethnic characteristics of any individual associated with such property.⁹

The U.S. Department of Justice must take immediate action to investigate these attacks and ensure that all Americans are free to express their First Amendment rights and right to practice their religion without fear of race-based violence.

Sincerely,



Kristen Clarke
President and Executive Director
Lawyers’ Committee for Civil Rights Under Law
Washington, D.C.

⁵ Brendan Gutenschwager (@BGOntTheScene), TWITTER (Dec. 12, 2020, 10:53 PM), <https://twitter.com/i/status/1337968919286591488>

⁶ Shelby Talcott (@ShelbyTalcott), TWITTER (Dec. 12, 2020, 8:55 PM), <https://twitter.com/i/status/1337939112649748480>

⁷ Jaclyn Peiser, *Inspired by ‘black metal,’ a Louisiana man razed three Black churches. He’s been sentenced to 25 years*, THE WASHINGTON POST (Nov. 3, 2020) at <https://www.washingtonpost.com/nation/2020/11/03/holden-matthews-burned-black-churches-sentenced/>

⁸ William Booth, *In Church Fires, A Pattern But No Conspiracy*, THE WASHINGTON POST (Jun. 19, 1996) at <https://www.washingtonpost.com/archive/politics/1996/06/19/in-church-fires-a-pattern-but-no-conspiracy/e3ac8ad5-ae70-458d-8cf1-5462a036a33c/>

⁹ 18 U.S.C.A. § 247.