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# United States Senate

COMMITTEES  
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JUDICIARY  
SELECT COMMITTEE ON INTELLIGENCE

December 1, 2021

The Honorable Merrick Garland  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Attorney General Garland,

I am writing regarding the recent mass-murder attack in Waukesha, Wisconsin, in which law enforcement arrested a career criminal for allegedly driving an SUV through a Christmas parade, killing at least six and injuring more than 60 others. The defendant in this case has spent more than two decades committing crimes, including a number of violent and sexual felonies, and had also reportedly shared anti-Semitic posts and called for violence against white people. Just three weeks before the attack in Waukesha, the same defendant was reportedly arrested for attacking his ex-girlfriend and running over her with his car, but he was released on bail of just \$1,000. He was still out on bail at the time of the attack.

In October, you issued a memorandum to all United States Attorneys and to the FBI, directing them to bring a federal law enforcement presence to local school board meetings all across the country, despite a lack of any apparent federal crime or national outbreak of violence. Yet, while you seemed to have no hesitation to prioritize chilling free speech from concerned parents, neither you nor the Department of Justice appear to have even issued a public statement about the mass murder in Waukesha. You have also issued no statements about the lenient bail policies that appear to have allowed this attack to take place.

Please respond to the following questions no later than 5:00 P.M. on Monday, December 6:

1. What is the Department doing to investigate or assist in the investigation in Waukesha, Wisconsin?
2. Is the Civil Rights Division investigating the racist postings allegedly made by the defendant in this case?
3. Have you directed federal prosecutors and the FBI to take any actions to fill gaps in the criminal justice system left by soft-on-crime policies like the weakening or elimination of cash bail?

I look forward to your prompt response regarding this important matter.



Tom Cotton  
United States Senator