



U.S. Department of Justice

Executive Office for United States Attorneys

Office of the Director

Room 2261, RFK Main Justice Building
950 Pennsylvania Avenue, NW
Washington, DC 20530

(202) 252-1000

MEMORANDUM – Sent via Electronic Mail

DATE: October 20, 2021

TO: ALL UNITED STATES ATTORNEYS
ALL FIRST ASSISTANT UNITED STATES ATTORNEYS
ALL EXECUTIVE ASSISTANT UNITED STATES ATTORNEYS
ALL CRIMINAL CHIEFS
ALL LAW ENFORCEMENT COORDINATORS
ALL PUBLIC AFFAIRS OFFICERS

FROM: Monty Wilkinson
Director

SUBJECT: Guidance on Implementing the Attorney General's Memorandum on
Addressing Threats against School Administrators, Board Members, Teachers,
and Staff

ACTIONS REQUIRED: (1) Convene a meeting by November 3, 2021, with appropriate district law enforcement leaders in accordance with the Attorney General's memorandum.
(2) Notify the Executive Office for United States Attorneys that you have held this meeting, identify which agencies participated, and note any significant issues for the Deputy Attorney General's attention.

DUE DATE: November 3, 2021

CONTACT PERSONS: (b) (6) (for meeting confirmation notifications)
Contractor
Legal Programs Office

(b) (6)

(b) (6) (for non-legal/coordination questions)
Law Enforcement Coordinator Program Manager
Office of Legal Programs

(b) (6)

(b) (6)

(b) (6), (b) (7)(C) (for legal questions)

National Violent-Crime Coordinator

Legal Programs Office

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

This provides further guidance for implementing the Attorney General's October 4, 2021 memorandum entitled, [“Partnerships among Federal, State, Local, Tribal, and Territorial Law Enforcement to Address Threats against School Administrators, Board Members, Teachers, and Staff.”](#) The memorandum instructs the United States Attorneys, as the chief federal law enforcement officers in their federal districts, to convene in partnership with the FBI, meetings with appropriate law enforcement agencies.

The Department's aim in requesting these meetings is to assess and discuss trends in violations of criminal laws regarding harassment, intimidation, threats of violence, and actual violence against school officials, teachers, and employees. These meetings should be designed to ensure open lines of communication between federal, state, local, Tribal, and territorial authorities so that appropriate law enforcement agencies are made aware of criminal conduct that falls within their jurisdiction. The problem may be more pressing in some federal districts than others.

The Attorney General's directive emphasizes that constitutionally protected speech must be safeguarded. These meetings should make clear that law enforcement must not interfere with, and should protect, spirited debate about policy matters and peaceful protest.

The Deputy Attorney General has requested that each United States Attorney's office (USAO) convene at least one meeting by November 3, 2021. Please consider the following when planning meetings:

- *Partners to include in meetings.* These meetings should include relevant federal, state, local, Tribal, and territorial law enforcement agency partners that are best suited to gauge and respond to criminal threats to school officials, teachers, and employees in your federal district. These meetings are for law enforcement partners only and are not for education system or school officials.
- *Format of meetings.* You may choose the most efficient and effective means by which to conduct these meetings. For USAOs in states that have multiple federal districts, you may consider holding a statewide or multi-district meeting in conjunction with other USAOs. If the USAO, working with the FBI, deems individual consultations with relevant law enforcement partners to be a more appropriate means of comprehensively assessing the threats, those consultations can take the place of a single joint meeting involving multiple agency representatives.

The format can be as formal or informal as you deem appropriate, through whichever means – in-person, virtual, or hybrid – you believe is most feasible and effective. For offices that plan to convene in-person meetings, please follow COVID-19 workplace safety guidance and local COVID-19 protocols, including social distancing and other safety requirements (*e.g.*, masking and other health guidelines).

- *Discussion topics.* While assessing the extent or lack of the problem in your federal district and discussing improvements to communication channels is paramount, the following topics should also be discussed:
 - How victims can be supported;
 - State, local, Tribal, and territorial laws that address this conduct. This discussion topic would be appropriate for non-federal partners to lead, as they will be the subject matter experts;
 - Relevant federal laws and the appropriate exercise of federal law enforcement authority. This discussion topic would be appropriate for the USAO, the FBI, and other federal partners to lead.
 - Outreach and training needs, including resources for threat mitigation.

If your office has already finalized planning for a meeting or held a meeting, there is no need to hold an additional meeting. Please continue to bear in mind that the purpose of these meetings is to address violations of criminal law regarding harassment, intimidation, threats of violence, and actual violence against school officials, teachers, and employees, not exercises of free speech, expression, or petition.

By November 3, 2021, please notify EOUSA of the following: (1) confirm that your office has held the required meeting with appropriate district law enforcement leaders and indicate the date of the meeting; (2) identify the law enforcement agencies that participated; and (3) note any significant issues arising from the meeting that you believe should be brought to the Deputy Attorney General's attention. Please provide this notification by email – no particular format is required – to (b) (6) at (b) (6).

Please direct any non-legal questions (*e.g.*, questions about the process for setting up these meetings) to (b) (6), Law Enforcement Coordination Program Manager. For legal questions, please contact (b) (6), (b) (7)(C). Contact information is provided above.

Thank you for your continued work to make all communities safer.

cc: All United States Attorneys' Secretaries