

Merrick Garland vs. America's Parents

by Gary Fouse



On Thursday, Attorney General Merrick Garland testified before Congress. He faced tough questioning from Republicans on a variety of issues including the memo he just sent to the FBI directing them to investigate alleged intimidation of school board members by angry parents who have been showing up at school board meetings. Many are angry over the indoctrination of their children by schools and teachers. In particular, many are incensed by the teaching on Critical Race Theory.

As one who has gone to a couple of school board meetings in Southern California and participated in the public comments time, I would like to weigh in. I also should note that I am retired from the US Department of Justice, which Garland leads and has directed to get involved in this matter.

Public school board meetings, like county and local government board meetings, have certain sessions open to the public, who, in turn, may ask questions or give their opinions-with time limits, of course. Naturally, there are rules of decorum, and threats of violence or violence itself are unlawful. Violators are subject to arrest by local police. I myself would never condone a parent or other member of the public engaging in violence or threats. That is not the point. The point is that we have appropriate local laws and local police to deal with such instances. We don't need the federal Justice Department getting involved. The only exception, as I see it, would be if there were some conspiracy across state lines to disrupt or do harm to school board meetings and members. I do not see that here. Parents and/or community members showing up to express

their anger at the way their children or being taught is fully protected speech as long as they adhere to the guidelines and do not engage in violence, disruption, or threats.

The most notorious case is the recent arrest of a parent in Loudoun County, Virginia, who showed up to accuse the school board of covering up his daughter's rape. The video I have seen of his removal and arrest indicates to me that the arrest is highly questionable, but I stress that I have only seen a video clip.

Unfortunately for Garland, there is also a possible conflict of interest for him since he has a son who is reportedly involved with the Critical Race Teaching movement. But that is a side issue. The main issue here is whether there has actually been a wave of violent or threatening incidents at school board meetings around the country-other than parents merely expressing their anger. If so, that is a matter for the local police to handle not the US Justice Department-except in the case in which there might be a nationally coordinated effort across state lines to disrupt or engage in unlawful behavior. Then the DOJ can get involved. Again, I don't see that here. There may or may not be a nation-wide attempt to organize parents to oppose CRT or the teaching of the "Woke" dogma. That's OK too as long as it doesn't encourage lawbreaking.

In my view, Garland's actions here only add to the growing concern that the federal government under President Joe Biden is trying to criminalize dissent. Garland is the same man that former President Obama unsuccessfully tried to put on the Supreme Court. He should know better and should use more restraint before he injects federal law enforcement into local school board controversies. School boards are, indeed, answerable to their constituents.