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September 17, 2024

Dr. Alan Garber
President
Harvard University
Massachusetts Hall
Cambridge, MA 02138

Dear Dr. Garber:

We write, yet again, to express our serious concern and sincere outrage over Harvard University's handling of antisemitism in the wake of the October 7 Hamas terror attacks. Harvard has continued its rapid decline, its latest actions consisting of willfully obstructing the Suffolk County District Attorney's Office from investigating a physical assault against a Harvard Jewish student that took place on Harvard's campus. Such behavior is wholly unbecoming of a supposedly prestigious university—and, frankly, of any decent institution.

As you well know, as a result of worldwide attention to this matter and from previous letters from the Education and the Workforce Committee (Committee), on October 18, 2023, Harvard's Palestine Solidarity Committee staged a "die-in" at Harvard Business School where students protested Israel's efforts to defend itself following the October 7 Hamas terror attacks. During this event, an Israeli-American Harvard Business School student was physically assaulted and harassed by a group of protesters that included fellow Harvard students. The attack was recorded from multiple angles, as well as reported to a variety of Harvard administrators repeatedly by the student. Furthermore, although two of the primary assailants were identified as current Harvard students, Harvard has yet to take any serious disciplinary action against the students.

Despite Harvard's negligence, the Suffolk County District Attorney's Office brought charges against the two identified attackers. Instead of assisting the District Attorney's Office in its efforts to identify the Jewish student's additional attackers, Harvard decided to obstruct the ongoing investigation by: (1) sidelining the lead Harvard University police officer who initially brought the case to the District Attorney's Office; and (2) refusing to assist the District Attorney's Office identify the additional assailants.

Earlier this month, at what was supposed to be the arraignment of the attackers on the above-referenced charges, Suffolk County Assistant District Attorney Ursula Knight asked the court to continue the arraignment on the ground that the Commonwealth of Massachusetts still needed to engage in further investigation because the Harvard University Police Department has “essentially refused to investigate,” which has been a “shock to the Commonwealth.” Ms. Knight noted that the Commonwealth reached out to Harvard multiple times to request additional information about other individuals involved in the October 18 assault but received no assistance. Because the Commonwealth does not yet have that information, Ms. Knight does not know whether other individuals may have inculpatory or exculpatory information.

In other words, Harvard is shielding those who physically assaulted a Jewish student on Harvard’s campus by preventing a state prosecutor from moving forward with the state’s investigation. In all our years of public service, we have never encountered a situation in which a law enforcement agency has affirmatively refused to cooperate with a prosecutor’s investigation—much less done so in such an open and brazen manner. Yet, that is precisely the situation we have here.

This incident is the latest chapter in Harvard protecting antisemites. We are disgusted by the continued disregard that Harvard has shown towards the Jew hatred erupting on its campus. It is clear from Harvard’s recent actions that it does not take antisemitism seriously. Instead, Harvard harbors and protects it.

In light of Harvard’s refusal to cooperate with a state prosecutor seeking to bring justice for a Jewish student who suffered a physical assault and the broader Jewish community at Harvard, on behalf of the Committee and its ongoing investigation into antisemitism at Harvard University, we request any and all documents related to Harvard’s decision not to cooperate with the Suffolk County District Attorney’s Office. This request includes the following:

1. All communications between Harvard University, its directors, officers, employees, contractors, and agents, including but not limited to the Harvard University Police Department, and the Suffolk County District Attorney’s Office or any other state or federal law enforcement agency in relation to the investigation into the October 18, 2023, incident.
2. All documents reflecting or discussing Harvard’s investigation into the October 18, 2023, attack, including internal memoranda and communications.
3. All communications between Harvard University, its directors, officers, employees, contractors, and agents, including but not limited to the Harvard University Police Department, and the two assailants or their representatives relating to Harvard’s investigation into the October 18, 2023, incident.
4. All documents, including internal memoranda and communications, concerning Harvard’s decision to remove any Harvard University Police Department personnel from the investigation into the October 18, 2023, incident.

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These documents are also responsive to the Committee's subpoena served to Harvard earlier this year. We request that these documents be produced by September 30, 2024.

It is obvious from Harvard's latest stint in obstructionism that it believes protecting its campus antisemites is more important than providing a safe learning environment to *all* its students. This decision is unacceptable, and Harvard must make public its decision and reasons for its lack of cooperation with the Suffolk County District Attorney's Office.

Sincerely,



Virginia Foxx
Chairwoman



Elise M. Stefanik
Committee Member