



# Violence Against Members of Congress and Their Staff: Selected Examples and Congressional Responses

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## Summary

Questions about the personal security and safety of members of Congress and their staffs have arisen in the aftermath of a recent attack in Tucson, Arizona, and following reports of an increase in the number of threats made against members of Congress.

Two measures have been introduced in the 112<sup>th</sup> Congress to address issues related to violence against members and congressional staff. On January 19, 2011, Representative Robert A. Brady of Pennsylvania introduced H.R. 318 to amend title 18, United States Code, to punish threats to commit violent crimes against members of Congress. On January 20, 2011, Representative Laura Richardson introduced H.R. 367, the Freedom to Serve Without Fear Act of 2011, which would prohibit the knowing possession of a firearm near a venue at which a member of Congress is performing official duties or campaigning for public office.

Since 1789, available information from official and private sources suggests that there have been at least 21 instances of attacks involving 24 members who were targeted by assailants. There have been 12,013 individuals who have served as Representatives or Senators since 1789. In 11 instances, the attacks were thwarted, or resulted in no serious injuries to members. Another three incidents resulted in wounds to seven members. Finally, seven instances resulted in the deaths of seven members.

It appears that five of the incidents of attacks on members also affected some congressional staff. Four of the incidents resulted in the wounding of congressional staff. Two incidents, a 1998 event in which a gunman entered the Capitol, and the Tucson shooting on January 8, 2011, resulted in fatalities to two congressional law enforcement personnel and one civilian employee of the House, respectively.

This report will be updated as warranted.

## **Contents**

Legislation in the 112 <sup>th</sup> Congress .....	1
H.R. 318 .....	1
H.R. 367 .....	1
H.Res. 50.....	1
Violence Against Members of Congress .....	2
Violence Against Congressional Staff.....	3
Responses to Violence Against Congress.....	4

## **Tables**

Table 1. Violence Against Members of Congress and Congressional Staff: Selected Examples .....	6
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## **Contacts**

Author Contact Information .....	9
Acknowledgments .....	9

Questions about personal security and safety for members of Congress and their staffs have arisen in the aftermath of a recent attack in Tucson, Arizona, in which a congressional staff member and several constituents were killed, and a member and a number of others, including other congressional staff, were critically injured. Concerns have also arisen following reports of an increase in the number of threats against members of Congress.<sup>1</sup> This report describes legislation introduced in the 112<sup>th</sup> Congress related to violence against members and congressional staff, provides examples of violence in which members of Congress were the apparent target, and some actions Congress has taken based in part on those incidents.

## Legislation in the 112<sup>th</sup> Congress

### H.R. 318

On January 19, 2011, Representative Robert A. Brady of Pennsylvania introduced H.R. 318 to amend title 18, United States Code, to punish threats to commit violent crimes against members of Congress. According to a Dear Colleague letter issued by Representative Brady, the measure would extend prohibitions of threats against the President, Vice President, Presidents-elect, and Vice Presidents-elect to members of Congress and members-elect of Congress.<sup>2</sup> H.R. 318 was referred to the Committee on the Judiciary. No further action has been taken at the time of this writing.

### H.R. 367

On January 20, 2011, Representative Laura Richardson introduced H.R. 367, the Freedom to Serve Without Fear Act of 2011. The measure would prohibit the knowing possession of a firearm near a venue at which a member of Congress is performing an official, representational duty, or campaigning for public office. The measure would also encourage states to adopt prohibitions similar to federal law to protect state and local elected and appointed officials. H.R. 367 was referred to the Committee on the Judiciary. No further action has been taken at the time of this writing.

### H.Res. 50

Representative Dan Burton of Indiana introduced H.Res. 50, to provide for enclosing the visitors' galleries of the House with a clear and bomb-proof material on January 24, 2011. In addition, the measure would provide for the installation of audio equipment to allow floor proceedings to be audible in the galleries. H.Res. 50 was referred to the committee on House Administration. No further action has been taken at the time of this writing.

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<sup>1</sup> Suzanne Kubota, "Threats Increasing on Capitol Hill," *FederalNewsRadio.com*, January 10, 2011, [http://www.federalnewsradio.com/?sid=2228701&nid=15&\\_hw=threats+increasing+on+capitol+hill](http://www.federalnewsradio.com/?sid=2228701&nid=15&_hw=threats+increasing+on+capitol+hill). Also, see Solomon Banda, "Colo. Man Accused of Threatening Sen. Bennett Staff," *The Washington Post*, January 10, 2011, <http://www.washingtonpost.com/wp-dyn/content/article/2011/01/10/AR2011011003883.html>.

<sup>2</sup> Robert A. Brady, "Help Prevent Violent Threats Against Members of Congress," Dear Colleague Letter, January 20, 2011, <http://e-dearcolleague.house.gov/details.aspx?49890>.

## Violence Against Members of Congress

Since 1789, 12,013 individuals have served in Congress;<sup>3</sup> 10,737 in the House and 1,930 in the Senate.<sup>4</sup> Official records, supplemented from available news accounts,<sup>5</sup> suggest that there have been at least 21 instances of attacks<sup>6</sup> involving 24 members<sup>7</sup> who were targeted by assailants. In 11 instances, the attacks were thwarted, or resulted in no serious injuries to members. Another three incidents resulted in the wounding of seven members. Finally, seven instances resulted in the deaths of seven members.

In these examples, individual members were sometimes the target of violence. In others, members or congressional staff may have been secondary targets in attacks that targeted Congress or other components of the U.S. government. This report excludes members who participated in wars as combatants, or circumstances when members attempted or committed suicide. Several other instances, in which some members voluntarily initiated violent activities, including duels, fistfights, beatings,<sup>8</sup> and other conflicts,<sup>9</sup> sometimes with other members, are excluded from consideration. Also excluded are incidents in which the Capitol was attacked, but no members or staff were reported as injured. Examples include the burning of the Capitol during the War of 1812; the September 11, 2001, terror attacks in which the Capitol and Congress may have been a target; and bombings in the Capitol in 1915, 1971, and 1983.<sup>10</sup> A final group of exclusions

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<sup>3</sup> These numbers include 654 members who served in the House and Senate, but do not include the additional 213 nonvoting Delegates and Resident Commissioners who have served in the House. Information about all individuals who have served in Congress is available in the Biographical Directory of the United States Congress, a website maintained by the Clerk of the House and the Secretary of the Senate at <http://bioguide.congress.gov>.

<sup>4</sup> A chronological list of all U.S. Senators in history is available on the Senate website at <http://www.senate.gov/artandhistory/history/resources/pdf/chronlist.pdf>.

<sup>5</sup> Official records and news accounts may not identify all instances in which a member of Congress was involved in violent circumstances.

<sup>6</sup> There are also several examples of unsuccessful attempted attacks, including the escape of Representative Charles Pelham of North Carolina, who in the late summer of 1874 was reportedly compelled to escape his district after learning that a group of citizens who disagreed with some of his policy positions had assembled, allegedly to attempt to kill him. See "Terrorism in the South," *New York Times*, September 1, 1874, p. 1. In another example, Martin R. Kemmerer on December 13, 1932, brandished a hand gun in the House gallery, and without appearing to target anyone, demanded the opportunity to speak. Kemmerer obeyed the demand of Representative Melvin Joseph Maas of Minnesota to drop his weapon to the floor, and was subdued by two visitors and Representative Fiorello La Guardia, of New York, who entered the gallery behind the gunman while Representative Maas, who caught the loaded weapon, and Representative Edith Nourse Rogers of Massachusetts assured other members that the gunman would not hurt anyone. "Youth With Pistol Terrorizes House," *The New York Times*, December 14, 1932, p. 44; Robert C. Albright, "Gunman Demands Floor to Plead for Relief," *The Washington Post*, December 14, 1932, p. 1; and "House Gunman to be Tried," *The Washington Post*, December 16, 1932, p. 8.

<sup>7</sup> Senator Huey Pierce Long of Louisiana was the target of two attacks: an attempted bombing in which there were no injuries, and his assassination.

<sup>8</sup> For example an assault on Senator Charles Sumner of Massachusetts on the Senate floor on May 22, 1856. Two days before, Senator Sumner delivered a floor speech denouncing the Kansas-Nebraska bill. Representative Preston Smith Brooks of South Carolina saw the speech as a libel on his state and on Senator Andrew Pickens Butler of South Carolina, to whom Mr. Brooks was related. Representative Brooks beat Senator Sumner with a cane, causing injuries from which it took the Senator three years to recover and return to Congress.

<sup>9</sup> See Donald C. Bacon, "Violence in Congress," in *The Encyclopedia of the United States Congress*, ed. Donald C. Bacon, Roger H. Davidson, and Morton Keller (New York: Simon and Schuster, 1995), pp.2062-2066. Specific examples of gun use by members before and during their congressional service is available in "Gun-Fighters in Congress," *The Washington Post*, April 26, 1908, p. M4.

<sup>10</sup> The three bombings occurred when Congress was in recess or had adjourned for the day, and the Capitol was largely (continued...)

includes incidents in which members were involved in violent activities or killed, but the circumstances do not appear related to their roles as members.<sup>11</sup>

## Violence Against Congressional Staff

It appears that five of the incidents of attacks on members also affected some congressional staff. In 1905, “Doc” Thompkins, private secretary to Representative John M. Pinckney of Texas, was wounded in a riot in which Representative Pinckney was killed. In 1935, Earle Christenberry, secretary to Senator Huey Pierce Long of Louisiana, opened a package containing a bomb, which did not explode. In a 1978 incident, Jackie Speier, a staff member working for Representative Leo Joseph Ryan of California, was critically wounded by gunfire in an attack in Guyana. Representative Ryan was killed in the attack. Two incidents, a 1998 event in which a gunman entered the Capitol, and the Tucson shooting, resulted in fatalities to two congressional law enforcement personnel, and one civilian employee of the House, respectively.

Instances of violence against congressional staff arguably pose significant challenges. Because they are private citizens who do not receive extensive, sustained public attention, there is no assurance that all instances of violence against them can be identified. Violence against staff that is reported here happened in the course of their official duties. Identifying all who have served Congress in a staff capacity, and then identifying whether they have suffered violence during that service, presents all but insurmountable obstacles to compiling an exhaustive and authoritative inventory of violent incidents. A consequence of these challenges is that the material presented here cannot with authority be said to comprise all of the attacks on members of Congress or staff that have ever occurred.

**Table 1** summarizes incidents of violence directed against members or congressional staff. This material should be interpreted with care. Although they have high profiles, and any incident of violence against them is likely to engender considerable attention in contemporary times, it is possible that some incidents of violence involving members have not been captured. It is also possible that available sources, whether official or non-official, provide limited<sup>12</sup> or conflicting accounts of a member’s involvement in violent activities.<sup>13</sup>

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vacant. See Donald C. Bacon, “Violence Against Congress,” in *The Encyclopedia of the United States Congress*, ed. Donald C. Bacon, Roger H. Davidson, and Morton Keller (New York: Simon and Schuster, 1995), pp. 2060-2061; “Set Bomb in Capitol, Waited for Explosion,” *Boston Daily Globe*, July 4, 1915, p. 1; “July 2, 1915: Bomb Rocks Capitol,” United States Senate, [http://www.senate.gov/artandhistory/history/minute/Bomb\\_Rocks\\_Capitol.htm](http://www.senate.gov/artandhistory/history/minute/Bomb_Rocks_Capitol.htm); “November 7, 1983: Bomb Explodes in Capitol,” United States Senate, [http://www.senate.gov/artandhistory/history/minute/bomb\\_explodes\\_in\\_capitol.htm](http://www.senate.gov/artandhistory/history/minute/bomb_explodes_in_capitol.htm).

<sup>11</sup> Examples include a member who was mugged, apparently at random; another incident during which a member had a gun pointed at him; and the death of Representative Lawrence Patton McDonald of Georgia, who was killed in the mid-flight destruction of Korean Air Lines flight 007 by the Soviet military over the Sea of Japan on September 1, 1983. See Donald P. Baker and Alfred E. Lewis, “Rep. Michel, Minority Whip, Is Assaulted on Capitol Hill,” *The Washington Post*, July 22, 1978, p. A1; Martin Weil, “2 Kidnapped, Gun Pointed at Rep Long,” July 23, 1974, p. C1; and <http://bioguide.congress.gov/scripts/biodisplay.pl?index=M000413>.

<sup>12</sup> For example, the Biographical Directory of the United States Congress states that Representative Cornelius Springer Hamilton was “killed by an insane son,” but provides no other detail. See <http://bioguide.congress.gov/scripts/biodisplay.pl?index=H000106>

<sup>13</sup> For example, some sources suggest that Delegate Henry Wharton Taylor of Arkansas Territory, who served in the 18<sup>th</sup>-20<sup>th</sup> Congresses (1823-1829) was killed in a duel. See the Political Graveyard website, (continued...)

## Responses to Violence Against Congress

On at least three occasions, incidents of violence involving members of Congress have led to congressional legislative or administrative responses. These include

- a prohibition of the giving or accepting, within the District of Columbia, of challenges to a duel,<sup>14</sup> following the death of Representative Jonathan Cilley of Maine. Representative Cilley was killed in a duel with Representative William J. Graves of Kentucky on February 24, 1838, in Prince George's County, Maryland.
- the enactment of law in the 91<sup>st</sup> Congress (1969-1970) making it a federal offense to assassinate, kidnap, or assault a member of Congress or member-elect, or to endeavor or conspire to commit such offenses<sup>15</sup> following the assassination of Senator Robert Francis Kennedy of New York on June 6, 1968.<sup>16</sup>
- the initiation of congressional mail screening following the delivery in the fall of 2001 of letters containing anthrax spores to the offices of Senator Patrick Leahy of Vermont and Senator Tom Daschle of South Dakota.<sup>17</sup>

Other instances of violence against members have resulted in discussions of policy proposals. In the wake of an incident in 1932, in which a gunman in the House gallery demanded the opportunity to address the House before surrendering the weapon without incident, Representative Thomas Lindsay Blanton of Texas reportedly demanded that the “galleries be closed to ‘cranks’ and ‘anarchists.’”<sup>18</sup> No change to rules governing access to House galleries was identified. Following shootings in the House in 1954, in which gunmen fired from the galleries into the members on the floor, wounding five, proposals to install transparent shields between visitors’ galleries and the House floor were discussed,<sup>19</sup> but no action was taken. Several decades later, in response to House gallery disturbances, and an incident in the British Parliament,<sup>20</sup> in the 108<sup>th</sup> (2003-2004) and 110<sup>th</sup> (2007-2008) Congresses, Representative Dan Burton of Indiana introduced H.Res. 665 and H.Res. 432, respectively. The measures would have provided for enclosing the visitors’ galleries of the House of Representatives with a transparent and substantial

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<http://politicalgraveyard.com/bio/conrey-coogan.html#RCG0VFR8E>. By contrast, the Biographical Directory of the United States Congress, which does identify violence visited upon some other members, states only that Delegate Conway served in the House “until his death near Arkansas Post, Ark., then the Territorial seat of government, November 9, 1827.” See <http://bioguide.congress.gov/scripts/biodisplay.pl?index=C000712>.

<sup>14</sup> Chap. XXX (*Unites States Statutes at Large*), February 20, 1839, 5 Stat. 318.

<sup>15</sup> 18 U.S.C. 351. In Senate debate of S. 642, 91<sup>st</sup> Congress, Senator Robert Carlyle Byrd of West Virginia stated that he “first introduced this bill shortly after the untimely assassination of Senator Robert F. Kennedy.” Senator Byrd stated that the measure was modeled on previously enacted legislation making it a federal offense to assassinate the President or Vice President. Senator Robert Carlyle Byrd, “Congressional Assassination, Kidnapping and Assault,” *Congressional Record*, vol. 116 (October 8, 1970), p. 35655.

<sup>16</sup> Senator Kennedy was killed in Los Angeles while campaigning for the Democratic presidential nomination. <http://bioguide.congress.gov/scripts/biodisplay.pl?index=K000114>

<sup>17</sup> Jocelyn Jones Evans, *One Nation Under Siege: Congress, Terrorism, and the Fate of American Democracy* (Lexington, KY: The University Press of Kentucky, 2010), pp. 79-108.

<sup>18</sup> “Blanton Demands House Protection,” *The Washington Post*, December 15, 1932, p. 2.

<sup>19</sup> Richard L. Lyons, “Bulletproof Glass Urged for Congress,” *The Washington Post*, March 4, 1954, p. 3.

<sup>20</sup> “Commons Powder Attack on Blair,” CNN, May 19, 2004, [http://articles.cnn.com/2004-05-19/world/uk.parliament.powder\\_1\\_commons-lords-powder?\\_s=PM:WORLD](http://articles.cnn.com/2004-05-19/world/uk.parliament.powder_1_commons-lords-powder?_s=PM:WORLD).

material. The measures were referred to the Committee on House Administration, and no further action was taken.<sup>21</sup>

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<sup>21</sup> Some violent incidents in which members were not directly involved have also led in part to congressional action. The 1971 and 1983 bombings led in part to the introduction of visitor screening around the chamber galleries, and Capitol entrances, respectively. The attacks of September 11, 2001, led in part to increases in the number of United States Capitol Police officers, the deployment of a security perimeter, and construction of the Capitol Visitor Center. See “Arva Marie Johnson Interview – March 1 2007,” Office of History and Preservation, Office of the Clerk, U.S. House of Representatives. <http://oralhistory.clerk.house.gov/interviewee.html?name=johnson-marie&view=docs>; “November 7, 1983: Bomb Explodes in Capitol,” United States Senate, [http://www.senate.gov/artandhistory/history/minute/bomb\\_explodes\\_in\\_capitol.htm](http://www.senate.gov/artandhistory/history/minute/bomb_explodes_in_capitol.htm); United States Senate, Secretary, Historical Office, Oral History, Leonard Ballard, United States Capitol Police, October 20, 1983, [http://www.senate.gov/artandhistory/history/resources/pdf/Ballard\\_interview\\_7.pdf](http://www.senate.gov/artandhistory/history/resources/pdf/Ballard_interview_7.pdf); and Evans, *One Nation Under Siege*, pp. 26-51, 138-177.



**Table I. Violence Against Members of Congress and Congressional Staff: Selected Examples**

Incident Type	Members or Congressional Staff Affected	Date	Circumstances
Shooting	Representative Gabrielle Giffords, Arizona Gabriel Matthew Zimmerman, congressional staff Ron Barber, congressional staff Pamela Simon, congressional staff	January 8, 2011	A gunman opened fire at a congressional event in Tucson. Mr. Zimmerman and five others were killed. Representative Giffords, Mr. Barber, Ms. Simon, and at least nine others were wounded.
Biologic Attack	Senator Patrick Leahy, Vermont Senator Tom Daschle, South Dakota	October, 2001	The offices of the two Senators received letters that contained anthrax spores. The Office of Attending Physician instituted extensive testing of members, staff, and visitors in the affected buildings, and administered prophylactic antibiotics. No members or staff were sickened.
Shooting	Private First Class Jacob Chestnut, United States Capitol Police Detective John Gibson, United States Capitol Police	July 24, 1998	Russell Eugene Weston, Jr., entered the Capitol carrying a pistol and opened fire. While he eventually made his way to the House Majority Whip's office, it is not clear that he was targeting any specific member, staffer, or member of the public. After what was reported as approximately three minutes of gunfire, a tourist was injured, and Officer Chestnut and Detective Gibson were killed.
Assault	Senator John Herschel Glenn, Jr., Ohio	October 25, 1989	Punched on the chin during a television interview, but not seriously injured.
Knife Wielding Assailant	Senator Edward Moore Kennedy, Massachusetts	November 28, 1979	A woman brandishing a knife entered Senator Kennedy's office on Capitol Hill. She was seized by agents of the United States Secret Service after a brief struggle in which one agent was slightly wounded.
Shooting	Representative Leo Joseph Ryan, California Jackie Speier, congressional staff	November 18, 1978	Representative Ryan and four others were killed in Guyana by members of a religious cult. Ms. Speier, who currently serves as a member of the House, was shot five times, and critically wounded.
Assault	Senator Charles McCurdy Mathias, Jr., Maryland James B. Young, congressional staff	January 2, 1975	Mr. Young was briefly held at knifepoint by an individual seeking casework assistance. He escaped without injury and the individual was arrested.
Assassination	Senator Robert Francis Kennedy, New York	June 6, 1968	Shot in Los Angeles while campaigning for the Democratic presidential nomination.

<b>Incident Type</b>	<b>Members or Congressional Staff Affected</b>	<b>Date</b>	<b>Circumstances</b>
Shooting	Representative Clifford Davis, Tennessee Representative Alvin Morell Bentley, Michigan Representative Benton Franklin Jensen, Iowa Representative George Hyde Fallon, Maryland Representative Kenneth Allison Roberts, Alabama	March 1, 1954	Three armed assailants who advocated for the Puerto Rican Nationalist Party opened fire on the House floor from the visitors' gallery. Five members were shot, and subsequently recovered from their wounds.
Shooting	Senator John William Bricker, Ohio	July 12, 1947	Two rounds were fired at, and missed, Senator Bricker in the Senate Office Building by a former officer in the United States Capitol Police.
Assassination	Senator Huey Pierce Long, Louisiana	September 8, 1935	Shot in the State Capitol Building in Baton Rouge. Died September 10.
Attempted Bombing	Senator Huey Pierce Long, Louisiana Earle Christenberry, secretary	February 19, 1935	A bomb was mailed to Senator Long's Washington office. Damaged in the mail, it did not explode when opened by Mr. Christenberry.
Attempted Bombing	Representative Charles A. Eaton, New Jersey	June 22, 1933	A device containing dynamite and nitroglycerin was placed in the vehicle of Representative Eaton at his home. An employee discovered the bomb and neutralized it.
Bombing	Senator Charles Samuel Deneen	March 26, 1928	The home of Senator Deneen was damaged by a bootlegger, but no one was hurt.
Attempted Bombing	Representative John L. Burnett, Alabama	April-May, 1919 <sup>a</sup>	Part of a larger effort against local state and federal officials in which bombs were sent through the mail. The device intended for Representative Burnett was held by the Post Office for insufficient postage.
Assault	Senator Henry Cabot Lodge, Massachusetts	April 2, 1919	Struck by a pacifist leading a group that was upset that Senator Lodge did not support the United States staying out of armed conflict. The Senator was not injured.
Assassination/assault	Representative John M. Pinckney, Texas "Doc" Thompkins, private secretary	April 24, 1905	At a mass meeting in Hempstead, Texas, to petition the governor to enforce state liquor laws, several participants opened fire. Representative Pinckney was killed, and Mr. Thompkins severely wounded.
Assault	Representative Robert Young Thomas, Jr., Kentucky	April 7, 1905	Assaulted by a political opponent angered by his remarks.
Assassination	Representative Thomas Haughey	August 5, 1869	Killed while making a political speech in Courtland, Alabama.
Assassination	Representative James Hinds, Arkansas	October 22, 1868	Reportedly shot by a drunken party committee member.
Patricide	Representative Cornelius Hamilton, Ohio	March 4, 1867	Killed by son who had exhibited signs of mental illness.

**Source:** Biographical Directory of the United States Congress, <http://bioguide.congress.gov/biosearch/biosearch.asp>; *American National Biography*, <http://www.anb.org/articles/index.html>; *The National Cyclopedia of American Biography*; U.S. Congress, Senate Committee on the Judiciary, *To Make it a Federal Offense to Assassinate, Kidnap, or Assault a Member of Congress or a Member-of-Congress-Elect*, S. 642, 91<sup>st</sup> Cong., 2<sup>nd</sup> sess., September 29, 1970, 91-1249 (Washington: GPO, 1970); H.Res. 32, 112<sup>th</sup> Congress; and news and historical accounts of the incidents.

- a. Numerous packages were sent as part of a larger plot. It could not be determined with accuracy when the package was sent to Representative Burnett, or when it was stopped at the Post Office.

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