

# DOJ Alumni Statement on the Events Surrounding the Sentencing of Roger Stone



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We, the undersigned, are alumni of the United States Department of Justice (DOJ) who have collectively served both Republican and Democratic administrations. Each of us strongly condemns President Trump's and Attorney General Barr's interference in the fair administration of justice.

As former DOJ officials, we each proudly took an oath to support and defend our Constitution and faithfully execute the duties of our offices. The very first of these duties is to apply the law equally to all Americans. This obligation flows directly from the Constitution, and it is embedded in countless rules and laws governing the conduct of DOJ lawyers. The Justice Manual — the DOJ's rulebook for its lawyers — states that “the rule of law depends on the evenhanded administration of justice”; that the Department's legal decisions “must be impartial and insulated from political influence”; and that the Department's prosecutorial powers, in particular, must be “exercised free from partisan consideration.”

All DOJ lawyers are well-versed in these rules, regulations, and constitutional commands. They stand for the proposition that political interference in the conduct of a criminal prosecution is anathema to the Department's core mission and to its sacred obligation to ensure equal justice under the law.

And yet, President Trump and Attorney General Barr have openly and repeatedly flouted this fundamental principle, most recently in connection with the sentencing of President Trump's close associate, Roger Stone, who was convicted of serious crimes. The Department has a long-standing practice in which political appointees set broad policies that line prosecutors apply to individual cases. That practice exists to animate the constitutional principles regarding the even-handed application of the law. Although

there are times when political leadership appropriately weighs in on individual prosecutions, it is unheard of for the Department's top leaders to overrule line prosecutors, who are following established policies, in order to give preferential treatment to a close associate of the President, as Attorney General Barr did in the Stone case. It is even more outrageous for the Attorney General to intervene as he did here — after the President publicly condemned the sentencing recommendation that line prosecutors had already filed in court.

Such behavior is a grave threat to the fair administration of justice. In this nation, we are all equal before the law. A person should not be given special treatment in a criminal prosecution because they are a close political ally of the President. Governments that use the enormous power of law enforcement to punish their enemies and reward their allies are not constitutional republics; they are autocracies.

We welcome Attorney General Barr's belated acknowledgment that the DOJ's law enforcement decisions must be independent of politics; that it is wrong for the President to interfere in specific enforcement matters, either to punish his opponents or to help his friends; and that the President's public comments on DOJ matters have gravely damaged the Department's credibility. But Mr. Barr's actions in doing the President's personal bidding unfortunately speak louder than his words. Those actions, and the damage they have done to the Department of Justice's reputation for integrity and the rule of law, require Mr. Barr to resign. But because we have little expectation he will do so, it falls to the Department's career officials to take appropriate action to uphold their oaths of office and defend nonpartisan, apolitical justice.

For these reasons, we support and commend the four career prosecutors who upheld their oaths and stood up for the Department's independence by withdrawing from the Stone case and/or resigning from the Department. Our simple message to them is that we — and millions of other Americans — stand with them. And we call on every DOJ employee to follow their heroic example and be prepared to report future abuses to the Inspector General, the Office of Professional Responsibility, and Congress; to refuse to carry out directives that are inconsistent with their oaths of office; to withdraw from cases that involve such directives or other misconduct; and, if necessary, to resign and report publicly — in a manner consistent with professional ethics — to the American people the reasons for their resignation. We likewise call on the other branches of

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government to protect from retaliation those employees who uphold their oaths in the face of unlawful directives. The rule of law and the survival of our Republic demand nothing less.

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Signatories have been vetted to the best of our ability. We will continue to update the signatory list until Wednesday, February 26th.

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