



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, DC 20530

The Honorable Jim Jordan
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Jordan:

This responds to your letter to the Department of Justice (Department), dated April 30, 2024, regarding a state criminal trial brought exclusively by the Manhattan District Attorney (District Attorney). This also responds to questions regarding that prosecution and jury verdict posed to the Attorney General during his appearance before the Committee on the Judiciary (Committee) on June 4, 2024.

The Committee has demanded information from the Department because of what you describe as a “*perception* that the Justice Department is” behind the District Attorney’s so-called “politicized prosecution” and a “*perception* that the Biden Justice Department is politicized and weaponized” to that end.¹ The Department does not generally make extensive efforts to rebut conspiratorial speculation, including to avoid the risk of lending it credibility. However, consistent with the Attorney General’s commitment to transparency, the Department has taken extraordinary steps to confirm what was already clear: there is no basis for these false claims.

The Department has conducted a comprehensive search for email communications since January 20, 2021, through the date of the verdict, between any officials in Department leadership, including all political appointees in those offices, and the District Attorney’s office regarding any investigation or prosecution of the former President.² We found none. This is unsurprising. The District Attorney’s office is a separate entity from the Department. The Department does not supervise the work of the District Attorney’s office, does not approve its charging decisions, and does not try its cases. The Department has no control over the District Attorney, just as the District Attorney has no control over the Department. The Committee knows this.

¹ Letter from Hon. Jim Jordan, Chairman, U.S. H. Comm. on the Judiciary to Hon. Merrick B. Garland, Att’y Gen. (Apr. 30, 2024) (emphasis added).

² Specifically, our search included the Office of the Attorney General, Office of the Deputy Attorney General, and Office of the Associate Attorney General.

The Department's search included the email account of Matthew Colangelo, a former Department official about whom the Committee has raised numerous unfounded questions. The Department did not identify any instances of Mr. Colangelo having email communications with the District Attorney's office during his time at the Department. This is also unsurprising. As a member of the Associate Attorney General's Office, Mr. Colangelo's job was to oversee the civil litigation components that report to the Associate's Office, including the Civil Division, Antitrust Division, Civil Rights Division, and the Environment and Natural Resources Division. Mr. Colangelo departed the Department on December 2, 2022. Department leadership did not dispatch Mr. Colangelo to the District Attorney's office, and Department leadership was unaware of his work on the investigation and prosecution involving the former President until it was reported in the news.

The self-justifying "perception" asserted by the Committee is completely baseless, but the Committee continues to traffic it widely. As the Attorney General stated at his hearing, the conspiracy theory that the recent jury verdict in New York state court was somehow controlled by the Department is not only false, it is irresponsible. Indeed, accusations of wrongdoing made without—and in fact contrary to—evidence undermine confidence in the justice system and have contributed to increased threats of violence and attacks on career law enforcement officials and prosecutors.

Our extraordinary efforts to respond to your speculation should put it to rest.

Indeed, the Department's actual role with respect to the District Attorney's office regarding this matter is already a matter of public record. As court filings show, both the District Attorney's office and the former President's defense team made requests for documents from the U.S. Attorney's Office for the Southern District of New York (SDNY).³ In response to these requests, SDNY produced records to both parties, including the defense.⁴ The documents were produced to the former President's attorneys under a protective order imposed by the trial court.⁵ In any event, information-sharing between a U.S. Attorney's Office and local prosecutors is standard and happens every day all over the country.

³ See, e.g., *People v. Trump*, Slip Op. at 3 (N.Y. Sup. Ct. May 23, 2024) ("this Court found, to begin, that there was no coordinated, joint investigation being conducted by the New York County District Attorney's Office and USAO-SDNY. This Court further held that the People did not violate their discovery obligations pursuant to Criminal Procedure Law Section . . . , USAO-SDNY is not under the People's direction or control, and . . . the People used diligent, good faith efforts to ascertain the existence of materials and information . . . and to cause such material or information to be made available for discovery where it exists . . ."); see also Aff. of Christopher Conroy in Supp. of People's Opp. to Def.'s Mot. Re. Discovery of USAO-SDNY Documents ¶¶ 7-21 ("Conroy Affirmation"), *People v. Trump*, No. 71543-23, (N.Y. Sup. Ct. Mar. 20, 2024) (describing requests for information by District of Attorney's Office to SDNY); *id.* ¶¶ 28-43 (describing subpoena by defendant to SDNY); *id.* ¶ 6 ("At no point during DANY's investigation of this matter did DANY and the U.S. Attorney's Office for the Southern District of New York ('USAO') form a joint investigation.").

⁴ See generally Conroy Affirmation.

⁵ These exchanges have been documented in detail on the public record. For example, the public record shows that in March 2024, SDNY produced more than 100,000 pages in response to the former President's requests, which were then provided to the former President's attorneys by the District Attorney's Office. See Conroy Affirmation ¶ 39.

The Honorable Jim Jordan
Page 3

We hope you find this information helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

Carlos Felipe Uriarte
Assistant Attorney General

Enclosures

cc:

The Honorable Jerrod Nadler
Ranking Member
Committee on the Judiciary
U.S. House of Representatives
Washington, DC 20515