

ONE HUNDRED NINETEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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February 6, 2025

Mr. Edward R. Martin
Interim United States Attorney
U.S. Attorney's Office for the District of Columbia
601 D Street, NW
Washington, DC 20579

Dear Mr. Martin:

I write about your shocking decision to fire more than a dozen excellent career federal prosecutors on an explicitly political basis, thus violating federal law and constitutional protections and endangering not only the hard-won independence and impartiality of the Department of Justice (DOJ) but the public safety of Americans who live in—and visit—Washington, D.C. Moreover, your dubious personal contacts with the White House and with individuals convicted of committing violent crimes on January 6, 2021, —both in violation of longstanding DOJ practice—demonstrate that these firings have nothing to do with the employees' individual work performance or baseless claims of misconduct and everything to do with President Trump's concerted campaign of "retribution" against his perceived enemies, including career federal prosecutors who have done nothing more than do their jobs and uphold their oaths of office.

On Friday evening, you dismissed over a dozen career Assistant United States Attorneys (AUSAs) on the startling grounds that they prosecuted people for violating federal law, including by violently assaulting law enforcement officers during the January 6, 2021, attack on the U.S. Capitol aimed at halting the peaceful transfer of power.¹ Your decision to fire these highly qualified line prosecutors for *doing their jobs* is a stunning violation of the DOJ's policy and tradition of maintaining a workforce of non-partisan prosecutors who carry out the Department's mission across presidential administrations. This neutrality is a legal requirement of both the civil service law and the U.S. Constitution. To do its job, the DOJ must remain independent and impartial in seeking justice, "following the facts and the law wherever they may lead, without prejudice or improper influence."²

¹ Glenn Thrush, Devlin Barrett, Alan Feuer & Eileen Sullivan, *More Than a Dozen Prosecutors at Washington U.S. Attorney's Office Are Dismissed*, N.Y. TIMES (Jan. 31, 2025),

<https://www.nytimes.com/2025/01/31/us/politics/prosecutors-us-attorneys-office-trump-firings.html>.

² About DOJ, U.S. DEP'T OF JUSTICE, <https://www.justice.gov/about> (last visited Feb. 3, 2025).

After assuming the role of Interim U.S. Attorney for the District of Columbia, you claimed that you wanted to “re-establish law and order in Washington, D.C.”³ Nice words, but your disgraceful choice to fire these prosecutors is impossible to reconcile with this commitment. Your actions deprive your office and the citizens of the District of Columbia of talented and devoted civil servants who, at the time of their firing, were assigned to prosecute violent crime, including gun and drug offenses, in our nation’s capital.⁴ In firing these AUSAs, your office has lost prosecutors who, collectively, had decades of experience as local and state prosecutors and litigators in the country’s top law firms, including military veterans and graduates of our nation’s best law schools. All of this was done to appease a president who now apparently believes that the law does not apply to pro-Trump rioters who engage in seditious conspiracy and smash police officers in the face.

Despite this Administration’s rhetorical support for promoting an independent federal workforce based on “merit” hiring,⁵ your mass firings of prosecutors for working on one of the largest criminal prosecutions in our history—involving the worst mob assault on police officers in our lifetime—make clear that your decision to sack these prosecutors had nothing to do with their individual professional qualifications or work performance. The only plausible explanation for your actions is a decision to use the powers of your office to promote President Donald Trump’s campaign of revenge and retribution against anyone who would uphold the rule of law against his mob, even if Trump himself vehemently denounced their “violence, lawlessness, and mayhem”⁶ on January 7, 2021 and declared, “to those who broke the law, you will pay.”⁷

These contortions suggest personal bias. In fact, I understand that since becoming Interim U.S. Attorney, you have regularly visited the White House.⁸ As I hope you know, this practice violates decades-old safeguards developed to preserve the DOJ’s independence, both actual and perceived, from political influence by avoiding communications between U.S.

³ Press Release, U.S. Att’y’s Off. of D.C., *Edward R. Martin, Jr. Appointed U.S. Attorney for the District of Columbia* (Jan. 27, 2025), <https://www.justice.gov/usao-dc/pr/edward-r-martin-jr-appointed-us-attorney-district-columbia>.

⁴ Spencer Hsu and Tom Jackman, *D.C. U.S. Attorney Fires Jan. 6 Prosecutors, Launches New Probes*, WASH. POST (Jan. 31, 2025) (reporting that the firings impact the violent crime division), <https://www.washingtonpost.com/dc-md-va/2025/01/31/jan6-prosecutors-fired-dc-martin/>.

⁵ E.g., LiveNOW from FOX, FULL REMARKS: *Trump Speaks at Pre-Inauguration Rally in D.C.*, YOUTUBE (Jan. 19, 2025), <https://www.youtube.com/watch?v=Sd2ts8IE8Pk&t=1975s>; World Economic Forum, *Davos 2025: Special Address by Donald J. Trump, President of the United States of America*, WORLD ECONOMIC FORUM (Jan. 23, 2025), <https://www.weforum.org/stories/2025/01/davos-2025-special-address-donald-trump-president-unitedstates/>; CNN, *Watch President Donald Trump’s Full 2025 Inauguration Speech*, YOUTUBE (Jan. 20, 2025), https://www.youtube.com/watch?v=BNArBr_J8mA&t=1094s.

⁶ *Trump Condemns Capitol Riot, concedes to Biden*, PBS NEWS (Jan. 7, 2021), <https://www.pbs.org/newshour/politics/trump-condemns-capitol-riot-concedes-to-biden>.

⁷ Alayna Treene, Alison Main & Marshall Cohen, *Trump Plans to Issue Day 1 Pardons for Some Convicted January 6 Rioters*, CNN (Jan. 19, 2025), <https://www.cnn.com/2025/01/19/politics/pardon-trump-january-6-rioters/index.html>.

⁸ PBS News reported on one of these several Oval Office visits. Alanna Durkin Richer and Michael Kunzelman, *D.C.’s New Top Prosecutor Advocated for Jan. 6 Rioters and Echoed Trump’s False 2020 Election Claims*, PBS NEWSHOUR (Jan. 28, 2025), <https://www.pbs.org/newshour/politics/d-c-s-new-top-prosecutor-advocated-for-jan-6-rioters-and-echoed-trumps-false-2020-election-claims>.

Attorneys and the White House.⁹ In addition to visiting the White House, I also understand that you have been in personal communication with individuals charged and convicted of criminal offenses related to the January 6th insurrection, as well as their attorneys, regarding ongoing matters—even going so far as to file a motion on behalf of the United States in a matter in which you were still listed as counsel for the defendant.¹⁰ Even before becoming aware of these allegations, the Committee questioned your ability to remain impartial as an Interim U.S. Attorney given your background as a political crusader in defense of violent January 6th rioters, suggesting your willingness to undermine the rule of law and public safety of the American people in service of ideological extremism and President Trump’s campaign of retribution.¹¹

The individuals that you fired prosecuted the violent rioters who tried to prevent the peaceful transition of power. Instead of honoring their brave commitment to upholding the rule of law against all kinds of violent threats and harassment, you betrayed their essential service to America in the vain hopes of trying to rewrite the clear history of January 6th. In the process, you have undermined national security and public safety and deprived the residents of the District of Columbia of qualified and committed prosecutors who used their talents to enforce the law and keep Washington safe. Which side are you on—the side of law-abiding citizens or violent criminals?

In order to understand the full scope, extent, and purpose of your political retaliation against federal prosecutors who did their job enforcing criminal law and holding to account the violent insurrectionists of January 6th, and to determine whether your actions violated federal law, I request that you produce the following information as soon as possible, but no later than 5:00 p.m. on February 20, 2025.

1. President Trump has repeatedly stated that federal workforce personnel decisions will be based on “merit.”¹² In making the decision to fire these career

⁹ See, e.g., Off. of Att’y Gen., U.S. Dep’t of Justice, Communications with the Executive Office of the President (May 4, 2006), <https://www.justice.gov/sites/default/files/ag/legacy/2009/02/10/ag-050406a.pdf>; Off. of Att’y Gen., U.S. Dep’t of Justice, Communications with the White House (Dec. 19, 2007), <https://www.justice.gov/sites/default/files/ag/legacy/2008/04/15/ag-121907.pdf>; Off. of Att’y Gen., U.S. Dep’t of Justice, Communications with the White House and Congress (May 11, 2009), <https://www.scribd.com/document/373309545/2009-Eric-Holder-Memo>; Off. of Att’y Gen., U.S. Dep’t of Justice, Department of Justice Communications with the White House (Jul. 21, 2021), <https://www.justice.gov/opa/press-release/file/1413756/dl?inline=>; Off. of Deputy Att’y Gen., U.S. Dep’t of Justice, Communications with the White House Concerning National Security Matters (Mar. 28, 2022), https://www.justice.gov/oip/foia-library/general_topics/dag_comms_with_wh_re_ns_matters/dl.

¹⁰ Brad Heath, Sarah N. Lynch & Andrew Goudsward, *Top Trump Prosecutor in DC Dropped Federal Case Against Capitol Rioter He Represented*, REUTERS (Feb. 5, 2025), <https://www.reuters.com/world/us/top-trump-prosecutor-dc-who-was-present-capitol-riot-dropped-us-case-against-2025-02-05/>; Kyle Cheney (@KyleDCheney), X (Feb. 5, 2025, 8:52 PM), <https://x.com/kyledcheney/status/1887318536709652692>.

¹¹ Kyle Cheney, *Ed Martin Jr., A Crusader for Jan. 6 Defendants, Now Oversees Their Absolution*, POLITICO (Jan. 29, 2025), <https://www.politico.com/news/2025/01/29/ed-martin-jr-jan-6-defendants-00201269>.

¹² E.g., LiveNOW from FOX, FULL REMARKS: *Trump Speaks at Pre-Inauguration Rally in D.C.*, YOUTUBE (Jan.19, 2025), <https://www.youtube.com/watch?v=Sd2ts8lE8Pk&t=1975s>; World Economic Forum, *Davos 2025: Special Address by Donald J. Trump, President of the United States of America*, WORLD ECONOMIC FORUM (Jan. 23, 2025), <https://www.weforum.org/stories/2025/01/davos-2025-special-address-donald-trump-president-unitedstates/>; CNN, *Watch President Donald Trump’s Full 2025 Inauguration Speech*, YOUTUBE (Jan. 20, 2025), https://www.youtube.com/watch?v=BNArBr_J8mA&t=1094s.

prosecutors, did you review their personnel files, including periodic performance evaluations, resumes, and/or other relevant qualifications? If so, please provide all information and documentation related to your review of their qualifications, and why you found these qualifications suddenly insufficient to permit them to remain in their career civil servant roles. Please provide all of this relevant information for each individual career prosecutor who has been terminated in this mass purge.

2. Prior to firing these prosecutors, did you meet with them individually to assess their ability to uphold the rule of law, keep our country safe, and protect the civil rights of citizens? If so, please provide all information and documentation related to your interviews of each prosecutor. If you felt that their prior service in the U.S. Attorney's office or their prior work on particular cases made them suddenly unqualified to continue serving, please explain the basis for that judgment or what interviews or analysis were conducted leading you to that conclusion.
3. Please provide to the Committee:
 - a. A copy of all communications you have had with White House officials since you were appointed Interim U.S. Attorney for the District of Columbia;
 - b. A list of every visit you have made to the White House or call you have had with White House staff since you were appointed Interim U.S. Attorney for the District of Columbia, and the name of each White House employee who helped organize or facilitate these meetings or calls;
 - c. A comprehensive list of who you spoke to during these visits or calls to the White House; what you spoke about in each of these conversations; whether any of these conversations involved ongoing criminal matters handled by the DOJ, including prosecutions related to January 6th; and whether any of these conversations related to your firing of career prosecutors on January 31, 2025, or treatment of January 6th defendants;
 - d. A copy of all communications you have had with January 6th defendants or their attorneys since you were made Interim U.S. Attorney for the District of Columbia;
 - e. A list of every meeting or call you have had with January 6th defendants or their attorneys since you were appointed Interim U.S. Attorney for the District of Columbia, including the date and time, names of all individuals involved and the subject of those meetings or conversations, whether you discussed DOJ personnel or the prosecutors on January 6th cases, and whether these discussions related to your decision to terminate career prosecutors on January 31, 2025;
 - f. A copy of all communications related to the firing of career prosecutors on January 31, 2025, including, but not limited to, any communications with the White House, the Office of Personnel Management, or January 6th defendants or their attorneys since you were appointed Interim U.S. Attorney for the District of Columbia;

- g. A list of every meeting or call you have had related to the firing of career prosecutors on January 31, 2025, listing the date and time and names of all individuals involved, including, but not limited to, any meetings or calls with the White House, the Office of Personnel Management, or January 6th defendants or their attorneys since you were appointed Interim U.S. Attorney for the District of Columbia; and
- h. A list of every January 6th related matter in which you served as defense counsel and the date at which your representation ended.

Thank you for your prompt attention to this profoundly important matter going to public safety, national security, the rule of law and workplace fairness.

Very truly yours,



Jamie Raskin
Ranking Member

cc: The Honorable Michael E. Horowitz, Inspector General, U.S. Department of Justice
The Honorable Hampton Dellinger, Special Counsel, U.S. Office of Special Counsel
Mr. Jeffrey Ragsdale, Counsel, U.S. Office of Professional Responsibility
The Honorable Jim Jordan, Chairman, House Committee on the Judiciary