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United States Senate

COMMITTEE ON THE JUDICIARY
WASHINGTON, DC 20510-6275

January 30, 2019

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
935 Pennsylvania Ave. NW
Washington, D.C. 20535

Dear Director Wray,

I write regarding the Bureau's arrest of Roger Stone, which took place during the early morning hours of January 25, 2019. I am concerned about the manner in which the arrest was effectuated, especially the number of agents involved, the tactics employed, the timing of the arrest, and whether the FBI released details of the arrest and the indictment to the press prior to providing this information to Mr. Stone's attorneys.

Since his appointment, I have supported Special Counsel Mueller's ability to conduct his investigation without interference. Moreover, I have always been a strong admirer and supporter of the FBI. However, while I firmly support law enforcement taking into account threats to officer safety, flight risk, and the need to ensure evidence is preserved, I am leery that a subject of the Special Counsel's investigation, who had retained counsel, had publicly stated that he believed that he would at some point be indicted, and was apparently willing to surrender voluntarily, was arrested in a pre-dawn raid at his home.

Although I am sure these tactics would be standard procedure for the arrest of a violent offender, I have questions regarding their necessity in this case. The American public has had enough of the media circus that surrounds the Special Counsel's investigation. Yet, the manner of this arrest appears to have only added to the spectacle. Accordingly, I write to seek justification for the tactics used and the timing of the arrest of Mr. Stone.

Please have the Bureau provide the Committee a briefing on Mr. Stone's arrest by no later than Tuesday, February 5, 2019. In addition, prior to that briefing, please provide the Committee with answers to the following questions so that the American public can be reassured that this arrest followed established methods and procedures:

1. Why was it necessary to arrest Mr. Stone at his home in the early morning hours, rather than working through his attorneys to permit him to surrender voluntarily?
2. Was the manner of Mr. Stone's arrest consistent with the arrests of, and procedures for the arrests of, similarly charged individuals?

3. Were usual procedures for obtaining and executing arrest and search warrants followed with regard to Mr. Stone?
4. Did the Special Counsel's office issue a press release and release the indictment to the press prior to informing Mr. Stone's attorneys of the arrest?
5. Did anyone at the FBI, DOJ, or the Special Counsel's office alert CNN, any other media outlet, or anyone outside of law enforcement that the arrest was going to occur on the morning of January 25, 2019?

Please provide the answers to these questions and have your staff contact Zachary Somers with the Senate Judiciary Committee to set up the requested briefing. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lindsey O. Graham", written over a horizontal line.

Lindsey O. Graham
Chairman

cc: The Honorable Dianne Feinstein