

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

February 15, 2025

The Honorable Michael E. Horowitz
Inspector General
U.S. Department of Justice
Office of the Inspector General
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Inspector General Horowitz:

We urge you to investigate Attorney General Pam Bondi and Acting Deputy Attorney General Emil Bove for seeking to dismiss prosecution of New York City Mayor Eric Adams for blatantly partisan reasons. It is critical that you immediately seek the preservation of documents for this investigation as there are clear indications that Mr. Bove may be destroying evidence.

The now former Acting U.S. Attorney for the Southern District of New York Danielle Sassoon, along with at least five other career prosecutors in the Department of Justice Criminal Division, including the chief and deputy chief of the Public Integrity Section, have resigned rather than carry out an order from Mr. Bove that is self-evidently contrary to the public interest and based upon corrupt motives.¹

On February 10, Mr. Bove directed Ms. Sassoon “to dismiss the pending charges in *United States v. Adams*.”² Mr. Bove claimed this directive was “authorized by Attorney General Pam Bondi” and made clear that dismissal of this case had nothing to do with the merits of the prosecution, stating that the decision was made “without assessing the strength of the evidence or the legal theories on which the case is based.”³ Instead, Mr. Bove shockingly acknowledged the nakedly partisan reason for seeking dismissal of the charges: “[T]he pending prosecution has unduly restricted Mayor Adams’ ability to devote full attention and resources to the illegal immigration and violent crime that escalated under the policies of the prior Administration.”⁴

On February 12, Ms. Sassoon spelled out her concerns with this directive to Attorney General Bondi.⁵ Explaining that the “reasons advanced by Mr. Bove for dismissing the

¹ Benjamin Weiser & Jonah E. Bromwich, *An Ambitious Prosecutor Quits Rather Than Do Trump’s Bidding*, N. Y. TIMES (Feb. 13, 2025), <https://www.nytimes.com/2025/02/12/nyregion/adams-prosecutor-danielle-sassoon-profile.html>; Larry Neumeister, Alanna Durkin Richer & Eric Tucker, *Order to drop New York Mayor Adams’ case roils Justice Department as high-ranking officials resign*, AP (Feb. 13, 2025), <https://apnews.com/article/new-york-city-us-attorney-0395055315864924a3a5cc9a808f76fd>.

² Dep’t of Justice Memorandum from Acting Deputy Attorney General Emil Bove to Acting U.S. Attorney for the Southern District of New York Danielle Sassoon regarding “Dismissal Without Prejudice of Prosecution of Mayor Eric Adams” (Feb. 10, 2025) (on file with Committee).

³ *Id.*

⁴ *Id.*

⁵ Dep’t of Justice, U.S. Attorney’s Office for the Southern District of New York, Memorandum from Acting U.S. Attorney for the Southern District of New York Danielle Sassoon to Attorney General Bondi regarding “*United States v. Eric Adams*, 24 Cr. 556 (DEH)” (Feb. 12, 2025) (on file with Committee).

indictment are not ones I can in good faith defend as in the public interest and as consistent with the principles of impartiality and fairness that guide my decision-making,” she stated:

Adams has argued in substance—and Mr. Bove appears prepared to concede—that Adams should receive leniency for federal crimes solely because he occupies an important public position and can use that position to assist in the Administration’s policy priorities.⁶

Ms. Sassoon also noted that, after a meeting with counsel for Mayor Adams, Mr. Bove, and members of her team, Mr. Bove “admonished a member of my team who took notes and directed the collection of [the prosecutorial team’s] notes at the meeting’s conclusion.”⁷ The Department has strict record-keeping rules pursuant to its criminal and civil matters and case file records retention schedule, and records for criminal cases that are declined or voluntarily dismissed must be retained for three years.⁸ However, records for this matter must be kept indefinitely, because Mr. Bove has directed that the indictment be dismissed without prejudice, meaning the case will remain open.⁹ While Ms. Sassoon did not speculate as to why Mr. Bove confiscated the notes or what he did with them, it is reasonable to conclude that Mr. Bove took those documents with the intent to hide or destroy evidence that the Department was extracting a political favor from Mayor Adams to benefit President Trump in exchange for the dismissal of the Mayor’s prosecution.

On February 13, Mr. Bove accepted Ms. Sassoon’s resignation, implausibly claiming that she was the one choosing “to continue pursuing a politically motivated prosecution,” and placed her subordinates, the “Assistant U.S. Attorneys principally responsible for the case[,] on leave.”¹⁰

Mr. Bove claims the Department is seeking dismissal of Mayor Adams’ indictment because it was an instance of supposed “weaponization,” but he offers no evidence for this charge.¹¹ In contrast, Ms. Sassoon’s February 12 memo to Attorney General Bondi is an eight-page, detailed explanation of the merits of this case that directly refutes Mr. Bove’s allegations of impropriety and discusses additional steps that could be taken to address any such concerns, such as seeking a superseding indictment before a new grand jury.¹²

⁶ *Id.*

⁷ *Id.* at 3, note 1.

⁸ The Executive Office for United States Attorneys Records and Information Management Schedule Criminal and Civil Matters Case Files Record Retention Schedule, N1-118-10-007, User Guide at 9 (Rev. Feb. 18, 2021).

⁹ Mr. Bove made clear that, instead of closing the case against Mayor Adams entirely, “the matter shall be reviewed by the confirmed U.S. Attorney in the Southern District of New York, following the November 2025 mayoral election.” Dep’t of Justice Memorandum from Acting Deputy Attorney General Emil Bove to Acting U.S. Attorney for the Southern District of New York Danielle Sassoon regarding “Dismissal Without Prejudice of Prosecution of Mayor Eric Adams” (Feb. 10, 2025) (on file with Committee).

¹⁰ Dep’t of Justice Memorandum from Acting Deputy Attorney General Emil Bove to Acting U.S. Attorney for the Southern District of New York Danielle Sassoon regarding “United States v. Eric Adams, 24 Cr. 556 (S.D.N.Y.)” (Feb. 13, 2025) (on file with Committee).

¹¹ Dep’t of Justice Memorandum from Acting Deputy Attorney General Emil Bove to Acting U.S. Attorney for the Southern District of New York Danielle Sassoon regarding “Dismissal Without Prejudice of Prosecution of Mayor Eric Adams” (Feb. 10, 2025) (on file with Committee).

¹² Dep’t of Justice, U.S. Attorney’s Office for the Southern District of New York, Memorandum from Acting U.S. Attorney for the Southern District of New York Danielle Sassoon to Attorney General Bondi regarding “United States v. Eric Adams, 24 Cr. 556 (DEH)” (Feb. 12, 2025) (on file with Committee).

It is clear that Attorney General Bondi and Mr. Bove's directive to drop this case was for the express purpose of furthering President Trump's political agenda. This is made more explicit by the timing of Mayor Adams's February 13 meeting with Tom Homan, President Trump's "border czar," and the subsequent announcement that New York City would assist Immigration and Customs Enforcement in carrying out the President's immigration agenda.¹³ In a joint media appearance today, Mr. Homan appeared to threaten Mayor Adams, stating, "If he doesn't come through, I'll be back in New York City, and we won't be sitting on the couch — I'll be in his office, up his butt, saying, 'Where the hell is the agreement we came to?'"¹⁴ It is not difficult to see how the dismissal of the indictment without prejudice, with the possibility that the Department could again seek to prosecute Mayor Adams, could be used as a cudgel to pressure him into assisting the White House in advancing the President's agenda. Indeed, Deputy Attorney Bove has been quite explicit about this quid pro quo.

This matter must be reviewed by the Office of the Inspector General (OIG). The Office of Professional Responsibility (OPR) is inherently conflicted. The Attorney General personally selects the Counsel who leads OPR, and the Attorney General is a subject of this misconduct complaint. The Counsel who leads OPR reports directly to the Deputy Attorney General, who is also a subject of this misconduct complaint. Moreover, the allegedly corrupt exchange in question involves the type of misconduct that extends beyond an attorney's professional responsibilities, which are OPR's ambit, and are under the jurisdiction of OIG. For example, Deputy Attorney General Bove allegedly used his authority as a manager to pressure employees under his supervision to participate in this scheme.

The American people cannot afford to have the Department of Justice weaponize its vast prosecutorial authority to coerce public officials to assist any president's political project. The conduct of Attorney General Bondi and Acting Deputy Attorney General Bove in this matter must be investigated.

Thank you for your attention to this request.

Sincerely,



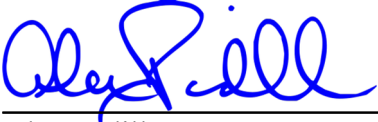
Richard J. Durbin
United States Senator



Mazie K. Hirono
United States Senator

¹³ Luis Ferré-Sadurní, *After Meeting With Trump's Border Czar, Adams Opens Rikers to ICE Agents*, N.Y. TIMES (Feb. 13, 2025), <https://www.nytimes.com/2025/02/13/nyregion/adams-ice-rikers-homan.html>.

¹⁴ Emma G. Fitzsimmons, *Eric Adams Highlights Coordination With Trump's Border Czar on Fox News*, N.Y. TIMES (Feb. 14, 2025), <https://www.nytimes.com/2025/02/14/nyregion/adams-homan-fox-interview.html>.



Alex Padilla
United States Senator



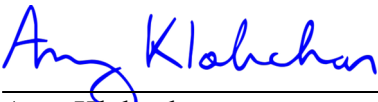
Peter Welch
United States Senator



Richard Blumenthal
United States Senator



Sheldon Whitehouse
United States Senator



Amy Klobuchar
United States Senator



Adam B. Schiff
United States Senator



Christopher A. Coons
United States Senator



Cory A. Booker
United States Senator

cc: The Honorable Charles E. Grassley
Chairman, Senate Committee on the Judiciary