

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

April 2, 2025

The Honorable Chuck Grassley
Chairman
U.S. Senate Judiciary Committee
135 Hart Senate Office Building
Washington, DC 20510

Dear Chairman Grassley:

We write to request that you schedule a hearing to consider the nomination of Edward Robert Martin, Jr. to serve as U.S. Attorney for the District of Columbia. While the Senate Judiciary Committee does not typically hold hearings for U.S. Attorney nominees, Mr. Martin’s record merits heightened scrutiny by the Committee for the reasons outlined below.

Prior to his appointment as interim U.S. Attorney, Mr. Martin made stunning attacks on federal prosecutors and associated himself with individuals who present a threat to our nation. Mr. Martin was a leader of the so-called “Stop the Steal” movement to illegally overturn the 2020 election. He was on the grounds of the U.S. Capitol on January 6, and has repeatedly downplayed the violence perpetrated against law enforcement that day. For example, he posted the following on social media, “Like Mardi Gras in DC today: love, faith and joy. Ignore #FakeNews,”¹ and later called for “less judgment for somebody who hits a cop” during the riot.² Mr. Martin once labeled federal prosecutors in D.C.—employees of the very office he now seeks to lead— “terrorists” for pursuing stiff sentences against violent January 6 rioters.³ Mr. Martin said, “Oath Keepers are all of us” in response to the Justice Department’s prosecution of the leaders of the domestic violent extremist organization for seditious conspiracy.⁴ Mr. Martin called prosecutors’ treatment of insurrectionist Christopher Worrell “outrageous.” He falsely claimed Mr. Worrell was only “in the fray a bit—not much but a bit.”⁵ In fact, Mr. Worrell, a member of the Proud Boys, was sentenced to 10 years in prison for assaulting a group of police

¹ Ed Martin (@EagleEdMartin), X (Jan. 6, 2021, 2:57 PM), <https://x.com/EagleEdMartin/status/1346908666763636741>.

² 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>.

³ Pro America Report, *Human Realities of Weaponized Government*, SPOTIFY (Aug. 23, 2023), <https://open.spotify.com/episode/7IUNrjR5gPzY6caSsY5IBI?si=TIHEAgYyQb2IRu3DLCdX9Q&nd=1&dlsi=4e2b46178bd0447c>.

⁴ Ed Martin (@EagleEdMartin), X (Jun. 8, 2021, 8:51 PM), <https://x.com/EagleEdMartin/status/1402427990290673665>.

⁵ Pro America Report, *Human Realities of Weaponized Government*, SPOTIFY (Aug. 23, 2023), <https://open.spotify.com/episode/7IUNrjR5gPzY6caSsY5IBI?si=TIHEAgYyQb2IRu3DLCdX9Q&nd=1&dlsi=4e2b46178bd0447c>.

officers with a deadly and dangerous weapon.⁶ The very day that Mr. Martin called Mr. Worrell's treatment by prosecutors "outrageous," Mr. Worrell was a fugitive from the law.⁷ He had cut off his GPS ankle monitor four days before his scheduled sentencing on August 14, 2023, and was not apprehended until six weeks later.⁸

Mr. Martin also has extensive ties to Timothy Hale-Cusanelli, a January 6 rioter who prosecutors describe as a subscriber of "White Supremacist and Nazi-Sympathizer ideologies that drive his enthusiasm for another civil war."⁹ At Mr. Hale-Cusanelli's sentencing hearing, Judge Trevor McFadden, who was appointed by President Trump, said, "Statements and actions like yours make [Jewish people] less safe and less confident they can participate as equal members of our society."¹⁰ Beyond inaccurately portraying Mr. Hale-Cusanelli as a victim of an unjust conviction, Mr. Martin has inexplicably praised Mr. Hale-Cusanelli's character and intellect, despite Mr. Hale-Cusanelli's extensive and well-known history of antisemitism, misogyny, and racism. According to one of his co-workers, Mr. Hale-Cusanelli once said, "Hitler should have finished the job."¹¹ Further, Mr. Hale-Cusanelli reportedly claimed that he "would kill all the Jews and eat them for breakfast, lunch, and dinner, and he wouldn't need to season them because the salt from their tears would make it flavorful enough."¹² One co-worker recalled Mr. Hale-Cusanelli saying that "babies born with any deformities or disabilities should be shot in the forehead."¹³ Another told authorities that Mr. Hale-Cusanelli referred to Black people as "shit skinned minorities."¹⁴ According to videos Mr. Hale-Cusanelli himself recorded while storming the Capitol on January 6, he berated an officer guarding the West Front of the Capitol, stating, "Fuck you! The revolution will be televised, cunt!"¹⁵ Days after the riot, a confidential human source recorded Mr. Hale-Cusanelli saying he wished for there to be another civil war. Mr. Hale-Cusanelli could also be heard saying he would give Jewish people "24 hours to leave the country."¹⁶

In September 2024, Mr. Martin presented Mr. Hale-Cusanelli with an award at the Trump Bedminster Club in New Jersey. Mr. Martin called Mr. Hale-Cusanelli "an extraordinary

⁶ Press Release, U.S. Attorney's Office, District of Columbia, Florida Proud Boy Sentenced on Felony Charges for Assaulting Police Officers During Jan. 6 Capitol Breach (Jan. 4, 2024), <https://www.justice.gov/usao-dc/pr/florida-proud-boy-sentenced-felony-charges-assaulting-police-officers-during-jan-6>.

⁷ *Id.*

⁸ *Id.*

⁹ Ryan J. Reilly, *Nazi Sympathizer and Army Reservist Who Stormed the Capitol Sentenced to 4 Years in Jan. 6 Case*, NBC NEWS (Sept. 22, 2022), <https://www.nbcnews.com/politics/justice-department/nazi-sympathizer-jan-6-rioter-claimed-didnt-know-congress-met-capitol-rcna48677>.

¹⁰ Transcript of Sentencing Hearing, *United States v. Timothy Louis Hale-Cusanelli*, No. 1:21-cr-00037-TNM (D.D.C. Sept. 27, 2022) at 82.

¹¹ See United States' Opposition to Defendant's Motion for Conditional Release, *United States v. Timothy Louis Hale-Cusanelli*, No. 1:21-cr-00037-TNM (D.D.C. Mar. 12, 2021) at 7.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ See Government's Sentencing Memorandum, *United States v. Timothy Louis Hale-Cusanelli*, No. 1:21-cr-00037-TNM (D.D.C. Sep. 15, 2022) at 11.

¹⁶ *Id.* at 18.

man, an extraordinary leader.”¹⁷ After Mr. Hale-Cusanelli concluded his remarks, he hugged Mr. Martin, who then returned to the podium to say, “It’s one of the goals of many of us to make sure that the world—and especially America—hears more from Tim Hale because he’s extraordinary.”¹⁸ This shocking conduct necessitates sworn testimony from Mr. Martin.

Mr. Martin has also abused his position in multiple ways since being named Interim U.S. Attorney. Among his first official actions were to shut down the section of the U.S. Attorney’s Office for the District of Columbia (USAO-DC) that was handling January 6 cases and terminate numerous prosecutors who were involved in prosecuting January 6 rioters.¹⁹ Prior to Mr. Martin’s appointment, he represented three separate January 6 offenders as criminal defense counsel. He then failed to withdraw his representation of two of these offenders before taking actions as Interim U.S. Attorney that benefitted his clients, creating impermissible conflicts of interest and appearances of impropriety.²⁰ There is further evidence to suggest that Mr. Martin has inappropriately communicated directly with other January 6 defendants since his appointment.²¹

On February 17, the Office of the Deputy Attorney General, led by then-Acting Deputy Attorney General Emil Bove, and Mr. Martin, attempted to pressure Denise Cheung, the then-Chief of the Criminal Division of USAO-DC, to freeze assets held by Citibank, N.A. without sufficient evidence of criminal wrongdoing.²² Ms. Cheung refused to order this freeze because there was not sufficient evidence to issue such a letter, “including sufficient evidence to tell the bank that there is probable cause to seize the particular accounts identified.”²³ Mr. Martin then asked for Ms. Cheung’s resignation, which she

¹⁷ Tim Hale - Criminally Funny J6er (@LouisofMonmouth), X (Sep. 2, 2024, 11:54 AM), <https://x.com/LouisofMonmouth/status/1830635414228504972>.

¹⁸ *Id.*

¹⁹ Kyle Cheney and Josh Gerstein, *DOJ Fires Dozens of Prosecutors Who Handled Jan. 6 Cases*, POLITICO (Jan. 31, 2025), <https://www.politico.com/news/2025/01/31/doj-purges-prosecutors-january-6-cases-00201904>.

²⁰ See United States’ Motion to Dismiss Indictment with Prejudice Pursuant to Federal Rule Criminal Procedure 48(a), *United States v. Padilla*, No. 1:21-cr-00214 (D.D.C. Jan. 21, 2025); See Defense Counsel’s Motion to Withdraw as Counsel, *United States v. Padilla*, No. 1:21-cr-00214 (D.D.C. Feb. 4, 2025); Judy L. Thomas & Daniel Desrochers, *Olathe Proud Boy Who Carried Ax Handle into Capitol On Jan. 6 Pleads Guilty to Felonies*, THE KANSAS CITY STAR (Oct. 16, 2023), <https://www.kansascity.com/news/local/crime/article280480469.html>; Judy L. Thomas & Daniel Desrochers, *KS Proud Boy Who Stormed Capitol Released From Prison Early. He Got Thousands in Donations*, KANSAS CITY STAR (Oct. 16, 2024), <https://www.kansascity.com/news/local/article293958694.html>; Defense Counsel’s Motion to Withdraw as Counsel, *United States v. Chrestman*, No. 1:21-cr-00160 (D.D.C. Feb. 5, 2025).

²¹ See Notice to the Court Regarding Order No. 239 and a New Motion to Produce Various Case Files, *United States v. William Alexander Pope*, No. 1:21-cr-00128-RC (D.D.C. Jan. 28, 2025); Reply to the Government’s Opposition (No. 292) to My Notice on Order No. 239 and Motion for Case Files (No. 391), *United States v. William Alexander Pope*, No. 1:21-cr-00128-RC (D.D.C. Feb. 19, 2025).

²² Dep’t of Justice, U.S. Attorney’s Office for the District of Columbia, Letter from Assistant U.S. Attorney for the District of Columbia Denise Cheung to U.S. Attorney for the District of Columbia Martin regarding “Resignation” (Feb. 18, 2025), available at <https://www.washingtonpost.com/dc-md-va/2025/02/18/read-resignation-letter-denise-cheung/>.

²³ *Id.*

tendered the following day.²⁴ Despite the apparent lack of evidence, Mr. Martin proceeded to personally apply for a seizure warrant that was subsequently rejected by a U.S. magistrate judge, who reportedly found that the application did not establish a reasonable belief that a crime had occurred.²⁵

In addition, Mr. Martin has regularly threatened to prosecute various government employees, members of Congress, and press outlets in an apparent attempt to chill their lawful speech. On February 3, 2025, he informed Elon Musk that “we will pursue any and all legal action against anyone who impedes your work.”²⁶ Four days later, he followed up with Mr. Musk and stated, “if people are discovered to have broken the law or even acted simply unethically, we will investigate them and **we will chase them to the end of the Earth to hold them accountable.**”²⁷ On February 24, Mr. Martin specifically targeted the Associated Press, writing “As President Trumps’ [*sic*] lawyers, we are proud to fight to protect his leadership as our President and we are vigilant in standing against entities like the AP that refuse to put America first.”²⁸

Mr. Martin then intervened to assist DOGE in its efforts to break into the U.S. Institute of Peace (USIP). USIP staff described how “representatives . . . of the US Attorney’s Office of the District of Columbia were approaching members of [its] staff and [] workforce to try to intimidate their way into getting into the building.”²⁹ Mr. Martin then directed the Metropolitan Police Department to respond to a reported unlawful entry at the building and direct staff to leave.³⁰ This troubling pattern of behavior reflects a willingness to ignore basic legal standards in order to pursue politically motivated investigations and threaten the Administration’s perceived political opponents.

Finally, since his nomination to serve as U.S. Attorney for the District of Columbia, Mr. Martin appears to have attempted to scrub much of his previous public commentary from the internet. For example, nearly 1,000 hours of his podcast have been removed from

²⁴ Kyle Cheney et al., *Senior Prosecutor in Washington Quits, Citing Pressure to Probe Biden-Era Climate Funds*, POLITICO (Feb. 18, 2025), <https://www.politico.com/news/2025/02/18/denise-cheung-us-attorneys-office-washington-020363>. See also Dep’t of Justice, U.S. Attorney’s Office for the District of Columbia, Letter from Assistant U.S. Attorney for the District of Columbia Denise Cheung to U.S. Attorney for the District of Columbia Martin regarding “Resignation” (Feb. 18, 2025), available at <https://www.washingtonpost.com/dc-md-va/2025/02/18/read-resignation-letter-denise-cheung/>.

²⁵ Spencer S. Hsu, Maxine Joselow, & Nicolás Rivero, *FBI Takes Up EPA Probe Amid Pushback from Judge, Prosecutors*, WASH. POST (Feb. 27, 2025), <https://www.washingtonpost.com/dc-md-va/2025/02/27/trump-fbi-epa-grant-investigation/>.

²⁶ Ed Martin (@EagleEdMartin), X (Feb. 3, 2025, 11:46 AM), <https://x.com/EagleEdMartin/status/1886456136032817488>.

²⁷ Ed Martin (@EagleEdMartin), X (Feb. 7, 2025, 11:27 AM), <https://x.com/EagleEdMartin/status/1887901087983689761> (emphasis in original).

²⁸ Ed Martin (@EagleEdMartin), X (Feb. 24, 2025, 3:18 PM), https://x.com/USAO_DC/status/1894119675786621225.

²⁹ Jennifer Hansler & Harlan Schmidt, *DOGE Gains Access to US Institute of Peace After Trump Administration Overhauls Board*, CNN (Mar. 17, 2025), <https://www.cnn.com/2025/03/17/politics/doge-us-institute-of-peace-trump-administration-overhaul-board/index.html>.

³⁰ *Id.*; Meg Anderson, *Law Experts Raise Alarms Over Police Action in DOGE Institute of Peace Dispute*, NPR (Mar. 20, 2025), <https://www.npr.org/2025/03/20/nx-s1-5332193/why-d-c-police-sided-with-doge-institute-of-peace-standoff>.

online platforms, such as Spotify and Apple Podcasts, interfering with the Committee's ability to thoroughly examine his record.³¹

As the aforementioned makes clear, Mr. Martin is a nominee whose objectionable record merits heightened scrutiny by this Committee. We respectfully ask that you schedule a hearing on his nomination to allow members to ask him questions, under oath, about these and other matters.

Sincerely,



Richard J. Durbin
United States Senator



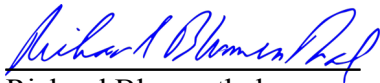
Sheldon Whitehouse
United States Senator



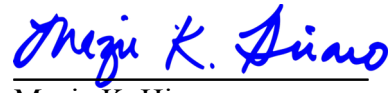
Amy Klobuchar
United States Senator



Christopher A. Coons
United States Senator



Richard Blumenthal
United States Senator



Mazie K. Hirono
United States Senator

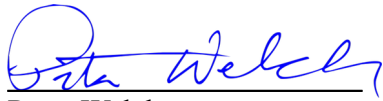


Cory A. Booker
United States Senator



Alex Padilla
United States Senator

³¹ See The Pro America Report with Ed Martin Podcast, Apple Podcasts, <https://podcasts.apple.com/us/podcast/the-pro-america-report-with-ed-martin-podcast/id1501908259>. (None of the episodes are currently available despite being so as of March 19, 2025.)



Peter Welch
United States Senator



Adam B. Schiff
United States Senator