

ONE HUNDRED EIGHTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-6906
judiciary.house.gov

June 18, 2024

The Honorable Letitia James
Attorney General
Office of the New York State Attorney General
The Capitol
Albany, NY 12224

Dear Attorney General James:

On May 15, 2024, we wrote to you requesting information and documents related to prosecutor Matthew Colangelo's prior employment at the New York Attorney General's Office.¹ The Committee asked that you provide this information by May 29, 2024. To date, you have failed to comply with or respond to our request. Accordingly, we write to reiterate our request.

The Committee is continuing to conduct oversight of politically motivated prosecutions by state and local officials. Popularly elected prosecutors, such as New York County District Attorney Alvin Bragg, have engaged in an unprecedented abuse of authority by prosecuting a former President of the United States and current leading candidate for that office. Notably, Bragg's prosecution has been led in part by Mr. Colangelo, a former prosecutor in your office and subsequent senior Justice Department official in the Biden Administration.² As such, the Committee continues to seek information and documents related to Mr. Colangelo's employment at the New York Attorney General's Office.

The Supreme Court has recognized that Congress has a "broad and indispensable" power to conduct oversight, which "encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them."³ Further, the Committee is charged by the House of Representatives with upholding fundamental American civil liberties and with promoting fairness and consistency in our nation's criminal justice system. Rule X of the Rules of the

¹ Letter from Jim Jordan, Chairman, H. Comm. on the Judiciary, to Letitia James, Att'y Gen, N.Y. Att'y Gen. Off. (May 15, 2024).

² Jacob Shamsian, *Manhattan DA's office hires attorney with extensive experience investigating Trump, suing his administration*, BUSINESS INSIDER (Dec. 5, 2022); Patricia Hurtado, *Ex-DOJ Lawyer With Trump Experience Joins Manhattan DA's Team*, BLOOMBERG (Dec. 5, 2022).

³ See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (internal quotation marks and citation marks omitted).

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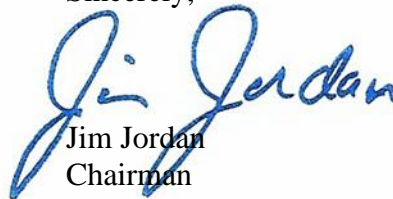
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House of Representatives authorizes the Committee on the Judiciary to conduct oversight of criminal justice matters and matters involving civil liberties to inform potential legislation.⁴

Congress has a specific and manifestly important interest in preventing politically motivated prosecutions of current and former Presidents by elected state and local prosecutors, particularly in jurisdictions—like New York County—where the prosecutor is popularly elected and trial-level judges lack life tenure. Among other things, if state or local prosecutors are able to engage in politically motivated prosecutions of Presidents of the United States (current or former) for personal acts, this could have a profound impact on how Presidents choose to exercise their powers while in office.

Accordingly, the Committee reiterates its May 15 request and ask that you produce the requested information immediately, but not later than 5:00 p.m. on July 2, 2024. The Committee is prepared to resort to compulsory process to obtain compliance with our requests. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is stylized and cursive.

Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

Enclosure

⁴ Rules of the U.S. House of Representatives, R. X(1)(5) (2023).

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The Honorable Letitia James
Attorney General
Office of the New York State Attorney General
The Capitol
Albany, NY 12224

Dear Attorney General James:

The Committee on the Judiciary is conducting oversight of politically motivated prosecutions by state and local officials. Since last year, popularly elected prosecutors—who campaigned for office on the promise of prosecuting President Trump—engaged in an unprecedented abuse of prosecutorial authority: the indictment of a former President of the United States and current leading candidate for that office. New York County District Attorney (DANY) Alvin Bragg is engaged in one such politicized prosecution, which is being led in part by Matthew B. Colangelo, a former prosecutor in your office and subsequent senior Justice Department official in the Biden administration. Given the perception that the Justice Department is assisting in District Attorney Bragg’s politicized prosecution, we write to request information and documents related to Mr. Colangelo’s employment at the New York Attorney General’s Office.

Mr. Colangelo’s recent employment history demonstrates his obsession with investigating a person rather than prosecuting a crime.¹ At the New York Attorney General’s Office, Mr. Colangelo—who, for some time, held the title of Chief Counsel for Federal Initiatives²—ran investigations into President Trump,³ leading “a wave of state litigation against Trump administration policies.”⁴ On January 20, 2021, the first day of the Biden Administration, Mr. Colangelo began serving as the Acting Associate Attorney General—the number three

¹ Jacob Shamsian, *Manhattan DA’s office hires attorney with extensive experience investigating Trump, suing his administration*, BUSINESS INSIDER (Dec. 5, 2022); Patricia Hurtado, *Ex-DOJ Lawyer With Trump Experience Joins Manhattan DA’s Team*, BLOOMBERG (Dec. 5, 2022).

² Staff Profile, U.S. Dep’t of Justice, Former Acting Associate Attorney General Matthew Colangelo (last updated Apr. 22, 2021).

³ Shamsian, *supra* note 1; Hurtado, *supra* note 1.

⁴ *Who’s who in the Manhattan DA’s Donald Trump indictment*, THE ASSOCIATED PRESS (Mar. 31, 2023).

official at the Justice Department.⁵ Upon the confirmation of Associate Attorney General Vanita Gupta, Mr. Colangelo then served as the Principal Deputy Associate Attorney General.⁶ In December 2022, District Attorney Bragg “beefed up [his] office” by hiring Mr. Colangelo to fill the void left by the departure of politicized line prosecutors Mark Pomerantz and Carey Dunne.⁷ District Attorney Bragg hired Mr. Colangelo to “jump-start” his office’s investigation of President Trump, reportedly due to Mr. Colangelo’s “history of taking on Donald J. Trump and his family business.”⁸ Mr. Colangelo is now a lead prosecutor in President Trump’s trial.

District Attorney Bragg’s prosecution concerns federal subject matter that is identical to a matter that the Justice Department closed in 2018, raising concerns that a state-level prosecutor is seeking to relitigate an issue on which the federal government previously declined prosecution. In addition, Bragg’s prosecution relies heavily on the testimony of his star witness, Michael Cohen, a convicted felon with a demonstrable bias against President Trump.⁹ Cohen pleaded guilty to lying to Congress in 2018.¹⁰ In 2019, when he testified before the Democrat-led House Committee on Oversight and Reform in a hearing orchestrated by a longtime Democrat activist to aid their fruitless investigation into President Trump, Cohen lied again—six times.¹¹ In the years since, Cohen has been vocal about his deeply personal animus toward President Trump.¹²

District Attorney Bragg’s politicized prosecution of President Trump has serious consequences for federal interests.¹³ The fact that a former senior Biden Justice Department official—whose previous employment consisted of leading “a wave of state litigation against Trump administration policies”¹⁴—is now leading the prosecution of President Biden’s chief political rival only adds to the perception that the Biden Justice Department is politicized and weaponized. Accordingly, we ask that you provide the following documents and information:

1. All documents and communications for the period January 1, 2017, to January 20, 2021, between or among Mr. Colangelo and any employee, agent, or representative of

⁵ Staff Profile, U.S. Dep’t of Justice, Former Acting Associate Attorney General Matthew Colangelo (last updated Apr. 22, 2021).

⁶ Jonah E. Bromwich, *Manhattan D.A. Hires Ex-Justice Official to Help Lead Trump Inquiry*, N.Y. TIMES (Dec. 5, 2022).

⁷ Shamsian, *supra* note 1; see Erica Orden, *Liberal Manhattan DA takes on Trump in perilous legal fight*, POLITICO (Dec. 5, 2022); Ben Protess et al., *How the Manhattan DA’s investigation into President Donald Trump unraveled*, N.Y. TIMES (March 5, 2022).

⁸ Bromwich, *supra* note 6; see also Emma Colton, *Trump prosecutor quit top DOJ post for lowly NY job in likely bid to ‘get’ former president, expert says*, FOX NEWS (Apr. 25, 2024) (noting that Mr. Colangelo also held high-level positions in the Obama-Biden Administration, including “deputy director of the . . . National Economic Council and as chief of staff at the Labor Department.”).

⁹ See, e.g., Nicholas Fandos & Maggie Haberman, *In Congressional Testimony, Cohen Plans to Call Trump a ‘Con Man’ and a ‘Cheat’*, N.Y. TIMES (Feb. 26, 2019); Mark Berman et al., *The prosecutor, the ex-president and the ‘zombie’ case that came back to life*, WASH. POST (Mar. 17, 2023).

¹⁰ Michael Cohen pleads guilty to lying to Congress, ASSOC. PRESS (Nov. 29, 2018)

¹¹ Letter from Jim Jordan & Mark Meadows, H. Comm. on Oversight & Reform, to William P. Barr, Att’y Gen., Dep’t of Justice (Feb. 28, 2019).

¹² See, e.g., Fandos & Haberman, *supra* note 9.

¹³ See H. COMM. ON THE JUDICIARY, 118TH CONG., AN ANATOMY OF A POLITICAL PROSECUTION: THE MANHATTAN DISTRICT ATTORNEY’S OFFICE’S VENDETTA AGAINST PRESIDENT DONALD J. TRUMP (2023).

¹⁴ *Who’s who in the Manhattan DA’s Donald Trump indictment*, THE ASSOCIATED PRESS (Mar. 31, 2023).

- the New York County District Attorney’s Office, the Fulton County District Attorney’s Office, or the U.S. Department of Justice referring or relating to:
- a. President Donald J. Trump;
 - b. The Trump Organization; or
 - c. Any other entity owned, controlled by, or associated with President Donald J. Trump;
2. All documents and communications for the period January 20, 2021, to present, between or among Mr. Colangelo and any employee, agent, or representative of the New York State Attorney General’s Office referring or relating to:
- a. President Donald J. Trump;
 - b. The Trump Organization; or
 - c. Any other entity owned, controlled by, or associated with President Donald J. Trump;
3. All documents and communications for the period January 1, 2017, to January 20, 2021, between or among Mr. Colangelo and any employee, agent, or representative of the Democratic National Committee or Biden for President referring or relating to:
- a. President Donald J. Trump;
 - b. The Trump Organization; or
 - c. Any other entity owned, controlled by, or associated with President Donald J. Trump; and
4. All personnel files related to Mr. Colangelo’s hiring, employment, and termination at the New York Attorney General’s Office.

Please provide the information requested as soon as possible but no later than 5:00 p.m. on May 29, 2024. The Supreme Court has recognized that Congress has a “broad and indispensable” power to conduct oversight, which “encompasses inquiries into the administration of existing laws, studies of proposed laws, and surveys in our social, economic or political system for the purpose of enabling Congress to remedy them.”¹⁵ Pursuant to the Rules of the House of Representatives, the Committee is authorized to conduct oversight of the Justice Department—including with respect to the Department’s use of resources to initiate, or assist in

¹⁵ See, e.g., *Trump v. Mazars LLP*, No. 19-715 at 11 (U.S. slip op. July 9, 2020) (internal quotation marks and citation marks omitted).

The Honorable Letitia James

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the initiation of, politically motivated prosecutions of a former president and current frontrunner for that office—to inform potential legislative reforms.¹⁶ The Committee also has jurisdiction over criminal justice matters in the United States.¹⁷

If you have any questions about this request, please contact Committee staff at (202) 225-6906. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Jim Jordan". The signature is written in a cursive, flowing style. Below the signature, the name "Jim Jordan" and the title "Chairman" are printed in a standard black font.

Jim Jordan
Chairman

cc: The Honorable Jerrold L. Nadler, Ranking Member

¹⁶ Rules of the U.S. House of Representatives, R. X (2023).

¹⁷ *Id.*