

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

June 12, 2025

The Honorable Pam Bondi
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Bondi:

I write to express my grave concern about Ed Martin's stated intention to abuse his new roles as lead of the so-called "Weaponization Working Group" you constituted at the Department of Justice (DOJ) and as DOJ's Pardon Attorney.

Following his disgraceful tenure as Interim U.S. Attorney for the District of Columbia, Mr. Martin apparently plans to continue his misconduct in his new roles at DOJ. During a May 13 press conference, Mr. Martin announced that he will use his new positions to shame those DOJ does not have the evidence to charge, stating: "If they can't be charged, we will name them ... and in a culture that respects shame, they should be people that are shamed."¹ He doubled down on this in a May 14 interview with Tucker Carlson, where he explained:

"One of the reasons I say information is so key. [] We can't win the Article III battle fast enough. We can fight it and we can eventually win lots of them. You can't win it fast enough to get the progress we need ... so you've gotta be doing the information ... And that's how I was U.S. Attorney. That's why [] people saw so much out-facing action because I wasn't just looking at courts, I was looking at making an argument for the public so they could see the policies."²

These statements are a brazen admission that Mr. Martin plans to systematically violate the Justice Manual's prohibition on extrajudicial statements by shaming uncharged parties for nakedly partisan reasons.³ This plan clearly violates Mr. Martin's obligations under the D.C. Rules of Professional Conduct, which prohibit prosecutors from "mak[ing] extrajudicial

¹ *U.S. Attorney Ed Martin Holds News Conference*, C-SPAN (May 13, 2025), <https://www.c-span.org/program/news-conference/us-attorney-ed-martin-holds-news-conference/659817> [Hereinafter Ed Martin News Conference].

² *Ed Martin on Dan Bongino vs. the DOJ, and Republicans in Congress Secretly Plotting Against Trump*, YOUTUBE (May 14, 2025), <https://www.youtube.com/watch?v=LotMJAdWyOs> [18:45].

³ See JM 1-7.100 ("Other than as necessary to fulfill DOJ official duties, disclosure of such information to anyone, including to family members, friends, or even colleagues, is prohibited and could lead to disciplinary action.").

comments which serve to heighten condemnation of the accused.”⁴ Weaponizing DOJ in this manner will further undermine the public’s trust in the department in irreparable ways.

Additionally, Mr. Martin’s bald-faced “pay to play” strategy is abusing the Office of the Pardon Attorney in multiple ways to benefit President Trump and his political allies. As the first political appointee to ever hold this position, Mr. Martin has overseen pardons of numerous Trump supporters and donors. Last month President Trump pardoned nursing home executive Paul Walczak for tax fraud just three weeks after Walczak’s mother paid \$1 million to attend a Trump fundraiser.⁵ He pardoned Todd and Julie Chrisley, conservative reality television stars and “vocal supporters of President Trump,” for bank fraud and tax evasion.⁶ The President pardoned Trevor Milton, founder of Nikola Corporation, after Milton donated nearly \$2 million to the Trump campaign last year.⁷ He also pardoned former Republican Congressman Michael Grimm for tax fraud and former Republican Governor John Rowland for public corruption.⁸ In the aftermath of these scandalous pardons, Mr. Martin tweeted: “No MAGA left behind.”

Mr. Martin has also personally advocated pardoning Proud Boys, Oath Keepers, and others who were convicted of seditious conspiracy for their role in planning and instigating the violence against law enforcement on January 6, 2021. These 11 individuals already received commutations of their sentences from President Trump on January 20, 2025, despite showing no remorse for their crimes.⁹ No developments in the four months since their commutations justify any consideration of their pardon applications, yet Mr. Martin has fast-tracked them for consideration by the White House immediately after their submission.

As my colleagues and I noted to you in a letter dated April 1, 2025,¹⁰ which you have failed to answer, longstanding DOJ guidelines concerning Standards for Considering Pardon Petitions require that “[i]n general, a pardon is granted on the basis of the petitioner’s good conduct for a substantial period of time after conviction and service of sentence,” among

⁴ D.C. Rules of Professional Conduct, 3.8(f).

⁵ See Kenneth P. Vogel, *To Win Pardons, Trump Allies Echo His Claims of Political Prosecutions*, N.Y. TIMES (May 28, 2025), <https://www.nytimes.com/2025/05/28/us/politics/trump-pardons-clemency.html>.

⁶ Zolan Kanno-Youngs & Luke Broadwater, *Trump Gives Clemency to More Than Two Dozen, Including Political Allies*, N.Y. TIMES (May 28, 2025), <https://www.nytimes.com/2025/05/28/us/politics/trump-pardons-hoover-grimm-chrisley.html>.

⁷ See Katherine Faulders, Rachel Scott, & Hannah Demissie, *Trump’s Flurry of Pardons Include Some to Campaign Contributors*, ABC NEWS (May 29, 2025), <https://abcnews.go.com/US/trumps-flurry-pardons-include-campaign-contributors/story?id=122313284>.

⁸ See Steve Benen, *Trump Finds More Convicted Congressional Republicans to Reward with Pardons*, MSNBC (May 29, 2025), <https://www.msnbc.com/rachel-maddow-show/maddowblog/trump-finds-convicted-congressional-republicans-reward-pardons-rcna209668>.

⁹ See Daniel Barnes, *Trump’s new pardon attorney personally reviewed application for Jan. 6 ringleader Stewart Rhodes*, POLITICO (May 27, 2025), <https://www.politico.com/news/2025/05/27/ed-martin-stewart-rhodes-jan-6-pardon-00371222>; see also Ed Martin (@EagleEdMartin) X.COM (May 25, 2025, 3:42 PM), <https://x.com/EagleEdMartin/status/1926725494600282344>.

¹⁰ See Letter from Senator Durbin et al. to Attorney General Pam Bondi (April 1, 2025), <https://www.judiciary.senate.gov/imo/media/doc/Letter%20to%20Bondi%20re%20Trump%20Jan%206%20Pardons%20-%20Final%204.1.pdf>.

numerous other factors that these offenders clearly fail to satisfy.¹¹ This Administration’s continued deviation from these basic guidelines is particularly alarming given that, to date, at least 12 January 6 insurrectionists pardoned by President Trump have already been sentenced or charged for committing additional serious crimes since January 6.¹²

Mr. Martin is also planning, without any authority, to investigate past pardons by President Biden. As my colleagues and I outlined in another April 1 letter,¹³ to which you have failed to respond, and as the Supreme Court recently reaffirmed in *Trump v. United States*, the presidential pardon power is a “core constitutional power” that is “conclusive and preclusive.”¹⁴ Mr. Martin has no authority to retroactively review President Biden’s pardons. He has publicly acknowledged the presidential pardon power is “plenary,”¹⁵ adding more confusion regarding the purpose of his purported investigation. Given his pledge to “shame” individuals whom DOJ cannot prosecute, Mr. Martin appears to be preparing to subject pardoned individuals perceived to be the political enemies of President Trump to a baseless smear campaign by DOJ.

¹¹ JM 9-140.112.

¹² See Michael Kunzelman, *Former Capitol riot defendant is convicted of gun charges stemming from his arrest near Obama’s home*, AP (May 20, 2025), <https://apnews.com/article/capitol-riot-obama-threat-taylor-taranto-trump-6d027e3aa037f1ceceb1c6b6fc3e536e>; Eric Flack & Jordan Fischer, *Capitol rioter arrested for Virginia home invasion after presidential pardon*, WUSA 9 (May 16, 2025), <https://www.wusa9.com/article/news/national/capitol-riots/january-6-capitol-riot-zachary-alam-donald-trump-pardon/65-18b573a8-b4c3-4072-9493-67cb405fc2a1>; Vada Hepner, *Arrest made in major copper wire theft in Arcata*, KRCR ABC 7 (May 11, 2025), <https://krctrv.com/north-coast-news/eureka-local-news/arrest-made-in-major-copper-wire-theft-in-arcata>; Jon Seidel, *Former Jan. 6 defendant found guilty of reckless homicide – not first-degree murder – over fatal 2022 crash*, CHICAGO SUN TIMES (Apr. 30, 2025), <https://chicago.suntimes.com/crime/2025/04/30/shane-woods-lauren-wegner-jan-6-capitol-riot-murder-trial>; Brittany Bailey, *Maryville man pardoned for participating in Jan. 6 Insurrection still faces life sentence for plotting to kill FBI agents*, WBIR 10 NEWS (Apr. 28, 2025), <https://www.wbir.com/article/news/crime/edward-kelley-still-faces-life-sentence/51-f382db68-8292-4e20-8bba-5840e6d110c3>; Scott MacFarlane, *Acting U.S. attorney in Florida moves to dismiss unrelated felony charge against Jan. 6 defendant Daniel Ball*, CNS NEWS (Feb. 21, 2025), <https://www.cbsnews.com/news/acting-u-s-attorney-florida-dismiss-unrelated-felony-charge-jan-6-defendant-daniel-ball>; Alan Feuer, *Ex-Proud Boys Leader Arrested on Charges of Assault Outside Capitol*, N.Y. TIMES (Feb. 21, 2025), <https://www.nytimes.com/2025/02/21/us/politics/tarrio-proud-boys-capitol.html>; Robert Downen, *Houston man pardoned by Trump arrested on child sex charge*, TEXAS TRIBUNE (Feb. 6, 2025), <https://www.texastribune.org/2025/02/06/arrest-trump-pardon-insurrection>; Tom Dreisbach, *Criminal records of Jan. 6 rioters pardoned by Trump include rape, domestic violence*, NPR (Jan. 30, 2025), <https://www.npr.org/2025/01/30/nx-s1-5276336/donald-trump-jan-6-rape-assault-pardons-rioters>; Gabe Hauari, *Woman pardoned for role in Jan. 6 riot sentenced over deadly drunk driving crash*, USA TODAY (Jan. 30, 2025), <https://www.usatoday.com/story/news/nation/2025/01/30/emily-hernandez-sentenced-fatal-car-crash/78047420007>; Pocharapon Neammanee, *Jan. 6 Rioter Pardoned By Trump Remains Jailed in Child Sex Abuse Case*, HUFFPOST (Jan. 28, 2025), https://www.huffpost.com/entry/trump-pardon-child-sexual-abuse-materials_n_679913dae4b0e3bbf46ce8c0; Nate Raymond, *Texas woman pleads guilty to threatening judge in Trump’s election case*, REUTERS (Nov. 13, 2024), <https://www.reuters.com/world/us/texas-woman-pleads-guilty-threatening-judge-trumps-election-case-2024-11-13>.

¹³ See Letter from Senator Durbin et al. to Attorney General Pam Bondi (April 1, 2025), <https://www.judiciary.senate.gov/imo/media/doc/Letter%20to%20Bondi%20re%20Biden's%20Executive%20Grant%20of%20Clemency%20to%20House%20Select%20Committee%20on%20Jan%206.pdf>.

¹⁴ 603 U.S. 593, 606-608 (2024) (citing *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 638 (1952)).

¹⁵ See Ed Martin News Conference (“I happen to think the pardon power is plenary. If you use the autopen for a pardon power [sic], I don’t think that’s necessarily a problem.”).

Given Mr. Martin's stated threats to abuse his positions at DOJ, I ask that you provide the following information and materials no later than June 26, 2025.

1. All communications, memoranda, and other records relating to Mr. Martin's appointment as Director of the Weaponization Working Group, including all records of any exemptions or authorizations he has received concerning the Justice Manual's Confidentiality and Media Contacts Policy.
2. All communications, memoranda, and other records relating to Mr. Martin's appointment as Pardon Attorney.

I look forward to your full and immediate compliance with these requests. Thank you for your prompt attention to this important matter.

Sincerely,



Richard J. Durbin
Ranking Member

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

cc: The Honorable Michael E. Horowitz
Inspector General, U.S. Department of Justice, Office of the Inspector General