

# United States Senate

February 11, 2020

The Honorable Lindsey O. Graham  
Chairman  
Committee on the Judiciary  
United States Senate  
224 Dirksen Senate Office Building  
Washington, D.C. 20510

Dear Chairman Graham:

On February 10, 2020, federal prosecutors filed a sentencing memorandum recommending that Roger Stone be sentenced to seven to nine years in prison after a jury convicted him of seven felonies for obstructing Congress, lying under oath to investigators, and interfering with witness testimony related to his efforts to learn about hacked Democratic emails during the 2016 U.S. presidential election.<sup>1</sup>

On February 11, 2020, the morning after the sentencing memorandum was made public, President Trump criticized the recommended sentence on Twitter, saying “This is a horrible and very unfair situation. The real crimes were on the other side, as nothing happens to them. Cannot allow this miscarriage of justice!”<sup>2</sup> Just hours after President Trump’s tweet, a senior Justice Department official announced that the Department planned to overrule its career prosecutors and reduce the sentence recommendation.<sup>3</sup> After the decision was announced, all four

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<sup>1</sup> Government’s Sentencing Memorandum, *United States v. Roger J. Stone, Jr.*, No. 19 Crim. 18 (D.D.C. Feb. 10, 2020), ECF No. 279.

<sup>2</sup> <https://twitter.com/realDonaldTrump/status/1227122206783811585>.

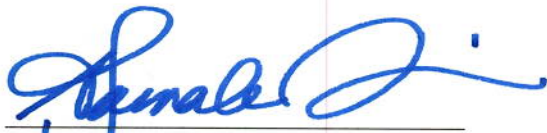
<sup>3</sup> Matt Zapposky, et al., *Prosecutors quit amid escalating Justice Dept. fight over Roger Stone’s prison term*, WASHINGTON POST (Feb. 11, 2020), [https://www.washingtonpost.com/national-security/justice-dept-to-reduce-sentencing-recommendation-for-trump-associate-roger-stone-official-says-after-president-calls-it-unfair/2020/02/11/ad81fd36-4cf0-11ea-bf44-f5043eb3918a\\_story.html](https://www.washingtonpost.com/national-security/justice-dept-to-reduce-sentencing-recommendation-for-trump-associate-roger-stone-official-says-after-president-calls-it-unfair/2020/02/11/ad81fd36-4cf0-11ea-bf44-f5043eb3918a_story.html).

career prosecutors who handled the case against Roger Stone withdrew from the case.<sup>4</sup> One prosecutor resigned from the Justice Department altogether.<sup>5</sup>

The Justice Department's decision to overrule its career prosecutors, immediately after President Trump's tweet, calls into question the independence and integrity of our legal system.

As the committee responsible for oversight of the Justice Department, we must review these events and assess their impact on the integrity of the Department and our system of justice. Failure to meet basic oversight responsibilities in the face of such alarming news would send a signal to this and future administrations that the Senate no longer conducts itself as a co-equal branch of government. Accordingly, I request that you immediately schedule a hearing for Attorney General William Barr to testify before the Senate Judiciary Committee so that the committee and the American people can understand the Justice Department's decision to overrule its career prosecutors in this case.

Sincerely,



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Kamala D. Harris  
United States Senator

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<sup>4</sup> Kate Benner and Sharon LaFraniere, *Prosecutors quit Roger Stone case after Justice Dept. intervenes on sentencing*, NEW YORK TIMES (Feb. 11, 2020), [https://www.nytimes.com/2020/02/11/us/politics/roger-stone-sentencing.html?emc=edit\\_na\\_20200211&ref=cta&nl=breaking-news&campaign\\_id=60&instance\\_id=0&segment\\_id=21184&user\\_id=9b1620eea44d7593445504265479cfc1&regi\\_id=67606068](https://www.nytimes.com/2020/02/11/us/politics/roger-stone-sentencing.html?emc=edit_na_20200211&ref=cta&nl=breaking-news&campaign_id=60&instance_id=0&segment_id=21184&user_id=9b1620eea44d7593445504265479cfc1&regi_id=67606068).

<sup>5</sup> *Id.*