

COMMITTEES:

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ENVIRONMENT AND
PUBLIC WORKS

United States Senate

WASHINGTON, DC 20510

October 21, 2009

Mary Patrice Brown
Office of Professional Responsibility
Department of Justice
950 Pennsylvania Avenue, N.W., Suite 3266
Washington, D.C. 20530

Dear Ms. Brown:

I am writing to request that your office investigate reports of political activity by the former U.S. Attorney for the District of New Jersey Christopher Christie and one of his deputies. I am particularly concerned about the years leading up to Mr. Christie's transition to gubernatorial candidate and the time period between his departure from the office and the swearing in of his permanent successor.

Several incidents described below indicate a troubling set of facts that suggest at least one of his former colleagues coordinated with Mr. Christie's political campaign to advance his electoral prospects. Exacerbating the problem is the fact that Mr. Christie told supporters earlier this year: "I've got a group of Assistant U.S. Attorneys" in Newark who are "watching the newspapers."¹ He went on to say that "I'm going to take a whole group of them to Trenton with me."

When Mr. Christie resigned, Michele Brown, who served as the former U.S. Attorney's Counsel, was promoted to First Assistant U.S. Attorney. On January 25, 2009, First Assistant Brown attended what appeared to be a senior campaign meeting at Mr. Christie's home.² Also present at the meeting were Christie campaign consultant Michael DuHaime, fundraiser Jon Hanson, and Republican political strategist and Christie advisor Bill Palatucci.

The day after that campaign meeting, on January 26, 2009, the first meeting between the government cooperating witness and Democratic elected officials and candidates took place as part of a series of sting operations in Hudson County.³ These undercover meetings continued for several months.

According to the New York Times, in mid-June, as the U.S. Attorney's Office and the FBI worked to set a date for arrests in this operation, First Assistant Brown "alone argued for the arrests to be made before July 1. She later told colleagues that she wanted to ensure that the arrests occurred before Mr. Christie's permanent successor took office... presumably so that Mr. Christie would be given credit for the round up."⁴

¹ *Chris Christie "has" a bunch of AUSAs*, YouTube.com, Aug. 19, 2009. <http://www.youtube.com/watch?v=G1xu2Ay3oBs>

² *Pallone wants Justice Department to review prosecutor's attendance at Christie party*, PolitickerNJ.com, Feb. 2, 2009.

³ *United States of America v. Louis Manzo and Ronald Manzo*, Mag. No. 09-8138 (MCA) (U.S. District Court, District of New Jersey, July 21, 2009), Attachment A, Fact 5.

⁴ David M. Halbfinger, *Christie Aide Who Got Loan May Have Helped His Campaign*, The New York Times, October 20, 2009.

If true, these activities would constitute a violation of the Hatch Act,⁵ and potentially other federal statutes and DOJ policies prohibiting the use of official authority or influence to interfere with, or affect, elections.

The arrests occurred not long after Ms. Brown's target date, on July 23. Mr. Christie was campaigning in Hudson County that same day and made himself available to the media to comment on the arrests.⁶

On the afternoon of the arrests, former colleagues of Mr. Christie made remarks at a press conference that are reportedly now under investigation by your office as an implicit endorsement of Mr. Christie's candidacy.⁷

In another disturbing development, when Mr. Christie was asked yesterday about the report that the timing of the sting arrests was manipulated by Ms. Brown, he told New Jersey Network (NJN) News: "All of these decisions were ultimately made by Ralph Marra, not by Michele Brown. Ralph Marra made the decision as to when to bring these cases down." It is unclear how Mr. Christie would know this information absent communication or coordination between Mr. Christie and his former office.

In addition, when Freedom of Information Act (FOIA) requests were made of the office, Ms. Brown reportedly took over the task, replacing the office's FOIA officer.⁸ Ms. Brown clearly had a conflict of interest, because the requests included information on her own travel records and expenses.

Also of concern to your office should be testimony released by the House Judiciary Committee in which former White House Political Director Karl Rove acknowledged that, in late 2006, he discussed political strategy with Mr. Christie while he was U.S. Attorney regarding his intention to run for governor of New Jersey.⁹ Mr. Rove went so far as to recommend a specific political consultant to the U.S. Attorney for his run. After Mr. Christie resigned and declared his candidacy, he hired Mr. DuHaime, the political consultant identified by Mr. Rove.

This pattern of behavior over time raises serious concerns and warrants investigation by your office. I appreciate your time and attention to this matter.

Sincerely,



⁵ 5 U.S.C. 7323(a)(1) & (a)(4)(b).

⁶ Michael Symons, *Legislative leaders ask assemblymen to quit*, Asbury Park Press, July 23, 2009.

⁷ Devlin Barrett, *AP Sources: NJ corruption prosecutor faces probe*, Aug. 18, 2009.

⁸ David M. Halbfinger, *Christie Aide Who Got Loan May Have Helped His Campaign*, The New York Times, October 20, 2009.

⁹ Angela Delli Santi, *Christie: Nothing improper about talks with Rove*, Associated Press, Aug. 17, 2009.