

June 24, 2025



**OPPOSE THE CONFIRMATION OF EMIL BOVE
TO THE U.S. COURT OF APPEALS FOR THE THIRD CIRCUIT**

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 240 national organizations to promote and protect the rights of all persons in the United States, we write to express our strong opposition to the nomination of Emil Bove to the U.S. Court of Appeals for the Third Circuit. The Leadership Conference intends to include your position on the nomination of Mr. Bove in our voting record for the 119th Congress.

The civil rights community has long understood that for there to be equal justice in America, our federal courts must serve everyone and recognize the rights of all of us. This means we must build an equal justice judiciary by ensuring that all who are selected and confirmed to serve in our judiciary are fair-minded and ethical, possess diverse demographic backgrounds and professional experiences, and have a demonstrated commitment to advancing the rights of all people. The president has declared himself king, regularly attacks judges and the judiciary, indicates that he will only nominate those who are loyal to him rather than to the Constitution and laws, and already has a record of selecting those who have been at the forefront of rolling back our civil and human rights. For the future of our multiracial democracy and our freedom, it is imperative that any and all nominees are fair-minded, well-qualified, and committed to civil and human rights. Mr. Bove fails to meet these basic requirements and is therefore unqualified to serve in a lifetime position on the Third Circuit.

Mr. Bove regularly demonstrates that his loyalty is not to the Constitution or the law, but to the president. For a few years prior to his limited but damaging tenure at the U.S. Department of Justice (DOJ), Mr. Bove's legal work centered around defending President Trump in the many criminal cases he was party to, including his mishandling of classified documents,¹ his role in the violent attacks on the U.S. Capitol on January 6, 2021,² and 34 counts of falsification of business records for which the president was found guilty and convicted.³ Mr. Bove was rewarded first with a leadership position at the DOJ, and he has now received a nomination to the Third Circuit. Since the beginning of the Trump administration, Mr. Bove has worked in the Office of the Deputy Attorney General at the DOJ, first as acting deputy attorney general and then as principal associate deputy attorney general. In these roles, Mr. Bove has subverted the rule of law using the force of DOJ resources. He oversees the DOJ's implementation of President Trump's egregious and cruel immigration policies,⁴ ordered investigations into President Trump's

¹ *United States v. Trump*, No. 23 Cr. 80101 (S.D. Fla. 2024).

² *United States v. Trump*, No. 23 Cr. 257 (D.D.C. 2024).

³ *People v. Trump*, 71543-23 (NY Cty. Sup. Ct. 2024).

⁴ Office of the Attorney General, [Interim Policy Changes Regarding Charging, Sentencing, And Immigration Enforcement](#), U.S. Department of Justice (January 21, 2025).

political enemies,⁵ called for a review of all government departments and organizations that receive federal funding for their participation in diversity, equity, and inclusion (DEI) practices,⁶ and fired career prosecutors who worked on cases investigating the unlawful actions taken by the president.⁷

Mr. Bove has subverted the rule of law and leveraged DOJ resources against our communities and in seeking retaliation. Some of the specific ways include:

- Under Mr. Bove's direction, the DOJ created a weaponization working group, claiming to "restore [DOJ's] integrity and credibility with the public."⁸ Mr. Bove's intention for this group is to "review" all cases brought during the Biden administration, seeking out cases that allegedly "have been designed to achieve political objectives."⁹ Since specific targets for review include Special Counsel Jack Smith's investigation and the New York officials involved with the state's criminal investigation of President Trump,¹⁰ it is clear this group seeks to retaliate against anyone who dares to question the president or this administration's actions. Ultimately, the DOJ fired more than a dozen attorneys who worked on cases brought against the president.¹¹
- The weaponization working group was also directed to investigate alleged "improper investigative tactics and unethical prosecutions" of the rioters that invaded the U.S. Capitol on January 6, 2021.¹² Mr. Bove, while serving as co-chair of the terrorism unit at the U.S. Attorney's office in the Southern District of New York (SDNY), worked to identify numerous riot suspects.¹³ Yet now, while the Trump administration repeatedly tries to rewrite the history of the insurrection,¹⁴ Mr. Bove is complicit in seeking retaliation. He directed top federal prosecutors in each state to create a list of all who worked on the cases related to the insurrection, and he ordered the firings of attorneys who had been hired on a probationary basis to prosecute such cases.¹⁵ Shamefully, Mr. Bove demonstrated unwavering loyalty to President Trump at the expense of holding those who attacked our Capitol and our democracy accountable.

⁵ Office of the Attorney General, [Restoring The Integrity And Credibility Of The Department Of Justice](#), U.S. Department of Justice (February 5, 2025).

⁶ Office of the Attorney General, [Eliminating Internal Discriminatory Practices](#), U.S. Department of Justice (February 5, 2025).

⁷ Glenn Thrush, Devlin Barrett & Adam Goldman, [Justice Dept. Fires Prosecutors Who Worked on Trump Investigations](#), THE NEW YORK TIMES (January 27, 2025).

⁸ Supra, note 5.

⁹ *Id.*

¹⁰ *Id.*

¹¹ Sarah Lynch & Andrew Goudsward, [Trump administration fires team of lawyers who prosecuted him, official says](#), REUTERS (January 27, 2025).

¹² Supra, note 5.

¹³ Hannah Rabinowitz, et. al, [Top Justice officials who played key roles in January 6 cases now leading 'weaponization' review](#), CNN (February 11, 2025).

¹⁴ See [Granting Pardons And Commutation Of Sentences For Certain Offenses Relating To The Events At Or Near The United States Capitol On January 6, 2021](#), The White House (January 20, 2025).

¹⁵ Sarah Lynch & Andrew Goudsward, [Trump's Justice Department launches sweeping cuts targeting Jan. 6 prosecutors, FBI agents](#), REUTERS (January 31, 2025).

- In 2024, SDNY prosecutors indicted New York City Mayor Eric Adams on multiple criminal charges.¹⁶ While he was acting deputy attorney general, Mr. Bove ordered SDNY’s acting U.S. attorney, Danielle Sassoon, to drop the case against Mayor Adams and falsely claimed the indictment was “politically motivated” due to Mayor Adams allegedly “criticiz[ing] the Biden administration’s immigration policies before the charges were filed.”^{17,18} Additionally, Mr. Bove reasoned this case would impact Mayor Adams’ “ability to support critical, ongoing federal efforts ‘to protect the American people from the disastrous effects of unlawful mass migration and resettlement.’”¹⁹ By his own admission, the DOJ “reached this conclusion without assessing the strength of the evidence or the legal theories on which the case is based.”²⁰ Ms. Sassoon refused to comply because it violated her duty to “prosecute federal crimes without fear or favor and to advance good-faith arguments before the courts,” instead asking U.S. Attorney General Pam Bondi to reconsider the DOJ’s position or she would tender her resignation.²¹ Mr. Bove accepted Ms. Sassoon’s resignation, chastising her and accusing her of “los[ing] sight of the oath that you took when you started at the Department of Justice by suggesting that you retain discretion to interpret the Constitution in a manner inconsistent with the policies of a democratically elected President and a Senate-confirmed Attorney General.”²² Mr. Bove then threatened remaining attorneys in the department with termination if they did not agree to file a motion dismissing the case, which led to the resignation of at least six additional prosecutors.²³ Unable to find prosecutors willing to comply with his demands, Mr. Bove filed the motion to dismiss himself and appeared alone in court to defend it.²⁴ Mr. Bove’s actions prompted numerous filings with the court detailing the appearance of *quid pro quo*,²⁵ as well as requests for a disciplinary investigation.²⁶
- Mr. Bove oversees the DOJ’s implementation of President Trump’s inhumane immigration policies. Mr. Bove wrote a memo directing the Federal Bureau of Investigation (FBI) to “coordinate with [the Department of Homeland Security]...to assist in the execution of President Trump’s Immigration-related initiatives.”²⁷ He disbanded the DOJ National Security Division’s

¹⁶ Lola Fadulu & Alyce McFadden, [A Timeline of Eric Adams’s Indictment, and What Came Next](#), THE NEW YORK TIMES (April 2, 2025).

¹⁷ *Id.*

¹⁸ Memo to acting U.S. Attorney for the Southern District of New York from acting deputy attorney general, [Dismissal Without Prejudice of Prosecution of Mayor Eric Adams](#) (February 10, 2025).

¹⁹ *Id.*

²⁰ *Id.*

²¹ Email to Attorney General Pam Bondi from Acting U.S. Attorney for the Southern District of New York Danielle Sassoon, [United States v. Eric Adams, 24 Cr. 556 \(DEH\)](#) (February 12, 2025).

²² Letter from Acting Deputy Attorney General Emil Bove III to U.S. Attorney for the Southern District of New York Danielle Sassoon, [Re: United States v. Adams, No. 24 Cr. 556 \(S.D.N.Y.\)](#) (February 13, 2025).

²³ Hannah Rabinowitz, Kara Scannell & Evan Perez, [Seventh prosecutor in Eric Adams case resigns and calls out Trump’s former lawyer in scathing letter](#), CNN (February 14, 2025).

²⁴ Anna Bower, [A Lone Bove in Federal Court](#), Lawfare & Brookings Institute (February 20, 2025).

²⁵ See e.g., [Brief](#) Amicus Curiae of State Democracy Defenders Fund, Lawyers Defending American Democracy, and Individual Experts In Legal Ethics, *U.S. v. Adams, 24 Cr. 556 (DEH) (S.D.N.Y., March 3, 2025)*.

²⁶ Letter to the New York Attorney Grievance Committee from Senate Judiciary Democrats, [Request for Disciplinary Investigation of Emil Joseph Bove, III](#) (March 4, 2025).

²⁷ Office of the Attorney General, [The Acting Deputy Attorney General](#), U.S. Department of Justice (January 21, 2025).

Foreign Influence Task Force and shifted resources away from the Bureau of Alcohol, Tobacco, Firearms and Explosives to help fund the department's immigration work.²⁸ DOJ attorneys have openly ignored court orders²⁹ to bring back improperly deported immigrants,³⁰ ICE officers have begun conducting raids at schools, churches, and businesses,³¹ and families continue to be separated and detained.³² These actions have created significant confusion, fear, and instability in our communities.

- Mr. Bove also established a Sanctuary Cities Enforcement Working Group to target cities with sanctuary protections for immigrants, even calling for legal action to be taken against these cities to challenge their policies.³³ He implemented a new initiative to further this goal called "Operation Take Back America,"³⁴ which called for a freeze of federal grants to sanctuary jurisdictions and mandated a review of all organizations that receive federal grant money to identify if any "support or provide services to removable or illegal aliens" — and if they do, to cease their funding.³⁵ These initiatives were given such high priority that despite a government wide hiring freeze, Mr. Bove authorized the hiring of additional assistant U.S. attorneys in all "southern border"³⁶ U.S. Attorney offices.³⁷ He warns that resistance to President Trump's policies "will not be tolerated" and directs the offices to bring cases against what he calls "misguided advocacy groups operating against the public interest" — meaning any organization that provides services to undocumented immigrants.³⁸

Before Mr. Bove worked with the president personally and at DOJ, he served as a prosecutor with the U.S. Attorney's office for the Southern District of New York (SDNY). There, Mr. Bove's temperament

²⁸ Office of the Attorney General, [General Policy Regarding Charging, Plea Negotiations, And Sentencing](#), U.S. Department of Justice (February 5, 2025).

²⁹ [Letter](#) from Government Accountability Project to Michael Horowitz et al, *Protected Whistleblower Disclosure of Erez Reuveni Regarding Violation of Laws, Rules & Regulations, Abuse of Authority, and Substantial and Specific Danger to Health and Safety at the Department of Justice* (June 24, 2025)(On June 24, 2025, a whistleblower who was fired from the DOJ detailed his pursuit of seeking compliance with court orders and the alleged resistance and commands from Mr. Bove and other leaders that would defy such orders "through lack of candor, deliberate delay, and disinformation." In one shocking instance, the whistleblower recounts a March 14 conversation where Mr. Bove allegedly informed him that President Trump planned to invoke the Alien Enemies Act to rapidly deport a group of immigrants and that the plane had to take off "no matter what" and further disparaged the courts by saying that if a court enjoined the order before the planes left, the DOJ might have to "ignore any such order.").

³⁰ See e.g., Mattathias Schwartz & Alan Feuer, [Trump Officials Deported Another Man Despite Court Order](#), THE NEW YORK TIMES (May 30, 2025); Anna Faguy, [US says Kilmar Ábrego García will 'never go free' after judge orders his release](#), BBC (June 23, 2025).

³¹ [Statement from a DHS Spokesperson on Directives Expanding Law Enforcement and Ending the Abuse of Humanitarian Parole](#), U.S. Department of Homeland Security (January 21, 2025).

³² [United States Sets Dangerous Standard with Unprecedented Implementation of Family Separation Policy](#), Amnesty International (March 12, 2025).

³³ Office of the Attorney General, [Sanctuary Jurisdiction Directives](#), U.S. Department of Justice (February 5, 2025).

³⁴ Office of the Attorney General, [Operation Take Back America](#), U.S. Department of Justice (March 6, 2025).

³⁵ *Id.*

³⁶ This included all districts in Arizona, New Mexico, and Texas, as well as the Southern District of California and all Florida districts.

³⁷ Office of the Attorney General, [U.S. Attorneys' Offices Staffing Priorities](#), U.S. Department of Justice (March 6, 2025).

³⁸ *Id.*

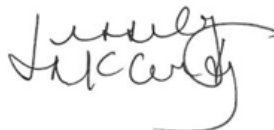
was frequently called into question, and he earned a reputation for impropriety that resulted in complaints, reprimands, and potential demotion. For example, the executive director of the Federal Defenders of New York sent an email to Mr. Bove's supervisors with detailed concerns about his behavior after many defense attorneys who previously worked with Mr. Bove raised multiple complaints about his behavior.³⁹ Complaints ranged from calling him "completely reckless and out of control," to alleging that he's "quick to bully and threaten" and "he cannot be bothered to treat lesser mortals with respect or empathy."⁴⁰ He had a reputation for being "sharply critical" and "unable to control his anger," with at least one member of his unit calling him "abusive."⁴¹ Continued complaints led to the office's executive committee to open a formal inquiry about Mr. Bove's management style and, after interviewing members of his team, they decided to take the drastic step of demoting him from a supervisory position.⁴² After Mr. Bove made promises to improve his behavior, he was allowed to remain in his position only to have a federal judge reverse a favorable jury verdict due to his "repeated failures to disclose exculpatory evidence and misuse of search-warrant returns."⁴³ Further, the judge said that these failures represented "grave derelictions of prosecutorial responsibility" and urged the DOJ Office of Professional Responsibility to investigate the prosecutorial misconduct in this case.⁴⁴ Mr. Bove left the office soon after. Federal judges serve for life, and it is imperative that they be fair-minded and ethical, treat everyone who comes before them with respect, and uphold the rights of all people. Mr. Bove repeatedly demonstrates that he lacks the basic temperament to serve on the federal bench.

Mr. Bove's extremely troubled legal career, his fealty to the president over the Constitution and the American people, and his lack of temperament demonstrate that he would not be able to impartially hear a case that comes before him. It is vital to our democracy that the judges who serve on our federal courts can be trusted to be neutral and fair arbiters of justice. As Mr. Bove's record demonstrates, he is not qualified to serve on the Third Circuit, and we strongly urge the Senate to oppose his nomination. If you would like to discuss this matter further, please contact Lena Zwarensteyn, senior director and advisor of the fair courts program, at (202) 466-3311. Thank you for your consideration.

Sincerely,



Maya Wiley
President & CEO



Jesselyn McCurdy
Executive Vice President of Government Affairs

³⁹ [Letter](#) to Interim U.S. Attorney Jay Clayton from Senator Cory Booker (accessed on June 23, 2025).

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ [U.S. v. Sadr](#), 18-cr-224 (S.D.N.Y., February 17, 2021).

⁴⁴ *Id.* at 3.