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March 21, 2012

The Honorable Eric H. Holder, Jr.
Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Attorney General Holder:

We write to request a full investigation into allegations of misconduct within the United States Attorney's Office for the Eastern District of Louisiana. In recent days, it has been revealed through various media reports that Assistant United States Attorney Salvadore Perricone used several "pen names" to publicly comment online about pending federal criminal cases, including many in which he was the lead prosecutor. He also posted thousands of disparaging comments about public officials, including the President of the United States, judges, criminal defendants and their attorneys.

Mr. Perricone's comments are clearly unethical and may be illegal. They are extremely prejudicial and highly inappropriate. Some of them have clear racist overtones. In one comment that was critical of former New Orleans Mayor Ray Nagin, Mr. Perricone suggested, "for all of you who have a penchant for firearms and how they work, Ray Nagin lives on Park Island." In other postings, he suggests that many of the federal judges before whom he routinely appeared were "idiots" or "corrupt".

This misconduct could have a severe and lasting impact on the administration of justice and has greatly eroded the public's confidence in the local U.S. Attorney and his ability to effectively supervise that office. The alleged misconduct would be particularly disturbing coming from any federal employee, but it is especially troubling coming from a career federal prosecutor who was not only the lead prosecutor on many major public corruption cases, but who was the lead negotiator of the consent decree between the Department of Justice and the New Orleans Police Department. Mr. Perricone's online comments included criticisms of current mayor Mitch Landrieu, the New Orleans Police Department, as well as comments on the consent decree negations between the Department of Justice and the City of New Orleans.

Public trust is critical to the functioning of an effective U.S. Attorney's Office. We cannot have a US Attorney's office that does not enjoy the full faith and confidence

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of the public that it serves. We must address this crisis in confidence and begin to immediately repair the damaged that has been caused by these revelations.

Therefore, a full and complete investigation is warranted. This investigation should include, but not be limited to:

- A determination of whether others within the U.S. Attorney's Office, including Mr. Perricone's supervisors, knew or should have known of his inappropriate conduct;
- A complete review and analysis of all online postings of Mr. Perricone as well as others within the U.S. Attorney's Office;
- A complete review and analysis of the rules and procedures within the U.S. Attorney's Office to allow such misconduct to exist and persist;
- An interview of all current employees, under oath, to determine the nature and extent of their participation in or their knowledge of the misconduct within the office;
- A determination of whether Mr. Perricone illegally disclosed information obtained through secret grand jury proceedings;
- A determination of whether the integrity of any ongoing criminal investigations have been compromised;
- A thorough examination of all office computers and servers for unauthorized and inappropriate activity; and
- A determination of whether the ongoing consent decree negotiations between the Department of Justice and the New Orleans Police Department have been compromised

We respectfully request that you conduct a thorough investigation into the alleged misconduct. It is imperative that employees of the U.S. Attorney's office are held fully accountable for any misconduct, that appropriate disciplinary action is taken, and criminal charges be filed if warranted.

We thank you for your prompt attention to this matter.

Sincerely,

Emanuel Cleaver, II
Chairman
Congressional Black Caucus

Bennie G. Thompson (MS-02)
Member
Congressional Black Caucus

Cedric L. Richmond (LA-02)
Member
Congressional Black Caucus

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