



U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

September 19, 2012

Honorable Eric H. Holder, Jr.
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

I am writing to you to resign my position as a Deputy Assistant Attorney General in the Criminal Division of the Department of Justice, effective immediately. It is a decision that I make with great sadness, but in the belief that it is in the best interests of the Department that I love so deeply.

It has been the greatest honor of my life to have served the Department of Justice for the past 15 years. As a career prosecutor – including ten years as an Assistant United States Attorney in the Southern District of New York and in the District of Maryland – I devoted myself to the cause of reducing gun violence. In Baltimore in particular, as Chief of the Violent Crime Section, I am proud to have prosecuted some of the city's most violent gangs, and to having taken notorious criminals off the streets by creating Maryland's EXILE program. As a Deputy Assistant Attorney General in the Criminal Division, it was my privilege to have helped create and lead the Organized Crime and Gang Section, and to have personally supervised some of our most sensitive violent crime investigations and prosecutions, including those relating to the 2010 murders of U.S. Consulate personnel in Juarez, Mexico, and the 2011 murder of ICE agent Jaime Zapata in Mexico.

Throughout my career, I have committed myself to a fundamental goal: making communities safer by getting guns out of the hands of criminals and gangs, and putting violent offenders in prison. That is why it is so personally painful for me to read the completely false conclusion in the Inspector General's Report on Fast and Furious that I knew about – but failed to act upon – guns going into the hands of criminals and being allowed to "walk" into Mexico. For me to have done this would have run counter to the entire body of work I compiled during the past 15 years, and for that reason alone such allegations should have given pause to the Inspector General.

But sadly, neither my career record as a prosecutor, nor the undisputed facts here, have carried weight with the Inspector General. Unbelievably, even though the Inspector General reluctantly acknowledges that I was the first and only person in the Department of Justice to have

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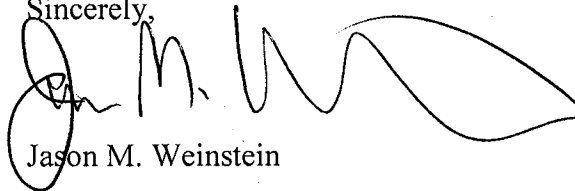
raised the alarm upon learning that guns had “walked” in the ATF operation known as “Wide Receiver” – despite numerous other prosecutors having worked on that case – I now find myself being accused of choosing not to raise a similar alarm with regard to Operation Fast and Furious. This accusation is not only illogical, but demonstrably false: it disregards the undisputed evidence that I was repeatedly told by the ATF and by prosecutors in Arizona – as were we all – that no guns had “walked” in Fast and Furious.

Nonetheless, I recognize that, in the dynamic of internal investigations of this nature, particularly when they become enmeshed in politicized Congressional hearings, it is virtually inevitable that someone must be singled out for blame, whether the facts support it or not. That is what the Inspector General’s report has done with regard to me here. I am simply not willing to have my reputation sullied in this manner, and I am determined to separate fact from falsehood.

At the same time, I am unwilling to become a further distraction to the vital work of the Department of Justice. I cannot fight the Inspector General’s assertions, findings, and conclusions as to me while I am still in my current position, without causing additional attacks to be made upon the Department of Justice – attacks that will make it harder for the Department to achieve the goal of protecting the American people. That is the goal to which I pledged myself when I first became an Assistant United States Attorney, and it is the goal I have sought consistently over the past 15 years. It is precisely because I love the Department of Justice, and believe so deeply in its mission, that I must leave it now.

Thank you for this opportunity to have served the United States of America.

Sincerely,

A handwritten signature in black ink, appearing to read "J. M. Weinstein". The signature is fluid and cursive, with a large, sweeping flourish at the end.

Jason M. Weinstein