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Congress of the United States
House of Representatives
Washington, DC 20515-3303

June 20, 2007

Attorney General Alberto Gonzales
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Gonzales:

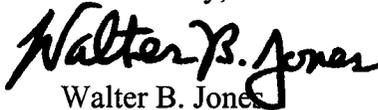
I am writing to renew my request for an investigation of former Durham County, North Carolina District Attorney Mike Nifong's prosecution of three Duke University student athletes falsely accused of an alleged sexual attack on a woman at a March 2006 party in Durham. In light of the North Carolina State Bar's ruling last week that Mr. Nifong will be disbarred for committing numerous acts of misconduct, it is clear Mr. Nifong's conduct constituted an illegal abuse of authority and cries out for federal oversight.

As you stated in your January 11, 2007 letter to me, the Department of Justice "is responsible for investigating and prosecuting criminal conduct," including "*willful misconduct* by local and federal law enforcement officers." I believe that the findings of the North Carolina State Bar confirm that there is probable cause to investigate the *willful misconduct* of Mr. Nifong, namely, his actions to deprive the accused Duke students of their right to due process as guaranteed to them by the Fifth Amendment of the Constitution.

The North Carolina State Bar found that Mr. Nifong, among other abuses, made extrajudicial statements to the media with the knowledge that they would be prejudicial to the defendants, failed to disclose exculpatory DNA evidence in a timely manner, failed to comply with a discovery request from the defense, made false statements to the court, and engaged in numerous acts of dishonest conduct. The North Carolina State Bar's conclusions indicate that Mr. Nifong engaged in *willful misconduct* in violation of 18 U.S.C. § 242, which the Department of Justice has deemed applicable to abuses of authority under color of law.

Now that the North Carolina State Bar has concluded its review of Mr. Nifong's activities and determined that Mr. Nifong engaged in conduct involving dishonesty, fraud, deceit, and misrepresentation, the Justice Department has no reason not to investigate the substantial legal evidence suggesting Mr. Nifong violated these young men's civil rights, permanently damaging their reputations. I strongly encourage you to take action in this case. I respectfully request a response to confirm your receipt of this letter.

Sincerely,



Walter B. Jones
Member of Congress

Cc: Assistant Attorney General Wan J. Kim, Principal Deputy Assistant Attorney General
Richard A. Hertling