

Congress of the United States
Washington, DC 20515

April 27, 2021

The Honorable Merrick Garland
Attorney General of the United States
950 Pennsylvania Avenue
Washington, DC 20530-001

Dear Attorney General Garland,

We write today to ask for a thorough review of the ongoing legal case involving human rights lawyer Steven Donziger who is scheduled for trial on May 10th in the Southern District of New York. The case is *United States v. Donziger, U.S. District Court S.D.N.Y Case No. 19 Cr. 561 (LAP); 11 Civ. 691 (LAK)*.

This case infringes on Mr. Donziger's ability to practice law, to represent his clients, and to pursue the fundamental rule of law on which our country is built. Mr. Donziger has been subjected to an unprecedented 600+ days of pre-trial house arrest while awaiting trial on a petty misdemeanor charge resulting from a discovery dispute. We are unaware of such restriction having been imposed on any lawyer in the United States facing a similar allegation.

We have deep concerns that the unprecedented nature of Mr. Donziger's pending legal case is tied to his previous work against Chevron. It is vital that attorneys working on behalf of victims of human rights violations and negative environmental impacts of corporations not become criminalized for their work. If these restrictions are permitted, advocates across this country will feel as though tactics of intimidation can succeed in stifling robust representation. The results of this case will have a lasting impact in the legal practice, suggesting that representation and advocacy can then impede one's ability to exercise fundamental protections.

This case involved urgent environmental justice concerns of Indigenous people. As you may be aware, Indigenous people of the Amazon basin have long been subjected to deadly, carcinogenic waste from oil and gas production in one of the world's most fragile and irreplaceable regions. Mr. Donziger filed a successful class action lawsuit in Ecuador on their behalf, as well as affected campesino communities, which resulted in a \$9.5 billion judgement against Chevron. The case was a culmination of extensive work, organizing and amplification of the needs of groups that have for decades been under-resourced and silenced. Mr. Donziger's efforts were crucial in elevating the claims and grievances of these communities, and his work is an important contribution in ensuring that Black, brown, and Indigenous communities across the world are represented in our legal systems.

Beleaguered Amazon communities have stood by Mr. Donziger throughout this case. A coalition of 56 Nobel Prize Laureates, Amnesty International USA and other human rights organizations,

and distinguished members of the European Parliament have issued statements, demanding Mr. Donziger's immediate release from home detention, protesting the questionable and disparate treatment of Mr. Donziger by U.S. Courts, and requesting an investigation of potential judicial abuse. They also have called for the dismissal of the criminal contempt case against Mr. Donziger.

We request that your office act quickly to conduct an immediate full and fair review of the deeply concerning process by which Mr. Donziger's current case has thus far played out, and the equally troubling signal it sends to frontline communities in urgent need of legal support. Thank you in advance for your serious and expedited consideration of our request.

Sincerely,



James P. McGovern
Member of Congress



Cori Bush
Member of Congress



Rashida Tlaib
Member of Congress



Jamaal Bowman, Ed.D.
Member of Congress



Alexandria Ocasio-Cortez
Member of Congress



Jamie Raskin
Member of Congress