

January 23, 2023

Senator Dick Durbin, Chair
Senator Chuck Grassley, Ranking Member
U.S. Senate Committee on the Judiciary

The Honorable Merrick Garland, Attorney General
U.S. Department of Justice

Dear Chair Durbin, Ranking Member Grassley, and Attorney General Garland,

As you have undoubtedly heard, a new documentary, entitled “Justice,” which premiered at the Sundance Film Festival last Friday, January 20, 2023, includes important new details about specific allegations of sexual misconduct by U.S. Supreme Court Justice Brett Kavanaugh. Some of these details were sent to the FBI during its brief, compressed investigation into similar allegations during Kavanaugh’s 2018 confirmation hearings, although the FBI did not follow up or interview the relevant witnesses.

Most disturbing, however, is new evidence of conduct by Kavanaugh and his associates (perhaps even before his accusers came forward) concerning the 2018 Senate hearing itself. For example, the film shows a 2018 text message discussion amongst mutual acquaintances of Kavanaugh and Deborah Ramirez, regarding Ramirez’s soon-to-be-public allegations that Kavanaugh had exposed himself to her. According to the text messages shown in the documentary, Kavanaugh asked a mutual friend to go on the record to defend him. Another friend referred to it as “a cover-up.” This indicates consciousness of guilt—and therefore evidence that he may have knowingly perjured himself in the confirmation hearings—and a potential conspiracy to obstruct and defraud the Senate by coordinating a false information campaign.

We call on both the Senate Judiciary Committee and the U.S. Department of Justice to investigate fully these matters, which should include interviewing, by subpoena if necessary, all those identified in the film as having participated or having knowledge about these communications—including Justice Kavanaugh himself.

Sincerely,

Ron Fein, Legal Director
John Bonifaz, President
Ben Clements, Chairman and Senior Legal Advisor
Free Speech For People