

# Congress of the United States

Washington, DC 20515

December 2, 2025

Counsel  
Office of Professional Responsibility  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W., Suite 3266  
Washington, D.C. 20530-0001

Dear Sir or Madam:

We write to express our strong concerns regarding the potential misconduct of First Assistant U.S. Attorney for the Central District of California Bilal “Bill” Essayli. Based on recent public reporting, we believe there are numerous and substantial grounds to warrant an investigation into whether Mr. Essayli’s actions violated provisions of the California Rules of Professional Conduct (CRPC) and the Department of Justice’s (DOJ) standards of conduct as articulated in the *Justice Manual*.<sup>1</sup> As you know, the Office of Professional Responsibility (OPR) is tasked with investigating alleged violations of clear and unambiguous legal obligations or professional standards by DOJ attorneys, and has the jurisdiction and, we believe, the obligation to closely scrutinize Mr. Essayli’s conduct to determine whether sanctions are appropriate.<sup>2</sup>

The rule of law depends upon the strict adherence of government lawyers, particularly those who serve in the highest levels of the DOJ, to the highest standards of ethical conduct. DOJ prosecutors wield enormous powers, and any concerns about abuse of these powers calls into question the impartiality and fairness of our criminal justice system. Adherence to rules of professional conduct and the *Justice Manual* is especially important for individuals entrusted with consequential and senior leadership positions, such as an acting U.S. Attorney. All DOJ attorneys take an oath to support the Constitution of the United States, and attorneys licensed by the State Bar of California take an oath to follow the California Rules of Professional Conduct.<sup>3</sup> Mr. Essayli is an active member of the State Bar of California and therefore subject to the Rules.<sup>4</sup>

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<sup>1</sup> State Bar of California, *California Rules of Professional Conduct* (2023) (online at [www.calbar.ca.gov/Portals/0/documents/rules/Rules-of-Professional-Conduct.pdf](http://www.calbar.ca.gov/Portals/0/documents/rules/Rules-of-Professional-Conduct.pdf)); Department of Justice, *Justice Manual* (online at [www.justice.gov/jm/justice-manual](http://www.justice.gov/jm/justice-manual)) (accessed Oct. 9, 2025).

<sup>2</sup> Office of Professional Responsibility, Department of Justice, *Attorney Professional Misconduct Matters* (online at [www.justice.gov/opr/professional-misconduct](http://www.justice.gov/opr/professional-misconduct)) (accessed Oct. 9, 2025); Office of Professional Responsibility, Department of Justice, *How to File a Complaint with the Office of Professional Responsibility* (online at <https://www.justice.gov/opr/webform/how-file-complaint-office-professional-responsibility>) (accessed Oct. 9, 2025).

<sup>3</sup> California Business and Professions Code Section 6067 (online at [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=BPC&sectionNum=6067.](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=BPC&sectionNum=6067.)).

<sup>4</sup> State Bar of California, *Bilal Essayli # 273441 – Attorney Licensee Search* (online at <https://apps.calbar.ca.gov/attorney/Licensee/Detail/273441>) (accessed Oct. 2, 2025).

As a DOJ attorney, Mr. Essayli is also obliged to follow the prosecutorial policies and practices outlined in the *Justice Manual*.<sup>5</sup>

We are deeply troubled by reports of actions taken by Mr. Essayli as Interim (later, Acting) U.S. Attorney for the Central District of California, which on their face appear to be improper. The matters described below represent serious breaches of the Rules and the *Justice Manual* that warrant investigation and potentially disciplinary action, including removal from his post as Acting U.S. Attorney. Moreover, Mr. Essayli appears to hold contempt for DOJ policies, with reports that he shouted “Fuck the *Justice Manual*” at a team of DOJ attorneys pursuing an indictment stemming from protest activity.<sup>6</sup>

*Filing criminal charges unsupported by probable cause:*

According to public reporting, Acting U.S. Attorney Essayli brought multiple criminal indictments that were clearly not supported by evidence of any conduct that could be seen as reaching the necessary probable cause standard.<sup>7</sup> According to media reports, Mr. Essayli repeatedly ignored and overruled the recommendations of senior prosecutors who warned that there was insufficient evidence to support an indictment; he instructed staff to disregard Justice Department policies; and he directed DOJ attorneys to resubmit failed indictments before new grand juries without seeking new evidence first.<sup>8</sup> Mr. Essayli also reportedly talked to staff about using his position to “criminally charge politicians, judges, or other officials who block the Trump agenda, according to four people who were either part of those conversations or briefed on them.”<sup>9</sup>

In one case, Mr. Essayli forced through the prosecution of an individual over the objections of both his staff and lawyers in the National Security Division, urging top officials at the Department of Justice to allow the case to proceed.<sup>10</sup> The individual was indicted on charges of aiding and abetting civil disorder for distributing face shields to protestors, an act which on its face could not reasonably be thought to be a criminal offense.<sup>11</sup> The only signatories to this indictment were Mr. Essayli and his top deputy, Jennifer Waier, a highly unusual circumstance insofar as these types of indictments are ordinarily signed by line attorneys, and a potential red

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<sup>5</sup> Office of Professional Responsibility, *Justice Manual*, 9-27.001 – Preface (Jun. 2023) (online at [www.justice.gov/jm/jm-9-27000-principles-federal-prosecution#9-27.001](http://www.justice.gov/jm/jm-9-27000-principles-federal-prosecution#9-27.001)) (accessed Oct. 9, 2025).

<sup>6</sup> *Trump’s LA Prosecutor Orders Cases His Staff Say Lack Evidence*, Bloomberg Law (July 29, 2025) (online at <https://news.bloomberglaw.com/us-law-week/trumps-la-prosecutor-orders-cases-his-staff-say-lack-evidence>).

<sup>7</sup> *Id.*

<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Trump’s Top Federal Prosecutor in L.A. Struggles to Secure Indictments in Protest Cases*, Los Angeles Times (Jul. 23, 2025) (online at [www.latimes.com/california/story/2025-07-23/protester-charges-essayli](http://www.latimes.com/california/story/2025-07-23/protester-charges-essayli)); *Trump’s LA Prosecutor Orders Cases His Staff Say Lack Evidence*, Bloomberg Law (July 29, 2025) (online at <https://news.bloomberglaw.com/us-law-week/trumps-la-prosecutor-orders-cases-his-staff-say-lack-evidence>).

<sup>11</sup> *Id.*

flag signaling that this was a politically motivated prosecution.<sup>12</sup> Federal agents raided the home of this individual, who had no criminal record and was not accused of any violence or evasion, in an unnecessarily militarized approach, reportedly breaking down his door, smashing his window, and detonating flash grenades in his home.<sup>13</sup> These charges were later dropped.<sup>14</sup>

In a second case, charges pushed by Mr. Essayli against an individual were dropped after social media videos presented to the court of the alleged incidents showed the affidavit used to support the charges relied on false statements.<sup>15</sup> Mr. Essayli falsely claimed on social media that a third individual was charged with “punching a border patrol agent in the face,” despite the criminal complaint against the individual making no mention of a punch and video taken of the incident shows no evidence of the individual striking anyone.<sup>16</sup>

We believe these incidents evince a pattern of improper conduct by Mr. Essayli, including possible violations of Rule 3.8 (Special Responsibilities of a Prosecutor) and Rule 3.1 (Meritorious Claims and Contentions) of the CRPC.<sup>17</sup> Mr. Essayli appears to have also violated the *Justice Manual* policies on bringing cases unsupported by probable cause, including 9-27.200 Initiating and Declining Prosecution – Probable Cause Requirement and 9-27.220 Grounds for Commencing or Declining Prosecution.<sup>18</sup>

#### *Making extrajudicial statements that materially prejudice the rights of the accused*

Acting U.S. Attorney Essayli appears to have made a number of extrajudicial statements, including on the social media outlet “X” (formerly Twitter) that were substantially likely to materially prejudice the rights of individuals accused of crimes by his office, including the rights to a fair trial. In one instance, Mr. Essayli posted a picture of an accused suspect on X, specifically stating that the individual had been arrested for “punching a border patrol agent in

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<sup>12</sup> *Trump’s Top Federal Prosecutor in L.A. Struggles to Secure Indictments in Protest Cases*, Los Angeles Times (Jul. 23, 2025) (online at [www.latimes.com/california/story/2025-07-23/protester-charges-essayli](https://www.latimes.com/california/story/2025-07-23/protester-charges-essayli)).

<sup>13</sup> Leanne Suter, *Charges Dropped Against East LA Activist Who Handed Out Face Shields to Protestors*, ABC 7 (Jul. 31, 2025) (online at <https://abc7.com/post/charges-dropped-alejandro-orellana-east-los-angeles-activist-helped-protesters/17378308/>).

<sup>14</sup> Leanne Suter, *Charges Dropped Against East LA Activist Who Handed Out Face Shields to Protestors*, ABC 7 (Jul. 31, 2025) (online at <https://abc7.com/post/charges-dropped-alejandro-orellana-east-los-angeles-activist-helped-protesters/17378308/>).

<sup>15</sup> *Trump’s Top Federal Prosecutor in L.A. Struggles to Secure Indictments in Protest Cases*, Los Angeles Times (Jul. 23, 2025) (online at [www.latimes.com/california/story/2025-07-23/protester-charges-essayli](https://www.latimes.com/california/story/2025-07-23/protester-charges-essayli)).

<sup>16</sup> *Id.*

<sup>17</sup> State Bar of California, *California Rules of Professional Conduct* (2023) (Rules 3.1, 3.8) (online at <https://www.calbar.ca.gov/Portals/0/documents/rules/Rules-of-Professional-Conduct.pdf>).

<sup>18</sup> Office of Professional Responsibility, *Justice Manual*, 9-27.200 – Initiating and Declining Prosecution – Probable Cause Requirement (Feb. 2018) (online at [www.justice.gov/jm/jm-9-27000-principles-federal-prosecution#9-27.200](https://www.justice.gov/jm/jm-9-27000-principles-federal-prosecution#9-27.200)) (accessed Oct. 22, 2025); Office of Professional Responsibility, *Justice Manual*, 9-27.220 – Grounds for Commencing or Declining Prosecution (Feb. 2018) (online at [www.justice.gov/jm/jm-9-27000-principles-federal-prosecution#9-27.220](https://www.justice.gov/jm/jm-9-27000-principles-federal-prosecution#9-27.220)) (accessed Oct. 22, 2025).

the face.”<sup>19</sup> In fact, the indictment against this individual made no mention of him punching anyone, and video taken at the scene does not show him punching or striking anyone.<sup>20</sup> DOJ prosecutors instead charged the individual with “conspiracy to impede a federal officer,” alleging that he blocked federal law enforcement officers with his car.<sup>21</sup> Mr. Essayli’s baseless comments, posted in a highly politicized context on a major social media network, reflect his clear contempt for a fair application of the rule of law or judicious use of the DOJ’s criminal prosecution powers. These comments also appear to clearly violate Rule 3.6 (Trial Publicity) of the CRPC, which lays out the careful approach a lawyer must take when discussing ongoing criminal cases.<sup>22</sup> Mr. Essayli’s post also appears to violate several provisions of the *Justice Manual*, including 1-7.400 (Disclosure of Information Concerning Ongoing Criminal, Civil, or Administrative Investigations), 1.7.600 (Release of Information in Criminal, Civil, and Administrative Matters – Nondisclosure), and 1-7.610 (Concerns of Prejudice).<sup>23</sup>

*Opening politically motivated investigations and threatening criminal, administrative, or disciplinary charges*

As Acting U.S. Attorney, Mr. Essayli appears from public reporting to be engaged in serious misconduct, including the use of his office to open investigations and criminal cases into political opponents of the Trump Administration. Mr. Essayli allegedly informed subordinates at the Office of U.S. Attorney of his intent to use his position to criminally charge politicians, judges, or other officials who “block the Trump agenda.”<sup>24</sup> In a conversation with Breitbart News, Mr. Essayli indicated a willingness to arrest California Governor Gavin Newsom for unspecified crimes.<sup>25</sup> Mr. Essayli subsequently referred Gov. Newsom to the Secret Service for a “full threat assessment” after Gov. Newsom made a social media post mocking the Secretary of Homeland Security Kristi Noem.<sup>26</sup> Based on public reporting, we believe Mr. Essayli may have violated a number of CRPC Rules, including Rule 3.10 (Threatening Criminal, Administrative, or Disciplinary Charges) and Rule 3.8 (Special Responsibilities of a Prosecutor).<sup>27</sup> Mr. Essayli may have also violated *Justice Manual* 9-27.260 (Initiating and Declining Charges –

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<sup>19</sup> *Trump’s Top Federal Prosecutor in L.A. Struggles to Secure Indictments in Protest Cases*, Los Angeles Times (Jul. 23, 2025) (online at [www.latimes.com/california/story/2025-07-23/protester-charges-essayli](https://www.latimes.com/california/story/2025-07-23/protester-charges-essayli)).

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*

<sup>22</sup> State Bar of California, *California Rules of Professional Conduct* (2023) (Rule 3.6) (online at <https://www.calbar.ca.gov/Portals/0/documents/rules/Rules-of-Professional-Conduct.pdf>).

<sup>23</sup> Office of Professional Responsibility, *Justice Manual*, 1-7.000 – Confidentiality and Media Contacts Policy (Apr. 2018) (online at <https://www.justice.gov/jm/jm-1-7000-media-relations>) (accessed Oct. 22, 2025).

<sup>24</sup> *Trump’s LA Prosecutor Orders Cases His Staff Say Lack Evidence*, Bloomberg Law (July 29, 2025) (online at <https://news.bloomberglaw.com/us-law-week/trumps-la-prosecutor-orders-cases-his-staff-say-lack-evidence>).

<sup>25</sup> *Id.*; *Exclusive – U.S. Attorney Bill Essayli: Gavin Newsom Needs to “Turn On the TV,”* Breitbart News (Jun. 9, 2025) (online at [www.breitbart.com/politics/2025/06/09/exclusive-u-s-attorney-bill-essayli-gavin-newsom-needs-to-turn-on-the-tv/](https://www.breitbart.com/politics/2025/06/09/exclusive-u-s-attorney-bill-essayli-gavin-newsom-needs-to-turn-on-the-tv/)).

<sup>26</sup> *U.S. Attorney Refers Gavin Newsom To Secret Service For “Threat Assessment” Over X Post*, Forbes (Sep. 20, 2025) (online at [www.forbes.com/sites/tylerroush/2025/09/20/us-attorney-refers-gavin-newsom-to-secret-service-for-threat-assessment-over-x-post/](https://www.forbes.com/sites/tylerroush/2025/09/20/us-attorney-refers-gavin-newsom-to-secret-service-for-threat-assessment-over-x-post/)).

Impermissible Considerations) with his apparent prioritization of bringing charges against perceived political enemies of the Administration.<sup>28</sup>

*Use of position as a government employee to gain political favor or appointment*

Acting U.S. Attorney Essayli may have abused his authority by reportedly offering to drop a case set to go to trial against a political donor to the President in exchange for an extension of his tenure as U.S. Attorney.<sup>29</sup> Days before Mr. Essayli's initial appointment as Interim U.S. Attorney, the assistant U.S. attorney handling a corporate fraud case against Andrew Wiederhorn, a prominent donor to President Trump, was fired by the White House "on behalf of President Trump."<sup>30</sup> Shortly after his initial appointment, Mr. Essayli reportedly met with Mr. Wiederhorn's defense team and after the meeting, Mr. Essayli suggested that the case against Mr. Wiederhorn could be dismissed if Essayli received a permanent appointment.<sup>31</sup> Shortly after the Trump Administration moved to extend Mr. Essayli's tenure by naming him Acting U.S. Attorney, Mr. Essayli's office began filing reversals in controversial cases. Charges against Mr. Wiederhorn, his alleged accomplices, and his company were dropped, along with an unrelated gun possession charge against Mr. Wiederhorn.<sup>32</sup>

At minimum, this misconduct appears to violate several CRPC Rules as well as DOJ's standards of conduct. Potential violations of the CRPC include Rule 3.8 (Special Responsibilities of a Prosecutor), Rule 8.4 (Misconduct), and Rule 1.11 (Special Conflicts of Interest for Former and Current Government Officers and Employees).<sup>33</sup> Mr. Essayli's conduct may also violate the *Justice Manual*'s policies on dismissing complaints and indictments within 9-2.040 and 9-2.050, especially as the cases against Mr. Wiederhorn involved allegations of fraudulent conduct, along with 9-27.260 (Initiating and Declining Charges – Impermissible Considerations), given the likelihood that Mr. Wiederhorn's political connections played a role in Mr. Essayli's dismissal of charges.<sup>34</sup>

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<sup>27</sup> State Bar of California, *California Rules of Professional Conduct* (2023) (Rules 3.8, 3.10) (online at <https://www.calbar.ca.gov/Portals/0/documents/rules/Rules-of-Professional-Conduct.pdf>).

<sup>28</sup> Office of Professional Responsibility, *Justice Manual*, 9-27.260 – Initiating and Declining Charges – Impermissible Considerations (Jun. 2023) (online at [www.justice.gov/jm/jm-9-27000-principles-federal-prosecution#9-27.260](https://www.justice.gov/jm/jm-9-27000-principles-federal-prosecution#9-27.260)) (accessed Oct. 22, 2025).

<sup>29</sup> *Feds Move to Drop Charges in Controversial Cases as Trump Re-Ups L.A. Prosecutor*, Los Angeles Times (July 29, 2025) (online at [www.latimes.com/california/story/2025-07-29/charges-dropped-essayli-cases](https://www.latimes.com/california/story/2025-07-29/charges-dropped-essayli-cases)).

<sup>30</sup> *Fired Federal Prosecutor Alleges Ex-Fatburger CEO's "Smears" Reached White House*, Los Angeles Times (May 3, 2025) (online at [www.latimes.com/california/story/2025-05-03/wiederhorn-justice-department](https://www.latimes.com/california/story/2025-05-03/wiederhorn-justice-department)).

<sup>31</sup> *Feds Move to Drop Charges in Controversial Cases as Trump Re-Ups L.A. Prosecutor*, Los Angeles Times (July 29, 2025) (online at [www.latimes.com/california/story/2025-07-29/charges-dropped-essayli-cases](https://www.latimes.com/california/story/2025-07-29/charges-dropped-essayli-cases)).

<sup>32</sup> *Id.*

<sup>33</sup> State Bar of California, *California Rules of Professional Conduct* (2023) (Rules 1.11, 3.8, 8.4, ) (online at <https://www.calbar.ca.gov/Portals/0/documents/rules/Rules-of-Professional-Conduct.pdf>).

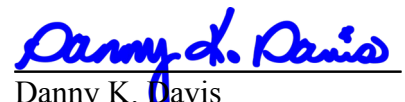
<sup>34</sup> Office of Professional Responsibility, *Justice Manual*, 9-2.040 – Dismissal of Complaints (online at <https://www.justice.gov/jm/jm-9-2000-authority-us-attorney-criminal-division-mattersprior-approvals#9-2.040>) (accessed Oct. 22, 2025); Office of Professional Responsibility, *Justice Manual*, 9-2.050 – Dismissal of Indictments and Informations (online at <https://www.justice.gov/jm/jm-9-2000-authority-us-attorney-criminal-division-mattersprior-approvals#9-2.050>) (accessed Oct. 22, 2025); Office of Professional Responsibility, *Justice Manual*, 9-

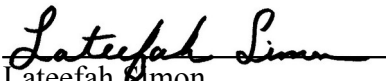
*Request for Investigation*

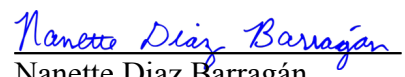
The reported conduct referenced above represents potentially serious violations of Mr. Essayli's ethical and professional obligations. We respectfully request that the Office of Professional Responsibility immediately initiate an investigation into Mr. Essayli's conduct, notify us when it has initiated the investigation, and keep us informed of the investigation's progress and findings.


Sincerely,

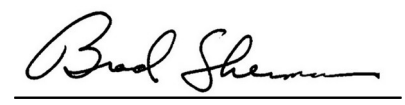
  
Dave Min  
Member of Congress


  
Danny K. Davis  
Member of Congress


  
Lateefah Simon  
Member of Congress


  
Nanette Diaz Barragán  
Member of Congress

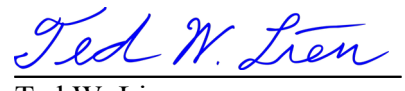
  
Jared Huffman  
Member of Congress

  
Brad Sherman  
Member of Congress

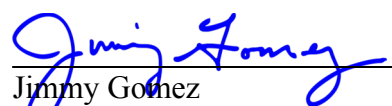
  
Mike Thompson  
Member of Congress


  
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Scott H. Peters  
Member of Congress

  
Ted W. Lieu  
Member of Congress

  
MARK TAKANO  
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Jimmy Gomez  
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