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HOUSE OF REPRESENTATIVES

October 29, 2010

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The Honorable Eric Holder  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Ave., N.W.  
Suite 5111  
Washington, DC 20530

Dear Attorney General Holder:

I am writing to you about the recent prosecution and conviction of Sholom Rubashkin, a former Chief Executive Officer of the Agriprocessors, the largest meatpacking plant in the United States. In November 2009, after being convicted of 86 counts of financial fraud, Mr. Rubashkin was sentenced to 27 years in prison.

Although I have not been involved with the details of this case, a number of my constituents have expressed concern about possible judicial misconduct by the Honorable Linda R. Reade of the U.S. District Court for the Northern District of Iowa that I believe demand your immediate attention.

The Federal investigation into Mr. Rubashkin's financial dealings began after a May 2008 workplace raid that netted 389 illegal aliens. Certainly the employment of hundreds of illegal aliens and perpetration of bank fraud are inexcusable. However, it has been brought to my attention that in August 2010, after Mr. Rubashkin was convicted and sentenced, the defense attorney received new evidence through a Freedom of Information Act filing showing that Judge Reade was actively engaged in the planning of the raid on Agriprocessors and participated in preparations for the raid for more than six months; prior to that operation, agents from several federal departments met with Judge Linda Reade as well.

Information about this meeting was not presented to the defense attorneys. Questions have been raised about the extent of the collaboration between Judge Reade and federal agents. Judge Reade should have recused herself from the trial or, at the very least, disclosed her participation in the planning for the raid to the defense attorneys. She did neither.

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I am also aware that several of my colleagues in Congress have contacted you in support of a thorough investigation into the handling of Mr. Rubashkin's case. If contacts between the judge and the government attorneys were hidden from the defendant, this would result in a significant miscarriage of justice. Accordingly, these allegations demand an immediate investigation.

I strongly urge you to direct a full and immediate investigation of the allegations of impropriety and unfairness in the Sholom Rubashkin case in order to remove the cloud that is growing publicly and in judicial circles about the matters I describe in this letter.

If you have any questions feel free to call me or Lee Hernandez of my staff at (619) 422-5963.

Sincerely,  


BOB FILNER  
Member of Congress

BF/LH  
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