

# Preventing Political Prosecutions Act

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## Corrupt Abuse of the Justice System

Former FBI Director James Comey was indicted at President Trump's personal direction as an act of retribution against a political opponent. The indictment occurred only after President Trump replaced the non-partisan, career prosecutor supervising the case with one of his own personal attorneys, because the career prosecutor concluded there was insufficient evidence to bring a case.

President Trump has directed his Attorney General to target other political opponents as well. On September 20, 2025, President Trump posted on Truth Social, instructing Attorney General Bondi to move forward with cases against Senator Adam Schiff and New York Attorney General Letitia James, in addition to Director Comey, saying "[t]hey're all guilty as hell." This is deeply alarming and a blatant weaponization of the federal law enforcement apparatus against the President's political rivals.

Politicization and corruption of the Department of Justice violates the fundamental tenants of fairness, undermines the legitimacy of all investigations and prosecutions, and corrodes the rule of law in our democracy.

## Key Provisions to Protect against Political Prosecution

To prevent this and future Administrations from misusing the justice system to target political opponents, the Preventing Political Prosecutions Act would:

- Create a right of action against federal officials—prosecutors, agents, and DOJ and FBI leadership—who engage in selective or malicious prosecution or investigation based on political or partisan considerations;
- Enact grand jury reforms, including:
  - Require prosecutors to present exculpatory evidence to the Grand Jury;
  - Require disclosure of grand jury vote tally to the defendant as part of discovery;
- Strengthen judges' ability to scrutinize the evidence presented to grand juries where improper political considerations are credibly alleged;
- Codify the Justice Manual's rules on impermissible political considerations in the decision to bring or decline to bring a case;
- Prohibit direct or indirect White House instructions to the Department of Justice concerning investigative or charging decisions in individual criminal cases;
- Require all line prosecutors and U.S. Attorneys to certify under penalty of perjury that:
  - the indictment did not rely on impermissible political considerations;
  - the evidence in support of the indictment is sufficient to prove the defendant's guilt at trial beyond a reasonable doubt; and
- Require all DOJ employees to report to the Office of Professional Responsibility and the Office of the Inspector General any instance where partisanship, politics or personal opinions about the target were considered in an investigative or charging decision and require OPR and OIG to disclose any such reports, including specific communications, to the House and Senate Judiciary Committees.