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WASHINGTON, DC 20510-6275

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May 21, 2012

VIA ELECTRONIC TRANSMISSION

The Honorable Robert S. Mueller, III
Director
Federal Bureau of Investigation
935 Pennsylvania Avenue, N.W.
Washington, DC 20530

Dear Director Mueller:

In last week's hearing we asked you about the Department of Justice task force that worked from 1996 to 2004 examining potentially flawed forensic work in the FBI lab, which could have led to innocent people being jailed for crimes they did not commit. According to press reports, the task force identified more than 250 convictions in which the lab's flawed forensic work was determined to be critical to the conviction.¹ When the task force wrapped up in 2004, it apparently only notified prosecutors in the problem cases of its findings, rather than all parties in these cases.²

At the hearing, you indicated that you would get back to the Committee about:

1. Why the task force decided to notify only prosecutors instead of all parties in these cases;
2. What the notification procedures were;
3. The circumstances under which a the decision of whom to notify was made; and
4. Whether the Justice Department shared records with the FBI about what notifications went to the prosecutor.

¹ Spencer S. Hsu, *Convicted defendants left uninformed of forensic flaws found by Justice Dept.*, WASH. POST (Apr. 16, 2012).


² *Id.*

Additionally, please indicate:

5. Any information the FBI has about whether defendants were actually notified; and
6. Why defendants in all cases were not notified.

Should you have any questions regarding these issues, please contact Noah Bookbinder of Chairman Leahy's staff at (202) 224-7703 or Tristan Leavitt of Ranking Member Grassley's staff at (202) 224-5225.

Sincerely,


Patrick J. Leahy, Chairman


Charles E. Grassley, Ranking Member