

From: Weinstein, Jason (CRM)
To: Goldberg, Stuart (ODAG); Wilkinson, Monty (OAG); Moran, Molly (OAG); Grindler, Gary (OAG)
Sent: 8/4/2011 12:11:16 PM
Subject: FW: AZ gun trafficking case

You may recall that back in late February, I was asked to find out what I could about how the Fast and Furious case was conducted, with a one-day turnaround. As you know, I had a phone conference with the AUSA and Crim Chief in AZ and summarized what they said in the email below. As noted in that summary, the information and conclusions were based on what the USAO told me at the time.

Within the past month or so I've had the opportunity to review, for the first time, some of the reports from the case. Some of what I have seen in those reports, and some of the testimony from ATF witnesses last week, is in tension with what I was told during that February call with the USAO. I recognize that I still don't have all of the facts about the investigation, but at a minimum, based on the additional information I have now seen, I would not have reached the same conclusions as I did in that summary.

To the extent you were relying on my earlier assessment, I thought I should pass on that my assessment would be different based on this additional, albeit still incomplete, information.

Jason

From: Weinstein, Jason
Sent: Saturday, February 26, 2011 10:10 PM
To: Goldberg, Stuart (ODAG) (SMO); Wilkinson, Monty (OAG) (SMO); Moran, Molly (OAG) (SMO)
Cc: Breuer, Lanny A.; Raman, Mythili
Subject: AZ gun trafficking case

Stuart/Monty/Molly,

As you know, the DAG asked me to obtain more information about the manner in which the Arizona gun trafficking investigation known as "Fast and Furious" was put together.

The investigation spanned well over a year and included

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I will attempt to capture as much of the relevant information as possible in this email, but am available to discuss further - I'm around all weekend on berry (202-**ATF**).

The information that follows was provided by Emory and Pat during our call.

Background

A little background on the players may be instructive:

- The lead case agent is a very experienced and skilled agent who has had extensive experience working firearms trafficking cases.

- Emory is regarded as the District's preeminent expert on federal gun laws. Like the case agent, Emory has a lot of experience pursuing straw purchasers and building firearms trafficking cases. I would add parenthetically that both yesterday and in my prior dealings with him, I have found him to be a very sharp and impressive AUSA, and he seems like the kind of thoughtful AUSA you would want handling a case of this magnitude and complexity.

· **LES** **ATF** ny of the sales at issue here (including the sales of the guns found at or near the scene of the Terry murder), has **ATF** even before the Fast and Furious case began, providing voluntary reports of multiple sales of long guns.

· The District of Arizona is a place where guns, including long guns, are prevalent. It is not at all uncommon - nor is it illegal - for people to have guns in their vehicles in Arizona.

The Investigation

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As indicated above, this was an extraordinarily complex case, and I can give you only a higher-altitude view of it, based on the information provided by the USAO and ATF. But based on my conversation yesterday with the AUSA and Crim Chief, and based on prior conversations with Dennis Burke and with the ATF SAC, this investigation was conducted - and the decisions about when to seize guns were made - thoughtfully, carefully, and strategically.

I hope this is helpful.

Jason