

June 4, 2019

SENT VIA CERTIFIED MAIL

Hon. William P. Barr
U.S. Attorney General
950 Pennsylvania Avenue – Suite 7141
Washington, DC 20530

RE: Request For Appointment Of A Special Counsel

Dear Attorney General Barr:

I am writing to request that, per 28 U.S.C. §600.1, you appoint a Special Counsel to investigate (and, if/as appropriate, to indict and prosecute) those individuals who have been involved in – and/or who aided and abetted – [the NXIVM/ESP cult](#) in conjunction with its various criminal activities in New York State. Based upon information and belief, I am making this request for the following reasons:

- Despite repeated requests from numerous individuals, the Office of the U.S. Attorney for the NDNY failed to investigate reports of NXIVM/ESP's criminal activities from at least 2005 onward;
- Despite repeated requests from numerous individuals, the Albany, NY Field Office of the Federal Bureau of Investigation (FBI) failed to investigate reports of NXIVM/ESP's criminal activities from at least 2005 onward;
- Despite repeated requests from numerous individuals, the Albany, NY Field Office of the Internal Revenue Service (IRS) failed to investigate reports of NXIVM/ESP's criminal activities from at least 2005 onward;
- Despite repeated requests from numerous individuals, the Office of the New York State Attorney General failed to investigate reports of NXIVM/ESP's criminal activities from at least 2005 onward;
- Despite repeated requests from numerous individuals, the Office of the New York State Department of Taxation & Finance failed to investigate reports of NXIVM/ESP's criminal activities from at least 2005 onward;
- The current District Attorney for Albany County, P. David Soares, has personally aided and abetted the NXIVM/ESP criminal enterprise; and
- At least one member of the New York State Police (NYSP) has personally aided and abetted the NXIVM/ESP criminal enterprise.

Although the Office of the U.S. Attorney for the Eastern District of New York (EDNY) did initiate an investigation of some NXIVM/ESP-related criminal activities in that jurisdiction – and did bring criminal charges against several of the cult's leaders as a result of that investigation – the EDNY does not have the requisite jurisdictional basis to do the same with respect to the many other crimes that occurred in New York State¹. In this regard, it should be noted that four (4) of the counts that were included in the EDNY's *second superseding indictment* in that case were already dismissed for that reason.

¹ The case of the U.S. v. Raniere Et Al (18-CR-204) is currently being tried before Judge Nicholas G. Garaufis in the U.S. District Court for the Eastern District of New York (Note: Five (5) of the original co-defendants in that case have already pleaded guilty to various charges – and the current trial only involves the founder and leader of the NXIVM/ESP cult, Keith A. Raniere AKA "The Vanguard" AKA "Master" AKA "Grandmaster"). In this regard, it should be noted that this prosecution came about only after The New York Times ran a front-page story that exposed the fact that the cult leader had created a sex slave sub-group within NXIXM/ESP – and started branding his female slaves (See: <https://www.nytimes.com/2017/10/17/nyregion/nxivm-women-branded-albany.html>).

Given the failure of numerous law enforcement officials in the Capital District area to initiate any type of investigation regarding NXIVM/ESP for almost 15 years – and the repeated rumors that various law enforcement officials and public officials in that area have been compromised or intimidated by the NXIVM/ESP cult – it is simply not reasonable to expect that things will change going forward. Indeed, it is much more reasonable to expect that those same officials will continue to do nothing about the leaders and members of this insidious group.

Despite award-winning media reports² regarding the NXIVM/ESP criminal enterprise's activities in the Capital District and elsewhere, the local offices of the U.S. Attorney, the FBI and the IRS – and the offices of the New York State Attorney General and the New York State Department of Taxation & Finance – have never undertaken a comprehensive investigation regarding those activities. Worse yet, the Albany County District Attorney and the New York State Police jointly collaborated in an elaborate hoax to bring criminal charges against several anti-NXIVM/ESP whistleblowers.

There has been much speculation as to why law enforcement officials in the Capital District have been unwilling to investigate – and prosecute – NXIVM/ESP-related crimes. This has included, but not been limited to, the following hypotheses:

- That the NXIVM/ESP cult collected compromising information about some of those officials – and threatened to release that information if any action was taken against it;
- That the NXIVM/ESP cult provided unreported and/or other illegal campaign contributions to some of those officials; and
- That the NXIVM/ESP cult's virtually unlimited financial backing from Clare Bronfman and Sara Bronfman-Igtet intimidated some of those officials.

Regardless of the specific reason(s), the simple reality is that law enforcement officials in the Capital District have never done anything to halt the criminal activities of the NXIVM/ESP cult. Based on various media reports – as well as testimony in the ongoing trial in the EDNY – those criminal activities likely include some/all of the following:

- Bank Fraud
- Blackmail
- Bribery
- Bulk Cash Smuggling
- Computer Trespass
- Conducting Unauthorized Scientific Experiments
- Conspiracy To Commit Identity Theft
- Conspiracy To Unlawfully Possess Identification Documents
- Creation of Child Pornography
- Encouraging/Inducing Unauthorized Aliens to Enter the U.S.
- Endangering the Welfare of a Child
- Extortion
- Falsely Reporting Incidents To Law Enforcement Authorities
- Falsifying Business Records
- Falsifying Evidence
- Filing False Affidavits
- Filing False Business Records

² See: <https://www.timesunion.com/local/article/Secrets-of-NXIVM-2880885.php>

- Filing Falsified Visa Applications
- Forcing Staff to Kick-back a Portion Of Their Wages
- Forgery
- Harboring Unauthorized Aliens
- Identity Theft
- Mail Fraud
- Money Laundering
- Perjury
- Possession of Child Pornography
- Practicing Therapy Without a License
- Rape
- Retaliation Against Whistleblowers
- Sexual Exploitation of a Child
- Statutory Rape
- Structuring Bank Transactions
- Tax Evasion
- Tax Fraud
- Visa Fraud
- Wire Fraud

Hopefully, you will be willing to appoint a Special Counsel to investigate the criminal activities of the NXIVM cult in the NDNY. If not, then it is quite likely that many of the people who have been involved in those criminal activities will never be prosecuted.

Please feel free to contact me if you have any questions about – and/or you need more information concerning – this matter.

Sincerely,

Joseph J. O'Hara

Joseph J. O'Hara
2001 12th Street, NW
Unit #109
Washington, DC 20009-4575
Email: joejohara@gmail.com
Cell: 202.878.0919