



NEW YORK STATE SENATOR

Brad Hoylman-Sigal

Letter to the Attorney Grievance Committee on Rudolph Giuliani

SENATOR BRAD HOYLMAN-SIGAL January 11, 2021

| ISSUE: **INSURRECTION AT CAPITOL, ETHICS**

January 11, 2021

Dear Distinguished Members of the Attorney Grievance Committee:

As the Chair of the New York State Senate Judiciary Committee and an attorney duly admitted in good standing to practice law in the State of New York, I am submitting for your consideration the following complaint about Rudolph William (“Rudy”) Giuliani based on his participation and role in fomenting a violent insurrectionist attack on the United States Capitol on Wednesday, January 6, 2021. I urge the Committee to swiftly launch a thorough investigation into whether Mr. Giuliani should be sanctioned for his conduct, and further urge you to strongly consider his disbarment, the highest sanction your body can recommend.

On January 6, 2021, Mr. Giuliani appeared before the so-called “Save America March” in Washington, D.C., repeating baseless claims about “crooked ballots,” explicitly telling the crowd that the 2020 Presidential Election was “stolen,” that President Trump and Vice President Pence were “cheated,” that “we’re going to fight to the very end to make sure [President-Elect Biden’s victory] doesn’t happen,” and exhorting the crowd to “have trial by

combat.”

Shortly after Mr. Giuliani’s speech, and following several other inflammatory speeches, including by President Donald J. Trump, many of the attendees answered the call to arms and marched toward in the U.S. Capitol. Like most Americans, I watched with horror as an angry mob of insurrectionists attacked the Capitol in an attempt to disrupt a joint session of Congress in which lawmakers were fulfilling their constitutional obligation to count and certify the electoral votes from the 2020 Presidential Election. The mob’s siege of the Capitol resulted in at least five deaths, including the killing of a Capitol Police Officer, along with credible threats of violence levied at elected officials and staff, countless injuries, and widespread property damage.

The attack on our nation’s government at the Capitol on January 6, 2021 was the foreseeable culmination of increasingly outrageous lies and disinformation being peddled by Mr. Giuliani and many of his associates. As President Trump’s personal lawyer, Mr. Giuliani has engaged in spreading what the fact-checking service PolitiFact has characterized as “a litany of falsehoods and conspiracy theories” about the accuracy and security of the 2020 Presidential Election in public appearances and in court proceedings in the months following November 3, 2020. Tragically, it appears to have contributed to bloodshed in furtherance of the overthrow of our federal government.

I again urge this Committee to review Mr. Giuliani’s public record of conduct leading up to and following the January 6, 2021 attack. At a minimum, he appears to be in violation of several provisions of Rule 8.4 of the Rules of Professional Conduct defining misconduct, including “engag[ing] in conduct involving dishonesty, fraud, deceit or misrepresentation;”

“engag[ing] in conduct that is prejudicial to the administration of justice,” and “engag[ing] in...other conduct that adversely reflects on [his] fitness as a lawyer.”

Given the breadth of Mr. Giuliani’s dishonesty and misrepresentation, and the gravity of the consequences it has wrought, the Committee should give serious consideration to the most drastic sanction you are empowered to impose: a recommendation to the Court that Mr. Giuliani be stripped of his license to practice law.

The legal profession is a noble one, and notable for the fact that it is largely self-regulating. The codes of ethics we as attorneys swear to uphold are intended to safeguard both the public and the reputation of the profession itself. A failure to hold a member of our ranks accountable for seditious acts and exhortations of violence is a failure to provide that safeguard.

Thank you for your consideration of my request.

Sincerely,

Brad Hoylman

Chair, New York Senate Judiciary Committee