

EMIL J. BOVE III

Emil Joseph Bove III, currently the principal associate deputy attorney general, has been nominated to a lifetime seat on the U.S. Court of Appeals for the Third Circuit — a move that should alarm anyone who cares about civil rights, democratic accountability, and the rule of law. Bove, who previously served as Donald Trump's personal defense attorney, is being rewarded for his loyalty and his demonstrated willingness to place said loyalty over the Constitution, the law, and our nation's core principles. Bove epitomizes the Trump administration's attempts to seize control of the federal judiciary, stripping its independence and impartiality to advance its authoritarian agenda.

RULE OF LAW

Bove has shown a zealous commitment to advancing Trump's extreme deportation agenda – no matter the cost. A former Department of Justice attorney revealed that Bove planned to “resist court orders” that would block their “illegal efforts” to deport individuals. These efforts reportedly relied on ensuring there was a “deliberate delay” and using “disinformation.” Bove's actions underscore his willingness to subvert the rule of law in pursuit of a cruel and unlawful agenda.

Trump himself has shown open disdain for following lower court rulings, frequently flouting decisions that limit his authority or actions. Placing someone like Bove — who shares this disregard — on an appellate court would be particularly dangerous, as it would empower a like-minded jurist to undermine lower court decisions from the bench. The result would be a judiciary in which lower courts in that region are consistently overruled or invalidated by someone who never respected their authority to begin with.

JUDICIAL TEMPERAMENT

While Bove was a federal prosecutor in Manhattan, the U.S. Attorney's Office conducted an “internal inquiry” into his leadership of the terrorism and international narcotics unit after complaints were made about his “abusive” management style and temper. The investigation led to a recommendation that he be demoted from his position. Bove was also the subject of a letter to the Office's leadership by a group of both defense attorneys and prosecutors who had worked with him saying Bove had used questionable tactics while litigating cases. Such behavior is not befitting of a federal judge.

PROTECTING THE ENVIRONMENT

Bove's efforts to roll back civil and individual rights go hand in hand with his attacks on environmental protections. Rather than upholding the government's responsibility to safeguard our land, water, and air, Bove has sought to dismantle those protections entirely. One of his first actions as acting deputy attorney general was to focus on “targeting and firing all federal contractors and eliminating funding for ‘environmental justice’ programs and policies.” This sweeping mandate makes clear that Bove's priorities include furthering a harmful political agenda at the expense of our communities and our environment.

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CIVIL RIGHTS, RACIAL JUSTICE, AND IMMIGRATION

Emil Bove has fueled baseless fears of an immigrant “invasion” to justify his support for Donald Trump’s authoritarian immigration agenda, an agenda aimed at stripping individuals of due process and undermining long-standing immigration protections. In internal memos, Bove has advocated for policies that encourage racial profiling — particularly of Black and brown communities — fostering fear and suspicion around the citizenship status and rights of entire groups of people.

Beyond targeting immigrant communities, Bove has threatened state and local officials who resist the federal government’s overreach, pressuring them to fall in line with executive abuses or risk losing “access to federal funds” and more. These actions show a disregard for the principles of federalism and local autonomy, all in service of expanding unchecked executive power.

Bove’s pattern of discrimination and hostility toward Black and brown communities extends beyond immigrant populations. In internal memos, Bove has called for the elimination of programs and policies related to “diversity, equity, inclusion, and accessibility,” claiming they “undermine our national unity.” This rhetoric rests on a dangerous and exclusionary premise: that ensuring all people — regardless of race, background, or identity — can access and benefit from their government somehow threatens our country.

DEMOCRACY AND VOTING RIGHTS

Emil Bove’s nomination comes as no surprise for those who recognize Trump’s insistence on stacking the court with loyalists. Bove represented Donald Trump in multiple major federal criminal cases brought against him.

In the classified documents case (*United States v. Trump*), Bove defended Trump after he repeatedly refused to comply with requests from the National Archives and the Federal Bureau of Investigation (FBI) to return presidential records he had improperly taken to Mar-a-Lago. And true to form as Trump’s personal lawyer, Bove — upon stepping into a senior role at the Department of Justice — quickly moved to weaponize the agency to investigate and target the law enforcement officials involved in what he called “the unprecedented raid on President Trump’s home.” It was “unprecedented,” of course, because no former president had ever hoarded classified documents, refused to return them, and brazenly disregarded national security protocols.

Bove also represented Trump in the election obstruction case, in which Trump was charged for his role in the deadly January 6, 2021 attack on the Capitol. In defending Trump, Bove pushed for sweeping interpretations of presidential power — ones that conveniently sidestep accountability.

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As principal deputy attorney general, Bove wasted no time weaponizing the Department of Justice yet again. He launched an investigation into Special Counsel Jack Smith and his team, accusing those who investigated the Capitol insurrectionists of using “improper investigative tactics and unethical prosecutions” that allegedly “diverted resources from combating violent and serious crime.” Apparently, a violent insurrection that left officers dead, threatened the lives of sitting lawmakers, and attempted to prevent the peaceful transfer of power doesn’t meet Bove’s definition of “serious.”

On January 31, 2025, Bove sent a memo to the acting FBI director instructing them to “effectuate the termination” of FBI employees involved in investigating and prosecuting January 6 insurrectionists. According to Bove and Trump, those agents had committed a “grave national injustice” in the course of their work. Their so-called injustice was nothing more than the lawful investigation and prosecution of those who attacked our democracy and attempted a coup d’état.

CRIMINAL JUSTICE

Bove’s vision for criminal justice reform appears to begin and end with shielding Donald Trump from accountability. In *People v. Trump*, Bove defended the former president against criminal charges — and eventual conviction — on 34 counts of falsifying business records.

That said, Bove’s record even goes beyond defending Trump. He has consistently worked to protect powerful figures facing serious allegations. In a striking move, Bove sent a memo to the U.S. Attorney’s Office for the Southern District of New York and to the Deputy Attorney General, directing them to dismiss the prosecution of New York City Mayor Eric Adams. Adams had been charged with abusing his elected positions to solicit bribes and illegal campaign contributions. This led to several experienced prosecutors refusing to fulfill the order and quitting in protest, leaving Bove to ensure the charges were dropped himself. It was a blatant quid pro quo arrangement between Adams and the administration. Mayor Adams’s charges would be dropped, and Trump would receive his compliance with the administration’s aggressive and punitive immigration enforcement tactics.

While Bove is quick to defend political allies accused of corruption, his approach to everyone else is marked by extreme punitiveness. He criticized President Biden’s efforts to commute the sentences of people formerly on federal death row and took aggressive steps to reverse that progress. Bove not only “directed...local prosecutors” to pursue capital punishment under state law for the 37 individuals whose sentences had been commuted, but he also issued a memo reviving the federal death penalty.

Bove’s approach reveals a deeply troubling double standard: leniency for the powerful and those he sides with and the harshest possible punishment for the most vulnerable — up to and including a federal government once again in the business of executions.