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#### **Related Practice Areas**

- Antisemitism and Anti-Terrorism
- Appellate
- Commercial Litigation
- Constitutional Law
- Government and Congressional Investigations
- Political Law
- State Attorneys General

## **Jonathan L. Fahey**

### **Partner**

Jonathan Fahey is partner with Holtzman Vogel and focuses his practice on investigations and white-collar criminal defense, representing individuals and corporations in high-stakes litigation in federal and state court.

A former federal and state prosecutor and seasoned trial lawyer, having tried dozens of criminal and civil cases to a jury in federal and state court, Jonathan has also successfully litigated significant constitutional issues. He also utilizes his years of leading grand jury investigations to assist clients with government and corporate investigations.

Jonathan began his career as a judicial law clerk for the Arlington County Circuit Court. He then worked as an Assistant Commonwealth's Attorney in Fairfax County before transitioning to the United States Attorney's Office in the Eastern District of Virginia, where he served as an Assistant United States Attorney and Special Assistant United States Attorney.

While with the United States Attorney's Office, Jonathan led grand jury investigations in cases involving RICO, drug trafficking, human trafficking, public corruption, and white-collar offenses. For his work, he received multiple awards, including the Attorney General's John Marshall Award, for the prosecution of a serial killer and sexual predator. He held several leadership positions within the office, including serving as the chief of the Special Assistant United States Attorney Section, where he trained and supervised attorneys in the prosecution of felony and misdemeanor cases. He also regularly conducted training for law enforcement agencies on legal and ethical issues.

In addition to his work as a criminal prosecutor, Jonathan has significant leadership experience within the executive branch. He served as the general counsel with the White House Office of National Drug Control Policy. He also served as Deputy Assistant Secretary at the Department of Homeland Security, Acting Principal Legal Advisor and then Acting Director for Immigration and Customs Enforcement.

Jonathan appears frequently on Fox News and Fox Business providing legal analysis as well as commentary on current events and political issues.

#### **Education**

- University of San Diego School of Law, J.D.
- James Madison University, B.S.

#### **Bar & Court Admissions**

- Virginia State Bar
- District of Columbia Bar
- United States Court of Appeals for the Fourth Circuit
- United States District Court for the Eastern District of Virginia
- United States District Court for the Western District of Virginia

- United States District Court for the District of Columbia
- United States Court of Appeals for the District of Columbia

### **Clerkship/Government Experience**

- Assistant United States Attorney, Eastern District of Virginia
- Assistant Commonwealth's Attorney, Fairfax County, Virginia
- Judicial Law Clerk, Arlington County Circuit Court
- Acting Director, U.S. Immigration and Customs Enforcement (I.C.E)
- Acting Principal Legal Advisor, U.S. Immigration and Customs Enforcement (I.C.E.)
- Deputy Assistant Secretary, U.S. Department of Homeland Security
- Senior Advisor, U.S. Department of Homeland Security
- General Counsel, White House Office of National Drug Control Policy

### **Representative Matters**

- Obtained a dismissal in district court for the Eastern District of Virginia and again in the Fourth Circuit Court of Appeals on a complex Constitutional issue in a criminal case that earned local and national media attention.
- Achieved a dismissal in federal court in the Eastern District of Virginia at the 12(b)(6) stage in a multi defendant civil rights case where similarly situated defendants decided not to file a similar motion after deeming it unlikely to succeed.
- Achieved a declination from the Department of Justice for a client involved in a high-profile matter.
- Achieved a probationary sentence in a fraud case in the Eastern District of Virginia.
- Obtained a Simple Pardon from Governor Glenn Youngkin for a convicted felon who turned his life around.
- Represented a large corporation in a data breach class action in the Eastern District of Virginia.

### **News & Insights**

- Minnesota prosecutors face uphill battle if they charge feds in fatal shootings
- Newsom's California police cannot arrest masked ICE officers: Former cops
- Immigration Crackdown Protects Americans from Murderers and Rapists
- Litigation Update: President Trump's Anti-DEI Executive Orders and the Lawsuits Challenging Them
- Trump hammers illegal immigrants with full weight of law, criminal prosecutions up 45-fold
- Holtzman Vogel Launches State Attorneys General Practice Group, Tapping Deep Bench of Veterans as Go-To Firm for High-Stakes Matters
- IHC Update: Protecting Your Company from the Inside – Analyzing New Administration Policies, Opposing State AG Policies, and Internal Pressures
- In-Compliance: Holtzman Vogel's March 2025 Round-Up
- The Many Challenges of DEI Law and Policy for Corporate Counsel
- In-Compliance: Holtzman Vogel's February 2025 Round-Up

- Foreign Corrupt Practices Act gets much-needed pause
- President Trump Pardons Holtzman Vogel Client Andrew Zabavsky
- Park Police officers who fatally shot Bijan Ghaisar return to duty
- Jonathan Fahey Quoted in Washington Post Article on Park Police Reinstatement
- Jonathan Fahey Quoted in The Hill on Trump Lawfare
- Jonathan Fahey Quoted in Washington Examiner on Trump Lawfare
- Jonathan Fahey Quoted by The Hill Re Biden's Death Row Commutations
- Op-Ed: Remain in Martha's Vineyard? All Options Should Be on the Table
- Washington Post Covers Justification of Officers in Shooting of Bijan Ghaisar
- Inspector general finds US Park Police officers justified in 2017 shooting of unarmed driver Bijan Ghaisar
- In Compliance - Holtzman Vogel's September 2024 Round-Up
- Jonathan Fahey and Jonathan Lienhard Present to William & Mary Election Law Society
- Hunter Biden Pled Guilty So His Corrupt Dad Can Pardon Him After the Election
- A Trump Presidency Could Make U.S. the 'Crypto Capital of the Planet'
- Jonathan Fahey Speaks About the Border Crisis with Fox and Friends
- New DOJ Pilot Program Creates New Legal Risks for Startups
- Jonathan Fahey Quoted in Fox News Article on Hunter Biden's Trial Verdict
- Here's Everything You Need to Know About Hunter Biden's Criminal Gun Trial
- Jonathan Fahey Appears on Sunday Night in America to Discuss Border Crisis
- Jonathan Fahey Quoted in Washington Examiner Article on Current Migrant Crisis
- Lawsuit Filed on Behalf of American and Israeli Victims of Hamas Oct. 7 Terrorist Attack Against AJP Educational Foundation, Inc. a/k/a American Muslims for Palestine and National Students for Justice in Palestine
- Former Assistant U.S. Attorney for Eastern District of Virginia Jonathan Fahey Joins Holtzman Vogel

### **Awards & Recognition**

- D.E.A. Administrator's Award
- The Attorney General's John Marshall Award for Trial of Litigation
- F.B.I. Public Service Award
- Fairfax County Police Public Service Award
- The Liam O'Grady Award (United States Attorney's Office, Eastern District of Virginia)

### **Community Involvement**

- Adjunct Professor, American University, Washington College of Law (2009)
- Adjunct Professor, George Washington University Department of Forensic Science (2010-2014, 2018)

### **Publications**

- Immigration Crackdown Protects Americans from Murderers and Rapists
- In-Compliance: Holtzman Vogel's March 2025 Round-Up
- The Many Challenges of DEI Law and Policy for Corporate Counsel
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