

Department of Justice drops Barry Bonds prosecution

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SAN FRANCISCO -- After a nearly decadelong steroids prosecution, [Barry Bonds](#) emerged victorious Tuesday when federal prosecutors dropped what was left of their criminal case against the career home runs leader.

The government's pursuit of Bonds ended quietly with a one-paragraph motion by the U.S. Department of Justice announcing Solicitor General Donald B. Verrilli Jr. will not ask the U.S. Supreme Court to review the appellate decision that overturned Bonds' obstruction of justice conviction.



A jury found the former [San Francisco Giants](#) star guilty in 2011 for giving a meandering answer to a federal grand jury in 2003 when asked whether his personal trainer gave him anything that required a syringe for self-injection. An 11-judge panel of the 9th U.S. Circuit Court of Appeals overturned that conviction in April, and the government had until Wednesday to file for a Supreme Court review.

The jury deadlocked on three counts accusing Bonds of making false statements when he denied receiving steroids or human growth hormone or any substance that required a syringe for self-injection from the trainer, Greg Anderson. The government dismissed those counts in August 2011, and the 9th Circuit barred a retrial on the obstruction charge, citing double jeopardy.

https://www.espn.com/mlb/story/_/id/13295151/barry-bonds-criminal-prosecution-formally-dropped-department-justice-conviction

The U.S. Department of Justice announced in a one-paragraph statement that it would not ask the Supreme Court to consider the reversal of Barry Bonds' felony conviction. David Paul Morris/Getty Images

"The finality of today's decision gives me great peace," Bonds, who turns 51 on Friday, said in a statement. "As I have said before, this outcome is something I have long wished for. I am relieved, humbled and thankful for what this means for me and my family moving forward."

Major League Baseball had no immediate comment. The U.S. Attorney's office in San Francisco didn't immediately respond to a phone call seeking comment.

Bonds' legal victory is unlikely to win over critics who concluded he cheated by using performance-enhancing drugs, or help him with Hall of Fame voters.

In his third year on the Hall ballot in 2015, Bonds received 202 votes for 36.8 percent from the Baseball Writers' Association of America. A player must garner at least 75 percent of the vote to be elected.

But it brings to a close one of the most high-profile prosecutions to emerge from an investigation of the Bay Area Laboratory Co-Operative that began in 2002 and saw the convictions of Olympic track gold medalist Marion Jones, elite sprint cyclist Tammy Thomas and former NFL defensive lineman Dana Stubblefield along with coaches, distributors, a trainer, a chemist and a lawyer.

"It seems that the government has finally come to their senses," BALCO founder Victor Conte, who was sentenced to four months in prison and four months of home confinement, said in a statement. "In my opinion they should have never brought charges against Barry Bonds and wasted tens of millions of taxpayer dollars. ... The Bonds case was simply a trophy-hunting expedition by these federal agents and prosecutors and I believe they need to be held accountable for this waste of federal funds."

The BALCO investigation also helped lead to the report by former Senate Majority Leader George Mitchell, which called out many of baseball's top players, including [Roger Clemens](#), for alleged steroids use. Clemens was acquitted in 2012 on all charges that he obstructed and lied to Congress in denying he used performance-enhancing drugs.

Bonds was charged four years after he testified before a grand jury after receiving a grant of immunity. Bonds didn't dispute that he took steroids, but testified to the grand jury that Anderson told him they were flaxseed oil and arthritic balm.

After a three-week trial, Bonds was convicted for his response to the question: "Did Greg ever give you anything that required a syringe to inject yourself with?"

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"That's what keeps our friendship," Bonds replied. "I was a celebrity child, not just in baseball by my own instincts. I became a celebrity child with a famous father. I just don't get into other people's business because of my father's situation, you see."

A three-judge panel of the 9th Circuit unanimously upheld the conviction in 2013 but the larger group of judges ruled in April that there was insufficient evidence Bonds' answer was material to the federal investigation into sports doping.

After the 2011 conviction, U.S. District Judge Susan Illston sentenced Bonds to 30 days of home confinement, two years of probation, 250 hours of community service in youth-related activities and a \$4,000 fine. Bonds served the home confinement before his conviction was overturned.

Bonds ended his career after the 2007 season with 762 homers, surpassing the record of 755 that Hank Aaron set from 1954 to '76. He has been more active with the Giants recently, serving as a hitting instructor at spring training, and Bonds still has the backing of Giants who played alongside him, such as two-time NL Cy Young Award winner [Tim Lincecum](#).

"Thank you to all of you who have expressed your heartfelt wishes to me; for that, I am grateful," Bonds said.