



Congress of the United States
House of Representatives
Washington, DC 20515-1403

June 14, 2022

The Honorable Merrick Garland
U.S. Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 205350

Attorney General Garland:

On June 18, 2020, the Justice Department announced they had arrested a Queens man named Victor A. Sanchez-Santa for the alleged arson of a New York Police Department (NYPD) vehicle.

According to an affidavit from a NYPD Officer, surveillance footage from 1:20 AM on June 9, 2020, in Manhattan shows Mr. Sanchez Santa exiting a Honda Civic sedan with gold wheel rims, lighting a cloth glove on fire, and placing it under a police car. The Honda Civic is registered in Mr. Sanchez-Santa's name and the defendant confirmed to the investigating officer that he was driving the Honda in Manhattan around midnight that night.

Mr. Sanchez-Santa was indicted by a Grand Jury in the Southern District of New York for arson on September 14, 2020. Arson is punishable by up to 20 years in jail and carries a federal mandatory minimum of five years imprisonment.

Shockingly, in November 2021 the Justice Department tossed out the case. The Justice Departments "nolle prosequi" claims that: "Based on a review of the evidence in the case and information pertaining to this defendant acquired subsequent to the filing of the Indictment, the Government has concluded that further prosecution of VICTOR SANCHEZ-SANTA would not be in the interests of justice."

As of February 1, 2022, Mr. Sanchez-Santa, who was arrested for trying to set a police car on fire, is a free man who sole punishment is nine months of probation and mandatory anger management classes.

The Justice Department's decision to drop charges against Mr. Sanchez fits its pattern lenient treatment of left-wing rioters. Two Manhattan attorneys were also arrested by the Justice Department for allegedly throwing Molotov cocktails at an NYPD car in May 2020. They initially pled guilty to possessing and making an explosive device, which is punishable by up to 10 years in prison. But recently, the Justice Department dropped their earlier agreement and entered a new, much more lenient plea deal with the defendants. They likely will spend two years or less in prison.

In the summer of 2020, massive left-wing riots broke out in almost all major American cities, costing an estimated \$1-2 billion in property damages in just two weeks, resulting in at least a dozen deaths, and

injuring about 2,000 police officers. According to reporting from Politico, after you assumed office, the Justice Department showed a “newfound willingness to resolve the Portland protest cases without criminal convictions,” and according to the Wall Street Journal, the Justice Department has declined to prosecute about half of all the rioters arrested on federal charges in Portland.

In sharp contrast, the Justice Department has vigorously prosecuted defendants accused of participating in the January 6 riot at the Capitol. To date, the Justice Department has filed charges against at least 862 Americans and dropped just a handful of those charges. Multiple defendants are being charged with “trespassing on restricted grounds” but are not accused of entering the Capitol or committing violence.

Under your leadership, the Department of Justice is operating under a two-tiered system of justice. Violent rioters who are likely to vote Democrats are often released with a slap on the wrist, or less, while January 6th defendants are prosecuted to the harshest extent possible. The unequal application of justice is an injustice, and your politicization of federal law-enforcement is an attack on the basic American principle of equal justice before the law.

No later than June 24, 2022, please send Lindsay.Ratliff@mail.house.gov in my office, “all evidence in the case and information pertaining to this defendant acquired subsequent to the filing of the Indictment” that informed the Justice Department’s decision not to prosecute Mr. Sanchez-Santa for setting a police car on fire.

Sincerely,

A handwritten signature in black ink that reads "Jim Banks". The signature is written in a cursive, slightly slanted style.

JIM BANKS
Member of Congress

Cc:

Damian Williams, United States Attorney, Southern District of New York