

Amicus Brief

UNITED STATES V. GEORGE ANTHONY DEVOLDER SANTOS

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CASE OVERVIEW

United States v. George Anthony Devolder Santos

2022R01030 (Cr. No. not fully specified) | United States District Court, Eastern District of New York | May 2023 Source: santos.pdf

THE LEDE

The Lede

Federal prosecutors have indicted Rep. George Santos on 13 counts, accusing him of orchestrating fundraising fraud, stealing COVID unemployment aid, and lying on official House disclosures, in a sweeping case that alleges elaborate deception before and during his 2022 congressional campaign.

QUICK STATS

Total charges

13

Maximum single charge penalty

20 years (wire fraud counts)

Alleged personal gain (unemployment benefits)

\$24,744

THE PLAYERS

George Anthony Devolder Santos (DEFENDANT)

U.S. House member representing New York's 3rd Congressional District; accused of fraud, theft, and false statements tied to his campaign and personal finances.

Person #1 (POLITICAL CONSULTANT, UNCHARGED CO-CONSPIRATOR)

Operated as a consultant in Queens and surrounding areas; solicited campaign donations at the direction of Santos.

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Company #1 (ALLEGED FRAUDULENT ENTITY)

Florida-based LLC used to collect political contributions under false pretenses.

Devolder Organization LLC (SANTOS'S COMPANY)

Florida LLC solely owned by Santos; cited in financial disclosure misstatements.

Investment Firm #1 (SANTOS'S PRIOR EMPLOYER)

Nevada-based company where Santos worked as regional director and drew substantial salary while claiming to be unemployed.

Contributor #1 (VICTIM)

Individual who wired \$25,000 under false pretenses.

Contributor #2 (VICTIM)

Individual who wired \$25,000 under false pretenses.

KEY DATES

March 22, 2020

Santos claims to be unemployed for COVID aid

June 17, 2020

Applies for unemployment benefits

May 11, 2020

Files 2020 House Disclosure (alleged false statements)

September 6, 2022

Files 2022 House Disclosure (alleged false statements)

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September–October 2022

Executes campaign donor fraud scheme

October 21 & 26, 2022

Key fraudulent donor wires and funds transfers

January 7, 2023

Santos sworn in to Congress

THE CHARGES

The Charges

Count: 1-5 | Charge: Fraudulently soliciting campaign donations via wire fraud | Statute: 18 U.S.C. § 1343, 2, 3551 et seq. | Max Penalty: 20 years per count Count: 6-8 | Charge: Unlawful monetary transactions with criminally derived property over \$10,000 | Statute: 18 U.S.C. § 1957(a), 1957(b), 2, 3551 et seq. | Max Penalty: 10 years per count Count: 9 | Charge: Theft of public money (COVID unemployment benefits) | Statute: 18 U.S.C. § 641 and 3551 et seq. | Max Penalty: 10 years Count: 10-11 | Charge: Wire fraud for fraudulent application and receipt of unemployment benefits | Statute: 18 U.S.C. § 1343, 2, 3551 et seq. | Max Penalty: 20 years per count Count: 12 | Charge: False statements in 2020 House Disclosure reports | Statute: 18 U.S.C. § 1001(a)(2), (c)(1), 3551 et seq. | Max Penalty: 5 years Count: 13 | Charge: False statements in 2022 House Disclosure report | Statute: 18 U.S.C. § 1001(a)(2), (c)(1), 3551 et seq. | Max Penalty: 5 years

THE NARRATIVE

The Narrative

Federal prosecutors allege Santos orchestrated multiple fraud schemes. In 2022, he solicited donor funds under the guise of a non-profit or Super PAC, promising donors their contributions would fund independent ad buys supporting his run for Congress, but diverted the money to his personal bank accounts to pay for luxury goods and debts (p.3-7). In 2020-21, Santos falsely claimed joblessness to collect nearly \$25,000 in COVID-related unemployment aid while drawing a \$120,000 salary from an employer (p.8-9). He also allegedly lied on House disclosure forms in the 2020 and 2022 election cycles, grossly inflating personal income and assets and failing to report job earnings and unemployment benefits—all to create a false appearance of financial credibility (p.10-11, p.15-17).

WHAT THEY FACE

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What They Face

Santos faces up to 20 years for each wire fraud count, 10 years for each money laundering and theft of public funds count, and 5 years for each false statement count. Conviction could also mean the forfeiture of any assets traced to the fraud.

THE MECHANISM

The Mechanism

Santos is alleged to have created a fake political entity, solicited large donations exceeding legal limits, and lied about its nonprofit/PAC status to donors. After donors wired him \$50,000+, he instantly moved these funds into his personal accounts and spent them on personal expenses. Separately, while employed and earning a \$120K salary, Santos falsely claimed he was unemployed to draw \$24,744 in COVID unemployment aid. In parallel, he allegedly lied on House-required disclosures in two election cycles to hide illegal income and inflate wealth.

UNANSWERED QUESTIONS

Unanswered Questions

- What happened to Person #1—why aren't they charged or named? - How were the victims identified, and have they been contacted by authorities? - Were other individuals involved in the creation or operation of Company #1? - Did any campaign staffers or advisors flag the irregularities? - No detailed asset tracing/documentated personal transactions are provided beyond general references. - Extent of donor pool affected is unclear—are there additional victims?

SMOKING GUNS

Most Interesting – George Santos

"Text to Person #1: Company #1 was 'a small C4 that existed just to help this race' and 'there were no limits with respect to contributions."

p.5 | Demonstrates Santos's role in knowingly misrepresenting Company #1's legal status.

Most Poetic – Unattributed in document

"Repeated false assurances to donors that Company #1 was a registered non-profit able to legally accept unlimited funds for independent political activity."

p.3-6 | Goes directly to the heart of the wire fraud charge for inducing donations under false pretenses.

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Most Sweeping – Unattributed in document

"Santos transferred nearly all donor funds from Company #1 directly to his personal accounts, then used the money for luxury clothing, credit card bills, car payments, debts, and personal associates, not campaign spending."

p.7 | Shows personal enrichment and direct financial gain from the fraudulent scheme.

Most Iconic – Unattributed in document

"Santos certified on unemployment applications he was jobless, while actually earning \$120K a year from Investment Firm #1."

p.8-9 | Direct contradiction proves knowing falsehood in obtaining federal aid.

AMBIGUITIES / UNCERTAINTY

Open Question 1

Names of several individuals and entities, including Person #1, Company #1, Investment Firm #1, Contributor #1 and #2, and Company #2, are withheld but known to the grand jury.

Open Question 2

The indictment refers often to actions 'at the direction of' Santos by Person #1, but does not indicate whether Person #1 has been charged.

Open Question 3

No other defendants are named or charged despite clear involvement by at least one other person.