

George Santos' Bond Backed By Dad, Aunt, Court Docs Show

By **Stewart Bishop**

Law360 (June 22, 2023, 9:46 PM EDT) -- Embattled New York Congressman George Santos was backed by his father and aunt in remaining free on bail while he faces a slew of fraud and other charges, according to court documents released Thursday following an unsuccessful bid by the Long Island Republican to keep their identities secret.

U.S. District Judge Joanna Seybert of the Eastern District of New York affirmed U.S. Magistrate Judge Anne Shields' ruling that allowed the identities of the suretors who signed Santos' \$500,000 bond to be revealed, following his arrest last month in Central Islip, New York.

The bond documents that were partially unredacted on Thursday contained barely legible handwritten signatures, but a source familiar with the matter confirmed that it was Santos' father Gercino dos Santos and his aunt Elma Preven who agreed to be held responsible for Santos' compliance with orders from the court.

Santos' falsification of many aspects of his life story and educational background has become near legendary, but what had been primarily a political matter changed on May 10 when he was charged in a 13-count indictment accusing him of defrauding campaign donors, obtaining fraudulent unemployment benefits, and lying on House of Representatives financial disclosures.

Days after he was released on bond, the court docket shows a bond-signing proceeding was held, but the suretors' names were not listed, prompting news organizations, including ABC News, the Associated Press, Bloomberg, CNN, the New York Times and others to file motions seeking to make their identities public.

Speculation abounded that the suretors could be lobbyists, donors or others seeking to influence Santos, who sought to keep their identities secret. He argued that making their names public would subject them to the same "media frenzy" and "hateful attacks" that he and his staff have endured.

However, Judge Shields on June 6 sided with the news organizations, saying the suretors' privacy rights were outweighed by the public's right to inspect and copy judicial records and documents. The judge stayed her order, however, to allow Santos to appeal her ruling to the district court.

Judge Seybert agreed with her colleague's legal analysis, saying that Santos' claim that identifying the suretors would subject them to harassment is speculative.

The judge also noted that family members serving as suretors for a defendant is a common occurrence, and the disclosure of their names likely would likely "render any potential 'story' a 'non-story.'"

"Indeed, it appears defendant's continued attempts to shield the identity of his suretors, notwithstanding the fact that he is aware their identities are not controversial, has simply created hysteria over what is, in actuality, a nonissue," Judge Seybert said in her ruling.

Former Eastern District federal prosecutor Nathan Reilly, now of counsel at Morrison & Foerster LLP, told Law360 that initially keeping the names of suretors secret, even for a famous defendant, is rare.

However, he said it's not surprising that the judges probably wanted to take any concerns about safety or harassment seriously, though it's still a pretty high bar to keep the suretors' identities secret, given the strong presumption of the public's right of access in U.S. courts.

"These are not witnesses, where you're worried about somebody being tampered with or somebody's being obstructed," Reilly said. "These are just folks who put their name on a bond, so it's not a big surprise that they ultimately weren't sealed."

Santos said on Twitter Thursday that he and his family members have made peace with the court's decision to release their names.

"Now I pray that the judge is correct and no harm comes to them. I look forward to continuing this process & I ask for the media to not disturb or harass my dad & aunt for the [sake] of cheap reporting," he said.

The freshman congressman is charged with seven counts of wire fraud, three counts of unlawful monetary transactions, one count of theft of public money, and two counts of making false statements.

Prosecutors say Santos defrauded his political supporters by telling them to contribute to what he claimed was a tax-exempt political fundraising group, including for television ads in September and October 2022. He then spent "most of the funds" on himself, buying "luxury designer clothing and credit card payments," according to the indictment.

Santos is also accused of fraudulently obtaining nearly \$25,000 in unemployment benefits even as he pocketed an annual salary of \$120,000 as a regional director at an unnamed investment firm.

His 2020 and 2022 congressional financial disclosure reports were also fraudulent, according to the government, as Santos both inflated his income and failed to report other sources of funds.

Santos is due back in court on June 30.

The government is represented by Jacob Steiner and Jolee Porter of the U.S. Department of Justice's Criminal Division, and Ryan C. Harris, Anthony Bagnuola and Laura Amber Zuckerwise of the U.S. Attorney's Office for the Eastern District of New York.

Santos is represented by Joseph W. Murray.

The case is U.S. v. Santos, case number 2:23-cr-00197, in the U.S. District Court for the Eastern District of New York.

--Additional reporting by Elliot Weld, Rachel Scharf and Frank G. Runyeon. Editing by Adam LoBelia.

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