

Frederick Bates

February 6, 2025

Office of Congressional Ethics
U.S. House of Representatives
P.O. Box 895
Washington, DC 20515-0895

Re: Ethics Violations by Congressman Sam Liccardo

Dear Members of the Office of Congressional Ethics:

I respectfully request that the Office of Congressional Ethics open an investigation into criminal misconduct by Congressman Sam Liccardo that occurred during the litigation of a federal lawsuit I filed against the City of San Jose in 2006. I sued the City and three police officials for the racist and malicious decision to deny me a CCW permit after I retired from the City's police department on a medical disability as a sergeant. I'm black/African American.

During the initial stages of litigation in my lawsuit, Congressman Liccardo was a member of the San Jose City Council. He and other councilmembers conspired with the City Attorney's Office to perpetrate fraud on the US. District Court in San Jose in a scheme to obstruct justice. The fraud was in the form of a motion for summary judgment filed in 2007 based on several false claims. It was also based on a fraudulent stipulation between the City and my attorney to dismiss a defendant from my lawsuit without my consent or a settlement agreement. The facts are clear that the defendant, Tuck Younis, violated my constitutional rights. It is reasonable to conclude that my attorney was paid off by the City to participate in the City's scheme to perpetrate fraud on the court with the fraudulent stipulation of dismissal, and because he failed to counter the City's false claims in the hearing on the City's motion for summary judgment, and in the hearing on my appeal of the district court's judgment granting the City's motion. The evidence is clear that Liccardo and San Jose city officials had secured Younis' participation in the City's scheme to obstruct justice with a promotion from Captain to Assistant Chief of Police. Younis was directed to give perjured testimony in a deposition and in a declaration in support of the City's motion for summary judgment. The district court granted the City its summary judgment motion based on the City's fraud and the court's violation of the full faith and credit act. The crimes committed by Congressman Liccardo in collaboration with other City officials are conspiracy to obstruct justice, obstruction of justice, bribery, and subornation of perjury.

I am aware that the OCE does not have jurisdiction to investigate violations that occurred before March 11, 2008; and that the above criminal misconduct of Congressman Liccardo as alleged above occurred before March 11, 2008, and therefore would not normally be within the

jurisdiction of OCE to investigate. However, the violations before March 11, 2008 were part of an ongoing conspiracy to obstruct justice that continued after March 11, 2008. In 2009, Liccardo and City officials conspired to perpetrate fraud on the Ninth Circuit Court of Appeals during my appeal of the judgment of the district court on the City's summary judgment motion dismissing my lawsuit. The judgment of the district court, though clearly erroneous, was affirmed by the Ninth Circuit. The criminal acts committed by Congressman Liccardo are conspiracy to obstruct justice and obstruction of justice.

The conspiracy of Congressman Liccardo and San Jose city officials continued in 2013 during my attempts to obtain relief from the clearly erroneous judgment in my lawsuit. At that time, Congressman Liccardo was mayor of the City of San Jose. Because of his leadership position, he was at the forefront of the City's ongoing conspiracy to obstruct justice. He and City officials directed the City Attorney's Office to participate in a scheme by the U.S. District Court in San Jose to perpetrate fraud during the litigation of a Rule 60 motion for relief I filed in 2013. My motion was disposed of by the court in a dubious hearing during which I was not present because I was told by a court official that there would be no hearing. The crimes committed by Congressman Liccardo relative to my Rule 60 motion are conspiracy to obstruct justice and obstruction of justice. It is quite possible that there was a quid pro quo relationship between the City of San Jose and the U.S. District Court. This implicates the crime of bribery. Congressman Liccardo, as mayor of the City of San Jose, failed to respond to numerous requests I made directly to him seeking an investigation into the criminal misconduct of the City Office Attorney's and police officials during litigation in my lawsuit.

Congressman Liccardo is unfit to serve in Congress because of his ethical lapses that demonstrate a lack of regard for the rule of law and the judicial system. His criminal acts, many of which are felonies, are clearly within the jurisdiction of OCE to investigate. Congressman Liccardo's presence in Congress is a threat to democracy and he should be expelled.

My allegations against Congressman Liccardo are corroborated in a report that I am submitting to Congress, the Supreme Court, and the Department of Justice. A copy of the report on a flash drive is included with this letter. Additional supporting documents are also included on the flash drive. I can be contacted by phone at (408) 510-9174 or email at mr010364evr@aol.com if you require additional details. I respectfully request that OCE contact me and advise me of what action(s) the Committee will be taking on my complaint. OCE should take special note of my manifesto that accompanies my report.

Respectfully,



Frederick Bates