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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, *Chief Counsel and Staff Director*
KRISTINE J. LUCIUS, *Democratic Chief Counsel and Staff Director*

August 11, 2015

The Honorable Jeh Johnson
Secretary
Department of Homeland Security
Washington, DC 20528

Dear Secretary Johnson:

On July 24 of this year, Marilyn Pharis was brutally sexually assaulted and murdered in her home in Santa Maria, California. According to press accounts, Victor Aureliano Martinez Ramirez and Jose Fernando Villagomez have been charged with rape, torture, and murder in Ms. Pharis' death. The same press reports claim that Martinez was in the country illegally.

Speaking before reporters, Santa Maria Police Chief Ralph Martin stated that Martinez was arrested for possession of meth on July 17, just two weeks before Ms. Pharis' death. Though Martinez was eventually convicted on a weapons charge arising from the arrest and was to serve a 30-day jail sentence to start in October, he was released on July 20, just 5 days before the attack on Ms. Pharis. U.S. Immigration and Customs Enforcement (ICE) apparently did not file a detainer on Martinez following the arrest or conviction because there were no deportations or felony convictions in his case history.

It appears that Martinez has been arrested several times since 2009, but through a combination of sanctuary city policies that the Santa Maria Police Department was required to follow and official disinterest in the cases on the part of ICE, Martinez was eventually released to allegedly murder Ms. Pharis. In 2009, Martinez was arrested for driving without a license, but ICE elected not to file a detainer on him. In May 2014, Martinez was arrested on felony drug and sexual assault (later modified to misdemeanor battery) charges. That time, ICE did file a detainer on Martinez, but the Santa Maria sheriff's office declined to honor it.

Clearly, there has been a total breakdown in cooperation between local and federal law enforcement that allowed this alleged killer to be released and, despite his lengthy and violent criminal record, never deported. Police Chief Martin said, "I am not remiss to say that from Washington, D.C., to Sacramento, there's a blood trail into the bedroom of Marilyn Pharis." Clearly, sanctuary city policies are wreaking havoc on citizens, and especially on women.

In order to better understand the lapses in which Victor Aureliano Martinez Ramirez was afforded sanctuary or relief from removal, I am seeking answers about his entry to and residency in the United States. Please provide the Committee, no later than August 15th, with the immigration history, immigration status, and criminal history for Victor Aureliano Martinez Ramirez and Jose Fernando Villagomez, if available.

Furthermore, please provide the following documents and answer the below questions as soon as possible, but not later than August 25th:

- 1) A copy of the U.S. Citizenship and Immigration Services (USCIS) alien file on Victor Aureliano Martinez Ramirez;
- 2) Any information collected or maintained on Victor Aureliano Martinez Ramirez by U.S. Immigration and Customs Enforcement;
- 3) Any information collected or maintained on Victor Aureliano Martinez Ramirez by U.S. Customs and Border Protection;
- 4) Any other information collected or maintained on Victor Aureliano Martinez Ramirez by the Department of Homeland Security.
- 5) Did Victor Aureliano Martinez ever apply for DACA or any other lawful benefit from USCIS? If so, were any applications pending or approved? If so, please provide copies of such applications.
- 6) When has ICE placed a detainer on Victor Aureliano Martinez Ramirez, and when has ICE issued a request to be notified about his release from local custody? Did local law enforcement ever communicate with ICE after the filing of such detainers or requests for notification?
- 7) What communication has the Department had with Santa Barbara County about its sanctuary policies?
- 8) Has the county refused to cooperate with the Department's new Priority Enforcement Program? If so, please provide details.

Should you have any questions, please contact Kathy Nuebel of my Committee staff at (202) 224-5225. Thank you.

Sincerely,



Charles E. Grassley
Chairman
Senate Committee on the Judiciary