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# United States Senate

COMMITTEE ON FINANCE

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March 22, 2019

## VIA ELECTRONIC TRANSMISSION

The Honorable Christopher Wray  
Director  
Federal Bureau of Investigation  
Washington, D.C. 20535

Dear Director Wray:

Thank you for your response to my letter dated December 17, 2018, which asked for an update on the status of the FBI's investigation into the shooting of Bijan Ghaisar.<sup>1</sup> While I appreciate the response, it is concerning that it took the FBI three months to write a simple 176 word letter informing me that the investigation is still ongoing.<sup>2</sup> It is also concerning that the FBI told the Washington Post that the investigation was ongoing prior to replying to my letter which asked if the investigation is ongoing.<sup>3</sup>

On November 17, 2017, two U.S. Park service police officers shot and killed Bijan C. Ghaisar.<sup>4</sup> According to news reports, Mr. Ghaisar fled the scene of an accident on the George Washington Parkway, which falls under the jurisdiction of the U.S. Park Service.<sup>5</sup> He then led Park Service police on a lengthy vehicle pursuit, where Ghaisar repeatedly stopped his car in an apparent bid to end the chase, only to speed away when officers exited their patrol cars to approach Ghaisar's vehicle.<sup>6</sup> The vehicle pursuit ultimately ended when two Park Service police officers

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<sup>1</sup> Letter from Charles E. Grassley, Chairman, Senate Committee on the Judiciary, to Christopher Wray, Director, Federal Bureau of Investigations (Dec. 17, 2018) (on file with author)

<sup>2</sup> Letter from Jill C. Tyson, Assistant Director, Legislative Affairs, Federal Bureau of Investigation, to Charles E. Grassley, Chairman, Senate Committee on Finance (Mar. 15, 2019) (on file with author).

<sup>3</sup> Tom Jackman, *Grassley demands FBI respond to his questions about Bijan Ghaisar slaying by Park Police*, The Washington Post, Mar. 7, 2019, available at [https://www.washingtonpost.com/crime-law/2019/03/07/grassley-demands-fbi-respond-his-questions-about-bijan-ghaisar-slaying-by-park-police/?utm\\_term=.24e9a67a1d91](https://www.washingtonpost.com/crime-law/2019/03/07/grassley-demands-fbi-respond-his-questions-about-bijan-ghaisar-slaying-by-park-police/?utm_term=.24e9a67a1d91) (My letter asked whether the investigation was ongoing, and after months without a response, The Washington Post received the following information: "An FBI spokeswoman said the investigation was ongoing...").

<sup>4</sup> Tom Jackman, *Video shows Park Police fired nine shots into Bijan Ghaisar's Jeep at close range, killing him*, The Washington Post (Jan. 24, 2018), available at [https://www.washingtonpost.com/news/true-crime/wp/2018/01/24/video-shows-park-police-fired-nine-shots-into-bijan-ghaisars-jeep-at-close-range-killing-him/?utm\\_term=.11214b90be05](https://www.washingtonpost.com/news/true-crime/wp/2018/01/24/video-shows-park-police-fired-nine-shots-into-bijan-ghaisars-jeep-at-close-range-killing-him/?utm_term=.11214b90be05).

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

fired nine rounds at Mr. Ghaisar's vehicle when he again attempted to flee by maneuvering his vehicle around a police car that was blocking its path.<sup>7</sup>

Three days after the shooting occurred, the FBI took over the investigation and has released virtually no information since.<sup>8</sup> Family members and the press have instead relied on Freedom of Information Act (FOIA) requests to obtain simple details such as whether Mr. Ghaisar had a weapon when he was killed, which, according to one FOIA production, he did not.<sup>9</sup> Fairfax County police, who assisted Park Service police in the pursuit, released video footage of the shooting in January 2018.<sup>10</sup>

As I have repeatedly said, investigations involving the use of deadly force should be handled in a timely manner that reinforces public confidence in law enforcement. Long delays in completing these investigations only serve to stoke mistrust between law enforcement and the communities they serve. The FBI's long delay in resolving this case has already sparked public outcry. The Washington Post's Editorial Board wrote earlier this month that "[t]he FBI's conduct in the Ghaisar investigation is a case study in stonewalling, arrogance, and non-accountability."<sup>11</sup>

After 16 months, in which the FBI has offered virtually no updates or information, this case must be resolved for the good of the Ghaisar family, and the public.<sup>12</sup> In the meantime, it is my duty as a U.S. Senator and a senior member of the Judiciary Committee to conduct oversight of the FBI to help assure the public that the Bureau is giving this case proper consideration.

Please answer the following questions no later than April 5, 2019.

1. How many man hours has the FBI employed on the Ghaisar investigation since it began? In the last 30 days?
2. How many agents are currently assigned to the Ghaisar investigation?
3. Why did the FBI delay answering my December 2018 letter on this investigation, only to provide the very information I sought to the *Washington Post*?

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<sup>7</sup> *Id.*

<sup>8</sup> Tom Jackman, 'Shame on you': Family of Bijan Ghaisar marks a year of silence from feds after U.S. Park Police killing, The Washington Post (Nov. 17, 2018) available at [https://www.washingtonpost.com/crime-law/2018/11/18/shame-you-family-bijan-ghaisar-marks-year-silence-feds-after-park-police-killing/?utm\\_term=.2818407bed1f](https://www.washingtonpost.com/crime-law/2018/11/18/shame-you-family-bijan-ghaisar-marks-year-silence-feds-after-park-police-killing/?utm_term=.2818407bed1f).

<sup>9</sup> Tom Jackman, *Fairfax police: Bijan Ghaisar had no weapon when he was killed by Park Police*, The Washington Post (Oct. 29, 2018), available at [https://www.washingtonpost.com/crime-law/2018/10/29/fairfax-police-bijan-ghaisar-had-no-weapon-when-killed-by-park-police/?utm\\_term=.92c80ad471db](https://www.washingtonpost.com/crime-law/2018/10/29/fairfax-police-bijan-ghaisar-had-no-weapon-when-killed-by-park-police/?utm_term=.92c80ad471db).

<sup>10</sup> Jackman *supra* note 4.

<sup>11</sup> Editorial Board, *It's been 16 months since Park Police killed a man. Why is the FBI still silent*, The Washington Post (Mar. 4, 2019), available at [https://www.washingtonpost.com/opinions/its-been-16-months-since-park-police-killed-a-man-why-is-the-fbi-still-silent/2019/03/04/cd3b9ed4-3eb4-11e9-a0d3-1210e58a94cf\\_story.html?utm\\_term=.ea7145d23c73](https://www.washingtonpost.com/opinions/its-been-16-months-since-park-police-killed-a-man-why-is-the-fbi-still-silent/2019/03/04/cd3b9ed4-3eb4-11e9-a0d3-1210e58a94cf_story.html?utm_term=.ea7145d23c73).

<sup>12</sup> *Id.*

If you have any questions, please contact Dario Camacho of my Committee staff at (202)224-4515.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive style with a large, prominent "C" and "G".

Charles E. Grassley  
Chairman  
Senate Committee on Finance