

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

CRIMINAL DIVISION

DCTN: U19012985

Lockup No: 7

Case No:

COMPLAINT

District of Columbia ss:

Defendant's Name: Jacob Wallace 740291 19070740
Also Known As: Jacob Wallace
Address: 1903 ELMORE STREET SOUTH, TENNESSE TN

On or about April 25, 2019, within the District of Columbia, Jacob Wallace maliciously did burn and attempt to burn the marble and structure of the National Archives Building. (Arson, in violation of 22 D.C. Code, Section 301 (2001 ed.))

Co-Defendants:

Handwritten signature of affiant and printed name: Affiant's Name

Subscribed and sworn to before me this 4 day of May, 2019

Handwritten signature of judge and printed name: (Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:

WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued Judge - Superior Court of the District of Columbia

Title 16: Rule 105: Judge:

Sex: Male DOB: 10/26/1986 CCN: 19070740 PDID: 740291

Papering Officer: Badge No.:

OFFICER MUST EXECUTE RETURN

Officer's Name: Date / Time: May 4, 2019

AUSA Signature: Fel. I AFTC Fel. II

**SUPERIOR COURT FOR THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION
UNITED STATES
VS
WALLACE, JACOB
CCN #: 19070740
Arrest Number: 721914482**

The event occurred on 04/25/2019 at approximately 19:49 at NATIONAL ARCHIVES, 700 PENNSYLVANIA AVENUE NW, WASHINGTON, DC 20408

On April 25, 2019, at approximately 1950 hours, an individual wearing dark pants, brown shoes, a gray hooded sweatshirt, and a dark coat, traveled on foot to the front of the National Archives Building, located in the 800 Block of Pennsylvania Avenue, Northwest, Washington, D.C.

This individual, later identified as the defendant, then placed a plastic gas can which contained a substance with an odor consistent with gasoline, on the stairs connected to the building, along with a gray blanket. The defendant then ignited the described items and fled on foot towards Pennsylvania Avenue and Seventh Street, Northwest, Washington, D.C.

On April 28, 2019, CIA TMU received an online message submission from the defendant stating “the FBI won’t help me. I’m tired of being tortured so I’m setting fires like at the National Archives building in Washington, D.C. a few days ago. Maybe fires will get your attention. Noting else will. Come see me these men speaking and torturing me are terrorists you can find sleeping on the porch of a vacant house across from the Russian embassy on Wisconsin Avenue at night.

On April 28, 2019, a person identifying themselves as Jacob Wallace, the defendant, called the FBI from the Safeway located in the 1800 Block of Wisconsin Avenue, Northwest, Washington, D.C. In this phone call, Jacob Wallace requested that the FBI respond to his location to speak with him about the fire he set at the National Archives building located in Washington, D.C. In this phone call, Jacob Wallace claimed to be hearing voices and believed someone was following him related to his being a confidential informant while in the State of Kentucky. In this phone call, the defendant advised he set the fire at the National Archives building to get the attention of the FBI. This phone call was recorded by the FBI.

On May 1, 2019, a US secret Service Agent, whom is familiar with the defendant from prior contacts, heard a portion of the recorded phone call and identified the recorded voice as that of the defendants.

During the course of this investigation, SA Saunders learned of and observed several social media posts from what SA Saunders believes is the defendant referencing fires and bombs.

On May 2, 2019, at approximately 2215 hours, I, Christopher Saunders, Special Agent, National Archives and Records Administration, Office of Inspector General, Office of Investigations, received a phone call from the United States Secret Service regarding Jacob Leroy Wallace. According to the United States Secret Service, Jacob Wallace wanted to speak with the Alcohol and Tobacco and Fire Administration (ATF) regarding the fire which was set at the National Archives Building which is located at 844 Pennsylvania Avenue, Northwest, Washington, D.C. Jacob Wallace told Uniformed Secret Service Agents that he was the person who set the fire and wanted to speak with a Federal Authority.

I responded to the North Side of the White House where the defendant was seated on a park bench. Upon my arrival, Uniform Secret Service Officers advised me that the defendant approached them advising he wanted to be voluntarily committed to the hospital and he admitted to setting the fires at the National Archives’. The defendant immediately stated that he set the fire at the National Archives Building, specifically saying he lit the gas can on fire outside of the National Archives Building. The defendant advised he was hearing voices and was seeking medical attention.

On May 2, 2019, during a custodial recorded interview, the defendant was wearing brown shoes, dark black pants, and a gray sweatshirt which he was wearing inside out. This attire is consistent with the attire observed on video from the day of the fire. I asked Jacob Wallace how long he had been wearing the clothes he had on and he advised they were his only clothes that he has been wearing for several days.

Additionally, the defendant stated that he did not set the fire and was just looking for a way to get off the street. The defendant denied setting the fires but did admit to his several online posts on his Facebook page referencing his involvement with the fire at the National Archives Building and his phone call to the FBI where he once again admitted to setting the fire at the National Archives. Jacob Wallace stated the voices told him to confess to the fire to get off of the street. When asked specifically what the voices say to him, the defendant replied, “to burn buildings down.”

The defendant was processed at the MPDC First Police District for presentment to court.

The event and acts described above occurred primarily in the District of Columbia and were committed as described by defendant(s) listed in the case caption.

Subscribed and sworn before me this **05/03/2019**

PAVERO, MICHAEL / D21382 / 3662 (05/03/2019) E-SIGNATURE

ENNIS, DONALD / 4008 (05/03/2019) E-SIGNATURE

Police Officer / Badge# / CAD#

Unit

Witness / Deputy Clerk

PAVERO, MICHAEL / D21382 / 3662

ENNIS, DONALD / 4008

Printed Name of Member / Badge# / CAD#

Printed Name of Witness / Deputy Clerk

The foregoing statement was made under penalty of criminal prosecution and punishment for false statements pursuant to D.C. Code 22-2405

CJA DEFENDANT ELIGIBILITY RECOMMENDATION

Client Name: WALLACE, JACOB Dependents: 0 Location: Cellblock
 Lockup Number: 00007 Spouse: Yes Interview Date: 05/04/2019
 List Date: 5/4/2019 Family Size: 2 Charge: Arson (F)

Eligibility

Gross Monthly Income: Work	800.00	Standard Amount Family Size (C):	\$2,297.00
Gross Monthly Income: Other	+ 0.00	Standard Offense Amount:	+ \$7,000.00
Total Monthly Income (A):	= 800.00	Total (D):	\$9,297.00
Liquid Assets:	+ 0.00		
Other Assets: (1/4 equity)	+ \$0.00		
Total Assets:	= \$800.00	Eligibility Determination:	
Monthly Extraordinary / Medical / Other Expenses:	- 0.00	<input type="checkbox"/> Unknown Income/Assets	
Total Available Monthly (B):	= \$800.00	<input type="checkbox"/> Defendant Refused Interview	
		<input type="checkbox"/> Defendant Sworn	

Eligible

WARNING: You must report to the Criminal Justice Act Office any change in financial circumstances which might affect eligibility. A false or dishonest answer to a question on this form may be punishable by fine up to \$1,000.00 or imprisonment up to one year, or both D.C. § 2.1602.

I, the undersigned defendant, parent or guardian, being duly sworn, depose and swear that the information which I have provided is true to the best of my belief.

Defendant _____ Interviewer *[Signature]*
 Notary Public

Contribution Calculations

Total Monthly Income (A) - Standard Amount (C)	
Monthly payment of Previous CJA-Loan	- _____
Subtotal	
Felony (6) Other (3)	x _____
Assets (Liquid + Other)	+ _____
Total Contribution Capability	

Contribution (Offense amount is the maximum contribution amount)

Contribution amount per week	# of weeks	Total Contribution
<input type="text"/>	x <input type="text"/>	<input type="text"/>

Notes: Married, No Kids, Employed (\$200 Weekly), No Bank, No Property, Spouse Unemployed



Superior Court of the District of Columbia
CRIMINAL DIVISION
SUPERIOR COURT CRIMINAL RULE 112

United States / District of Columbia

7

Case Number

v.

Charge(s)

Arson

Jacob Wallace

P I D S

The Clerk of the Court will please enter my appearance for the Defendant in
the above entitled cause this 4 day of May, 2019.

Attorney:
Amy Phillips

Address:
633 INDIANA AVE NW.
WASHINGTON, D.C. 20002

Unified Bar Number:
1017753

Telephone Number:
202-824-2810





SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

Arraignment/Presentment

JACOB WALLACE

Defendant's Name

Case No. 2019 CF3 006087

PDID No. 740291

Date of Birth: 10/26/1986

Charge: Arson

USL 7

Lockup Number USM PTR Number
(Check One)

TO: SUPERINTENDENT, DISTRICT OF COLUMBIA JAIL, OR DIRECTOR, DEPARTMENT OF YOUTH REHABILITATION SERVICES PURSUANT TO THE BELOW LISTED STATUTE(S), THE ABOVE LISTED DEFENDANT IS HEREBY HELD PURSUANT TO:

Mark all that apply.

D.C. Code § 23-1322:

(a)(1)(A) 24 Hour Gerstein Perfection Granted Denied Moot

Pending Case No: _____

(a)(1)(B) 24 Hour Gerstein Perfection Granted Denied Moot

Pending sentencing in Case No: _____

(a)(1)(C) 24 Hour Gerstein Perfection

Probation in Case No. _____ Parole in Case No. _____ Granted Denied Moot

(b)(1)(A) 24 Hour Gerstein Perfection Granted Denied Moot

(b)(1)(B) 24 Hour Gerstein Perfection Granted Denied Moot

(b)(1)(C) 24 Hour Gerstein Perfection Granted Denied Moot

(b)(1)(D) 24 Hour Gerstein Perfection Granted Denied Moot

D.C. Code § 23-1325: 24 Hour Gerstein Perfection

(a) Granted Denied Moot

(b) Granted Denied Moot

(c) Granted Denied Moot

(d) Granted Denied Moot

Keep Separate From: _____

24 Hour Forensic Exam

§1329 Notice given

Case Number(s): _____

The Defendant is held pursuant to D.C. Code §1329 (a) (e) (f) in Case # _____

Department of Youth Rehabilitation Services (DRYS)

The Judicial Officer presiding over the Defendant's Probation matter has ordered the Defendant held in Case # _____

The Parole Board has issued a parole warrant in Case # _____

BOND Set: NO BOND. The defendant is committed to your custody until further order of the Court.

Next Scheduled court appearance: May 07, 2019 for Preliminary Hearing at 9:00 am in Courtroom 301

Witness the Honorable Chief Judge of the Superior Court of the District of Columbia, and the seal of said Court on this date
5/4/19

Judge JENNIFER ANDERSON

Lenore Brockman
Deputy Clerk

Received by DUSM (Print): Becker

Badge #: 31378 Signature:

Date/Time: 5/4/19 1615





**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

May 7, 2019

Case#: 2019 CF3 006087

PDID: 740291

DCDC#:

PRISONER RETURN

TO: UNITED STATES MARSHAL

Defendant **JACOB WALLACE** is to be returned to DC Jail or

Separate From:

Next scheduled court appearance:

Preliminary Hearing at 9:00 am on Friday May 10, 2019 in Courtroom 301
500 Indiana Avenue N.W., WASHINGTON, DC 20001

LaNika Gayles, Deputy Clerk

May 7, 2019

PRISONER RETURN



Received by DUSM:

HAICH

Printed Name

Badge#: 3143 Signature: [Handwritten Signature]

Date: 05/07/19 Time: 1059

CDPRK.doc

**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Criminal Division—Felony Branch**

UNITED STATES OF AMERICA : **Case No.: 2019 CF3 006087**
:
v. : **Associate Judge Michael Ryan**
:
JACOB WALLACE : **Magistrate Judge Heide Herrmann**

DISMISSAL PRAECIPE¹

On this 9th day of May, 2019, the United States of America, by and through its attorney, the United States Attorney for the District of Columbia, hereby requests the Court to enter a *nolle prosequi* in the above-captioned case.

Respectfully Submitted,

JESSIE K. LIU
United States Attorney

/s/Andrew Floyd
Andrew Floyd
Assistant United States Attorney
555 Fourth Street, NW
Washington, DC 20530
(202) 252-6841

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of March, 2019, a copy of the foregoing was served upon counsel for the defendant via electronic mail and CaseFileXpress.

/s/Andrew Floyd
Andrew Floyd
Assistant United States Attorney

¹ The instant Motion is to this case number only and no other case. As such, any Order of Release from custody should be for this case only and not authorize the release of the defendant on any other matter(s). The defendant is currently held without bond in District Court case 1:19-cr-00151 (TFH).

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Criminal Division—Felony Branch

UNITED STATES OF AMERICA	:	Case No.: 2019 CF3 006087
	:	
v.	:	Associate Judge Michael Ryan
	:	
JACOB WALLACE	:	Magistrate Judge Heide Herrmann

ORDER

This matter comes before the Court on the request of the United States to enter a *nolle prosequi*. It is this _____ day of _____, 2019, hereby

ORDERED that the case is dismissed without prejudice.

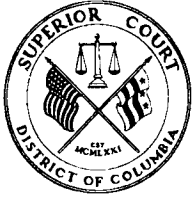
SO ORDERED.

Judge
Associate Judge

cc:

Andrew Floyd
Assistant United States Attorney

Amy Phillips
Counsel for Defendant



**SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION**

UNITED STATES
DISTRICT OF COLUMBIA

vs.

JACOB WALLACE

Case No: 2019 CF3 006087

PDID: 740291

DCDC#: 367963

RELEASE ORDER

TO: Superintendent, D.C. Jail

It is HEREBY ORDERED that the defendant be released from custody in this case ONLY.

Grace Jimenez

Grace Jimenez, DEPUTY CLERK

[Handwritten Signature]

JUDGE

Date: May 9, 2019

JUDGE

RELEASE

Received by DUSM: _____
Printed Name

Badge#: _____

Signature: _____

Date: _____ Time: _____

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term

Grand Jury Sworn in on April 15, 2019¹

UNITED STATES OF AMERICA	:	CRIMINAL NO.
	:	
v.	:	GRAND JURY ORIGINAL
	:	
JACOB WALLACE,	:	VIOLATION:
	:	18 U.S.C. § 844(i)
Defendant.	:	(Arson)

INDICTMENT

The Grand Jury charges that:

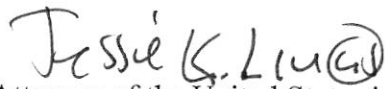
COUNT ONE

On or about April 25, 2019, within the District of Columbia, **JACOB WALLACE**, maliciously damaged and destroyed, or attempted to damage and destroy, by means of fire and explosive materials, the building and its contents at 700 Pennsylvania Avenue, NW, Washington, DC, the property of the United States government.

(Arson, in violation of Title 18, United States Code, Section 844(i))

A TRUE BILL:

FOREPERSON.


 Attorney of the United States in
 and for the District of Columbia.

¹ This grand jury was empaneled in the Superior Court of the District of Columbia and returned this indictment pursuant to its authority under D.C. Code § 11-1916(a).

10876277

AO 442 (Rev. 11/11) Arrest Warrant

UNITED STATES DISTRICT COURT

for the District of Columbia

United States of America v. JACOB WALLACE

Case: 1:19-cr-00151 Assigned To : Judge Thomas F. Hogan Assign. Date : 5/6/2019 Description: INDICTMENT (B)

Defendant

ARREST WARRANT

U.S. MARSHAL-DC PM:36 RECEIVED MAY 6 19

To: Any authorized law enforcement officer

YOU ARE COMMANDED to arrest and bring before a United States magistrate judge without unnecessary delay (name of person to be arrested) JACOB WALLACE who is accused of an offense or violation based on the following document filed with the court:

- Indictment, Superseding Indictment, Information, Superseding Information, Complaint, Probation Violation Petition, Supervised Release Violation Petition, Violation Notice, Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 844(i) (Arson)

FILED MAY 08 2019

Date: 05/06/2019

Clerk, U.S. District and Bankruptcy Courts [Signature]

City and state: WASHINGTON, DC

G. MICHAEL HARVEY, U.S. Magistrate Judge Printed name and title

Return

This warrant was received on (date) 05/06/2019, and the person was arrested on (date) 05/08/2019 at (city and state) Washington, D.C.

Date: 5/8/19

[Signature] Arresting officer's signature Pritchard 31362 Printed name and title

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA	:	
	:	
v.	:	Case No. 19-cr-00151 (GMH) (TFH)
	:	
JACOB WALLACE,	:	
	:	
Defendant.	:	

GOVERNMENT’S MEMORANDUM FOR PRETRIAL DETENTION

The United States of America, by and through its attorney, the United States Attorney for the District of Columbia, respectfully moves this Court to order the pretrial detention of defendant, Jacob Wallace, pursuant to 18 U.S.C. § 3142 (f)(1)(A), 18 U.S.C. § 3142 (f)(2)(A), and 18 U.S.C. § 3142 (d)(1)(A)(iii). In support thereof, the government requests that the following points and authorities, as well as any other facts, arguments, and authorities presented at the detention hearing, be considered in the Court’s determination regarding pre-trial detention.

Introduction

Jacob Wallace is a thirty-two-year-old male with no fixed address, charged in a one-count indictment with Arson, in violation of Title 18 U.S.C. § 844(i), for intentionally igniting a gasoline fire against the exterior of the National Archives Building. The defendant has been observed in the District of Columbia on several occasions since January 2018, but has been arrested in Indiana, Kentucky, and Mississippi during the same period of time. The defendant is on probation, has an active non-extraditable bench warrant, and has failed to appear for several scheduled court appearances in the last year. The defendant should be held without bond to ensure the safety of the community and his appearance in court.

Statement of Facts and Procedural History

On April 25, 2019, at approximately 7:50 pm, an individual wearing brown shoes, dark

pants, a light-gray hooded sweatshirt, and a dark winter coat, carried an unidentified object up to the National Archives Building, located at 700 Pennsylvania Avenue, Northwest. (*See* Government's Exhibit A). The individual, later identified as the defendant, placed the object against the building's stairway, ignited it, and left the scene at an accelerated pace. (*See* Government's Exhibit B). Later investigation revealed that the object was a thick gray blanket wrapped around a gasoline can containing a flammable liquid consistent in odor with gasoline. The resulting fire was more than eight feet high and lasted nearly ten minutes, requiring responding security guards to empty two fire extinguishers on it and D.C. Fire personnel to focus a firehose on the blaze. (*See* Government's Exhibits C, D, & E).

Initial investigation focused on several suspects, including a former Archives employee who was described as having a gait similar to the suspect. Then, on April 28, 2019, the Central Intelligence Agency (CIA) received an email from an individual identifying himself as "jacob l wallace sr" and stating, "I'm tired of being tortured so I'm setting fires like at the National Archives building in Washington, D.C. a few days ago." The same night, an individual identifying himself as Jacob Wallace and providing the defendant's birthdate called the Federal Bureau of Investigation (FBI) and said he wanted to speak to investigators about a fire he had set at the National Archives Building located in Washington, D.C. The caller explained that he had set the fire to gain the attention of the FBI.

On May 2, 2019, at approximately 10:15 pm, the defendant approached the White House and told uniformed United States Secret Service officers that he was the person who had set the fire at the National Archives Building and wanted to speak to federal investigators. At the time, he was wearing a dark blue winter coat, a dark hooded sweatshirt, dark pants, and brown leather

shoes. Arson investigators responded to the scene and spoke to the defendant. He told them that he had ignited a gas can on the exterior of the National Archives Building. During a search incident to arrest, officers removed the defendant's dark winter coat and recovered cigarettes and a lighter.

The defendant agreed to a custodial interview and, during the course of the conversation, repeatedly disclaimed his prior confessions, explaining that he had read media reports about the fire and had only confessed in order to get off the streets. He also explained that he was the individual who had sent the email to the CIA, posted video of the Archives fire to his Facebook page, and made the confessional call to the FBI in order to gain the attention of federal agents so that he would be arrested. When asked about the clothes he was wearing, the defendant noted that he was homeless, these were his only clothes, and he had been wearing them for several days. Investigators noted that the defendant's shoes, coat, pants, and body-type appeared to match the individual in the surveillance footage. (*See* Government's Exhibits F & G). The hood on the sweatshirt the defendant was wearing was significantly darker than the hood seen on the suspect in surveillance footage. Further investigation, however, revealed that the defendant was wearing the hooded sweatshirt inside out. Once turned around, the hood on the sweatshirt was light gray and appeared to be the same color as the one worn by the individual who set the fire.

On May 6, 2019, a grand jury returned an indictment charging the Defendant with one count of Arson, in violation of 18 U.S.C. § 844(i). At the defendant's arraignment on May 8, 2019, the government orally moved for detention pending trial pursuant to 18 U.S.C. § 3142 (f)(1)(A), 18 U.S.C. § 3142 (f)(2)(A), and 18 U.S.C. § 3142 (d)(1)(A)(iii) of the federal bail statute. The Court set a detention hearing for Thursday, May 9, 2019.

Applicable Law

The Government has requested a pretrial detention hearing under a provision of the Bail Reform Act, 18 U.S.C. § 3142(f), which provides that a judicial officer “shall hold a hearing to determine whether any condition or combination of conditions set forth in subsection (c) of this section will reasonably assure the appearance of such person as required and the safety of any other person and the community.” Under the statute, pretrial detention must be supported by clear and convincing evidence when the justification involves the safety of the community, and a preponderance of the evidence when the justification involves the risk of flight. *U.S. v. Simpkins*, 826 F.2d 94, 96 (D.C. Cir. 1987). Furthermore, the Government may proceed by way of proffer and hearsay is permitted. 18 U.S.C. § 3142(f); *United States v. Smith*, 79 F.3d 1208, 1210 (D.C. Cir. 1996).

Section 3142, United States Code, imposes a rebuttable presumption of dangerousness and flight risk on certain defendants based on the crimes with which they are charged, their prior convictions, or similar considerations. *See* 18 U.S.C. §§ 3142(e)(2), (3). Where a defendant has been indicted for a violation of Title 18, United States Code, Section 844(i), a court must presume, subject to rebuttal, that there is no condition or combination of conditions that will reasonably assure the safety of the community. 18 U.S.C. § 3142(e)(3)(C) (establishing a rebuttable presumption for all offenses “listed in section 2332b(g)(5)(B) of title 18, United States Code, for which a maximum term of imprisonment of 10 years or more is prescribed.”); *United States v. Smith*, 79 F.3d 1208, 1210 (D.C. Cir. 1996). When the rebuttable presumption of Title 18, United States Code, Section 3142(e) is triggered, it operates “at a minimum to impose a burden of production on the defendant to offer some credible evidence contrary to the statutory

presumption.” *United States v. Alatishe*, 768 F.2d 364, 371 (D.C. Cr. 1985). Moreover, even after the defendant carries his burden of production, the presumption “remains in the case as an evidentiary finding militating against release, to be weighted along with other evidence relevant to factors listed in § 3142(g).” *United States v. Dominguez*, 783 F.2d 702, 707 (7th Cir. 1986).

By statute, a judicial officer must consider four factors: 1) the nature and circumstances of the offense charged, including whether the offense involves such things as a controlled substance or a firearm; 2) the weight of the evidence against the person; 3) the history and characteristics of the person; and 4) the nature and seriousness of the danger to any person or the community that would be posed by the person’s release. 18 U.S.C. § 3142(g).

Here, the first factor, the nature and circumstances of the offense charged, weighs in favor of detention. The defendant has been charged with a crime of violence that carries a mandatory minimum sentence of five years with a maximum period of twenty years in prison. The defendant ignited a blanket surrounding a gasoline container that had been placed next to a significant public building and, exhibiting consciousness of guilt and impending danger, fled from the scene. The resulting blaze, which was over eight feet high and burned for nearly ten minutes despite active attempts to extinguish it, was next to Pennsylvania Avenue, a busy public thoroughfare. Surveillance footage shows pedestrians passing by the fire and, when security guards initially deploy a fire extinguisher on the fire, it flares significantly. (*See* Government Exhibit D). Although the defendant claimed in his confessions that his primary motivation in setting the fire was to gain the attention of law enforcement, this does not decrease the danger to first responders and passersby.

The second factor, the weight of the evidence, also weighs in favor of detention. As an

initial matter, the defendant confessed to the crime on four separate occasions in the week following the fire. He sent an email to the CIA, included his full name, and indicated that he was setting “fires like the one at the National Archives.” The same night, he called the FBI and explained that he had set the fire at the National Archives and asked investigators to come and meet him. Then, a few days later, he approached the Secret Service and identified himself as the individual who had set fire to the National Archives. When arson investigators arrived on the scene, the defendant again acknowledged to them having ignited the gasoline container at the Archives the previous week. Once he began to understand the implications of his confessions, the defendant began to disclaim his prior statements. During the custodial interview, the defendant noted that a conviction for arson would make it more difficult for him to find employment. Despite his later disavowal, there are reasons to credit the defendant’s earlier confessions. First, investigators had noted that the suspect’s heavy clothing during the April 25 offense was in stark contrast to the weather that day, as the temperature had climbed into the mid-seventies in the late afternoon and was still warm when the fire was started. The defendant’s explanation that he had no fixed address and was wearing all of his clothing explained this. Second, although the footage is not clear, it reveals the perpetrator’s body-type, brown shoes, dark pants, a gray hooded sweatshirt, and a dark heavy coat. (*See* Government’s Exhibits A & B). On the date of his arrest, once accounting for color change of the inside out sweatshirt, the defendant’s appearance was consistent in all five of these ways. In particular, the shape and color of the defendant’s shoes are very similar to those worn by the individual in the surveillance footage. Taken together, this visual evidence corroborates the defendant’s four confessions. Finally, even as the defendant denied that he had started the fire, he acknowledged

that voices in his head had been instructing him to burn government buildings. Considering all of these factors, the weight of the evidence favors pretrial detention.

The third factor, the history and characteristics of the person, also weighs in favor of detention. The defendant is on probation, has an active non-extraditable warrant, and has failed to appear for at least four court hearings since March 2018. The defendant also has no fixed address, has limited contacts with this jurisdiction, and has been arrested in three states since early 2018. This, combined with arrests for Contempt of Court, Resisting Arrest, and Disorderly Conduct (Failure to Comply) is a strong indication that the defendant is unlikely to follow the Court's instruction. The government therefore believes that the defendant poses a danger to the community and is a risk of flight.

The fourth factor, the nature and seriousness of the danger to any person or the community posed by the defendant's release, also weighs in favor of detention. The defendant has acknowledged that he hears voices that tell him to set fire to government buildings. He has no record of a prior mental health diagnosis or medication compliance. In the instant case, he confessed multiple times, despite his later retractions, that he started a large gasoline fire against a public building on a major thoroughfare. This is inherently dangerous behavior and the government has little confidence, based on the defendant's recent history with the criminal justice system, that any effective release conditions can be fashioned.

[CH 15] 04-25-2019 19:49:08:078



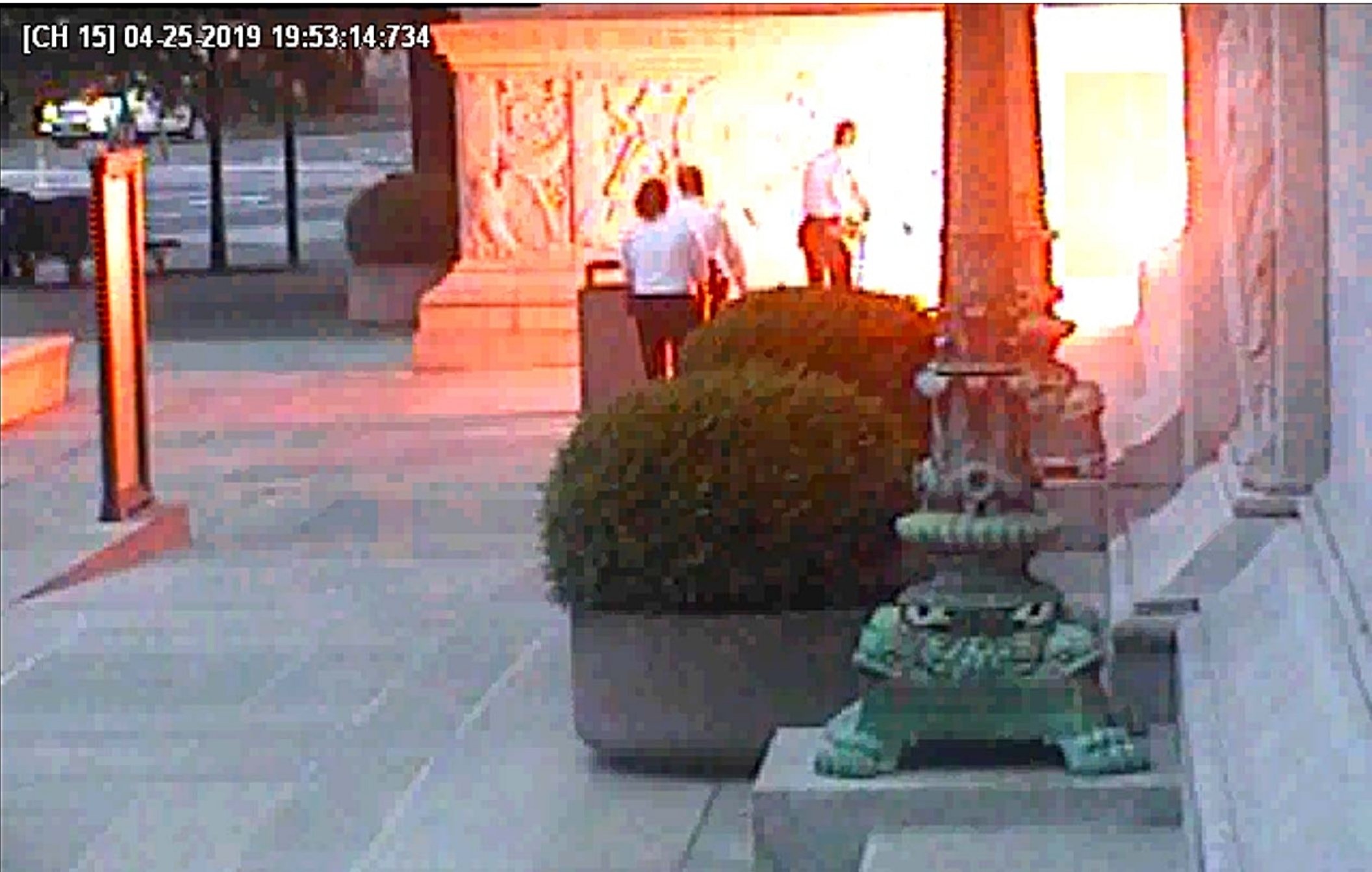
[CH 15] 04-25-2019 19:49:42:453



[CH 15] 04-25-2019 19:51:20:953



[CH 15] 04-25-2019 19:53:14:734



[CH 15] 04-25-2019 19:57:54:422







**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA,	:
Plaintiff,	:
v.	: CR No. 19-151 (TFH)
JACOB WALLACE,	:
Defendant.	:

NOTICE OF ASSIGNMENT

The above captioned case has been assigned to the attorney specified below. Please send all notices and inquires to this attorney at the address listed.

Respectfully submitted,

A.J. KRAMER
FEDERAL PUBLID DEFENDER

_____/s/_____
MICHELLE PETERSON
Chief Assistant Federal Public Defender
625 Indiana Ave., NW
Suite 550
Washington, DC 20004
(202) 208-7500
shelli_peterson@fd.org