



Department of Justice

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**FORMER UNIVERSITY OFFICIAL ORDERED TO PAY MORE THAN \$12,000 IN
RESTITUTION FOR SELLING COMPUTER ITEMS BOUGHT WITH FEDERAL
GRANT**

DAYTON – James Marshall, 28, a former network and data administrator in the Information Technology Services Department at Wilberforce University, was ordered to pay \$12,614.21 in restitution to the U.S. Department of Energy for stealing computer equipment purchased with a federal grant and selling it through his established Internet business in 2007.

Carter M. Stewart, United States Attorney for the Southern District of Ohio, Keith L. Bennett, Special Agent in Charge, Federal Bureau of Investigation (FBI), and Randall Kizer, Special Agent in Charge, U.S. Department of Energy, Office of Inspector General, (DOE) announced the punishment as part of the sentence handed down today by United States District Judge Thomas M. Rose. Marshall pleaded guilty on April 26, 2010 to one felony count of theft of government property.

Judge Rose also sentenced Marshall to two years probation. Marshall must serve 100 hours of community service within the first year of his probation. The Department of Energy suspended Marshall from doing any type of contract work with any branch of the federal government.

According to court documents, the university received a grant from the U.S. Department of Energy in September 2005 to create and operate a functional advanced disaster modeling and simulation laboratory. Marshall began to work on the grant in October 2005, eventually becoming Strategic Director of Research and Information Systems for the grant. Marshall was responsible for procuring all computer hardware and software under the grant. The grant budget for July 30, 2005 through July 30, 2006 included \$200,000 for high speed networking and simulation laboratory; \$30,000 for high resolution projector and screen; \$100,000 for simulation software; \$50,000 for statistical software; \$110,900 for high speed computers and laptops; and \$100,000 for software development and expert system shells. In November 2005, Marshall instructed vendors to ship merchandise directly to him.

In March 2007, the Wilberforce Information and Technology Department staff conducted a preliminary visual inventory of equipment located in the Lab. They discovered approximately 103 hard drives and other computer equipment missing from the Lab. The staff also determined that some of the same items were observed being sold on an eBay site belonging to Marshall. The university dismissed Marshall after the theft was discovered.

Stewart commended the cooperative investigation by FBI and DOE agents, the assistance provided by Wilberforce officials, and Dayton Branch Chief Laura Clemmens, who prosecuted the case.

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