

**REPORT TO CONGRESS  
ON THE ACTIVITIES AND OPERATIONS  
OF THE  
PUBLIC INTEGRITY SECTION  
FOR 2016**



**Public Integrity Section  
Criminal Division  
United States Department of Justice**

**Submitted Pursuant to  
Section 603 of the Ethics in Government Act of 1978**

## INTRODUCTION

This Report to Congress is submitted pursuant to the Ethics in Government Act of 1978, which requires the Attorney General to report annually to Congress on the operations and activities of the Justice Department's Public Integrity Section. The Report describes the activities of the Public Integrity Section during 2016. It also provides statistics on the nationwide federal effort against public corruption during 2016 and over the previous two decades.

The Public Integrity Section was created in 1976 in order to consolidate in one unit of the Criminal Division the Department's oversight responsibilities for the prosecution of criminal abuses of the public trust by government officials. Section attorneys prosecute selected cases involving federal, state, or local officials, and also provide advice and assistance to prosecutors and agents in the field regarding the handling of public corruption cases. In addition, the Section serves as the Justice Department's center for handling various issues that arise regarding public corruption statutes and cases.

An Election Crimes Branch was created within the Section in 1980 to supervise the Department's nationwide response to election crimes, such as voter fraud and campaign-financing offenses. The Director of Election Crimes reviews all major election crime investigations throughout the country and all proposed criminal charges relating to election crime.

During the year, the Section maintained a staff of approximately thirty attorneys, including experts in extortion, bribery, election crimes, and criminal conflicts of interest. The Section management included: Raymond N. Hulser, Chief; AnnaLou Tirol, Principal Deputy Chief; Peter M. Koski, Deputy Chief; Eric G. Olshan, Deputy Chief; Joseph P. Cooney, Deputy Chief; and Richard C. Pilger, Director, Election Crimes Branch.

Part I of the Report discusses the operations of the Public Integrity Section and highlights its major activities in 2016. Part II describes significant cases prosecuted by the Section in 2016. Part III presents nationwide data regarding the national federal effort to combat public corruption from 1995 through 2016.

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## **PART I**

### **OPERATIONAL RESPONSIBILITIES OF THE PUBLIC INTEGRITY SECTION**

#### **A. RESPONSIBILITY FOR LITIGATION**

The work of the Public Integrity Section focuses on public corruption, that is, crimes involving abuses of the public trust by government officials. Most of the Section's resources are devoted to investigations involving alleged corruption by government officials and to prosecutions resulting from these investigations. Decisions to undertake particular matters are made on a case-by-case basis, given Section resources, the type and seriousness of the allegation, the sufficiency of factual predication reflecting criminal conduct, and the availability of federal prosecutive theories to reach the conduct.

Cases handled by the Section generally fall into one of the following categories: recusals by United States Attorneys' Offices, sensitive cases, multi-district cases, referrals from federal agencies, and shared cases. These categories are discussed below.

##### **1. Recusals by United States Attorneys' Offices**

The vast majority of federal corruption prosecutions are handled by the local United States Attorney's Office for the geographic district where the crime occurred, a fact demonstrated by the statistical charts in Part III of this Report. At times, however, it may be inappropriate for the local United States Attorney's Office to handle a particular corruption case.

Public corruption cases tend to raise unique problems of public perception that are generally absent in more routine criminal cases. An investigation of alleged corruption by a government official, whether at the federal, state, or local level, or someone associated with such an official, always has the potential of becoming a high-profile case simply because its focus is on the conduct of a public official. In addition, these cases are often politically sensitive because their ultimate targets tend to be politicians or government officials appointed by politicians.

A successful public corruption prosecution requires both the appearance and the reality of fairness and impartiality. This means that a successful corruption case involves not just a conviction but public perception that the conviction was warranted, not the result of improper motivation by the prosecutor, and is free of conflicts of interest. In a case in which the local conflict of interest is substantial, the local office is removed from the case by a procedure called recusal. Recusal occurs when the local office either asks to step aside, or is asked to step aside by Department headquarters, as primary prosecutor. Federal cases involving corruption allegations in which the conflict is substantial are usually referred to the Public Integrity Section either for prosecution or direct operational supervision.

Allegations involving possible crimes by federal judges almost always require recusals of the local offices for significant policy, as well as practical reasons. Having the case handled outside the local offices eliminates the possible appearance of bias, as well as the practical difficulties and awkwardness that would arise if an office investigating a judge were to appear before the judge on other matters. Thus, as a matter of established Department practice, federal judicial corruption cases generally are handled by the Public Integrity Section.

Similar concerns regarding the appearance of bias also arise when the target of an investigation is a federal prosecutor, a federal investigator, or other employee assigned to work in or closely with a particular United States Attorney's Office. Thus, cases involving United States Attorneys, Assistant United States Attorneys (AUSAs), or federal investigators or employees working with AUSAs in the field generally result in a recusal of the local office. These cases are typically referred to the Public Integrity Section.

## **2. Sensitive and Multi-District Cases**

In addition to recusals, the Public Integrity Section handles other special categories of cases. At the request of the Assistant Attorney General for the Criminal Division, the Section handles cases that are highly sensitive and cases that involve the jurisdiction of more than one United States Attorney's Office.

Cases may be sensitive for a number of reasons. Because of its importance, a particular case may require close coordination with high-level Department officials. Alternatively, the case may require substantial coordination with other federal agencies in Washington. The latter includes cases involving classified information that require careful coordination with intelligence agencies. Sensitive cases may also include those that are so politically controversial on a local level that they are most appropriately handled in Washington.

In addition to sensitive cases, this category encompasses multi-district cases, that is, cases involving allegations that cross judicial district lines and, as a result, fall under the jurisdiction of two or more United States Attorneys' Offices. In these cases, the Section occasionally is asked to coordinate the investigation among the various United States Attorneys' Offices, to handle a case jointly with one or more United States Attorney's Office, or, when appropriate, to assume operational responsibility for the entire case.

## **3. Federal Agency Referrals**

In another area of major responsibility, the Section handles matters referred directly by federal agencies concerning possible federal crimes by agency employees. The Section reviews these allegations to determine whether an investigation of the matter is warranted and, ultimately, whether the matter should be prosecuted.

Agency referrals of possible employee wrongdoing are an important part of the Section's mission. The Section works closely with the Offices of Inspector General (OIGs) of the executive

branch agencies, as well as with other agency investigative components, such as the Offices of Internal Affairs and the Criminal Investigative Divisions. In addition, the Section invests substantial time in training agency investigators in the statutes involved in corruption cases and the investigative approaches that work best in these cases. These referrals from the various agencies require close consultation with the referring agency's investigative component and prompt prosecutive evaluation.

#### **4. Requests for Assistance/Shared Cases**

The final category of cases in which the Section becomes involved is cases that are handled jointly by the Section and a United States Attorney's Office or other component of the Department. At times, the available prosecutorial resources in a United States Attorney's Office may be insufficient to undertake sole responsibility for a significant corruption case. In this situation the local office may request the assistance of an experienced Section prosecutor to share responsibility for prosecuting the case. On occasion, the Section may also be asked to provide operational assistance or to assume supervisory responsibility for a case due to a partial recusal of the local office. Finally, the Public Integrity Section may be assigned to supervise or assist with a case initially assigned to another Department component.

### **B. SPECIAL SECTION PRIORITIES**

In addition to the general responsibilities discussed above, in 2016 the Public Integrity Section continued its involvement in a number of additional priority areas of criminal law enforcement.

#### **1. Election Crimes**

One of the Section's law enforcement priorities is its supervision of the Justice Department's nationwide response to election crimes. The prosecution of all forms of election crime is a high Departmental priority, and headquarters oversight in this area is designed to ensure that the Department's nationwide response to election crime matters is uniform, impartial, and effective. In 1980, the Election Crimes Branch was created within the Section to handle this supervisory responsibility.

The Election Crimes Branch oversees the Department's handling of all election crime allegations other than those involving federal voting rights, which are handled by the Civil Rights Division. Specifically, the Branch provides advice and guidance on three types of election crime cases: (1) vote frauds, such as vote buying and absentee ballot fraud; (2) campaign-financing crimes, most notably under the Federal Election Campaign Act (FECA); and (3) patronage crimes, such as political shakedowns and misuse of federal programs for political purposes. Vote frauds and campaign-financing offenses are the most significant, and most common types of election crimes.

The election-related work of the Section and its Election Crimes Branch falls into the following categories:

a. Consultation and Field Support. Under long-established Department procedures, the Section's Election Crimes Branch reviews all major election crime investigations, including all proposed grand jury investigations and FBI full-field investigations, and all election crime charges proposed by the various United States Attorneys' Offices for legal and factual sufficiency. (United States Attorneys' Manual 9-85.210.) The Branch is also often consulted before a United States Attorney's Office opens a preliminary investigation into a vote fraud allegation, although this is not required.

In the area of campaign-financing crimes, Department procedures require consultation with headquarters before any investigation, including a preliminary investigation, is commenced by a United States Attorney's Office. U.S.A.M. 9-85-210. The increased coordination with the Section at the initial stage of a criminal investigation of a FECA matter enables the Department to coordinate, when necessary, with another federal agency, the Federal Election Commission, which has civil enforcement authority over FECA violations.

The Section's consultation responsibility for election matters includes providing advice to prosecutors and investigators regarding the application of federal criminal laws to vote fraud, patronage crimes, and campaign-financing crimes, and the most effective investigative techniques for particular types of election offenses. In addition, the Election Crimes Branch helps draft election crime charges and other pleadings when requested.

The majority of the Branch's consultations are in the following two categories: vote fraud, also known as election fraud or ballot fraud; and campaign-financing crimes arising under the FECA. During 2016, the Branch assisted in evaluating allegations, helping to structure investigations, and drafting charges for United States Attorneys' Offices around the country in these areas of law enforcement.

b. Litigation. Section attorneys investigate and prosecute selected election crimes, either by assuming total operational responsibility for the case or by handling the case jointly with a United States Attorney's Office or other Department component.

c. District Election Officer Program. The Branch also assists in implementing the Department's long-standing District Election Officer (DEO) Program. This Program is designed to ensure that each of the Department's 94 United States Attorneys' Offices has a trained prosecutor available to oversee the handling of election crime matters within the district and to coordinate district responses with Department headquarters regarding these matters.

The DEO Program involves appointing an Assistant United States Attorney in each federal district to serve a two-year term as a DEO and providing periodic training for the DEOs in the handling of election crime and voting rights matters.



The DEO Program is also a crucial feature of the Department's nationwide Election Day Program, which takes place during the federal general elections held in November of even-numbered years. The Election Day Program ensures that federal prosecutors and investigators are available both at Department headquarters in Washington, DC, and in each district to receive complaints of election irregularities while the polls are open. As part of the Program, press releases are issued in Washington, DC, and in each district before the November federal elections that advise the public of the Department's enforcement interests in deterring and prosecuting election crimes and protecting voting rights. The press releases also provide contact information for the DEOs, local FBI officials, and Department officials in the Criminal and Civil Rights Divisions at headquarters, who may be contacted on Election Day by members of the public who have complaints of possible vote fraud or voting rights violations.

d. Inter-Agency Liaison with the Federal Election Commission. The Election Crimes Branch is the formal liaison between the Justice Department and the Federal Election Commission (FEC), an independent federal agency that shares enforcement jurisdiction with the Department over willful violations of the Federal Election Campaign Act (FECA). The FEC has exclusive civil jurisdiction over all FECA violations, while the Department has exclusive criminal jurisdiction over FECA crimes.

e. Inter-Agency Liaison with the Office of Special Counsel. The Branch also serves as the Department's point of contact with the United States Office of Special Counsel (OSC). The OSC has jurisdiction over noncriminal violations of the Hatch Act, 5 U.S.C. §§ 1501-1509, 7321-7326, which may also involve criminal patronage crimes that are within the Department's jurisdiction.

## **2. Conflicts of Interest Crimes**

"Conflicts of interest" is a wide-ranging and complex area of law, with many layers of administrative and oversight responsibility. Moreover, the federal criminal conflicts of interest laws overlap to some extent with the sometimes broader ethics restrictions imposed by civil statutes, agency standards of conduct, Presidential orders, and, in the case of attorneys, bar association codes of conduct.

The Public Integrity Section's work in the conflicts area falls into the following categories:

a. Criminal Referrals from Federal Agencies and Recusals. The Section's criminal enforcement role comes into play with respect to a narrow group of conflicts of interest matters, namely, those that involve possible misconduct proscribed by one of the federal conflicts of interest statutes, 18 U.S.C. §§ 203-209. These crimes are prosecuted either by a United States Attorney's Office or by the Public Integrity Section. Conflicts of interest matters are often referred to the Section by the various federal agencies. If investigation of a referral is warranted, the Section coordinates the investigation with the Inspector General for the agency concerned, the FBI, or both. If prosecution is warranted, the Section prosecutes the case. If a civil remedy

may be appropriate in lieu of criminal prosecution, the Section or the Inspector General may refer the case to the Civil Division of the Department of Justice for its review.

b. Coordination. The Public Integrity Section works with the United States Office of Government Ethics (OGE) to coordinate conflicts of interest issues with OGE and other executive branch agencies and offices. The purpose of this coordination is to ensure that the overall legislative and enforcement efforts in this area are both complementary and consistent. OGE has broad jurisdiction over noncriminal conduct by executive branch personnel, as well as the authority to provide guidance concerning the coverage of the federal criminal conflicts of interest statutes. The Section's coordination with OGE ensures that consistent guidance is provided with respect to the overlapping criminal, civil, and administrative interests implicated by the statutory and regulatory restrictions on federal personnel.

## **C. LEGAL AND TECHNICAL ASSISTANCE**

### **1. Training and Advice**

The Public Integrity Section is staffed with specialists who have considerable experience investigating and prosecuting corruption cases. Section attorneys participate in a wide range of formal training events for federal prosecutors and investigators. They are also available to provide informal advice on investigative methods, charging decisions, and trial strategy in specific cases.

The Section also conducts a public corruption seminar, held semi-annually, at the National Advocacy Center. Speakers at this seminar typically include both the Section's senior prosecutors and Assistant United States Attorneys from the field who have handled significant corruption cases. The seminars provide training for federal prosecutors regarding the statutes most commonly used in corruption cases, guidance in the use of the complex and difficult investigative techniques necessary to investigate government corruption, and advice from experienced prosecutors on conducting corruption trials.

### **2. Legal Advisor to the Integrity Committee of the Council of Inspectors General on Integrity and Efficiency**

Pursuant to the Inspector General Reform Act of 2008, Pub. L. No. 110-409, 122 Stat. 4302 (Oct. 14, 2008), the designee of the Chief of the Public Integrity Section serves as Legal Advisor to the Integrity Committee of the Council of Inspectors General on Integrity and Efficiency (CIGIE). The CIGIE is a body composed of the Inspectors General of the various agencies of the executive branch of the federal government. The Integrity Committee of the CIGIE is charged with handling allegations against Inspectors General and senior members of their staff.

In addition, the Integrity Committee is charged with establishing policies and procedures to ensure consistency in conducting administrative investigations. The Committee's procedures, drafted with the assistance of the Public Integrity Section, provide a framework for the

investigative function of the Committee. Allegations of wrongdoing by Inspectors General and their senior staff are initially reviewed by an Integrity Committee working group, with assistance from the Public Integrity Section, for potential criminal prosecution. In noncriminal matters, the procedures guide the Committee's process for reviewing or investigating alleged misconduct, and for reporting on its findings. The Public Integrity Section also advises the Integrity Committee on matters of law and policy relating to its investigations.

### **3. Legislative Activities**

An important responsibility of the Public Integrity Section is the review of proposed legislation that may affect, directly or indirectly, the investigation and prosecution of public officials and those who seek to corrupt these officials. The Section is often called upon to comment on legislation proposed by Congress, by the Administration, or by other departments of the executive branch; to draft or review testimony for congressional hearings; and to respond to congressional inquiries concerning legislative proposals. On occasion, the Section drafts legislative proposals relating to various corruption matters.

### **4. Case Supervision and General Assistance**

Public corruption cases are often controversial, complex, and highly visible. These factors may warrant Departmental supervision and review of a particular case. On occasion Section attorneys are called upon to conduct a careful review of a sensitive public corruption case, evaluating the quality of the investigative work and the adequacy of any proposed indictments. Based on its experience in this area, the Section can often identify tactical or evidentiary problems early on and either provide needed assistance or, if necessary, assume operational responsibility for the prosecution.

The Section also has considerable expertise in the supervision of the use of undercover operations in serious corruption cases. The Section serves on the FBI's Criminal Undercover Operations Review Committee. A number of the Section's senior prosecutors have experience in the practical and legal problems involved in such operations and have the expertise to employ this sensitive investigative technique effectively and to advise law enforcement personnel on its use.

### **5. International Advisory Responsibilities**

The Public Integrity Section actively participates in the area of international law enforcement. The Section regularly provides briefings and training on United States public corruption issues to visiting foreign delegations and continues the efforts of the United States to assist foreign countries in their quest to combat public corruption and election crime in their respective countries. This assistance includes participation in international proceedings and coordination with other components of the Justice Department and the State Department on the Administration's positions in this area.

Section experts continue to address visiting foreign officials in investigations and prosecutions of public corruption. These presentations are generally conducted under the auspices of the State Department's Foreign Visitor Program and the Justice Department's Office of Overseas Prosecutorial Development Assistance and Training. During 2016, the Section made presentations to officials from Afghanistan, Argentina, Bangladesh, Botswana, Brazil, Czech Republic, Germany, India, Italy, Kazakhstan, Kenya, Kosovo, Lesotho, Malawi, Mauritius, Namibia, Nepal, Pakistan, Philippines, Serbia, South Korea, Sri Lanka, Trinidad, and Ukraine.

## **PART II**

### **PUBLIC INTEGRITY SECTION INDICTMENTS AND PROSECUTIONS IN 2016**

#### **INTRODUCTION**

As described in Part I, the Public Integrity Section's role in the prosecution of public corruption cases ranges from sole operational responsibility for the entire case to approving an indictment or to providing advice on the drafting of charges. Part II of the Report provides examples of noteworthy public corruption cases for which the Section had either sole or shared operational responsibility during 2016.

In 2016, the Section's case work resulted in numerous guilty pleas, as well as obtaining trial convictions in Iowa, Arkansas, and Pennsylvania.

The descriptions of the Section's significant cases for calendar year 2016 are separated into categories, based on the branch or level of government affected by the corruption. Election crime cases are grouped separately. Unrelated cases in each category are separated by triple lines. When a conviction but not a sentencing took place in 2016, the sentencing may be reported in this report or in a later year's report.

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## FEDERAL JUDICIAL BRANCH

The Public Integrity Section has sole responsibility for the investigation and prosecution of federal judges due to the potential appearance issues that might arise if a local United States Attorney's Office were to investigate an allegation of wrongdoing by a judge before whom that United States Attorney's Office appears on a regular basis. The investigation of allegations of criminal wrongdoing in the federal judicial branch is a very sensitive matter. These investigations may involve intrusions into pending federal cases, cooperation from parties or witnesses who are appearing before the court, or potential disruption of the normal judicial process. In addition, the Section must coordinate closely with supervisory judges and the Administrative Office of United States Courts to facilitate the assignment of magistrates and judges from outside of the judicial district to handle requests during the investigation, such as grand jury supervision, or applications for warrants or electronic surveillance. The Public Integrity Section has developed substantial experience and expertise in these matters over the years. During 2016, the Section brought the following case involving the federal judicial branch.

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### **United States v. Michael Francis Clapper, District of Colorado**

On November 1, 2016, Michael Francis Clapper pleaded guilty to one count of making unlawful threats against the President and one count making unlawful threats against a federal judge. Clapper's guilty plea arose from a series of letters he sent to the federal district court in Colorado while he was incarcerated on unrelated state charges. After sending an initial letter threatening President Obama, Clapper subsequently sent another message written on the district court's pre-printed civil action form, which the clerk of court automatically docketed as a civil matter. After a district court judge dismissed the civil matter, Clapper sent another letter threatening the President, the district court judge who had dismissed the civil matter, and a U.S. Secret Service agent who had interviewed Clapper regarding his initial threat against the President.

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## FEDERAL LEGISLATIVE BRANCH

The Public Integrity Section plays a central role in the effort to combat corruption in the federal legislative branch. These cases raise unique issues of inter-branch comity, and they are always sensitive given the high-profile stature of elected officials. The Section has developed substantial expertise regarding the unique protections provided to Members of Congress and their staff by the Speech or Debate Clause set forth in Article I of the Constitution, and has worked closely and effectively with House and Senate counsel and the Ethics Committees in both houses. In addition to handling its own cases, the Section routinely provides advice and guidance to prosecutors across the country regarding these sensitive investigations. During 2016, the Section handled several cases involving legislative branch corruption, several of which are described below.

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### **United States v. Chaka Fattah, et al., Eastern District of Pennsylvania**

On June 21, 2016, former Congressman Fattah, lobbyist Herbert Vederman, Fattah's Congressional District Director Bonnie Bowser, Robert Brand, and Karen Nicholas were convicted for their roles in a racketeering and bribery conspiracy involving several schemes that were intended to further the political and financial interests of the defendants and others by misappropriating hundreds of thousands of dollars of federal, charitable and campaign funds, among other things.

Fattah was convicted of participating in racketeering, bribery, wire fraud, honest services fraud and money laundering conspiracies, and for bribery, mail fraud and money laundering. On December 12, 2016, Fattah was sentenced to 120 months in custody, ordered to pay \$600,000 in restitution and to forfeit \$14,500.

Brand, Nicholas, and Vederman were convicted of participating in a racketeering conspiracy. Vederman was also convicted of conspiracy to commit bribery, bribery, bank fraud, making false statements to a financial institution, falsification of records and money laundering. Vederman was sentenced to 24 months in custody and ordered to pay a \$50,000 fine. Brand was also convicted of conspiracy to commit wire fraud and was sentenced to 30 months in custody. Nicholas was also convicted of conspiracy to commit wire fraud, wire fraud, and falsification of records. Nicholas was sentenced to 24 months in custody. Bowser was convicted of conspiracy to commit bribery, bank fraud, making false statements to a financial institution, falsification of records, and money laundering and was sentenced to 3 years of probation.

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**United States v. David G. Bowser, District of Columbia**

On April 6, 2016, David G. Bowser, a former congressional chief of staff, was charged with obstruction of proceedings, theft of government property, concealment of material facts, and false statements in connection with the misuse of congressional funds to pay for campaign-related services. According to allegations in the indictment, from 2008 until January 2015, Bowser, while chief of staff for a then-sitting congressman, also served as a decision maker for the congressional campaign. In 2012, Bowser hired Brett O'Donnell, a communications consultant, for campaign services and directed that O'Donnell be paid with congressional funds, for a total of \$43,750.

In or about March 2014, the Office of Congressional Ethics (OCE) began an investigation into the allegations of misuse of congressional funds for campaign-related services. During the course of OCE's investigation, Bowser allegedly attempted to obstruct the investigation by, among other things, delaying and failing to produce relevant documents, influencing the testimony of witnesses, and making false statements. O'Donnell pleaded guilty in September 2015 in the Middle District of Georgia making false statements in connection with this case.

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**United States v. Robert Menendez and Salomon Melgen, United States Court of Appeals for the Third Circuit**

On February 29, 2016, the Public Integrity Section presented oral argument before the United States Court of Appeals for the Third Circuit in the interlocutory appeal filed by United States Senator Robert Menendez challenging his indictment based upon the Speech or Debate Clause of the United States Constitution. On July 29, 2016, the Third Circuit issued a favorable opinion affirming the district court's order denying Menendez's motion to dismiss based upon the Speech or Debate Clause.



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## **FEDERAL EXECUTIVE BRANCH**

The Public Integrity Section frequently receives allegations of corruption in the executive branch from federal law enforcement agencies, including the FBI, the Inspectors General for the various departments and agencies, and United States military investigators. These matters involve a careful balancing of the requirements of a criminal investigation and the operational needs of the executive offices involved. During 2016, the Section handled a number of cases involving executive branch corruption, several of which are described below.

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### **United States v. Stephen M. Barton, Eastern District of Virginia**

On October 25, 2016, Stephen M. Barton, a former senior employee of the Interior Department's Fish and Wildlife Service (FWS), pleaded guilty to one count of making false statements in several disclosure forms to conceal approximately \$300,000 of income that he received from an association that received funds from the FWS. According to his plea agreement, Barton worked as the chief of administration and information management for FWS beginning in 2007. Throughout his time at FWS, Barton also worked as the treasurer for an association that received grants and cooperative agreements from FWS. Barton admitted to submitting false disclosure forms to FWS, including a request for ethics approval to engage in outside work or activity and a confidential financial disclosure report (OGE Form 450), in which he concealed approximately \$300,000 of income that he received from the association between January 1, 2010, and December 31, 2014.

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### **United States v. Deenvaughn Rowe, Kendra Brantley, and Alicia Norman, District of Columbia**

On August 17, 2016, Deenvaughn Rowe, a manager of a U.S. Post Office in Washington, DC, and Kendra Brantley and Alicia Norman, both letter carriers, were indicted for a bribery scheme for using their positions at the United States Postal Service to track, receive and deliver packages containing hundreds of pounds of marijuana to individuals in exchange for cash. According to the allegations in the indictment, Rowe used his Postal Service computer to track packages containing marijuana mailed from the west coast to the Lamond Riggs Post Office in Washington, DC. The packages typically were addressed to fictitious individuals or non-existent addresses. After the packages arrived at the post office, Rowe would coordinate the delivery of the packages with Brantley and Norman, who would load the packages into their postal vehicles and deliver them to individuals they met on the street in exchange for cash.

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**United States v. Scott M. Bowman, Central District of California**

On May 2, 2016, Scott M. Bowman, a former special agent with the Federal Bureau of Investigation, pleaded guilty in the Central District of California to conversion of property by a federal employee, obstruction of justice, falsification of records and witness tampering for stealing over \$136,000 of drug proceeds seized during the execution of search warrants and taking steps to hide his theft. According to admissions made in connection with his plea, Bowman misappropriated drug proceeds seized during the execution of three search warrants in June and August 2014 after they were transferred to his custody in his official capacity as a federal law enforcement officer. Bowman admitted to spending the stolen money for his own personal use and enjoyment, which included paying cash for two vehicles and equipment, including speakers, rims and tires. Bowman also used over \$25,000 for other personal expenses, including a gift of cosmetic surgery and a weekend stay at a luxury hotel in Las Vegas.

In order to conceal his embezzlement, Bowman falsified official FBI reports and submitted a deposit receipt with a forged signature that understated the amount of proceeds he had actually seized at the search site. In addition, Bowman emailed a law enforcement colleague instructing him to provide a detailed cover story in case he was asked about Bowman's handling of the drug proceeds and the forged receipt. On August 29, 2016, Bowman was sentenced to 36 months in prison and was ordered to pay \$136,462 in restitution.

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**United States v. Koo Hyung Jung, Eastern District of Virginia**

On April 6, 2016, Koo Hyung Jung, a civilian employee of the U.S. Department of Defense's 501st Military Intelligence Brigade, pleaded guilty to knowing conversion of government property in the Eastern District of Virginia in connection with his scheme to illegally obtaining over \$141,561 in Living Quarters Allowance (LQA) funds. According to admissions made in connection with his plea, Jung repeatedly submitted false documents in order to obtain LQA funds from the Department of Defense in 2008, 2010, and 2012, using the money for his own personal benefit and without paying the required taxes on the lump sum LQA payments. On July 1, 2016, Jung was sentenced to 90 days' home confinement and was ordered to pay a fine of \$15,000 and \$141,560.90 in restitution.

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## STATE AND LOCAL GOVERNMENT

The Public Integrity Section plays a major role in combating corruption at all levels of government, including corruption relating to state or local public officials. The following are examples of corruption cases handled by the Section involving state and local officials in 2016.

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### **United States v. Theodore E. Suhl, Eastern District of Arkansas**

On July 21, 2016, Suhl, the owner of two Arkansas mental health companies, was convicted of honest services fraud, federal funds bribery, and interstate travel in aid of bribery for engaging in a scheme to bribe Steven B. Jones, a former deputy director of the Arkansas Department of Human Services (ADHS). The evidence presented at trial showed that, beginning in approximately 2007, Suhl repeatedly bribed Jones using two intermediaries, Philip W. Carter and a local pastor. Suhl, Jones, and Carter periodically met at restaurants in Tennessee or Arkansas where Suhl asked Jones, and Jones agreed, to perform official acts that benefitted Suhl and Suhl's businesses. In exchange for Jones's agreement to perform official acts, Suhl paid Jones by providing the bribe payments to Jones in cash and by funneling bribe payments through the pastor's church.

Jones pleaded guilty in October 2014 to federal funds bribery and conspiracy for his involvement in the scheme and was sentenced in February 2016 to 30 months in prison. Carter pleaded guilty in September 2015 to conspiracy to commit federal funds bribery and honest services wire fraud and was sentenced in February 2016 to 24 months in prison. On October 27, 2016, Suhl was sentenced to serve 84 months in custody and was ordered to pay a \$200,000 fine.

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### **United States v. Robert F. Arnold, Joe L. Russell, and John Vanderveer, Middle District of Tennessee**

On May 27, 2016, Arnold, the former Sheriff of Rutherford County, his former Chief Administrative Deputy Russell, and Arnold's uncle Vanderveer, were indicted for their roles in the formation, marketing, and operation of JailCigs, LLC, the use of Arnold's official position to make JailCigs profitable for the defendants, and the concealment and misrepresentation of Arnold's and Russell's involvement with the business. The 14-count indictment charges the defendants with honest services, mail, and wire fraud, bribery concerning federal programs, extortion under color of official right, obstruction of justice, and conspiracy.

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**United States v. Joseph Boeckmann, Eastern District of Arkansas**

On October 4, 2016, former state district judge Boeckmann was indicted on charges of wire and honest services fraud, bribery, and witness tampering for perpetrating a fraud and bribery scheme in which he dismissed cases on his docket in exchange for personal benefits. As alleged in the indictment, Boeckmann served as a district judge for the First Judicial District of Arkansas from 2010 to 2015. In that capacity, he dismissed traffic citations and misdemeanor criminal charges for young men in exchange for acts that he claimed were “community service,” but that actually benefitted Boeckmann himself. Those acts included taking photographs of those individuals with pending charges while naked or in compromising positions.

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**United States v. Eloy Infante, Elpidio Yanez, Jr., and Adrian Guerrero, Southern District of Texas**

On January 12, 2016, Eloy Infante and Elpidio Yanez, Jr., two former elected members of the School Board of Donna, Texas, and Adrian Guerrero, a private citizen, pleaded guilty to attempted interference with commerce by extortion for accepting bribes in connection with a services contract held by the Donna Independent School District (DISD). According to admissions made in connection with their pleas, Infante and Yanez were both members of the School Board when they attempted to extort, solicited, and accepted bribes from an individual whose company provided services to the DISD. Guerrero served as the middleman for one of the bribe payments. On July 5, 2016, Infante, Yanez, and Guerrero were sentenced to 46 months, 37 months, and 18 months in prison, respectively.

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## FEDERAL ELECTION CRIMES

As described in Part I, during 2016, the Public Integrity Section continued its nationwide oversight of the handling of election crime investigations and prosecutions. Set forth below are examples of the Section's 2016 casework in this area.

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### **United States v. Babulal Bera, Eastern District of California**

On May 10, 2016, Babulal Bera pleaded guilty to making excessive campaign contributions and making campaign contributions in the name of another in order to exceed campaign contribution limits established by federal law. According to admissions made in connection with his plea, Bera's son was a candidate for a seat in the United States Congress representing California's District 3 in 2010 and District 7 in 2012. Bera admitted that he made the maximum allowable individual contributions to both campaigns and that he solicited friends, family members, and acquaintances to make contributions, which he then reimbursed with his own funds. In all, Bera solicited over 130 improper campaign contributions involving approximately 90 contributors, resulting in over \$260,000 in reimbursed contributions relating to the two campaigns. On August 18, 2016, Babulal Bera, was sentenced to 12 months and one day in custody.

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### **United States v. Jesse R. Benton, John M. Tate, and Dimitrios N. Kesari, Southern District of Iowa**

On May 5, 2016, Benton, Tate, and Kesari, the senior leadership of a 2012 presidential campaign committee, were convicted of conspiracy, causing false records to obstruct a contemplated investigation, causing the submission of false campaign expenditure reports to the Federal Election Commission (FEC), and engaging in a scheme to make false statements to the FEC for their roles in the concealment of campaign expenditures made to secure the endorsement of an Iowa State Senator. According to evidence presented at trial, the defendants negotiated with former Iowa State Senator Kent Sorenson to obtain his support of their candidate in exchange for money. The campaign expenditures to Sorenson were made in monthly installments, ultimately totaling over \$70,000. The defendants concealed the payments by causing them to be recorded, both in campaign accounting records and in filings with the FEC, as campaign-related audio-visual expenditures and by causing them to be funneled through two companies. On September 20, 2016, Benton and Tate were sentenced to probation. On

September 21, 2016, Kesari was sentenced to 3 months in prison. All three were ordered to pay a \$10,000 fine.

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**The United States v. Michael Liberty, District of Maine**

On November 28, 2016, Michael A. Liberty pleaded guilty to making illegal campaign contributions in the names of others. According to admissions made in connection with his guilty plea, between May and June 2011, Liberty made \$22,500 in primary contributions through nine employees, associates and family members. The contributions were made to the principal campaign committee of a candidate for President of the United States and were all paid for by Liberty.

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### **PART III**

## **NATIONWIDE FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS**

### **INTRODUCTION**

The tables in this section of the Report reflect data that is compiled from annual nationwide surveys of the United States Attorneys' Offices and from the Public Integrity Section.

As discussed in Part I, most corruption cases are handled by the local United States Attorney's Office in the district where the crime occurred. However, on occasion outside prosecutors are asked either to assist the local office on a corruption case, or to handle the case entirely as a result of recusal of the local office due to a possible conflict of interest. The figures in Tables I through III include all public corruption prosecutions within each district including cases handled by the United States Attorneys' Offices and the Public Integrity Section.\*

### **LIST OF TABLES**

<b>TABLE I:</b>	Nationwide Federal Prosecutions of Public Corruption in 2016
<b>TABLE II:</b>	Progress Over the Past Two Decades: Nationwide Federal Prosecutions of Public Corruption
<b>TABLE III:</b>	Federal Public Corruption Convictions by District Over the Past Decade

\*Prior to 2016, Tables I through III included cases only from the United States Attorneys' Offices.

**TABLE I**  
**NATIONWIDE FEDERAL PROSECUTIONS**  
**OF CORRUPT PUBLIC OFFICIALS**  
**IN 2016**

<b>Federal Officials</b>	
Charged	354
Convicted	326
Awaiting Trial	170

<b>State Officials</b>	
Charged	139
Convicted	125
Awaiting Trial	74

<b>Local Officials</b>	
Charged	234
Convicted	213
Awaiting Trial	148

<b>Others Involved</b>	
Charged	255
Convicted	222
Awaiting Trial	177

<b>Totals</b>	
Charged	982
Convicted	886
Awaiting Trial	569



**TABLE II**

**PROGRESS OVER THE LAST TWO DECADES:  
FEDERAL PROSECUTIONS BY UNITED STATES ATTORNEYS' OFFICES  
OF CORRUPT PUBLIC OFFICIALS**

	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
<b>FEDERAL OFFICIALS</b>										
<b>Charged</b>	459	442	480	441	502	478	479	424	445	463
<b>Convicted</b>	392	414	460	422	414	429	421	381	390	407
<b>Awaiting Trial as of 12/31</b>	83	85	101	92	131	119	129	98	118	112
<b>STATE OFFICIALS</b>										
<b>Charged</b>	51	91	115	92	95	110	94	111	96	101
<b>Convicted</b>	49	58	80	91	61	132	87	81	94	116
<b>Awaiting Trial as of 12/31</b>	20	37	44	37	75	50	38	48	51	38
<b>LOCAL OFFICIALS</b>										
<b>Charged</b>	255	277	237	211	224	299	259	268	309	291
<b>Convicted</b>	169	264	219	183	184	262	119	252	232	241
<b>Awaiting Trial as of 12/31</b>	118	90	95	89	110	118	106	105	148	141
<b>PRIVATE CITIZENS INVOLVED IN PUBLIC CORRUPTION OFFENSES</b>										
<b>Charged</b>	292	364	302	256	266	249	318	410	313	295
<b>Convicted</b>	243	278	306	242	261	188	241	306	311	266
<b>Awaiting Trial as of 12/31</b>	106	128	89	109	121	126	139	168	136	148
<b>TOTALS</b>										
<b>Charged</b>	1057	1,174	1,134	1,000	1,087	1,136	1,150	1,213	1,163	1,150
<b>Convicted</b>	853	1,014	1,065	938	920	1,011	868	1,020	1,027	1,030
<b>Awaiting Trial as of 12/31</b>	327	340	329	327	437	413	412	419	453	439

**TABLE II (continued)**

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	Totals
<b>FEDERAL OFFICIALS</b>											
<b>Charged</b>	426	518	425	422	412	381	337	364	458	354	8,710
<b>Convicted</b>	405	458	426	397	392	369	315	364	402	326	7,984
<b>Awaiting Trial as of 12/31</b>	116	117	107	103	110	108	113	111	153	170	X
<b>STATE OFFICIALS</b>											
<b>Charged</b>	128	144	93	168	93	100	133	80	123	139	2,157
<b>Convicted</b>	85	123	102	108	143	78	119	109	97	125	1,938
<b>Awaiting Trial as of 12/31</b>	65	61	57	105	41	68	68	33	66	74	X
<b>LOCAL OFFICIALS</b>											
<b>Charged</b>	284	287	270	296	282	319	334	231	259	234	5,426
<b>Convicted</b>	275	246	257	280	276	295	303	252	200	213	4,722
<b>Awaiting Trial as of 12/31</b>	127	127	148	146	127	135	149	100	135	148	X
<b>PRIVATE CITIZENS INVOLVED IN PUBLIC CORRUPTION OFFENSES</b>											
<b>Charged</b>	303	355	294	298	295	278	330	241	262	255	5,976
<b>Convicted</b>	249	302	276	251	296	318	300	264	205	222	5,325
<b>Awaiting Trial as of 12/31</b>	179	184	161	200	191	144	169	106	150	177	X
<b>TOTALS</b>											
<b>Charged</b>	1141	1304	1082	1184	1082	1078	1134	916	1102	982	22,269
<b>Convicted</b>	1014	1129	1061	1036	1107	1060	1037	989	904	886	19,969
<b>Awaiting Trial as of 12/31</b>	487	489	473	554	469	455	499	350	504	569	X

**TABLE III**

**UNITED STATES ATTORNEYS' OFFICES  
FEDERAL PUBLIC CORRUPTION CONVICTIONS  
BY DISTRICT OVER THE PAST DECADE**

<b>U.S. Attorney's Office</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Totals</b>
Alabama, Middle	8	3	5	1	9	8	9	8	6	2	59
Alabama, Northern	39	17	18	11	14	13	12	11	13	8	156
Alabama, Southern	5	0	5	3	0	1	2	0	1	0	17
Alaska	15	8	1	9	4	4	2	1	4	4	52
Arizona	32	20	19	16	18	34	40	29	18	8	234
Arkansas, Eastern	8	4	2	11	7	12	4	3	10	14	75
Arkansas, Western	0	1	1	6	1	3	0	2	3	0	17
California, Central	55	41	43	29	27	39	19	66	53	32	404
California, Eastern	13	9	15	12	20	4	4	10	14	14	115
California, Northern	2	3	2	3	3	7	3	9	12	8	52
California, Southern	6	5	9	0	2	39	37	10	7	10	125
Colorado	3	4	14	6	6	9	3	2	0	3	50
Connecticut	17	5	2	4	0	8	13	9	6	0	64
Delaware	5	7	1	1	2	3	5	0	1	0	25
District of Columbia	22	66	28	41	39	47	18	15	8	7	291
Florida, Middle	28	51	30	18	24	25	20	28	27	10	261
Florida, Northern	19	3	27	13	3	9	8	9	14	8	113
Florida, Southern	22	12	12	21	13	28	21	27	42	38	236
Georgia, Middle	0	7	3	0	11	11	9	10	11	2	64
Georgia, Northern	7	15	21	32	32	27	11	33	22	67	267
Georgia, Southern	1	2	1	5	2	4	7	4	1	4	31
Guam & NMI	0	3	6	3	5	1	2	3	10	1	34
Hawaii	1	2	1	0	3	2	0	4	5	0	18

**TABLE III (continued)**

<b>U.S. Attorney's Office</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Totals</b>
Idaho	1	1	1	0	3	6	4	1	3	4	24
Illinois, Central	8	6	6	0	2	1	6	10	0	1	40
Illinois, Northern	28	43	47	46	30	36	45	18	16	30	339
Illinois, Southern	6	7	5	6	9	7	18	4	3	4	69
Indiana, Northern	15	9	10	4	4	25	15	7	7	10	106
Indiana, Southern	9	5	8	8	2	7	8	10	5	10	72
Iowa, Northern	0	0	0	0	2	1	1	2	4	3	13
Iowa, Southern	9	9	4	11	1	3	2	2	2	6	49
Kansas	2	5	4	5	9	8	4	2	2	0	41
Kentucky, Eastern	33	22	22	28	25	19	12	15	10	17	203
Kentucky, Western	6	6	19	6	13	13	3	4	3	3	76
Louisiana, Eastern	29	26	20	26	29	29	20	10	12	16	217
Louisiana, Middle	6	3	10	4	13	4	5	7	9	3	64
Louisiana, Western	7	10	14	25	9	19	25	4	6	22	141
Maine	4	8	5	1	4	2	2	3	4	5	38
Maryland	21	39	32	21	58	26	47	38	31	23	336
Massachusetts	29	19	28	27	19	13	22	18	16	17	208
Michigan, Eastern	7	20	7	14	18	17	19	13	4	25	144
Michigan, Western	5	13	11	16	6	0	0	6	2	9	68
Minnesota	3	7	13	6	8	0	6	5	4	5	57
Mississippi, Northern	18	13	13	9	4	9	11	8	3	4	92
Mississippi, Southern	7	4	2	15	13	0	7	10	8	3	69
Missouri, Eastern	12	22	16	11	10	11	10	10	5	6	113
Missouri, Western	8	9	8	14	4	10	0	9	6	12	80
Montana	0	8	7	10	5	2	5	27	8	26	98

**TABLE III (continued)**

<b>U.S. Attorney's Office</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Totals</b>
Nebraska	0	8	2	4	2	3	3	4	3	6	35
Nevada	4	0	7	4	6	6	2	6	0	0	35
New Hampshire	0	4	1	1	0	0	0	0	0	1	7
New Jersey	62	49	44	47	28	27	30	33	23	28	371
New Mexico	3	6	9	7	4	4	2	10	12	4	61
New York, Eastern	26	14	12	12	10	13	5	9	28	8	137
New York, Northern	7	10	2	3	3	5	1	0	4	2	37
New York, Southern	9	9	9	12	24	21	13	13	19	20	149
New York, Western	2	15	15	10	15	18	7	19	17	18	136
North Carolina, Eastern	18	4	4	9	10	4	10	6	13	15	93
North Carolina, Middle	5	1	3	7	1	0	2	0	0	0	19
North Carolina, Western	3	12	2	2	2	0	7	2	4	2	36
North Dakota	6	4	0	6	2	2	0	0	1	0	21
Ohio, Northern	37	29	49	65	28	16	8	11	18	13	274
Ohio, Southern	12	8	7	0	3	9	11	9	12	1	72
Oklahoma, Eastern	3	8	0	3	11	9	14	11	10	4	73
Oklahoma, Northern	3	3	12	2	2	5	3	4	4	5	43
Oklahoma, Western	3	11	10	9	11	12	5	7	6	4	78
Oregon	11	3	5	1	7	2	3	4	3	0	39
Pennsylvania, Eastern	19	15	20	23	23	30	29	36	27	26	248
Pennsylvania, Middle	16	16	16	25	7	7	0	1	14	3	105
Pennsylvania, Western	5	5	5	6	7	10	10	6	8	3	65
Puerto Rico	2	37	28	17	130	30	19	47	13	41	364
Rhode Island	1	2	1	3	8	2	8	4	3	0	32

**TABLE III (continued)**

<b>U.S. Attorney's Office</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>Totals</b>
South Carolina	4	8	7	2	11	2	5	7	3	6	55
South Dakota	4	11	8	9	8	9	3	1	6	1	60
Tennessee, Eastern	12	6	7	4	8	10	8	11	8	4	78
Tennessee, Middle	6	1	4	3	1	9	4	0	5	7	40
Tennessee, Western	24	5	10	14	8	12	18	8	21	9	129
Texas, Eastern	4	10	5	4	2	0	3	6	3	4	41
Texas, Northern	6	23	41	17	19	28	27	39	48	49	297
Texas, Southern	34	64	26	23	43	26	83	29	11	3	342
Texas, Western	11	15	27	27	24	47	53	28	29	30	291
Utah	7	5	3	1	2	1	3	2	0	2	26
Vermont	1	5	0	2	5	3	1	1	1	0	19
Virgin Islands	3	2	0	7	3	0	3	2	1	0	21
Virginia, Eastern	23	72	57	60	57	41	53	34	40	32	469
Virginia, Western	13	2	5	2	0	0	3	5	8	4	42
Washington, Eastern	4	5	0	0	2	0	0	0	0	7	18
Washington, Western	5	7	3	8	5	7	5	7	5	9	61
West Virginia, Northern	0	2	2	6	4	4	7	18	3	3	49
West Virginia, Southern	2	4	2	3	1	3	4	4	2	1	26
Wisconsin, Eastern	7	6	4	5	5	8	6	4	5	3	53
Wisconsin, Western	5	0	5	2	5	6	7	5	2	4	41
Wyoming	1	1	2	1	5	3	3	0	0	0	16