

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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:   
UNITED STATES OF AMERICA : INFORMATION  
:   
- v. - : 18 Cr. \_\_\_\_\_  
:   
WILLIAM TIERNEY, :   
a/k/a "Bill Johnson," :   
:   
Defendant. :   
:   
- - - - - X

COUNT ONE  
(Wire Fraud Conspiracy)

The United States Attorney charges:

Overview of the Fraudulent Scheme

1. Beginning at least in or about January 2018, WILLIAM TIERNEY, a/k/a "Bill Johnson," the defendant, conspired to defraud tens of thousands of donors to approximately six political action committees ("PACs") that he founded, controlled, and operated (the "Scam PACs").

2. The Scam PACs targeted victims across the country, including in the Southern District of New York, raising funds on the basis of false and misleading representations regarding causes including "autism awareness," "law enforcement appreciation," and the pro-life movement. In truth and in fact, virtually all of the money raised was paid to WILLIAM TIERNEY, a/k/a "Bill Johnson," the defendant, and his associates, or else used to perpetuate the fraud through additional telemarketing

and fundraising expenditures. In particular, during the charged period, the Scam PACs raised more than \$1,000,000, at least \$410,649.18 of which was received by Tierney personally. Less than one percent (1%) of all donor money to the PACs was spent on political contributions during the relevant period, and virtually all of the remaining funds were used to further the fraudulent fundraising scheme through telemarketing and other means.

3. WILLIAM TIERNEY, a/k/a "Bill Johnson," the defendant, used various means and methods to carry out the fraudulent scheme involving the Scam PACs, including but not limited to the following:

a. Between 2014 and 2018, TIERNEY established, and directed the fundraising efforts for, the following Scam PACs: Grassroots Awareness PAC, a/k/a "Autism Awareness"; Americans for Law Enforcement PAC, a/k/a "Law Enforcement Coalition"; National Campaign PAC, a/k/a the "Pro-Life Committee"; Voter Education PAC, a/k/a the "Republican Victory Campaign"; Action Coalition PAC, a/k/a the "Pro-Life Action Coalition"; and Protect Our Future PAC, a/k/a the "Pro-Life Committee." In December 2017, TIERNEY also established Health Awareness PAC, a/k/a "Breast Cancer Awareness," which did not raise funds prior to TIERNEY's arrest in 2018.

b. The Scam PACs solicited donations based on false and misleading representations and material omissions about their purported efforts, activities, and spending. These representations were made in written fundraising solicitations, telephone call solicitations, public PAC filings with the Federal Election Commission ("FEC"), and websites associated with the Scam PACs and related entities. For example:

i. Grassroots Awareness PAC, a/k/a "Autism Awareness," claimed to be a "grassroots organization" that was "launching a new effort from coast to coast to educate the public about autism [...]." In fact, Grassroots Awareness PAC engaged in no local organizing, had no members or volunteers, and was not engaging in any "new effort" separate from its fundraising activities.

ii. National Campaign PAC, a/k/a "Pro-Life Committee," stated that it was "out there every day, persuading people and changing minds" and that it intended to "reach persuadable Americans in key areas across the country." It also stated that donations would help it to "[w]ork with allies in churches and pro-life activists across the country." In fact, National Campaign PAC specifically instructed telemarketers to ask call recipients if they were pro-life, pro-choice, or in-between, and to hang up immediately if the answer was anything

but pro-life. Additionally, National Campaign PAC did no work whatsoever with churches or activists.

c. TIERNEY created and utilized a web of shell pass-through entities that concealed and disguised the fraud. Donated funds were transferred to these shell entities, which were given names that suggested the entities engaged in marketing, consulting, and communications efforts; for example, "Political Issue Advocacy, LLC," "Alliance Marketing, LLC," and "Community Outreach, LLC." In public FEC disclosure documents filed by the Scam PACs, those payments to the shell entities therefore appeared to be expenditures related to marketing, consulting, and communications efforts. In truth and in fact, the shell entities had no active operations or employees. Rather, TIERNEY used them as pass-through entities to transfer donations to himself and to additional accounts he controlled.

d. In connection with the creation and use of shell entities, among other things, TIERNEY established a website for Political Issue Advocacy, LLC. The website claimed that Political Issue Advocacy provided services to trade associations, candidate campaigns, and nonprofit organizations. Each of those assertions was false.

e. The scheme utilized multiple fraudulent identities. For example, TIERNEY used the fake identity "Bill Johnson" when meeting and corresponding with numerous officials

at call centers he engaged to raise money for certain of the Scam PACs, as well as in communications with an individual TIERNEY hired to act as Treasurer for two of the Scam PACs. Another fake identity, "Emma Smith," was used in fundraising solicitations that described "Smith" as the "Volunteer Chairman" for one of the Scam PACs. "Smith" was listed as the signatory of letter stating, among other things, that "I'm a pro-life woman myself, as are our Pro-Life Committee's founder and many of our colleagues." In truth and in fact, neither Emma Smith nor the position of "Volunteer Chairman" actually existed, and the founder of National Campaign PAC, a/k/a the "Pro-Life Committee," was TIERNEY.

f. TIERNEY oversaw the hiring of individuals, recruited through an online classified advertisements website, who would be listed in public FEC filings as the Treasurer of certain of the Scam PACs -- but who in fact had no substantive role in the operations, fundraising, or spending of the PACs for which they were listed as Treasurer. Those individuals were paid approximately \$300 per month by TIERNEY to review and confirm calculations for FEC filings prepared by TIERNEY and his associates. By using these different individuals as Treasurers, TIERNEY avoided publicly associating his own name with the Scam PACs, and also avoided linkages between the Scam PACs in public filings. Additionally, TIERNEY instructed one of his associates

to use a fake last name when interviewing individuals to be listed as Treasurer for certain of the Scam PACs.

g. TIERNEY instructed two telemarketing vendors that received millions of dollars from certain of the Scam PACs to create shell subsidiary LLCs -- which he referred to as "Stealth LLCs" -- with names that avoided any discernable connection with their parent telemarketing vendors. TIERNEY further directed the telemarketing vendors to bill each relevant Scam PAC from a corresponding Stealth LLC. Each Scam PAC then stated in public FEC filings that donor funds were used, among other things, to pay different Stealth LLCs. This prevented the FEC, donors, and other members of the public from being able to learn from FEC disclosure forms that multiple Scam PACs were in fact paying the same telemarketing vendors.

h. TIERNEY undertook efforts to avoid press coverage of the Scam PACs, despite the PACs' public claims of national advocacy and awareness campaigns. TIERNEY also monitored media articles about fraudulent PACs, including in connection with evaluating whether to increase their de minimis political donations to avoid the suspicion of journalists.

i. Certain of the Scam PACs falsely purported to provide opportunities for individuals to contact the relevant PACs for, among other things, information on volunteering for candidates or requesting bumper stickers.

Multiple attempts by an undercover law enforcement officer to contact certain of the Scam PACs for those advertised purposes, using undercover names and contact information, were unsuccessful.

#### Statutory Allegations

4. In or about 2018, in the Southern District of New York and elsewhere, WILLIAM TIERNEY, a/k/a "Bill Johnson," the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit an offense against the United States, to wit, wire fraud, in violation of Title 18, United States Code, Section 1343.

5. It was a part and an object of the conspiracy that WILLIAM TIERNEY, a/k/a "Bill Johnson," the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, in violation of Title 18, United States Code, Section 1343, to wit, TIERNEY participated in a scheme to defraud donors and potential donors to certain

PACs, including National Campaign PAC, Voter Education PAC, Grassroots Awareness PAC, Americans For Law Enforcement PAC, Action Coalition PAC, and Protect Our Future PAC, by, among other things, causing to be transmitted fundraising solicitations, including through the use of interstate phone calls, containing false and misleading statements regarding the operation of the PACs and the use of donor money.

Overt Act

6. In furtherance of said conspiracy and to effect the illegal object thereof, the following overt act, among others, was committed in the Southern District of New York:

a. In or about 2018, WILLIAM TIERNEY, a/k/a "Bill Johnson," the defendant, caused certain of the PACs to make solicitation calls and send written solicitation materials that contained false and misleading statements to donors and potential donors located in the Southern District of New York.

(Title 18, United States Code, Section 371.)

FORFEITURE ALLEGATION

7. As a result of committing the offense alleged in Count One of this Information, WILLIAM TIERNEY, a/k/a "Bill Johnson," the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code Section 981(a)(1)(C) and Title 28, United States Code Section 2461(c), any and all property, real or personal, which constitutes or is derived from



proceeds traceable to the commission of the offense charged in Count One of this Information.

SUBSTITUTE ASSETS PROVISION

8. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

c. has been placed beyond the jurisdiction of the Court;

d. has been substantially diminished in value; or

e. has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 18, United States Code, 981(a)(1)(C), Title 21, United States Code, Section 853(p), and Title 28, United States Code, Section 2461(c), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property.

(Title 18, United States Code, Section 981(a)(1)(C),  
Title 21, United States Code, Section 853(p),  
Title 28, United States Code, Section 2461(c).)

Geoffrey S. Berman  
GEOFFREY S. BERMAN  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(18 U.S.C. § 371.)

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GEOFFREY S. BERMAN  
United States Attorney.

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