

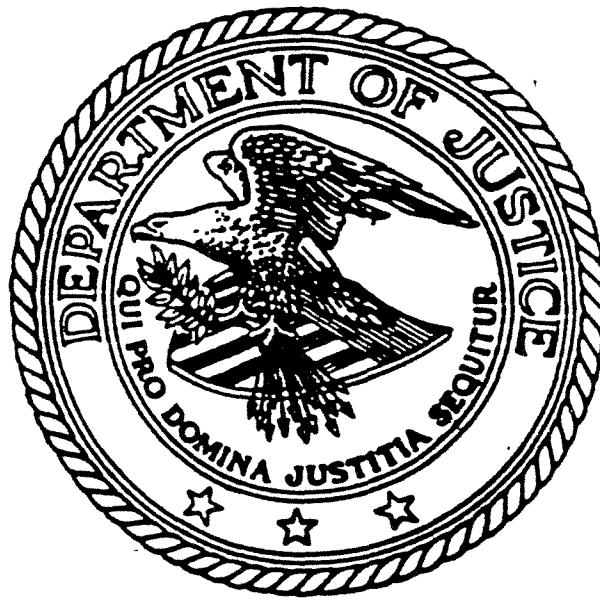
REPORT TO CONGRESS
ON THE ACTIVITIES AND OPERATIONS
OF THE
PUBLIC INTEGRITY SECTION
FOR 1996



Public Integrity Section
Criminal Division
United States Department of Justice

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

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Section 529 of the Ethics in Government Act of 1978

INTRODUCTION

This Report to Congress describes the activities and operations of the Public Integrity Section during 1996. The Report, prepared as required by the Ethics in Government Act of 1978, also provides statistics on the nationwide federal effort against public corruption for calendar year 1996.

In 1976 former Attorney General Richard Thornburgh, then Assistant Attorney General of the Criminal Division, created the Public Integrity Section as a new unit within the Criminal Division. His purpose was to consolidate, and thereby make more effective, the Department's oversight responsibilities regarding the prosecution of cases involving criminal abuses of the public trust by officials at all levels of government.

Two years after its creation the Section was given the responsibility of administering the Special Prosecutor provisions of the Ethics in Government Act. The Act, renamed in 1982 the Independent Counsel Act, addresses an extremely sensitive area of criminal law enforcement. The Section reviews all allegations raising questions under the Act, conducts limited inquiries when required, and makes recommendations to the Attorney General as to whether the Act has been triggered in specific cases.

In 1980 a special Election Crimes Branch was created within the Section to supervise the Department's nationwide response to election crimes, another form of corruption with sensitive law enforcement overtones. The Branch reviews all major election crime investigations throughout the country and all proposed criminal charges relating to election crime.

Lee J. Radek continued to serve as Chief of the Section throughout 1996. The Section maintains a staff of 25 to 30 attorneys, including experts in extortion, bribery, election crimes, and criminal conflicts of interest. Section attorneys prosecute selected cases involving federal, state, and local officials and also advise and assist prosecutors and agents in the field regarding the handling of public corruption cases. The Section also serves as the Justice Department's center for handling various issues that may arise regarding public corruption cases.

Part I of the Report discusses the operations of the Public Integrity Section and highlights its major activities in 1996. Part II describes the cases prosecuted by the Section in 1996. Part III presents data based on the Section's annual nationwide surveys of United States Attorneys regarding the national federal effort to combat public corruption during 1996 and over the past two decades.

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PART I

OPERATIONAL RESPONSIBILITIES OF THE PUBLIC INTEGRITY SECTION

A. RESPONSIBILITY FOR LITIGATION

As its name implies, the focus of the Public Integrity Section is on crimes that reflect a corruption of the integrity of public officials. Most of the Section's resources are devoted to the supervision of investigations involving alleged abuses of the public trust by government officials and to litigation resulting from these investigations. Decisions to undertake particular matters are made on a case-by-case basis. Factors relevant to whether the Section begins an investigation include the type and seriousness of the allegation, the sufficiency of factual predication suggesting criminal conduct, and the availability of federal prosecutive theories to reach the conduct. In general, cases handled by the Section fall into the following four categories:

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 that is reflected in the statistical charts in Part III of this Report. At times, however, prosecution by the local Office of a particular corruption case may be inappropriate or undesirable.

Government corruption cases often raise unique problems of public perception that are absent in more routine criminal cases. An investigation of alleged government corruption, whether at the federal, state, or local level, always has at least the potential to be high-profile, simply because its focus is on the conduct of a public official. These cases may also be politically sensitive because their ultimate targets are often politicians or agents or employees of politicians.

To be successful, public corruption cases require that both the appearance and the reality of fairness and impartiality be maintained. Therefore if the United States Attorney or a prosecutor in his or her office has had a significant business, social, political, or personal relationship with a subject or principal witness in a corruption investigation, it may be difficult, and often inappropriate, for the United States Attorney or his or her office to handle the investigation. Cases involving corruption allegations in which the conflict is substantial are usually referred to the Public Integrity Section either for prosecution or for direct operational supervision.

Allegations involving federal judges and other judicial officers almost always require local recusal, a procedure through which the local United States Attorney steps aside as primary prosecutor. There are important policy and practical reasons for recusal by the local Office in these cases. In addition to possible professional or social ties with a judge who is the subject or target of

the investigation, local prosecutors will have official responsibilities before the judge on their other cases, both during and after the investigation. Having the case handled outside the Office eliminates both the practical difficulties and the awkwardness that would arise if a prosecutor investigating a judge were to appear before the judge on other matters. Thus, as a matter of established Department practice, judicial corruption cases are generally handled by the Public Integrity Section.

Similar concerns of the possible appearance of bias or favoritism tend to arise when the target of an investigation is a federal prosecutor, or a federal investigator or other employee assigned to work closely with a particular United States Attorney's Office. For example, if an Assistant United States Attorney were to investigate one of his or her fellow AUSAs, the public would have reason to doubt that the matter would be handled vigorously and impartially. Thus, cases involving United States Attorneys, AUSAs, or federal investigators 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, where they constitute a significant portion of its caseload. An example of a recusal handled by the Section is the recent conviction of an AUSA who abused his official position for personal gain. At the conclusion of an eighteen-month investigation by the Section the AUSA pled guilty to three felonies, and he has since been sentenced to a prison term of two years.

2. Sensitive and Multi-District Cases

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

Sensitive cases include those that may be significant for any of a number of reasons. Because of its importance, a case may require close coordination with high-level Department officials. Alternatively, it may require a substantial amount of coordination with other federal agencies in Washington. Sensitive cases also include those that are so politically controversial on a local level that they are most appropriately handled out of Washington. They also include cases involving misuse of classified materials. For example, in 1996 the Public Integrity Section prosecuted several CIA employees and their accomplices for stealing sensitive items from the CIA, including CIA credit cards and identification documents. The scheme included intercepting items from the CIA's classified mail and using the stolen credit cards to obtain almost \$200,000 in goods and services.

Another example of a sensitive investigation that was assigned to the Section in 1996 involves the alleged campaign financing violations by both major political parties and their respective candidates' campaigns during the 1996 presidential election cycle. In late 1996 the Attorney General established a campaign financing task force to investigate these allegations. The task force was initially staffed primarily with Section prosecutors and reported to the Attorney General through the Chief of the Public Integrity Section.

Another sensitive prosecution handled by the Section during 1996 involved a scheme by

federal officials to obtain political contributions from their subordinates. After a difficult and lengthy investigation, the Section obtained guilty pleas from one current official and three former officials of the Agriculture Department's Agricultural Stabilization and Conservation Service for conspiring to obtain political contributions from colleagues and subordinates in exchange for official benefits.

Multi-district cases involve investigations that cross judicial district lines, and hence fall under the jurisdiction of two or more United States Attorneys' Offices. In these cases the Section either provides coordination among the various United States Attorneys' Offices, or, when appropriate, assumes operational responsibility for the entire investigation. The CIA investigation described above falls into this category, as it involved offenses in three different judicial districts.

3. Federal Agency Referrals

The Section is responsible for handling matters referred directly by the various federal agencies that involve possible federal crimes committed by federal officers or employees. The Section reviews these allegations to determine whether further investigation of the matter is warranted and, ultimately, whether the matter should be prosecuted, or instead referred back to the employing agency for possible administrative action.

Agency referrals of alleged employee wrongdoing are an important part of the Section's mission. Accordingly, the Section works closely with the Offices of Inspector General for the various agencies of the executive branch. This work includes consultation on IG investigations, coordination of joint investigations between the FBI and an IG office, and prompt prosecutive evaluation of these referrals. The Section also invests substantial time in training agency investigators in the statutes involved in corruption cases and the investigative approaches that work best in these cases.

The Section has focused particular attention on referrals from the various intelligence agencies. Matters involving employees of these agencies often are unusually sensitive, requiring high-level clearances and the application of specialized statutes. For example, a referral to the Section from the Defense Intelligence Agency resulted in the eventual jury conviction and a sentence of three years' imprisonment in 1996 for a senior program manager for his fraudulent efforts to obtain \$400,000 through a DIA program involving an electronic warfare countermeasures system. The case implicated classified national security information and required special litigation under the Classified Information Procedures Act.

4. Requests for Assistance

Finally, the Public Integrity Section often becomes involved in cases at the request of a United States Attorney's Office. 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 and the United States Attorney may request the Section's assistance. In these cases the Section

is able to provide the resources of the office, including experienced federal prosecutors skilled in the nuances of corruption cases.

In 1996 Section attorneys assisted numerous United States Attorneys' Offices in handling corruption cases. Examples of these joint prosecutions by the Section and a United States Attorney's Office include the bribery conviction of Daniel Hanson in the District of Massachusetts, the conspiracy and gratuity convictions of Theodore Prakope in the Eastern District of New York, the theft conviction of Elaine Bey in the District of New Jersey, the bank larceny convictions of Gary West and Andrew White in the District of Columbia, the mail fraud and related convictions of Clyde Brown, William Thorpe, and Green River Coal Company in the Western District of Kentucky, and the corruption convictions of Vernon Hizel and Louisiana State Representative Michael Russo in the Middle District of Louisiana.

B. SPECIAL SECTION PRIORITIES

1. Independent Counsel Matters

The Public Integrity Section is responsible for supervising the administration of the Independent Counsel provisions of the Ethics in Government Act, codified at Sections 591 through 599 of Title 28 of the United States Code. The Act requires the Attorney General to decide whether a criminal allegation involving a very high-level official of the executive branch of the federal government, such as the President or one of his senior advisors or cabinet heads, must be investigated by someone other than the Department of Justice. This decision must be made in a short period of time and must also be made without the benefit of many normal investigative tools, such as grand jury process and plea bargaining.

This landmark legislation was controversial when it was enacted and remains controversial two decades after its passage. Given its premise and its effect, this is hardly surprising. As originally passed, the statute was called the Special Prosecutor Act. Its current name more accurately reflects the basic premise behind the law -- that is, the perceived need in certain cases for an independent determination as to whether or not to seek a criminal charge against a highly placed federal official.

The purpose of the Independent Counsel Act is to ensure both the appearance and the actuality of impartial prosecutive decisions concerning the President and high-level government officials who serve the President. Its premise is that the Attorney General of the United States, who was appointed by and serves under a sitting President, may not investigate criminal allegations involving the President or his senior staff with the impartial vigor that is required of all prosecutors.

Independent counsel matters are handled as the highest priority of the Section. There are three reasons for this. First, because an independent counsel matter, by definition, concerns possible wrongdoing by a top government official, it may juxtapose criminal law enforcement interests with partisan political interests outside the Administration. Thus, these matters tend to be both potentially

serious and at the same time politically sensitive. Second, both the procedures and the time limits of the Independent Counsel Act are extremely strict. Third, the central issue under the Act involves a complex intellectual analysis, namely, whether the Attorney General -- and thus a career federal prosecutor under the supervision of the Attorney General -- is barred from investigating a matter that either the Act or Justice Department policy requires to be investigated.

The Independent Counsel Act is triggered if the Justice Department receives specific information from a credible source alleging that any of certain specified high-ranking executive branch officials may have committed a federal crime. The Attorney General then must request that a special panel of federal judges appoint an independent counsel, unless a brief preliminary investigation establishes that there are no reasonable grounds to believe that further investigation is warranted. This limited investigation must be completed within 90 days and cannot involve use of the powers of the federal grand jury.

The Public Integrity Section is responsible for the initial analysis of all independent counsel matters and for conducting preliminary investigations when warranted. The Section also prepares recommendations to the Attorney General as to whether the independent counsel provisions have been triggered and whether further investigation of a matter is warranted. The number of independent counsel matters handled by the Section has increased dramatically over the past decade, to the point where these matters have become a significant portion of the Section's workload.

Independent counsel matters are often factually complex as well as politically sensitive. They may also require resolution of complex or novel legal issues. The Act's constraints require that the attorneys handling these matters -- and their supervisors -- make difficult decisions without the benefit of the fully developed facts with which prosecutors in corruption matters are accustomed to dealing.

In addition to handling preliminary investigations under the statute, the Section also serves as the principal liaison between the ongoing investigations by the various independent counsels and the Department of Justice. Some of these independent counsel investigations have absorbed substantial Section resources. The Section also handles independent counsel inquiries concerning legal issues, Departmental policies, requests for documents, and interviews of Departmental personnel. Finally, the Section reviews proposed legislation to amend the Act, drafts legislative changes, and handles issues that may implicate the Act.

2. Election Crimes

Another special Section priority is its supervision of the Justice Department's nationwide response to election crimes. Oversight by headquarters of election crime investigations and prosecutions has been in existence for over twenty years. This oversight is intended to ensure that the Department's response to all election crime matters is uniform, impartial, and effective. In 1980, an 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 possible civil rights violations, which are supervised by the Voting Section of the Civil Rights Division. Specifically, the Branch supervises four types of corruption cases that relate to the electoral process: crimes that directly relate to voting (*i.e.*, "vote fraud" or "election fraud"); crimes involving the financing of federal election campaigns; crimes relating to political patronage abuses, such as political shakedowns of federal employees; and illegal lobbying with appropriated funds. Vote frauds and campaign-financing offenses are the most significant and also the most common types of election crime. These cases consume a substantial portion of the Branch's resources.

In the fall of 1996 the Attorney General established a special task force composed primarily of prosecutors from the Public Integrity Section to investigate alleged campaign-financing violations involving the two major political parties and the campaigns of their respective presidential candidates. The task force worked closely with the Election Crimes Branch. Due to the scope and complexity of the allegations, the task force was subsequently augmented by attorneys from other sections of the Department's Criminal Division and Assistant United States Attorneys from the field.

a. Consultation and Field Support. Under long-established Department procedures, the Section's Election Crimes Branch reviews all major election-fraud investigations throughout the country, and all election crime cases proposed by the United States Attorneys' Offices for legal and factual sufficiency.

In addition, the Branch reviews all investigations involving possible violations of the Federal Election Campaign Act, 2 U.S.C. §§ 431 - 455 (FECA). This increased oversight for campaign financing matters is the result of the Justice Department's limited enforcement role in this area. By statute, most FECA violations are handled civilly by the Federal Election Commission; criminal prosecution by the Justice Department is confined to matters that are aggravated both in amount and in the degree of criminal intent. 2 U.S.C. § 437g(d). Early consultation with the Section helps conserve the Department's prosecutive and investigative resources by ensuring that criminal investigations are limited to those serious FECA matters that fall under the Department's jurisdiction.

The Branch also advises the United States Attorneys' Offices and the various independent counsels regarding the application of federal criminal laws to election fraud and campaign-financing abuses and the most effective investigative techniques for particular types of election offenses. In this connection, the Branch supervises the Department's use of the federal conspiracy and false statements statutes (18 U.S.C. § 371 and § 1001) to address aggravated schemes to subvert the requirements of the FECA. The Branch also helps draft criminal charges and other pleadings in this area when requested.

During 1996, the Election Crimes Branch assisted the United States Attorneys' Offices with significant election-fraud investigations in Alabama, Florida, Georgia, Indiana, Kentucky, Louisiana, Massachusetts, New York, Ohio, South Carolina, and Texas. Many of these investigations ultimately resulted in convictions. For example, the United States Attorney's Office obtained over

30 convictions in 1996 for vote-buying in Dodge County and Dublin County, Georgia.

In 1996 the Justice Department also began increasing its efforts to address aggravated schemes to violate the federal campaign financing laws. As part of this effort, the Election Crimes Branch assisted United States Attorneys' Offices in California, Pennsylvania, Massachusetts, Nevada, and Washington in developing and implementing prosecution strategies for campaign fraud matters in their districts. These prosecutive efforts have begun to produce significant criminal law enforcement results: the campaign fraud cases in Massachusetts, Pennsylvania, and Washington ultimately resulted in multiple convictions, prison terms for the principal defendants, and millions of dollars in fines for both individual and corporate defendants.

The Branch also provided substantial assistance in 1996 to the Whitewater and Espy Independent Counsels on the campaign-financing aspects of those investigations.

b. Education and Training. In order to promote greater awareness of the Department's prosecutive responsibilities relating to election crimes, the Section frequently provides speakers at training seminars for prosecutors, investigators, and election officials. In addition, the Branch prepares an election crime manual for prosecutors and investigators, which is updated periodically. The last manual, Federal Prosecution of Election Offenses (1995), was the sixth edition of this manual.

During 1996, the Election Crimes Branch participated in official exchanges with election officials and lawmakers from other countries in order to share expertise concerning election administration and vote-fraud prevention. These activities were conducted under the auspices of the Federal Election Commission, the United States Information Agency, and the Criminal Division's Office of International Affairs. In 1996 the Branch also provided training and assistance to representatives of Bangladesh, Benin, Burkina Faso, Chad, Cote d'Ivoire, Ghana, Hungary, Italy, Kazakhstan, Mali, Mexico, Niger, Russia, the Republic of South Africa, Thailand, Togo, and the Ukraine.

c. Legislation. The Election Crimes Branch reviews all proposed legislation that would affect either the election process or the regulation of federal campaigns, and plays a significant role in formulating the Department's position in these areas.

d. Litigation. The Branch at times assists United States Attorneys' Offices in prosecuting significant cases involving vote frauds and campaign financing crimes. Section attorneys also on occasion assume operational responsibility for handling selected election crimes. For example, in 1996 the Section successfully prosecuted one current and three former officials of the Department of Agriculture for conspiring to obtain political contributions from federal employees. In addition to fines, two of the officials were sentenced to 30 days' imprisonment and the remaining two were required to perform 100 hours of community service.

e. Inter-Agency Liaison. The Election Crimes Branch is the formal liaison between the Justice Department and the Federal Election Commission, an independent executive agency that shares enforcement jurisdiction with the Department over aggravated campaign-financing violations. 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. §§ 7321-7326 and §§ 1501-1508, which may also involve criminal patronage abuses that are within the Department's jurisdiction.

f. National Election Day Watch Program. Every two years, on the day of the federal general elections in November, the Justice Department conducts an Election Day Watch Program. The purpose of this program is to ensure that the public is aware of the Department's interest in prosecuting vote fraud and knows how to report these matters to appropriate authorities. This Watch takes place at the Department's Washington headquarters and also in each United States Attorney's Office. In November 1996, the Branch ensured that an Assistant United States Attorney was appointed in each judicial district to serve as the District Election Officer and provided assistance to these prosecutors in responding to election-related complaints in their district.

3. Conflict of Interest Crimes

Conflicts of interest is a wide-ranging and complex area of law, with many layers of administrative responsibility. Moreover, the federal criminal conflicts prohibitions 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. There are thus many layers of responsibility in the conflicts area in addition to criminal law enforcement.

a. Criminal Referrals from Federal Agencies. The Public Integrity Section's enforcement role comes into play with respect to a narrow group of conflict of interest matters, namely, those that involve criminal misconduct. The federal conflicts crimes are codified in Sections 203 through 209 of Title 18 of the United States Code. They are prosecuted either by a United States Attorney's Office or by the Public Integrity Section. The Section reviews criminal conflicts matters that are referred to it from the various federal agencies and coordinates the investigation of these allegations with the Inspector General for the agency concerned or the FBI, or both. If prosecution of a conflicts referral is warranted, Section attorneys prosecute these crimes.

b. Civil Enforcement for Conflicts of Interest. The Section has increased implementation of an effective enforcement strategy that is designed to accomplish the objectives of criminal enforcement while conserving prosecutorial resources. Under the criminal code, violations of the criminal conflict of interest statutes are now subject to civil sanctions as well as criminal prosecution (18 U.S.C. § 216(b)). Many conflicts matters do not warrant criminal prosecution yet raise serious law enforcement concerns. The Section coordinates the handling of these types of matters with the Department's Civil Division. The goal of this enforcement strategy is to encourage compliance with the law by achieving timely, predictable, and appropriate resolution of allegations while lowering the tolerance for infractions.

c. Legislative Activities. The Section has a number of legislative responsibilities with respect to the conflict of interest laws. These responsibilities have dramatically increased in recent years with the surge of interest in the ethics of public officials and the recognized need for more effective legislation addressing government ethics. The Section both develops and reviews legislative proposals relating to criminal conflicts of interest and also devotes considerable resources to the review of noncriminal legislative proposals that overlap, sometimes in a subtle manner not envisioned by a bill's drafters, with the criminal statutes. The principal objective of this review is to assure that the impact of proposed legislation on criminal law enforcement is both recognized and consistent with policy reflected in the criminal statutes. In addition, the Section helps formulate policy, drafts legislation, reviews legislation proposed by other executive branch agencies, and prepares congressional testimony in this area.

d. Coordination. The Public Integrity Section works closely with the United States Office of Government Ethics (OGE) on the coordination of conflicts issues with other executive branch offices in order to ensure that the overall efforts of the Administration are both complementary and consistent. The OGE has broad jurisdiction over the noncriminal conduct of executive branch personnel, including authority to provide guidance concerning the coverage of the federal criminal conflicts statutes. The Section coordinates conflicts issues with the OGE so that consistent guidance is provided with respect to the overlapping criminal and civil interests implicated by the statutory and regulatory conflicts restrictions.

e. Education and Training. The Section also frequently provides instruction on the criminal conflict of interest laws to the Offices of Inspectors General of the various federal agencies. In addition, the Section provides faculty to the Advanced Financial Fraud Training Program of the Financial Fraud Institute at the Federal Law Enforcement Training Center; the focus of the training is on conflicts of interest offenses.

4. Southwest Border Initiative

During 1996 the Public Integrity Section also continued its active involvement in the Department's Southwest Border Initiative, an ongoing multi-agency effort to increase the federal government's success in combatting drug and corruption-related offenses along our country's Southwest border. The initiative is designed to improve coordination and cooperation among federal law enforcement agencies concerning corruption offenses along the Southwest border, and thereby to increase our ability to detect, investigate, and prosecute border corruption. Offices and agencies participating in this initiative include the various United States Attorneys' Offices whose jurisdiction includes the Southwest border, the Federal Bureau of Investigation, the Drug Enforcement Agency, the Immigration and Naturalization Service, the United States Customs Service, and the Criminal Investigative Division of the Internal Revenue Service.

The Section participates regularly in meetings of the Southwest Border Council, a group consisting of the United States Attorneys for each of the Southwest border districts as well as senior representatives from the major federal law enforcement agencies with responsibility for the border

area. During 1996 the Section provided on-scene advice and assistance to participating offices and agencies concerning investigative and prosecutive strategies for corruption offenses and the most effective ways to implement these strategies. In 1996 Section staff also contributed to legal training at a seminar for agents of the Customs Service relating to this initiative.

C. LEGAL AND TECHNICAL ASSISTANCE

In addition to its litigation and oversight responsibilities, the Section provides legal and technical assistance as well as support services to various law enforcement officials and agencies.

1. General Advice and Training

The Public Integrity Section is staffed with specialists who have considerable experience investigating and prosecuting corruption cases. Section attorneys are available to advise federal prosecutors and investigators on substantive questions, investigative methods, charging decisions, and trial strategy.

In addition to the more specialized assistance described above, during 1996 the Section continued to provide formal training on the handling of general corruption matters at seminars for prosecutors and investigators. Speakers at these corruption seminars typically include both the Section's senior prosecutors and Assistant United States Attorneys from the field who have handled significant corruption prosecutions. In 1996 the Section held one public corruption seminar, co-sponsored by the Attorney General's Advocacy Institute, and also participated in a three-day public corruption symposium. These seminars provide training in 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.

The Section also frequently participates in a wide variety of educational and training events. We provide faculty to the FBI Academy and the Federal Law Enforcement Training Center; make presentations to other government offices and agencies, such as the CIA, DEA, and various Offices of Professional Responsibility; provide instructors for the annual ethics training programs of the United States Office of Government Ethics; and train investigators in the various Offices of Inspectors General on the laws and investigative approaches applicable to corruption and conflicts offenses. We also routinely address state and local election officials on the handling of election crime matters and lecture to visiting foreign officials on the subjects of public corruption, criminal conflicts of interest, and election crimes.

2. Consultation on Election Matters

In addition to providing advice on occasion concerning the handling of specific corruption matters by the United States Attorneys' Offices, the Section plays an active advisory role in election crime prosecutions brought by the Justice Department. Long-standing Department policy requires

that the United States Attorneys' Offices consult with the Section prior to commencing a grand jury investigation of an election crime allegation and prior to seeking an indictment charging an election offense.

3. Legislative Activity

A major responsibility of the Public Integrity Section is the review of proposed legislation that may affect the prosecution of public officials. The Section is often called upon to provide comments on proposed legislation, to draft testimony for congressional hearings, and to respond to congressional inquiries concerning legislative proposals.

4. Case Supervision and General Assistance

Public corruption cases are frequently controversial, complex, and highly visible. These factors may make Departmental supervision of a particular case warranted. 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 the proposed indictments. The Section can often identify tactical or evidentiary problems early on and either provide needed assistance or, if necessary, assume operational responsibility for the handling of the prosecution.

The Section also has considerable expertise in the supervision of the use of undercover operations in serious corruption cases. During 1996, the Section's Chief continued to serve on the FBI's Undercover Review Committee. Additionally, a number of the Section's senior prosecutors have experience in the practical and legal problems involved in such operations. Section staff both employ effectively this sensitive investigative technique and advise law enforcement personnel on its use.

Finally, the Section provides numerous other miscellaneous support services to United States Attorneys in connection with corruption cases. Much of this support comes in the form of serving as liaison with other components of the Department in order to expedite approval of such procedures as immunity requests, wiretapping orders, and applications for witness protection.

5. Advisor to President's Council on Integrity and Efficiency and Executive Council on Integrity and Efficiency

Pursuant to Executive Order, the Section serves as legal advisor to the Integrity Committee of the President's Council on Integrity and Efficiency (PCIE) and the Executive Council on Integrity and Efficiency (ECIE). The PCIE/ECIE is a body composed of the Inspectors General of the various federal agencies. Its Integrity Committee is charged with handling allegations against Inspectors General and certain members of their staff. The Section reviews the allegations received by the Integrity Committee to determine whether a criminal investigation is warranted prior to the Integrity Committee's review. The Section also advises the Integrity Committee on matters of policy for the investigation of such allegations.

6. International Advisory Responsibilities

The Section's responsibilities in the area of international law enforcement have been steadily increasing. As in the past, we routinely provided briefings during 1996 to foreign delegations on U.S. corruption statutes. The Section also became increasingly involved in supporting U.S. efforts to combat public corruption in foreign countries. The Section's support includes participation in Council of Europe proceedings relating to the preparation of an international convention on corruption; working with the State Department on developing standards for the Inter-American Convention Against Corruption developed by the Organization of American States; working to develop the U.S. position on a United Nations code of conduct; reviewing anti-corruption proposals of the Organization for Economic Co-operation and Development; and supporting efforts of other organizations, such as the Office of Government Ethics, to assist foreign governments and institutions in implementing effective measures against public corruption.

PART II

PUBLIC INTEGRITY SECTION
INDICTMENTS, PROSECUTIONS, AND APPEALS
IN 1996

As described above, the participation of the Public Integrity Section in the prosecution of public corruption cases ranges from sole responsibility for the entire case to approving an indictment or providing advice on the drafting of charges. This portion of the Report describes each case either handled solely by the Section, or in which it shared substantial operational responsibility with a United States Attorney's Office, during 1996. The public corruption cases handled every year solely by the United States Attorneys' Offices are reflected in the statistics set forth in Part III.

This section of the Report is divided according to the branch and level of government affected by the corruption. Election crimes are also grouped separately. The prosecutions and indictments described below reflect the Section's casework during 1996 and the status of its cases as of December 31, 1996. Related cases are grouped together; unrelated cases are set off by double lines. This section also provides statistics on the number of matters closed by the Section without prosecution during 1996 and the number of matters pending at the end of the year.

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|--------------------------------|
| FEDERAL JUDICIAL BRANCH |
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| During 1996, the Public Integrity Section closed 15 matters involving allegations of corruption within the federal judicial branch. As of December 31, 1996, two such matters were pending in the Section. Also during 1996, the Section handled the following case involving crimes affecting the judicial branch: |
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United States v. Melton and Solesbee, District of South Carolina

On October 7, 1996, James Vernon Melton, a.k.a. "Peach Man," pled guilty to conspiracy to obstruct justice and obstruction of justice, and Melton's brother-in-law, Donald Ray Solesbee, pled guilty to obstruction of justice. The convictions related to an indictment filed on July 31, 1996, charging Melton, a local peach farmer, with conspiracy to obstruct justice, three counts of obstruction of justice, and witness tampering, and Solesbee, a furniture upholsterer, with two counts of obstruction of justice.

From 1990 to 1994, Melton and Solesbee attempted to fix federal and state criminal cases, largely involving defendants charged with drug offenses, in exchange for money. The FBI's investigation uncovered no evidence that any of the money collected by the defendants was ever paid to any judges, prosecutors, or other law enforcement personnel.

Both defendants were subsequently sentenced to prison, Melton for 30 months and Solesbee for 12 months.

FEDERAL LEGISLATIVE BRANCH

During 1996, the Public Integrity Section closed seven matters involving allegations of corruption within the federal legislative branch. As of December 31, 1996, three such matters were pending in the Section. Also during 1996, an appellate decision was rendered in the following case previously prosecuted by the Section involving crimes affecting the legislative branch:

United States v. Tomblin, Western District of Texas

On May 8, 1996, the United States Court of Appeals for the Fifth Circuit denied a federal habeas corpus claim by Darrell A. Tomblin and upheld his sentence of 51 months' imprisonment followed by three years' supervised release, plus \$5,000 in restitution and \$1,100 in mandatory Victim's Act assessments. Tomblin stands convicted of conspiracy and bribery in connection with a scheme to use the influence of a United States Senator with federal banking regulators.

Tomblin was found guilty in 1993 on 22 counts of an indictment charging him with conspiring to bribe a Senate aide and to defraud the United States, extorting a \$250,000 "loan" from a San Antonio Savings and Loan institution by threatening to use the influence of the Senate office against the bank's owners, substantive Travel Act violations, and bribery.

FEDERAL EXECUTIVE BRANCH

During 1996, the Public Integrity Section closed 151 matters involving allegations of corruption within the federal executive branch. As of December 31, 1996, 87 such matters were pending in the Section. Also during 1996, the Section prosecuted the following cases involving executive branch corruption:

United States v. Brooks, Southern District of New York

On August 15, 1996, Mark M. Brooks, former Financial Manager and Budget Officer for the U.S. Attorney's Office for the Southern District of New York, pled guilty to an information charging him with one count of theft of government property. In doing so, he admitted that from 1991 to 1996 he submitted false time and attendance reports for payment from U.S. Treasury funds totaling approximately \$61,000. These reports included claims for unauthorized overtime hours and for overtime hours not actually worked.

Brooks was subsequently sentenced to four months' imprisonment, six months' home

detention, and three years' supervised release.

United States v. Callahan and Callahan, Western District of Texas

On April 18, 1996, Jane Callahan, a former clerical employee of the U.S. Attorney's Office for the Western District of Texas, and her daughter Tiffany Callahan were sentenced in connection with their public disclosure of confidential government information. Both had pled guilty on February 15, 1996, to an information charging them with misdemeanor conversion of a thing of value of the United States, in this case, a search warrant and supporting affidavit. Jane Callahan was sentenced to three years of probation, 100 hours of community service, and a \$5,000 fine. In addition, she agreed to resign her position. The Judge sentenced Tiffany Callahan to 12 months of imprisonment after finding that aggravating factors existed with regard to her misconduct.

As part of her official duties, Jane Callahan had received a copy of a search warrant and learned that the Drug Enforcement Agency had been authorized, as a result of a lengthy investigation, to search for controlled substances at a nightclub that her daughter Tiffany frequented. Callahan copied the warrant and the affidavit and provided them to her daughter. Tiffany Callahan then met with two of the individuals named in the affidavit and informed them they were targets in the undercover operation and that a search was imminent. As a result, the investigation was compromised.

United States v. Cardwell and Nestoroff, Southern District of Texas

In February and June of 1996, indictments were filed against Richard Cardwell, a United States Customs Service employee, and Robert Nestoroff, a sergeant with the Texas Department of Public Safety, respectively. The charges were based on their conduct in the investigation and trial of Rodney Matthews for drug trafficking offenses. Cardwell was charged with obstruction of justice and two counts of perjury based upon his testimony at the Matthews trial. Nestoroff was charged with conspiracy, obstruction of justice, and two counts of perjury based upon his actions during the investigation of Matthews and his testimony at the Matthews trial.

In September of 1996, after a six-week jury trial, Cardwell and Nestoroff were acquitted of the charges.

United States v. Crain, Central District of California

Sandra Crain, a former supervisor in the Los Angeles District Office of the Immigration and Naturalization Service (INS), pled guilty on March 18, 1996, to an information charging her with bribery. Crain admitted that from 1991 through 1994, she used her position at INS to create

computer files in the INS central computer system falsely indicating that certain aliens had been awarded Permanent Resident status and were eligible to receive the benefits associated with that status, including alien registration cards, or green cards. In exchange for creating these phony files, Crain received approximately \$50,000 cash.

On July 1, 1996, the Court sentenced Crain to 60 days of weekend confinement in a jail-type facility, 2,000 hours of community service, and five years of probation.

United States v. Ellard, Southern District of West Virginia

On May 1, 1996, Richard L. Ellard, a former district loan specialist for the Farmer's Home Administration (FHA), was sentenced to one year of probation and a \$1,000 fine. On February 13, 1996, Ellard had pled guilty to a one-count felony information charging him with a willful conflict of interest. The charge arose out of a scheme in which Ellard used his official position with the FHA to solicit business for an accounting firm with whom he was negotiating for employment.

United States v. Evans, Southern District of Georgia

On April 3, 1996, William Howard Evans was sentenced to three years' probation and a \$1,500 fine for fraudulently obtaining \$4,028 in U.S. Department of Housing and Urban Development (HUD) "Section 8" funds and for making a false statement to HUD. Evans previously pled guilty to a two-count indictment charging that he falsely claimed to be the owner of a mobile home in order to obtain a HUD rent subsidy on behalf of a purported tenant. Before sentencing, Evans made restitution to HUD.

United States v. Flynn, District of Arizona

On September 9, 1996, former Central Intelligence Agency employee Richard Jeffrey Flynn pled guilty to an information charging him with unlawful conversion of a pair of \$16,000 gyro-stabilized infrared binoculars belonging to the government. Flynn admitted that the binoculars had come into his possession while he was working for the government, and that after leaving government service in 1994, he advertised and sold them for \$2,000. The government recovered the binoculars from the purchaser.

On November 25, 1996, Flynn was sentenced to two years of probation and 200 hours of community service.

United States v. Gan, Eastern District of Virginia

On December 20, 1996, former federal government employee Anna N. Gan was sentenced to two years' probation, four months' home confinement, and a \$1,000 fine for embezzling government funds.

Gan pled guilty on October 2, 1996, to obtaining access in 1995 to funds in a bank account that had been set up in her name by a U.S. government agency in connection with her official duties, but to which she was not authorized to have actual access. During the following seven months, Gan wrote over thirty checks on the account, obtaining over \$46,000. She avoided detection by changing the address on the account from her office to her residence. When finance personnel discovered she had taken the funds, she paid them back. After entering her guilty plea, Gan resigned from her government position.

United States v. Hanson, District of Massachusetts

On March 14, 1996, Daniel A. Hanson, a private businessman, pled guilty to bribing a federal official. He was sentenced to twelve months of imprisonment and two years of supervised release on June 24, 1996.

Hanson paid over \$30,000 in bribes to Phillip McLaughlin, an officer of the Bank of New England, which the FDIC seized in 1991. McLaughlin, who previously pled guilty to accepting Hanson's bribes, functioned as a contractor administering the bank's assets on behalf of the FDIC. In 1991 and 1992 McLaughlin awarded lucrative contracts for the repossession and maintenance of luxury yachts to Hanson and also approved Hanson's expense reports. In exchange, Hanson kicked back seven payments to McLaughlin.

United States v. Hayes, District of Columbia

Robert L. Hayes, a high-level supervisor at the National Security Agency (NSA), was sentenced on March 15, 1996, in connection with his 1995 guilty plea to converting \$4,806 in government funds. While assigned overseas, Hayes had supervisory authority over government equipment inventories and procurement funds, and in three transactions obtained government funds for the local purchase of certain equipment. Instead of purchasing new equipment, Hayes used equipment from existing government inventory, submitted false receipts for the equipment, and used the cash he had received for personal expenses.

Hayes was sentenced to two years of supervised probation and 100 hours of community

service. He also retired from NSA and made full restitution.

United States v. Kerlin, Eastern District of Virginia

On July 3, 1996, Donald J. Kerlin, former Chief of the Recreational Boating Safety and Product Assurance Branch of the United States Coast Guard (USCG), pled guilty to a misdemeanor information charging him with theft of \$5,824 in unauthorized long distance phone calls from the USCG.

While with the USCG, Kerlin was authorized to use a telephone calling card for official government business. In 1992, Kerlin left the USCG and began working for an organization in the United Kingdom, but continued to use the USCG calling card number to make personal long distance phone calls that were billed to and paid by the USCG.

On December 3, 1996, Kerlin was ordered to pay full restitution and was sentenced to a \$1,000 fine. He was also ordered to reimburse the Court for his court-appointed attorney's fees.

United States v. Lanning, District of Columbia

On July 12, 1996, former Defense Intelligence Agency (DIA) Senior Program Manager William D. Lanning was sentenced to 37 months' imprisonment and was ordered to pay \$200,732 in restitution to the United States. After a three-week trial, Lanning had been found guilty by a jury of conspiracy to defraud the United States of \$400,000, making a false statement, and criminal financial conflict of interest.

The charges stemmed from Lanning's scheme to use his DIA position to persuade a defense contractor, Interactive Television Company (ITC), to hire a woman with whom Lanning was involved romantically named Catherine Winters as a technical consultant at a rate of \$500 per day, although Winters had never completed high school and had no military experience or computer training. From 1989 to 1993, Winters, now known as Catherine Duchene, was paid over \$400,000 in DIA funds by ITC at Lanning's direction for consulting services she could not and did not perform. In addition, over this period Duchene accompanied Lanning to meetings and military exercises throughout Europe and Korea, at which Lanning variously represented to government and contract personnel that she was a systems integrator, a technical consultant, or a program integrator. When her role in the program was challenged, Lanning made false oral and written statements about her background and abilities.

United States v. Duchene, District of Columbia

On July 15, 1996, Catherine F. Duchene, Lanning's associate, was sentenced to six months

of incarceration followed by four months of home detention. She was also ordered to pay \$236,326 in restitution to the United States. Duchene had previously pled guilty to charges of tax evasion, passport fraud, and conspiracy to defraud the United States of government funds relating to her involvement in Lanning's scheme.

Duchene did not pay taxes on the money ITC paid her and tried to conceal her income and assets from the Internal Revenue Service through mechanisms she learned from tax protest organizations. In 1993, after being informed that she was the target of an investigation, Duchene attempted to leave the United States. In doing so, she made a false statement on a passport application, whereupon she was arrested.

Duchene agreed to cooperate in the government's investigation of Lanning, and testified at his trial. The restitution Duchene was ordered to pay is half the sum she fraudulently received from ITC, plus the taxes owed on the tax evasion charge.

United States v. McBride, Northern District of Georgia

On March 27, 1996, Special Agent Lisa M. McBride of the Drug Enforcement Agency (DEA) was found not guilty of charges of theft of government property and witness tampering. She had been indicted for stealing \$5,000 in cash that had been seized during a DEA investigation. The indictment also charged that McBride attempted to persuade an employee of the American Express Company to destroy account records that reflected her use of the stolen money.

United States v. McElmurry, Eastern District of California

On October 28, 1996, U.S. Border Patrol Agent James O. McElmurry pled guilty to two of three counts of a pending indictment charging him with wrongful conversion of an FM Hi-Power 9mm pistol and with subsequent false statements regarding the pistol.

In January 1995, McElmurry, acting in his official capacity, seized a firearm bought by an illegal alien from a federally licensed gun dealer. He then kept the firearm, falsified official paperwork associated with its processing, and made verbal and written misstatements to his supervisors when questioned about the circumstances surrounding his retention of the weapon.

McElmurry was subsequently sentenced to two years' probation, including a six-month term of confinement in a residential community corrections center, and a \$100 mandatory penalty assessment. In addition, McElmurry resigned from the Border Patrol. Pursuant to his plea agreement, McElmurry agreed to produce firearms in his possession that he had acquired in his

official capacity. He turned over 32 firearms.

United States v. Miller, Eastern District of Virginia

On November 7, 1996, former Central Intelligence Agency (CIA) employee David C. Miller pled guilty to a two-count information charging him with possession of child pornography and financial conflict of interest.

While on detail to the National Reconnaissance Organization (NRO), Miller was a Contracting Officer's Technical Representative (COTR) for several contracts with a particular company in connection with a classified government program. Allegations surfaced that Miller was accepting minor gratuities, such as airline upgrade coupons, from the program manager at the company and that the program manager was providing Miller with government-furnished equipment, such as personal computers, cell phones, and cameras, for unauthorized personal use. After being interviewed by agents, Miller voluntarily surrendered numerous such items, including an Apple McIntosh computer system. When agents reviewed the contents of the computer system, they found large quantities of pornography, including child pornography.

Additionally, Miller admitted that he had arranged for a friend to be hired by the company under the government contracts for which Miller was COTR, at a time when the friend owed Miller and his wife \$18,500 but was bankrupt. After the friend got the government job, he repaid some of his debt to Miller.

Miller resigned from the CIA on October 16, 1996, in lieu of being fired. He was subsequently sentenced to 15 months' incarceration, 36 months' probation, and a \$4,000 fine.

United States v. Mora, Eastern District of Virginia

On January 5, 1996, Jose Mora was sentenced to five months of community confinement and two years of supervised probation in connection with his guilty plea to bribery in October 1995. Mora admitted that between January and March 1995, he made numerous attempts to bribe an attorney employed by the U.S. Patent and Trademark Office, and thereafter an undercover FBI agent posing as the attorney's successor, in the hopes of securing approval of a trademark.

Mora admitted, in particular, that after being informed by a Patent and Trademark Office attorney that his application was likely to be denied, he offered to pay sums of money ranging from \$100 to over \$10,000 to that attorney, and later to the undercover FBI agent, to obtain approval of his proposed trademark. Subsequently, in a face-to-face exchange Mora gave the agent a check for

\$100 and a written promise to pay an additional \$300 in return for a certificate of registration for his sought-after trademark.

United States v. Prakope, Eastern District of New York

On February 21, 1996, Theodore A. Prakope, president and sole shareholder of Barren Island Marina, was sentenced to 18 months in prison and was ordered to pay \$386,315 in restitution. Prakope previously pled guilty to a two-count information charging him with conspiring to defraud the Internal Revenue Service and the National Park Service (NPS) and with giving a gratuity to the Deputy Director of the NPS.

Prakope operated Barren Island Marina under a contract with the NPS that required the marina to pay the NPS a franchise fee of 10% of its total gross receipts for marina-related services provided to the public. Prakope substantially under-reported the marina's gross receipts by filing false annual financial reports with the NPS for the years 1987 through 1991. Prakope also substantially under-reported the marina's gross receipts in its 1991 corporate tax return. Finally, Prakope gave the use of a Mercedes Benz automobile and \$2,400 to the Deputy Director of the NPS, for and because of official acts performed and to be performed in connection with the Barren Island Marina.

United States v. Reece, Eastern District of North Carolina

On August 5, 1996, William Marshall Reece, former Chief Pilot of the Aviation Section of the Bureau of Alcohol, Tobacco, and Firearms (ATF), pled guilty to mail fraud and evading approximately \$55,000 in federal income taxes.

As Chief Pilot, Reece sought and obtained approval to lease replacement aircraft on a short-term basis to replace aircraft purportedly undergoing repairs. Reece then used a series of companies he secretly controlled to requisition and bill ATF for leases of aircraft that were never provided to ATF. As part of his scheme, he opened post office boxes and bank accounts under other people's names for receipt of ATF checks. Reece stole \$550,672 between 1988 and 1993. In addition, he failed to report and pay taxes on \$187,714 in income he received in 1990 from the scheme.

Reece was subsequently sentenced to 87 months in prison, the maximum available under the sentencing guidelines, and was also ordered to pay \$195,723 in restitution.

United States v. Rogosch, District of Maryland

On July 9, 1996, Dennis Karl Rogosch was sentenced to two years of probation and 100

hours of community service in connection with his plea of guilty on May 24, 1996, to a one-count information charging him with making false statements to the government.

While a civilian employee of the United States Navy, Rogosch held a position called "the Department of Defense Flexible Computer Integrated Manufacturing Representative to the Department of Commerce Working in the Office of Technology Competitiveness." Rogosch was also a reserve officer of the United States Air Force, and, as such, was authorized to travel at government expense and receive a salary for his periods of active duty.

From March to November 1993, Rogosch made a series of false claims to the Navy and the Air Force in connection with his official travel and duties for each department. These false claims resulted in the payment of \$8,783 to Rogosch. Pursuant to his plea agreement, Rogosch resigned from the Navy, and made full restitution to the Navy and Air Force.

United States v. Rouse, Southern District of Florida

Franklin Rouse, a former contract specialist with the Panama Canal Commission (PCC), pled guilty on September 4, 1996, to bribery and conspiracy. He was sentenced to a prison term of 12 months on November 22, 1996, and ordered to pay \$24,250 in restitution to the PCC.

Rouse admitted that he accepted nearly \$25,000 in kickbacks from 1988 to 1992, while he was a contract specialist with the PCC. He awarded dozens of contracts to two companies that sold goods to the PCC, agreeing to raise the price of those contracts fraudulently, above what the companies had been prepared to bid, so that more money was available for kickbacks to him. The owners of the companies, Palmetto Hardware and Luz International, had previously pled guilty and been sentenced for their involvement in the scheme.

United States v. Vaughn, Southern District of Georgia

On April 3, 1996, John Bruce Vaughn was sentenced to eight months in prison followed by three years of supervised release for failing to report business income on a federal tax return and for retaining almost \$13,000 in government disability annuity payments to which he was not entitled.

Vaughn, a retired railroad conductor, was receiving nearly \$20,000 a year in U.S. Railroad Retirement Board (RRB) disability annuities. From 1991 through 1993 Vaughn, doing business as a produce retailer, bought fresh fruit and resold it at a 100% markup to the Middle Georgia Community Action Agency for a federally funded summer food service program for children. He did not report his \$100,000 gross receipts for this venture on his federal tax returns for those years. He also did not report his self-employment and earnings to the RRB as required, and he consequently received \$12,896 in annuity payments to which he was not entitled.

On January 16, 1996, the day his trial was scheduled to begin, Vaughn pled guilty to converting \$12,896 in government funds and submitting a false tax return. In exchange for the pleas, plus restitution and cooperation, the government dismissed two other false tax return charges and a misdemeanor charge of failing to provide information to the RRB.

United States v. Wheeler, District of Maryland

Patricia A. Wheeler, a former secretary in the U.S. Attorney's Office for the District of Maryland, was sentenced on May 24, 1996, to six months' community confinement and three years' probation following her guilty plea to a one-count information charging her with bribery.

As the basis of her guilty plea, Wheeler admitted that she had accepted \$1,000 from a confidential informant in December 1995 in return for disclosing confidential information to the informant regarding a pending criminal investigation being conducted by the U.S. Attorney's Office and the FBI.

United States v. Wingate, Northern District of Indiana

On June 6, 1996, Dale K. Wingate, a special agent of the Immigration and Naturalization Service (INS), was found guilty by a jury on all counts of an indictment charging him with mail and wire fraud schemes to deprive the INS of his honest services by giving unauthorized benefits to illegal aliens. The indictment also charged Wingate with harboring an illegal alien in his home and with transporting an illegal alien within the United States. Wingate's scheme was to reward illegal aliens and their families with unauthorized immigration benefits in exchange for their assistance in his adoption of foreign children

Wingate was sentenced on November 26, 1996, to 15 months of imprisonment and two years of supervised release.

CIA Mailroom and Associated Defendants

Between August 1995 and May 1996, three CIA mailroom clerks stole over 100 credit cards, identification documents (including passports), computers, and other items from packages passing through the mailroom at CIA headquarters. The CIA employees, along with three accomplices, then used the credit cards to obtain over \$193,000 worth of cash advances, goods, and services. The

thefts and fraudulent use of the cards jeopardized CIA operations. A summary of each of these six cases follows.

United States v. Lee, Eastern District of Virginia

Thomas Bernard Lee, a CIA mailroom clerk, pled guilty on May 20, 1996, to an information charging him with conspiracy to commit credit card fraud. He was sentenced to 24 months' imprisonment and three years' supervised release on August 9, 1996. In addition, Lee was required to pay \$3,600 in restitution.

United States v. Jackson, Eastern District of Virginia

On June 7, 1996, CIA mailroom clerk Stephen Q. Jackson pled guilty to an information charging him with a wide-ranging conspiracy to steal government property, including credit cards from the CIA, and to fraudulently using the cards. He also admitted stealing \$8,600 in currency from the mailroom. Jackson was sentenced to 30 months' imprisonment and two years' supervised release on August 16, 1996.

United States v. West, District of Columbia, Eastern District of Virginia

Gary E. West, the third CIA employee involved in the credit card scheme, was indicted in the Eastern District of Virginia on July 9, 1996, for conspiracy, theft of government property, and credit card fraud. A second scheme initiated by West led to his indictment by a federal grand jury in the District of Columbia on August 2, 1996, for conspiracy, bank larceny, and possession of money stolen from a bank. West pled guilty to conspiracy in both schemes on September 6, 1996.

In the second scheme, West recruited a friend, Andrew L. White, Jr., assistant manager of Washington Federal Savings Bank (WFSB), to issue fraudulent cash advances on the stolen CIA credit cards. This activity led the two to devise a plan to stage a robbery at the bank with a third coconspirator. Early Saturday morning, May 4, 1996, White allowed the third coconspirator to enter the bank vault and steal \$61,000 in cash. White then falsely reported the theft as an armed robbery. Later, West met with White and gave him \$14,000 from the theft proceeds. The second scheme came to light when federal agents searching West's house in connection with the credit card fraud investigation found \$6,730 in stolen bank funds under his bed, still wrapped in bank straps bearing White's initials.

West was sentenced on November 22, 1996, to 41 months in prison, followed by three years of supervised release. In addition, he was ordered to pay restitution of \$201,860 to the CIA and \$39,870 to WFSB.

United States v. White, District of Columbia

Andrew L. White, Jr., an assistant bank manager of WFSB, pled guilty on July 18, 1996, to

an information charging him with conspiracy to commit credit card fraud and bank larceny for issuing \$20,400 in cash advances on stolen credit cards. White was sentenced to four months of home confinement, three years of supervised release, and restitution totaling \$60,270 on October 29, 1996.

United States v. Vann, District of Columbia

Wayne D. Vann, West's barber, pled guilty on June 11, 1996, to an information charging him with conspiracy to commit credit card fraud. At West's bequest, he used six stolen CIA credit cards to obtain approximately \$18,000 in merchandise for himself and West. Vann was sentenced to eight months' community confinement, five years' probation, and \$18,000 in restitution on December 19, 1996.

United States v. Reid, District of Maryland

Finally, Nicole C. Reid, a former bank teller at a Maryland bank, pled guilty on May 24, 1996, to an information charging her with conspiracy to commit credit card fraud. She had approved \$8,500 in fraudulent cash advances at her bank for West, in return for which she received \$2,700 as her share. Reid made full restitution and was sentenced on October 21, 1996, to two years' probation.

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| STATE AND LOCAL CORRUPTION |
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| In 1996, the Public Integrity Section closed nine investigations involving corruption affecting state or local government. At the end of 1996, nine such matters were open in the Section. In addition, the Section prosecuted the following cases in 1996 involving state and local corruption: |
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United States v. Bey, District of New Jersey

On November 13, 1996, Elaine A. Bey, former President and current Member of the Camden City School Board of Education, was indicted on 11 counts charging her with wire and mail fraud, theft of federal funds, and embezzlement of over \$9,000 from the Board. Over a nine-year period, Bey had abused her position as President by using the Board's restaurant accounts and credit card to pay for \$23,700 in personal goods and services.

Subsequently, Bey pled guilty to theft of federal funds and was sentenced to five months' imprisonment, five months' home detention with an electronic monitoring device, \$23,700 in restitution, and three years' probation.

United States v. Brown and Green River Coal Co., Inc., Western District of Kentucky

On April 23, 1996, Clyde Brown, Jr., was sentenced to 18 months of incarceration, three years of supervised release, and a fine of \$77,978.44. In addition, his company, Green River Coal Co. Inc., was fined \$150,000, and both defendants were ordered jointly and severally to pay \$200,000 in restitution.

After a three-week jury trial in 1995, Brown and Green River Coal had been convicted of mail fraud and Travel Act violations. Brown was also convicted on a tax charge. The convictions stemmed from Brown's payment of bribes and kickbacks in exchange for confidential bid information that enabled Green River Coal to obtain a \$500 million coal supply contract from Big Rivers Electric Corporation, a major public utility in Western Kentucky. Brown used a middleman to obtain the information from William H. Thorpe, the general manager and CEO of Big Rivers. Thorpe received \$773,000 in bribes and kickbacks in exchange for providing the bid information to Green River Coal and to another major coal supplier, E & M Coal.

Subsequently, the United States Court of Appeals for the Sixth Circuit reversed the convictions of Brown and Green River Coal and remanded for a new trial because the government had been allowed to introduce evidence concerning the corrupt relationship between Thorpe, who had been severed from the trial due to illness, and the middleman, Eddie Brown. In response, the government filed a motion to dismiss the case without retrial in the interest of justice.

United States v. Thorpe, Western District of Kentucky

William H. Thorpe, the former general manager and CEO of Big Rivers Electric Corporation, stood trial separately and was found guilty by a jury on September 6, 1996, of all counts of a twelve-count indictment charging mail fraud, Travel Act violations, RICO violations, and filing false tax returns. On December 16, 1996, Thorpe was sentenced to 57 months' imprisonment and two years of supervised release, and was ordered to pay \$3,189,537 in restitution.

United States v. Hizel and Russo, Middle District of Louisiana

On April 24, 1996, Vernon Hizel pled guilty to a one-count information charging him with misprision of a felony. The charge stemmed from a violation of the Hobbs Act, extortion under color of official right, by former Louisiana State Representative Michael Russo. Russo subsequently pled guilty to this charge on May 10, 1996.

Hizel was a vice president of Western Waste Industries, Inc., a California-based waste disposal company that was attempting to obtain a state water discharge permit that was required to operate a landfill in Louisiana. Russo offered to use his official position to help Western obtain the

permit from the State Department of Environmental Quality. In return, Russo demanded that Western purchase from him a piece of property at an inflated price of \$150,000.

Hizel was sentenced on August 2, 1996, to three years of probation and a \$5,000 fine. Russo was sentenced to a prison term of 15 months and a \$10,000 fine on August 16, 1996.

United States v. Morris, District of Maryland

On February 7, 1996, Charles Morris, an official of the Housing Authority of Baltimore City, was sentenced to four months' home confinement, 100 hours' community service, a \$720 fine, and three years' probation.

Morris previously pled guilty to receiving \$22,000 in illegal payments as an official of the Baltimore Housing Authority. Using his official position, Morris had assisted contractors in their efforts to receive contracts, and in exchange received payments as a reward for his official acts.

MANCI Defendants

An investigation into corruption at the Mansfield Correctional Institution (MANCI) in Mansfield, Ohio, led to the conviction of eight defendants. The investigation uncovered illegal payments to prison guards and a scheme to smuggle drugs into the prison involving two inmates, a prison guard, the prison's chief of security, two licensed medical practitioners, and a former Mansfield deputy sheriff. These cases are summarized below.

United States v. Bryniarski and Swiger, Northern District of Ohio

Christopher Bryniarski and Frank Swiger, two licensed podiatrists, used a canning machine to package cocaine and marijuana inside empty food cans so the drugs could be smuggled into MANCI by a prison guard. On June 7, 1996, both pled guilty to possession with intent to distribute cocaine and marijuana. In addition, Swiger pled guilty to a forfeiture count and was required to forfeit a vehicle he used to facilitate the offense. Bryniarski and Swiger were sentenced on September 12, 1996, to twelve months of home confinement as part of a three-year probation sentence and 200 hours of community service. In addition, both were banned from practicing podiatry or in any medically related field for three years. Finally, both surrendered their medical and pharmaceutical licenses.

United States v. Crow, Northern District of Ohio

James D. Crow, an inmate at MANCI, pled guilty on July 3, 1996, to racketeering and firearms charges stemming from corruption, bank fraud, and drug distribution schemes that Crow

carried out while incarcerated in the prison. Crow's illegal activity included paying bribes to the prison's Chief of Security, William T. Mack, and a prison guard, Robert Snow, for preferential treatment, including unauthorized conjugal visits with Crow's girlfriend and official efforts to obtain Crow's early release, and for Snow's importation of drugs into the prison. Crow's racketeering activity also involved a bank fraud scheme through which he obtained a \$101,000 bank loan to purchase properties in Mansfield.

Crow also pled guilty to aiding and abetting the possession of two firearms with the serial numbers obliterated. In the hopes of obtaining early release as a reward for removing a dangerous weapon from MANCI, Crow had arranged to have one of the weapons delivered to the home of an Ohio State Representative, making it appear that the weapon had been mailed by him from inside the prison.

Crow was subsequently sentenced to 87 months in prison.

United States v. Hamilton, Northern District of Ohio

Crow's girlfriend, Valerie Hamilton, pled guilty on June 7, 1996, to wire fraud, possession of cocaine, marijuana, and prescription drugs, and possession of a firearm with the serial number removed. Hamilton was subsequently sentenced to two years of probation, including ten months of home confinement.

Hamilton's charges arose from her involvement in Crow's schemes, including her help in providing gratuities to the prison's Chief of Security. Hamilton also admitted obtaining a firearm at Crow's request, filing off its serial number, and delivering it inside a package to an Ohio State Representative. She also admitted possessing a variety of controlled substances, including cocaine and marijuana in sealed food cans, intended to be smuggled into MANCI.

United States v. Mack, Northern District of Ohio

William T. Mack, former Chief of Security at MANCI, was indicted on three counts of wire and mail fraud on August 6, 1996. He was subsequently found guilty by a jury on all counts and was sentenced to 18 months in prison, followed by three years of supervised release.

Mack, the top ranking uniformed officer at MANCI, was convicted of taking gifts from inmate James Crow, engaging in secret business dealings with Crow, and providing a range of preferential treatment to Crow. Among the gifts Mack accepted from Crow were a round-trip airline ticket from Cleveland, Ohio, to Sarasota, Florida, and a bottle of scotch. Mack also entered into a series of business partnerships with Crow in which they agreed to jointly incorporate and establish a trucking company and a firearms shooting range in Mansfield. In return, Mack arranged for Crow to have private visits with his girlfriend and wrote a letter on prison letterhead advocating Crow's early release.

United States v. Snow, Northern District of Ohio

Robert A. Snow, a MANCI guard, was sentenced on September 12, 1996, to six months' imprisonment, followed by six months' community confinement and three years' supervised release. Snow had previously pled guilty to wire fraud and cocaine and marijuana distribution. The charges stemmed from Snow's involvement in smuggling cocaine and marijuana into MANCI and from his preferential treatment to Crow in exchange for gratuities.

United States v. Edward Swiger, Northern District of Ohio

Inmate Edward Swiger pled guilty to conspiracy to distribute cocaine, marijuana, and prescription drugs on September 30, 1996. He admitted that he conspired with several others, including prison staff, to smuggle drugs into MANCI for distribution inside the prison. Swiger was subsequently sentenced to 115 months in prison.

United States v. Spognardi, Northern District of Ohio

The eighth MANCI defendant, Deputy Sheriff William N. Spognardi, Jr., was indicted by a grand jury on October 1, 1996, for bank fraud and submitting a false statement to a financial institution. The charges related to his submission of false documents to a Mansfield bank along with Crow in order to obtain a \$101,000 loan for Crow's company, J.D. Crow, Inc. The funds were used to purchase four properties from Spognardi, who made more than \$42,000 from the scheme.

On the day his trial was scheduled to begin, Spognardi pled guilty to the lead count of the indictment. He was subsequently sentenced to one day in prison, four years of supervised release, and a \$4,000 fine. In addition, Spognardi was required to perform 200 hours of community service during his period of supervision.

| |
|--|
| ELECTION CRIMES |
| During 1996, the Public Integrity Section closed two matters involving allegations of election crimes. As of December 31, 1996, four such matters were pending in the Section. Also during 1996, the Section prosecuted the following cases involving election crimes: |

United States v. Taber, Western District of Texas

Leslie Alfred Taber, the former president of Sherwood Van Lines, Inc., pled guilty on January 22, 1996, to five counts charging him with causing another to conceal material facts within the jurisdiction of a federal agency. He was sentenced to six months of home confinement, a fine of \$2,000, and five years of probation on August 30, 1996.

The charges against Taber arose from his scheme to funnel unlawful corporate contributions

to a variety of federal candidates. Taber used his wife as a conduit in the scheme, reimbursing her for each contribution she made with a fictitious corporate bonus. The recipients of the disguised corporate contributions then filed inaccurate reports with the Federal Election Commission reflecting that the corporate contributions had been made by Taber's wife.

United States v. Webb, Wells, Forlines and Bilberry, District of Columbia

On December 13, 1996, Jack L. Webb and Jeffress A. Wells, two former officials of the U.S. Department of Agriculture (USDA), were each sentenced to 30 days in jail, two years of supervised probation, 120 hours of community service, and a \$2,500 fine for conspiring to violate a misdemeanor criminal provision of the Hatch Act during the months leading up to the 1992 presidential election. Another former USDA official, Jack S. Forlines, and one current USDA official, Grady L. Bilberry, who played less culpable roles in the conspiracy, were sentenced to two years of supervised probation, 100 hours of community service, and a \$1,000 fine. The four had pled guilty to the conspiracy charge on September 13, 1996.

The charge arose out of a scheme by the defendants to obtain political contributions from federal employees. In 1992, the defendants were officials at the USDA's Agricultural Stabilization and Conservation Service (ASCS). They admitted having conspired to raise contributions to the Farmers and Ranchers '92 Political Action Committee (PAC) from subordinates and coworkers at ASCS by promising them special consideration in employment-related benefits for their contributions. The defendants were active Democrats, and knew that the coworkers they targeted for contributions were Democrats and that the PAC supported the 1992 Democratic presidential candidate. The defendants also admitted unlawfully soliciting and receiving contributions within a federal office building.

PART III

FEDERAL PROSECUTIONS OF CORRUPT OFFICIALS

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

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Table I

FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS

Year Ending December 31, 1996

Federal Officials

| | |
|----------------|-----|
| Indicted | 456 |
| Convicted | 459 |
| Awaiting Trial | 64 |

State Officials

| | |
|----------------|-----|
| Indicted | 109 |
| Convicted | 83 |
| Awaiting Trial | 40 |

Local Officials

| | |
|----------------|-----|
| Indicted | 219 |
| Convicted | 190 |
| Awaiting Trial | 60 |

Others Involved

| | |
|----------------|-----|
| Indicted | 200 |
| Convicted | 170 |
| Awaiting Trial | 80 |

Totals

| | |
|----------------|-----|
| Indicted | 984 |
| Convicted | 902 |
| Awaiting Trial | 244 |

1 District Did Not Respond

TABLE II

PROGRESS OVER THE PAST TWO DECADES
 FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS NATIONWIDE

| | 1977 | 1978 | 1979 | 1980 | 1981 | 1982 | 1983 | 1984 | 1985 | 1986 |
|--|------|------|------|------|------|------|------|------|------|------|
| FEDERAL OFFICIALS | | | | | | | | | | |
| Indicted | 129 | 133 | 114 | 123 | 198 | 158 | 460 | 408 | 563 | 596 |
| Convicted | 94 | 91 | 102 | 131 | 159 | 147 | 424 | 429 | 470 | 523 |
| Awaiting Trial as of 12/31 | 32 | 42 | 21 | 16 | 23 | 38 | 58 | 77 | 90 | 83 |
| STATE OFFICIALS | | | | | | | | | | |
| Indicted | 50 | 55 | 56 | 72 | 87 | 49 | 81 | 58 | 79 | 88 |
| Convicted | 38 | 56 | 31 | 51 | 66 | 43 | 65 | 52 | 66 | 71 |
| Awaiting Trial as of 12/31 | 33 | 20 | 29 | 28 | 36 | 18 | 26 | 21 | 20 | 24 |
| LOCAL OFFICIALS | | | | | | | | | | |
| Indicted | 157 | 171 | 211 | 247 | 244 | 257 | 270 | 203 | 248 | 232 |
| Convicted | 164 | 127 | 151 | 168 | 211 | 232 | 226 | 196 | 221 | 207 |
| Awaiting Trial as of 12/31 | 62 | 72 | 63 | 82 | 102 | 58 | 61 | 74 | 49 | 55 |
| PRIVATE CITIZENS INVOLVED IN PUBLIC CORRUPTION OFFENSES | | | | | | | | | | |
| Indicted | 199 | 171 | 198 | 285 | 279 | 349 | 265 | 262 | 267 | 292 |
| Convicted | 144 | 144 | 135 | 252 | 294 | 249 | 257 | 257 | 240 | 225 |
| Awaiting Trial as of 12/31 | 83 | 71 | 65 | 87 | 70 | 72 | 77 | 97 | 97 | 84 |
| TOTALS | | | | | | | | | | |
| Indicted | 535 | 530 | 579 | 727 | 808 | 813 | 1076 | 931 | 1157 | 1208 |
| Convicted | 440 | 418 | 419 | 602 | 730 | 671 | 972 | 934 | 997 | 1026 |
| Awaiting Trial as of 12/31 | 210 | 205 | 178 | 213 | 231 | 186 | 222 | 269 | 256 | 246 |

TABLE II (Continued)

| | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | Totals |
|--|------|------|------|------|------|------|------|------|------|------|--------|
| FEDERAL OFFICIALS | | | | | | | | | | | |
| Indicted | 651 | 629 | 695 | 615 | 803 | 624 | 627 | 571 | 527 | 456 | 9080 |
| Convicted | 545 | 529 | 610 | 583 | 665 | 532 | 595 | 488 | 438 | 459 | 8014 |
| Awaiting Trial as of 12/31 | 118 | 86 | 126 | 103 | 149 | 139 | 133 | 124 | 120 | 64 | 1642 |
| STATE OFFICIALS | | | | | | | | | | | |
| Indicted | 102 | 66 | 71 | 96 | 115 | 81 | 113 | 99 | 61 | 109 | 1588 |
| Convicted | 76 | 69 | 54 | 79 | 77 | 92 | 133 | 97 | 61 | 83 | 1360 |
| Awaiting Trial as of 12/31 | 26 | 14 | 18 | 28 | 42 | 24 | 39 | 17 | 23 | 40 | 526 |
| LOCAL OFFICIALS | | | | | | | | | | | |
| Indicted | 246 | 276 | 269 | 257 | 242 | 232 | 309 | 248 | 236 | 219 | 4774 |
| Convicted | 204 | 229 | 201 | 225 | 180 | 211 | 272 | 202 | 191 | 190 | 4008 |
| Awaiting Trial as of 12/31 | 89 | 79 | 122 | 98 | 88 | 91 | 132 | 96 | 89 | 60 | 1622 |
| PRIVATE CITIZENS INVOLVED IN PUBLIC CORRUPTION OFFENSES | | | | | | | | | | | |
| Indicted | 277 | 303 | 313 | 208 | 292 | 252 | 322 | 247 | 227 | 200 | 5208 |
| Convicted | 256 | 240 | 284 | 197 | 272 | 246 | 362 | 182 | 188 | 170 | 4594 |
| Awaiting Trial as of 12/31 | 135 | 109 | 109 | 71 | 67 | 126 | 99 | 95 | 91 | 80 | 1785 |
| TOTALS | | | | | | | | | | | |
| Indicted | 1276 | 1274 | 1348 | 1176 | 1452 | 1189 | 1371 | 1165 | 1051 | 984 | 20650 |
| Convicted | 1081 | 1067 | 1149 | 1084 | 1194 | 1081 | 1362 | 969 | 878 | 902 | 17976 |
| Awaiting Trial as of 12/31 | 368 | 288 | 375 | 300 | 346 | 380 | 403 | 332 | 323 | 244 | 5575 |

TABLE III

FEDERAL PUBLIC CORRUPTION CONVICTIONS BY DISTRICT
OVER PAST DECADE

| U.S. Attorney's Office | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | Totals |
|------------------------|------|------|------|------|------|-----------------|------|-----------------|-----------------|------|--------|
| Alabama, Middle | 3 | 8 | 9 | 0 | 0 | 4 | 4 | 0 | 1 | 4 | 33 |
| Alabama, Northern | 4 | 0 | 8 | 1 | 0 | 3 | 4 | 12 | 2 | 4 | 38 |
| Alabama, Southern | 6 | 9 | 8 | 3 | 2 | 0 | 4 | 11 | 3 | 1 | 47 |
| Alaska | 6 | 0 | 6 | 1 | 0 | 1 | 0 | 0 | 2 | 2 | 18 |
| Arizona | 5 | 11 | 27 | 4 | 8 | 8 | 16 | 10 | 2 | 6 | 97 |
| Arkansas, Eastern | 1 | 5 | 3 | 0 | 6 | 2 | 4 | 2 | 0 | 1 | 24 |
| Arkansas, Western | 4 | 5 | 0 | 3 | 1 | 2 | 2 | 1 | 0 | 0 | 18 |
| California, Central | 47 | 15 | 52 | 57 | 34 | 35 | 92 | 62 | 94 | 66 | 554 |
| California, Eastern | 18 | 32 | 30 | 23 | 22 | 20 | 23 | 19 | 18 | 26 | 231 |
| California, Northern | 3 | 19 | 9 | 2 | 6 | 13 | 22 | 7 | 25 | 16 | 122 |
| California, Southern | 9 | 6 | 13 | 6 | 6 | 5 | 0 | 4 | 7 | 16 | 72 |
| Colorado | 11 | 0 | 14 | 10 | 13 | Not Reported | 0 | Not Reported | 0 | 0 | 48 |
| Connecticut | 9 | 15 | 12 | 8 | 4 | 10 | 3 | 16 | 8 | 5 | 90 |
| Delaware | 1 | 2 | 1 | 0 | 0 | 0 | 8 | 1 | 0 | 0 | 13 |
| District of Columbia | 13 | 19 | 25 | 50 | 23 | Not Reported | 39 | 80 | Not Reported | 37 | 286 |
| Florida, Middle | 20 | 24 | 40 | 19 | 28 | 23 | 11 | Not Reported | 22 | 24 | 211 |

TABLE III (Continued)

| U.S. Attorney's Office | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | Totals |
|------------------------|------|-----------------|------|------|------|-----------------|------|------|------|------|--------|
| Florida, Northern | 4 | 3 | 5 | 9 | 6 | 4 | 10 | 5 | 5 | 7 | 58 |
| Florida, Southern | 14 | 16 | 36 | 42 | 14 | 21 | 22 | 51 | 42 | 29 | 287 |
| Georgia, Middle | 2 | 4 | 16 | 10 | 19 | 4 | 4 | 17 | 6 | 5 | 87 |
| Georgia, Northern | 19 | 33 | 27 | 19 | 21 | 17 | 13 | 19 | 19 | 11 | 198 |
| Georgia, Southern | 2 | 7 | 8 | 5 | 1 | Not Reported | 10 | 0 | 7 | 1 | 41 |
| Guam | 10 | Not Reported | 9 | 2 | 0 | 3 | 10 | 9 | 1 | 3 | 47 |
| Hawaii | 4 | 6 | 0 | 6 | 2 | 1 | 7 | 9 | 6 | 4 | 45 |
| Idaho | 4 | 2 | 1 | 1 | 0 | 2 | 3 | 0 | 7 | 4 | 24 |
| Illinois, Central | 3 | 4 | 5 | 1 | 1 | 1 | 4 | 4 | 10 | 10 | 43 |
| Illinois, Northern | 29 | 119 | 96 | 80 | 18 | 53 | 84 | 74 | 67 | 71 | 691 |
| Illinois, Southern | 0 | 0 | 1 | 3 | 0 | 1 | 1 | 2 | 24 | 2 | 34 |
| Indiana, Northern | 8 | 9 | 16 | 9 | 2 | 2 | 6 | 6 | 7 | 12 | 77 |
| Indiana, Southern | 17 | 7 | 14 | 6 | 6 | 2 | 5 | 8 | 5 | 5 | 75 |
| Iowa, Northern | 2 | 2 | 2 | 6 | 3 | 2 | 5 | 3 | 4 | 2 | 31 |
| Iowa, Southern | 2 | 5 | 7 | 4 | 2 | 2 | 4 | 0 | 0 | 0 | 26 |
| Kansas | 7 | 9 | 6 | 0 | 1 | 0 | 5 | 11 | 3 | 1 | 43 |
| Kentucky, Eastern | 5 | 4 | 6 | 12 | 5 | 1 | 9 | 13 | 9 | 8 | 72 |
| Kentucky, Western | 5 | 6 | 4 | 12 | 7 | 0 | 5 | 5 | 5 | 11 | 60 |
| Louisiana, Eastern | 6 | 18 | 15 | 36 | 6 | 2 | 13 | 20 | 6 | 30 | 152 |

TABLE III (Continued)

| U.S. Attorney's Office | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | Totals |
|------------------------|--------------|--------------|--------------|------|------|--------------|------|------|------|------|--------|
| Louisiana, Middle | 5 | 7 | 9 | 14 | 0 | 0 | 5 | 4 | 6 | 7 | 57 |
| Louisiana, Western | 5 | 5 | 6 | 8 | 4 | 3 | 8 | 11 | 8 | 11 | 69 |
| Maine | 0 | 4 | 4 | 3 | 8 | 7 | 10 | 3 | 1 | 6 | 46 |
| Maryland | 27 | 31 | 27 | 2 | 14 | 15 | 21 | 17 | 0 | 11 | 165 |
| Massachusetts | 12 | 49 | 15 | 15 | 1 | Not Reported | 9 | 12 | 27 | 35 | 175 |
| Michigan, Eastern | 20 | 11 | 14 | 27 | 8 | 13 | 11 | 6 | 1 | 4 | 115 |
| Michigan, Western | 5 | 3 | 0 | 12 | 8 | 3 | 9 | 10 | 11 | 14 | 75 |
| Minnesota | 12 | 9 | 21 | 9 | 3 | Not Reported | 4 | 5 | 5 | 7 | 75 |
| Mississippi, Northern | 13 | 12 | 14 | 3 | 0 | 2 | 13 | 13 | 12 | 6 | 88 |
| Mississippi, Southern | 21 | 17 | 10 | 9 | 7 | 13 | 12 | 6 | 3 | 9 | 107 |
| Missouri, Eastern | 13 | 12 | 16 | 1 | 8 | 2 | 7 | 17 | 19 | 5 | 100 |
| Missouri, Western | 6 | 3 | 6 | 13 | 9 | 5 | 6 | 9 | 6 | 16 | 79 |
| Montana | 6 | 5 | 4 | 17 | 0 | 1 | 0 | 3 | 0 | 0 | 36 |
| Nebraska | 5 | 9 | 4 | 0 | 3 | 1 | 1 | 1 | 4 | 1 | 29 |
| Nevada | 3 | 3 | 2 | 0 | 5 | 0 | 0 | 1 | 0 | 6 | 20 |
| New Hampshire | 0 | Not Reported | 1 | 1 | 2 | 1 | 1 | 1 | 0 | 0 | 7 |
| New Jersey | Not Reported | Not Reported | 34 | 20 | 8 | 13 | 21 | 23 | 16 | 41 | 176 |
| New Mexico | 3 | 2 | Not Reported | 6 | 0 | 6 | 6 | 6 | 0 | 5 | 34 |
| New York, Eastern | 10 | 82 | 28 | 24 | 16 | 7 | 62 | 20 | 23 | 11 | 283 |

TABLE III (Continued)

| U.S. Attorney's Office | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | Totals |
|-------------------------|------|------|--------------|------|------|--------------|------|------|------|------|--------|
| New York, Northern | 14 | 15 | Not Reported | 17 | 13 | 12 | 14 | 8 | 11 | 22 | 126 |
| New York, Southern | 63 | 39 | 65 | 29 | 68 | Not Reported | 29 | 58 | 39 | 38 | 428 |
| New York, Western | 11 | 11 | 7 | 19 | 11 | 5 | 11 | 21 | 6 | 11 | 113 |
| North Carolina, Eastern | 3 | 8 | 7 | 3 | 16 | 0 | 3 | 2 | 2 | 5 | 49 |
| North Carolina, Middle | 7 | 5 | 9 | 4 | 6 | 3 | 4 | 3 | 1 | 0 | 42 |
| North Carolina, Western | 3 | 3 | 5 | 2 | 1 | 1 | 1 | 2 | 10 | 1 | 29 |
| North Dakota | 0 | 6 | 6 | 4 | 2 | 2 | 3 | 8 | 10 | 4 | 45 |
| Ohio, Northern | 27 | 19 | 23 | 36 | 21 | 15 | 35 | 19 | 19 | 25 | 239 |
| Ohio, Southern | 21 | 29 | 28 | 26 | 13 | 21 | 26 | 21 | 12 | 13 | 210 |
| Oklahoma, Eastern | 2 | 3 | 4 | 0 | 0 | 0 | 0 | 1 | 1 | 4 | 15 |
| Oklahoma, Northern | 0 | 0 | 3 | 0 | 1 | 7 | 10 | 0 | 2 | 2 | 25 |
| Oklahoma, Western | 0 | 1 | 2 | 3 | 0 | 0 | 6 | 6 | 6 | 1 | 25 |
| Oregon | 2 | 0 | 6 | 5 | 0 | 5 | 1 | 2 | 6 | 0 | 27 |
| Pennsylvania, Eastern | 39 | 48 | 24 | 27 | 34 | 14 | 29 | 10 | 24 | 11 | 260 |
| Pennsylvania, Middle | 4 | 6 | 13 | 4 | 6 | 4 | 9 | 9 | 8 | 8 | 71 |
| Pennsylvania, Western | 4 | 7 | 16 | 4 | 8 | 8 | 9 | 1 | 11 | 10 | 78 |
| Puerto Rico | 7 | 10 | 3 | 7 | 3 | 12 | 13 | 4 | 1 | 4 | 64 |
| Rhode Island | 6 | 2 | 1 | 6 | 4 | 0 | 2 | 6 | 6 | 0 | 33 |
| South Carolina | 15 | 28 | 8 | 7 | 0 | 20 | 26 | 22 | 5 | 4 | 135 |
| South Dakota | 6 | 3 | 2 | 9 | 0 | 2 | 1 | 1 | 6 | 6 | 36 |

TABLE III (Continued)

| U.S. Attorney's Office | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | Totals |
|-------------------------|------|--------------|------|------|------|--------------|--------------|--------------|------|--------------|--------|
| Tennessee, Eastern | 4 | 4 | 6 | 21 | 4 | 0 | 8 | 5 | 7 | 5 | 64 |
| Tennessee, Middle | 4 | 8 | 3 | 23 | 1 | 1 | 6 | 6 | 1 | 4 | 57 |
| Tennessee, Western | 16 | 20 | 30 | 33 | 6 | 4 | 12 | 16 | 12 | 10 | 159 |
| Texas, Northern | 12 | 15 | 10 | 0 | 0 | 1 | 11 | 2 | 4 | 5 | 60 |
| Texas, Southern | 7 | 23 | 21 | 9 | 3 | 6 | 15 | 33 | 26 | 26 | 169 |
| Texas, Eastern | 5 | 8 | 3 | 1 | 3 | 0 | 5 | Not Reported | 31 | 5 | 56 |
| Texas, Western | 7 | 3 | 11 | 11 | 2 | 9 | 16 | 7 | 7 | 9 | 82 |
| Utah | 1 | Not Reported | 6 | 6 | 0 | 0 | 0 | 0 | 0 | 0 | 13 |
| Vermont | 0 | 0 | 1 | 0 | 3 | 0 | 1 | 1 | 2 | 0 | 8 |
| Virgin Islands | 2 | 0 | 0 | 10 | 0 | 0 | 3 | 1 | 0 | Not Reported | 16 |
| Virginia, Eastern | 38 | 30 | 55 | 32 | 51 | 26 | 15 | 11 | 13 | 7 | 278 |
| Virginia, Western | 2 | 3 | 0 | 2 | 5 | 7 | 4 | 3 | 1 | 1 | 28 |
| Washington, Eastern | 0 | 0 | 1 | 5 | 0 | Not Reported | Not Reported | 2 | 0 | 0 | 8 |
| Washington, Western | 2 | Not Reported | 1 | 12 | 7 | 1 | 1 | 2 | 17 | 8 | 51 |
| West Virginia, Northern | 0 | 0 | 0 | 2 | 2 | 1 | 0 | 0 | 2 | 0 | 7 |
| West Virginia, Southern | 5 | 3 | 12 | 13 | 3 | 1 | 5 | 0 | 3 | 3 | 48 |
| Wisconsin, Eastern | 13 | 7 | 7 | 7 | 4 | 7 | 7 | 1 | 7 | 8 | 68 |
| Wisconsin, Western | 6 | 2 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 12 |
| Wyoming | 0 | 2 | 3 | 5 | 1 | 1 | 1 | 4 | 0 | 3 | 20 |