



# Department of Justice

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## **FULTON COUNTY INSPECTOR PLEADS GUILTY TO SOLICITING AND TAKING BRIBES**

ATLANTA, GA - DON MITCHELL, 57, of Atlanta, Georgia, a Fulton County, Georgia, erosion control inspector, pleaded guilty today in federal district court to soliciting and taking cash and other bribes from a contractor whose work MITCHELL was inspecting for the County.

United States Attorney Nahmias said, "This case illustrates two important points. First, public servants, even at fairly low levels, who solicit or accept bribes may find themselves in federal court and federal prison. Second, if you have paid bribes or are being solicited to pay bribes, you want to knock on our door before an FBI agent knocks on yours. The company that MITCHELL solicited in this case did that, and as a result it is not being prosecuted. Someone who does the right thing, even if belatedly, can end up as just a witness, instead of a co-defendant. The choice is yours. The FBI's number in Atlanta is (404) 679-9000."

According to United States Attorney Nahmias and the information presented in court: MITCHELL is an inspector with the Fulton County Erosion and Sedimentation Control Division. On three occasions in March and April 2007, MITCHELL solicited and accepted bribes from a grading contractor based in Marietta, Georgia, which MITCHELL had ticketed for alleged violations. The bribes included two cash payments totaling \$1,000 as well as a \$100 gift card to Red Lobster. MITCHELL solicited and received these payments from the contractor in exchange for promising to inform the judge, at the upcoming hearing on the tickets MITCHELL issued, that the contractor had resolved the problems.

The contractor made two illegal payments – the \$100 gift card and one payment of \$500 cash – before notifying the authorities. But after MITCHELL solicited the contractor a third time, for more cash, the contractor called the FBI. FBI agents then set up an undercover operation in which one of the contractor's owners met with and paid MITCHELL an additional \$500 cash at a local restaurant, while wearing a concealed FBI audio recorder and while agents surveilled the meeting from the parking lot. The FBI

also recorded a telephone call about the payoff between MITCHELL and the contractor, with the contractor's consent.

The contractor, who notified the authorities and cooperated in the investigation, has not been charged.

MITCHELL was indicted in May 2007. He faces a maximum sentence of 10 years in prison and a fine of up to \$250,000.

Sentencing is scheduled for September 14, 2007, at 4 p.m. before United States District Judge Charles A. Pannell.

This case is being investigated by Special Agents of the Federal Bureau of Investigation.

Assistant United States Attorney Justin S. Anand is prosecuting the case.

For further information please contact David E. Nahmias (pronounced NAH-me-us), United States Attorney, or Charysse L. Alexander, Executive Assistant United States Attorney, through Patrick Crosby, Public Affairs Officer, U.S. Attorney's Office, at (404) 581-6016. The Internet address for the HomePage for the U.S. Attorney's Office for the Northern District of Georgia is [www.usdoj.gov/usao/gan](http://www.usdoj.gov/usao/gan).