



# Department of Justice

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Eastern District of California

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## **FORMER BENICIA SCHOOL BOARD PRESIDENT GOING TO PRISON FOR TAX EVASION**

SACRAMENTO, Calif.—United States Attorney McGregor W. Scott announced that DIRK FULTON, 53, of Benicia, was sentenced today by United States District Judge Edward J. Garcia to five months imprisonment, five months of home detention, two years of supervised release, \$115,000 in restitution to the IRS, and a \$28,000 fine. The defendant pleaded guilty to tax evasion on February 1, 2008.

This case is the product of an extensive investigation by the Criminal Investigations Division of the Internal Revenue Service.

According to Assistant United States Attorney Matthew D. Segal, who prosecuted the case, FULTON had requested that following his prison and home confinement that he be allowed to serve a shorter, one-year period of supervised release. Judge Garcia pointed out that he had received letters from members of the Benicia community regarding the timing of FULTON's resignation from the school board. According to the one letter, the circumstances of FULTON's resignation from the school board had ultimately led to an expensive special election. Judge Garcia said that FULTON had deceived the public, and he refused to reduce the term of supervised release as requested by the defendant.

In his sentencing papers, FULTON cited his public service on the Benicia City Council and as President of the School Board. U.S. Attorney Scott said, "It is particularly disgraceful that

a man such as Dirk Fulton would willfully evade his duty to pay taxes. Dirk Fulton was in a position to know that public institutions cannot function unless people pay their taxes. He did not do his duty. He lied to his government and kept money to which he was not entitled.”

The plea agreement allows the IRS to initiate further civil enforcement and collection proceedings against FULTON.

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