

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

v.

ANTIONETTE CHENIER

CASE NUMBER:

UNDER SEAL

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief:

From no later than August 2008 to on or about January 10, 2014, at Chicago, in the Northern District of Illinois, Eastern Division, the defendant violated:

Code Section

Title 18, United States Code, Section 666(a)(1)(A)

Offense Description

ANTIONETTE CHENIER, defendant herein, being an agent of the City of Chicago, a local government that received in excess of \$10,000 in federal funding in each twelve-month period from 2008 through 2014, embezzled, stole, obtained by fraud, and otherwise without authority knowingly converted to her own use, property valued at \$5,000 or more, namely, checks payable to the City of Chicago Office of Emergency Management and Communications, in violation of Title 18, United States Code, Section 666(a)(1)(A).

This criminal complaint is based upon these facts:

X Continued on the attached sheet.

MARY C. HARRIS
Special Agent, Federal Bureau of Investigation
(FBI)

Sworn to before me and signed in my presence.

Date: April 8, 2014

Judge's signature

City and state: Chicago, Illinois

Sheila Finnegan, U.S. Magistrate Judge
Printed name and Title

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

ss

AFFIDAVIT

I, MARY C. HARRIS, being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation, and have been so employed since 2009. My current responsibilities include the investigation of public corruption offenses and financial fraud.

2. This affidavit is submitted in support of a criminal complaint alleging that ANTIONETTE CHENIER has violated Title 18, United States Code, Section 666(a)(1)(A). Because this affidavit is being submitted for the limited purpose of establishing probable cause in support of a criminal complaint charging CHENIER with embezzlement, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendant committed the offense alleged in the complaint.

3. This affidavit is based on my personal knowledge, information provided to me by other law enforcement agents, my review of reports written by others involved in this investigation, including but not limited to agents of the Federal Bureau of Investigation and the Internal Revenue Service and investigators of the City of Chicago-Office of Inspector General, my review of documents and financial records, and information obtained from witnesses.

4. On the basis of that information, and the facts I allege below, I submit that there is probable cause to believe that, from no later than August 2008 to on or about January 10, 2014, ANTIONETTE CHENIER, being an agent of the City of Chicago, a local government that received in excess of \$10,000 in federal funding in each twelve-month period from 2008 through 2014, embezzled, stole, obtained by fraud, and otherwise without authority knowingly converted to her own use, property valued at \$5,000 or more, namely, checks payable to the City of Chicago Office of Emergency Management and Communications, in violation of Title 18, United States Code, Section 666(a)(1)(A).¹

Moving Van and Dumpster Permits

5. The City of Chicago requires companies utilizing dumpsters or operating moving vans to obtain a permit if a dumpster or van is going to block a portion of a public way. The City of Chicago charges \$25 per day for a residential moving van and between \$50 and \$200 per dumpster, depending on the size of the dumpster and the length of time it will be on a city street.² For several years, companies have been able to apply for moving van and dumpster permits online through a website operated by the City of Chicago Department of Transportation (CDOT). CDOT sends invoices to companies that have been issued permits on a monthly basis through mail or fax, and the companies generally mail checks as payment to CDOT. Though CDOT issues permits and collects payment, the checks

¹ Based on my review of publicly available information provided by the federal government, I have confirmed that the City of Chicago received more than \$10,000 in federal funding in each twelve-month period from 2008 through 2014.

² The fees are doubled for permits to place a dumpster in the central business district.

are often made payable to the Office of Emergency Management and Communication (OEMC), a City of Chicago department that previously administered the moving van and dumpster permitting process.

Antionette Chenier

6. According to records received from the City of Chicago, CHENIER has been employed by the City of Chicago as a clerk since May 1990. From 1993 to December 31, 2005, CHENIER was assigned to CDOT. From 2006 through 2008, she was assigned to OEMC before being transferred back to CDOT. As a clerk at CDOT, CHENIER is involved in processing payments received from companies that have been issued van and dumpster permits. CHENIER currently works out of CDOT's permitting office in City Hall, 121 N. LaSalle Street, Room 905.

7. According to bank records, in August 2008, CHENIER opened a personal account at Charter One Bank (the 4942 account). In March 2009, CHENIER opened a business account at Charter One Bank using the name "OEMC Chenier" (the 7402 account). CHENIER is the only signatory on both the 4942 and 7402 accounts. The bank records show that beginning no later than August 2008 and continuing until January 10, 2014, CHENIER deposited several hundred checks payable to OEMC and other City of Chicago departments into the 4942 and 7402 accounts that were written by companies that applied for and received moving van and dumpster permits. In total, between August 2008 and January 10, 2014, CHENIER deposited checks valued at approximately \$59,667 into the 4942 account

and \$681,632 into the 7402 account (\$741,299 in total). Each of these checks was payable to OEMC or another City of Chicago department.

8. As part of the investigation, law enforcement interviewed representatives of several companies whose checks to OEMC were deposited into CHENIER's 7402 account. Each of these individuals confirmed that their company's checks were intended for OEMC as payment for permits that had been issued by the City of Chicago.

9. In January 2014, officials with Charter One Bank noticed CHENIER's unusual banking activity and froze the 7402 account. According to a bank official (CW1), on January 22, 2014 at approximately 10:34 a.m., CW1 spoke with CHENIER on the telephone regarding the deposits into the 7402 account. CHENIER first told CW1 that the deposits were "all fine." CW1 then asked CHENIER if the check makers would have the same response, to which CHENIER replied with words to the effect of, "Please don't call the check makers, I will lose my job." CHENIER further told CW1 that she would be willing to pay back the money and asked CW1 "not to report this." CHENIER told CW1 that her original intent in opening the 7402 account was to start a cleaning business named "Office of Emergency Management and Cleaning" but that the business had failed. CW1 told CHENIER that her banking activity could be construed as embezzling, to which CHENIER responded, "Please don't use those words." According to CW1, CHENIER called CW1 four more times on January 22, 2014 after their initial conversation.

During one of these conversations, CHENIER confirmed that she did not have the authority to negotiate the checks she had deposited into the 7402 account.

Conclusion

10. Based on the foregoing facts, I submit that there is probable cause to believe that, from no later than August 2008 to on or about January 10, 2014, ANTIONETTE CHENIER, being an agent of the City of Chicago, a local government that received in excess of \$10,000 in federal funding in each twelve-month period from 2008 through 2014, embezzled, stole, obtained by fraud, and otherwise without authority knowingly converted to her own use, property valued at \$5,000 or more, namely, checks payable to the City of Chicago Office of Emergency Management and Communications, in violation of Title 18, United States Code, Section 666(a)(1)(A).

FURTHER AFFIANT SAYETH NOT.

MARY C. HARRIS
Special Agent
Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on April 8, 2014.

SHEILA FINNIGAN
United States Magistrate Judge