

# NEWS

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United States Department of Justice  
U.S. Attorney, District of New Jersey  
402 East State Street, Room 430  
Trenton, New Jersey 08608



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***Ralph J. Marra, Jr., Acting U.S. Attorney***

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Contact:  
J. Gregory Reinert, PAO  
856-757-5233

brya0724.rel  
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## Former State Senator Wayne Bryant Sentenced to 48 Months in Federal Prison for Corruption Conviction

– Ex-Dean of Medical School Sentenced to 18 Months in Prison –

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(More)

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Public Affairs Office  
J. Gregory Reinert

973-645-2888  
865-757-5233

<http://www.usdoj.gov/usao/nj/press/index.html>

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TRENTON – Former New Jersey State Senator Wayne R. Bryant was sentenced to 48 months in federal prison today for unlawfully using his power and influence to obtain a paid, low-show job at UMDNJ's School of Osteopathic Medicine in exchange for lobbying and bringing millions of dollars in extra funding to the school, and using that job and others to fraudulently nearly triple his state pension, Acting U.S. Attorney Ralph J. Marra, Jr., announced.

Bryant's co-defendant, former dean of the School of Osteopathic Medicine (SOM) in Stratford, R. Michael Gallagher, was sentenced to 18 months in prison for his convictions for capitalizing on Bryant's influence to become dean and, in turn, rigging the hiring process to create a job for Bryant at SOM that appeared to be a legitimate, bona fide position.

U.S. District Judge Freda L. Wolfson, who presided over the nearly 11-week trial, also ordered Bryant, 61, of Lawnside, and Gallagher, 63, of Haddonfield, to pay \$113,167 in restitution, which represents the amount of corrupt salary that Bryant received. Judge Wolfson also ordered Bryant and Gallagher to pay fine of \$25,000 and \$15,000, respectively.

"We are pleased with the sentences, particularly with Wayne Bryant," said Marra. "He was long among the most powerful, entrenched political figures in New Jersey. He soon will be off to prison for four years. That is a powerful image and should stand as a deterrent for other elected and non-elected officials."

There is no parole in the federal system.

"We are doing everything we can to end this culture of "quid pro quo", of payoffs, and preferential treatment that plagues New Jersey government," said Weysan Dun, Special Agent In Charge of the FBI's Newark Field Office. "But corruption is a cancer and you can't cure it with just one treatment. Today's sentencing of Wayne Bryant, is just one more step in our unrelenting focus on corruption."

On Nov. 18, 2008, a jury convicted Bryant of all 12 counts against him: four counts of mail fraud and two counts of wire fraud for defrauding the public of his honest services in connection with the SOM job; one count of corrupt solicitation and acceptance of a bribe (the SOM job) involving an organization receiving federal funds; and five counts of mail fraud for his scheme to defraud the New Jersey Division of Pensions and Benefits of money and property related to the pension-padding scheme.

Gallagher was convicted of three counts of mail fraud and two counts of wire fraud for defrauding the public of his honest services, and one count of offering a bribe (the SOM job) involving an organization receiving federal funds. He was acquitted of one count of honest services mail fraud. The case was tried by Marra, Assistant U.S. Attorney Joshua

Drew and former Assistant U.S. Attorney Adam S. Lurie.

In convicting Bryant and Gallagher, the jury found that the job at SOM amounted to a bribe from Gallagher solicited by Bryant. The jury heard that Gallagher was elevated from Vice Dean to Interim Dean and finally, in November 2002, to permanent Dean at SOM with Bryant's help, which included arranging meetings between Gallagher and state legislators and drafting a letter to the governor supporting Gallagher. The jury found that in March 2003, Gallagher in turn put Bryant on the SOM payroll and in doing so committed fraudulent acts and acts of concealment.

The jury also found that from his position at SOM, Bryant used his power and influence as Senator and Chairman of the Senate Budget and Appropriations Committee to directly lobby state agencies, high-level officials (including the state treasurer), legislators and their staffs, and personally directed changes in the state budget to bring millions of dollars in extra funding to SOM. All the while, Bryant failed to reveal that he was simultaneously on the payroll at SOM, receiving a high salary of \$40,841 in 2004, and, in fact, used various means to conceal his purported role at SOM.

The jury also found that beginning in July 2002 Bryant engaged in the pension-padding scheme by taking on public positions for which he did no meaningful work. During the trial, the jury viewed evidence and heard testimony which showed that Bryant took salaries from UMDNJ's School of Osteopathic Medicine (SOM), the Gloucester County Board of Social Services and Rutgers University Camden and its law school, even as he did little to no meaningful work in return for those government salaries and other benefits.

Bryant was individually and specifically hired by the Gloucester County Board of Social Services (GCBSS) to perform legal services. Instead, he dispatched employees of his private law firm to provide those legal services; yet he personally received a salary and accrued retirement benefits. From mid-2002 through about August 2006, Bryant worked a total of about 14.8 hours for GCBSS, yet received approximately \$200,000 of pensionable income. Throughout the period Bryant submitted false and fraudulent signed attorney time sheets which declared that he personally had done the work.

At SOM, Gallagher caused personnel records to indicate that Bryant worked the equivalent of three full days a week in order to make Bryant eligible for pension credits on his SOM salary. In fact, according to testimony, Bryant showed up only for about half a day once a week, did no meaningful work, and instead spent much of the time reading the newspaper. As a result of those frauds, Bryant's anticipated annual pension from government positions went from about \$28,000 in 2002 to about \$81,268 in 2006.

In determining the actual sentences, Judge Wolfson consulted the advisory U.S. Sentencing Guidelines, which provide appropriate sentencing ranges that take into

account the severity and characteristics of the offense, the defendant's criminal history, if any, and other factors. The judge, however, was not bound by those guidelines in determining a sentence.

Parole has been abolished in the federal system. Defendants who are given custodial terms must serve nearly all that time.

Marra credited Special Agents of the FBI, under the direction of Special Agent in Charge Weysan Dun, with the investigation leading to the defendants' convictions.

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Defense Attorneys:

Bryant: Carl D. Poplar, Esq, Cherry Hill, and Lisa Matheuson, Esq., Philadelphia

Gallagher: Jeremy Frey, Esq., Philadelphia, and Ralph Jacobs, Esq., Philadelphia