

Department of Justice

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FORMER BUFFALO LAWMAKER SENTENCED TO ONE YEAR IN PRISON FOR THEFT OF GOVERNMENT FUNDS

BUFFALO, N.Y. - U.S. Attorney William J. Hochul, Jr. announced today that former City of Buffalo Common Council Member Brian C. Davis, 43, of Buffalo, NY., who pleaded guilty to theft concerning programs receiving federal funds, was sentenced to one year and one day in prison by Chief U.S. District Judge William M. Skretny. The defendant was also ordered to pay \$48,237.00 in restitution.

Assistant U.S. Attorney Russell T. Ippolito, Jr., who handled the prosecution, stated that Davis stole \$48,237.00 in City of Buffalo discretionary funds to his own use and the use of others. As a City of Buffalo Common Council Member between 2006 and 2010, Davis was responsible for distributing discretionary funds for public benefit purposes. Instead, the defendant funneled city funds through not-for-profit pass through agencies and personal friends, and ultimately to himself. Neither Davis, nor his associates, were entitled to any of the discretionary funds.

The Government's evidence showed that in 2006, the defendant sent discretionary funds to the Community Action Organization (CAO), of which Davis was president of at the time. The defendant then directed the CAO to send those funds to the Pratt Willert Community Center which wrote to checks to such fictitious organizations as the Ellicott Fun Day and Ellicott Senior Prom.

In 2007 and 2008, Davis sent funds to the Back to Basics Organization. The defendant then directed the organization to send checks to friends or other individuals to whom Davis owed money. In one instance, Davis urged one individual to cash a \$5,000 check and keep half of the money.

“This is an extreme case where an individual elected to represent the community, abused that position and stole money which could have benefitted those residents,” said U.S. Attorney Hochul. “This behavior, besides showing a blatant disregard for his Office, had the effect of depriving the community of funds which could have led to real, long term benefits to the City. Working with our law enforcement partners, this Office will continue to root out public corruption wherever it is found.”

"The FBI uncovered evidence of Brian Davis' crimes during an investigation into a separate matter," said Federal Bureau of Investigation Special Agent in Charge Christopher M. Piehota. "Davis' intentional diversion of government funds to his private, personal use violated not only his oath of office, but also the obligation he had to his constituents to represent them honestly and responsibly. Buffalo has long been known as the City of Good Neighbors--Brian Davis's crimes do not reflect that moniker and his community deserved better."

The sentencing is the result of an investigation by Special Agents of the Federal Bureau of Investigation, under the direction of Special Agent in Charge Christopher M. Piehota and the Department of Housing and Urban Development, Office of Inspector General, under the direction of Cary Rubenstein.

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