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CHICAGO POLICE OFFICER INDICTED ON ATTEMPTED EXTORTION AND FRAUD CHARGES IN VEHICLE TOWING INVESTIGATION

CHICAGO — A Chicago police officer was indicted on federal charges alleging that he schemed to defraud two insurance companies by making a false police report of an actual auto accident and, separately, staging a purported auto accident. In both instances, the defendant, **Gregory Garibay**, allegedly obtained extortion payments totaling \$2,200 from a cooperating tow truck driver. Garibay was assigned to the South Chicago District at the time and was relieved of his police powers following the alleged crimes that occurred in late 2007 and early 2008.

Garibay, 44, of Chicago, an officer for approximately 18 years, was charged with seven counts of mail fraud and two counts of attempted extortion in an indictment returned yesterday by a federal grand jury. The indictment also seeks forfeiture of \$2,200. Garibay will be arraigned at a later date in U.S. District Court.

The indictment is part of the Federal Bureau of Investigation's *Operation Tow Scam*. Garibay is the 10th Chicago police officer to be charged in the corruption probe. So far, seven officers and three civilians, including two truck drivers, have been convicted. Charges are pending against two officers who were recently charged, in addition to Garibay.

The charges were announced today by Gary S. Shapiro, Acting United States Attorney for the Northern District of Illinois; William C. Monroe, Acting Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation; and Garry F. McCarthy, Superintendent of the Chicago Police Department.

Garibay allegedly obtained extortion payments — \$200 and \$2,000 — from the cooperating tow truck driver in January 2008, which also violated various Chicago Police Department rules and orders.

In one instance, Garibay allegedly filed a false police reporting stating that the driver of Toyota Avalon, who had full insurance coverage, was at fault in an accident with the driver of a Toyota Camry, who had only liability insurance coverage. Garibay allegedly filed the false police report incorrectly indicating that the Avalon driver was at fault so that the full insurance coverage would pay for part or all of the damage caused by the accident, including covering the towing fees that would be paid to the cooperating tow truck driver, who later paid Garibay \$200 for enabling the towing job.

In another instance, Garibay allegedly participated in a staged accident to induce a different insurance company to pay for damages purportedly resulting to two vehicles, including the towing fees for the cooperating tow truck driver's company. The indictment alleges that, in return for Garibay's participation in the staged accident, Garibay accepted a \$2,000 cash payment from the tow driver from the insurance pay-out.

Each count of attempted extortion and mail fraud carries a maximum penalty of 20 years in prison and a \$250,000 fine, and restitution is mandatory. If convicted, the Court must impose a reasonable sentence under federal statutes and the advisory United States Sentencing Guidelines.

The government is being represented by Assistant U.S. Attorney Michael Donovan.

The public is reminded that an indictment contains only charges and is not evidence of guilt.

The defendant is presumed innocent and is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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