

**REPORT TO CONGRESS
ON THE ACTIVITIES AND OPERATIONS
OF THE
PUBLIC INTEGRITY SECTION
FOR 2015**



**Public Integrity Section
Criminal Division
United States Department of Justice**

**Submitted Pursuant to
Section 603 of the Ethics in Government Act of 1978**

INTRODUCTION

This Report to Congress is submitted pursuant to the Ethics in Government Act of 1978, which requires the Attorney General to report annually to Congress on the operations and activities of the Justice Department's Public Integrity Section. The Report describes the activities of the Public Integrity Section during 2015. It also provides statistics on the nationwide federal effort against public corruption during 2015 and over the previous two decades.

The Public Integrity Section was created in 1976 in order to consolidate in one unit of the Criminal Division the Department's oversight responsibilities for the prosecution of criminal abuses of the public trust by government officials. Section attorneys prosecute selected cases involving federal, state, or local officials, and also provide advice and assistance to prosecutors and agents in the field regarding the handling of public corruption cases. In addition, the Section serves as the Justice Department's center for handling various issues that arise regarding public corruption statutes and cases.

An Election Crimes Branch was created within the Section in 1980 to supervise the Department's nationwide response to election crimes, such as voter fraud and campaign-financing offenses. The Director of Election Crimes reviews all major election crime investigations throughout the country and all proposed criminal charges relating to election crime.

During the year, the Section maintained a staff of approximately thirty attorneys, including experts in extortion, bribery, election crimes, and criminal conflicts of interest. The Section management included: Raymond N. Hulser, Chief; Peter M. Koski, Deputy Chief; Eric G. Olshan, Deputy Chief; Joseph P. Cooney, Deputy Chief; and Richard C. Pilger, Director, Election Crimes Branch.

Part I of the Report discusses the operations of the Public Integrity Section and highlights its major activities in 2015. Part II describes significant cases prosecuted by the Section in 2015. Part III presents nationwide data regarding the national federal effort to combat public corruption from 1995 through 2015.

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PART I

OPERATIONAL RESPONSIBILITIES OF THE PUBLIC INTEGRITY SECTION

A. RESPONSIBILITY FOR LITIGATION

The work of the Public Integrity Section focuses on public corruption, that is, crimes involving abuses of the public trust by government officials. Most of the Section's resources are devoted to investigations involving alleged corruption by government officials and to prosecutions resulting from these investigations. Decisions to undertake particular matters are made on a case-by-case basis, given Section resources, the type and seriousness of the allegation, the sufficiency of factual predication reflecting criminal conduct, and the availability of federal prosecutive theories to reach the conduct.

Cases handled by the Section generally fall into one of the following categories: recusals by United States Attorneys' Offices, sensitive cases, multi-district cases, referrals from federal agencies, and shared cases. These categories are discussed below.

1. Recusals by United States Attorneys' Offices

The vast majority of federal corruption prosecutions are handled by the local United States Attorney's Office for the geographic district where the crime occurred, a fact demonstrated by the statistical charts in Part III of this Report. At times, however, it may be inappropriate for the local United States Attorney's Office to handle a particular corruption case.

Public corruption cases tend to raise unique problems of public perception that are generally absent in more routine criminal cases. An investigation of alleged corruption by a government official, whether at the federal, state, or local level, or someone associated with such an official, always has the potential of becoming a high-profile case simply because its focus is on the conduct of a public official. In addition, these cases are often politically sensitive because their ultimate targets tend to be politicians or government officials appointed by politicians.

A successful public corruption prosecution requires both the appearance and the reality of fairness and impartiality. This means that a successful corruption case involves not just a conviction but public perception that the conviction was warranted, not the result of improper motivation by the prosecutor, and is free of conflicts of interest. In a case in which the local conflict of interest is substantial, the local office is removed from the case by a procedure called recusal. Recusal occurs when the local office either asks to step aside, or is asked to step aside by Department headquarters, as primary prosecutor. Federal cases involving corruption allegations in which the conflict is substantial are usually referred to the Public Integrity Section either for prosecution or direct operational supervision.

Allegations involving possible crimes by federal judges almost always require recusals of the local offices for significant policy, as well as practical reasons. Having the case handled outside the local offices eliminates the possible appearance of bias, as well as the practical difficulties and awkwardness that would arise if an office investigating a judge were to appear before the judge on other matters. Thus, as a matter of established Department practice, federal judicial corruption cases generally are handled by the Public Integrity Section.

Similar concerns regarding the appearance of bias also arise when the target of an investigation is a federal prosecutor, a federal investigator, or other employee assigned to work in or closely with a particular United States Attorney's Office. Thus, cases involving United States Attorneys, Assistant United States Attorneys (AUSAs), or federal investigators or employees working with AUSAs in the field generally result in a recusal of the local office. These cases are typically referred to the Public Integrity Section.

2. Sensitive and Multi-District Cases

In addition to recusals, the Public Integrity Section handles other special categories of cases. At the request of the Assistant Attorney General for the Criminal Division, the Section handles cases that are highly sensitive and cases that involve the jurisdiction of more than one United States Attorney's Office.

Cases may be sensitive for a number of reasons. Because of its importance, a particular case may require close coordination with high-level Department officials. Alternatively, the case may require substantial coordination with other federal agencies in Washington. The latter includes cases involving classified information that require careful coordination with intelligence agencies. Sensitive cases may also include those that are so politically controversial on a local level that they are most appropriately handled in Washington.

In addition to sensitive cases, this category encompasses multi-district cases, that is, cases involving allegations that cross judicial district lines and, as a result, fall under the jurisdiction of two or more United States Attorneys' Offices. In these cases, the Section occasionally is asked to coordinate the investigation among the various United States Attorneys' Offices, to handle a case jointly with one or more United States Attorney's Office, or, when appropriate, to assume operational responsibility for the entire case.

3. Federal Agency Referrals

In another area of major responsibility, the Section handles matters referred directly by federal agencies concerning possible federal crimes by agency employees. The Section reviews these allegations to determine whether an investigation of the matter is warranted and, ultimately, whether the matter should be prosecuted.

Agency referrals of possible employee wrongdoing are an important part of the Section's mission. The Section works closely with the Offices of Inspector General (OIGs) of the executive

branch agencies, as well as with other agency investigative components, such as the Offices of Internal Affairs and the Criminal Investigative Divisions. In addition, the Section invests substantial time in training agency investigators in the statutes involved in corruption cases and the investigative approaches that work best in these cases. These referrals from the various agencies require close consultation with the referring agency's investigative component and prompt prosecutive evaluation.

4. Requests for Assistance/Shared Cases

The final category of cases in which the Section becomes involved is cases that are handled jointly by the Section and a United States Attorney's Office or other component of the Department. At times, the available prosecutorial resources in a United States Attorney's Office may be insufficient to undertake sole responsibility for a significant corruption case. In this situation the local office may request the assistance of an experienced Section prosecutor to share responsibility for prosecuting the case. On occasion, the Section may also be asked to provide operational assistance or to assume supervisory responsibility for a case due to a partial recusal of the local office. Finally, the Public Integrity Section may be assigned to supervise or assist with a case initially assigned to another Department component.

B. SPECIAL SECTION PRIORITIES

In addition to the general responsibilities discussed above, in 2015 the Public Integrity Section continued its involvement in a number of additional priority areas of criminal law enforcement.

1. Election Crimes

One of the Section's law enforcement priorities is its supervision of the Justice Department's nationwide response to election crimes. The prosecution of all forms of election crime is a high Departmental priority, and headquarters' oversight in this area is designed to ensure that the Department's nationwide response to election crime matters is uniform, impartial, and effective. In 1980, the Election Crimes Branch was created within the Section to handle this supervisory responsibility.

The Election Crimes Branch oversees the Department's handling of all election crime allegations other than those involving federal voting rights, which are handled by the Civil Rights Division. Specifically, the Branch provides advice and guidance on three types of election crime cases: (1) vote frauds, such as vote buying and absentee ballot fraud; (2) campaign-financing crimes, most notably under the Federal Election Campaign Act (FECA); and (3) patronage crimes, such as political shakedowns and misuse of federal programs for political purposes. Vote frauds and campaign-financing offenses are the most significant, and most common types of election crimes.

The election-related work of the Section and its Election Crimes Branch falls into the following categories:

a. Consultation and Field Support. Under long-established Department procedures, the Section's Election Crimes Branch reviews all major election crime investigations, including all proposed grand jury investigations and FBI full-field investigations, and all election crime charges proposed by the various United States Attorneys' Offices for legal and factual sufficiency. (United States Attorneys' Manual 9-85.210.) The Branch is also often consulted before a United States Attorney's Office opens a preliminary investigation into a vote fraud allegation, although this is not required.

In the area of campaign-financing crimes, Department procedures require consultation with headquarters before any investigation, including a preliminary investigation, is commenced by a United States Attorney's Office. U.S.A.M. 9-85-210. The increased coordination with the Section at the initial stage of a criminal investigation of a FECA matter enables the Department to coordinate, when necessary, with another federal agency, the Federal Election Commission, which has civil enforcement authority over FECA violations.

The Section's consultation responsibility for election matters includes providing advice to prosecutors and investigators regarding the application of federal criminal laws to vote fraud, patronage crimes, and campaign-financing crimes, and the most effective investigative techniques for particular types of election offenses. In addition, the Election Crimes Branch helps draft election crime charges and other pleadings when requested.

The majority of the Branch's consultations are in the following two categories: vote fraud, also known as election fraud or ballot fraud; and campaign financing crimes arising under the FECA. During 2015, the Branch assisted in evaluating allegations, helping to structure investigations, and drafting charges for United States Attorneys' Offices around the country in these areas of law enforcement.

b. Litigation. Section attorneys investigate and prosecute selected election crimes, either by assuming total operational responsibility for the case or by handling the case jointly with a United States Attorney's Office or other Department component.

c. District Election Officer Program. The Branch also assists in implementing the Department's long-standing District Election Officer (DEO) Program. This Program is designed to ensure that each of the Department's 94 United States Attorneys' Offices has a trained prosecutor available to oversee the handling of election crime matters within the district and to coordinate district responses with Department headquarters regarding these matters.

The DEO Program involves appointing an Assistant United States Attorney in each federal district to serve a two-year term as a DEO and providing periodic training for the DEOs in the handling of election crime and voting rights matters.

The DEO Program is also a crucial feature of the Department's nationwide Election Day Program, which takes place during the federal general elections held in November of even-numbered years. The Election Day Program ensures that federal prosecutors and investigators are available both at Department headquarters in Washington, DC, and in each district to receive complaints of election irregularities while the polls are open. As part of the Program, press releases are issued in Washington, DC, and in each district before the November federal elections that advise the public of the Department's enforcement interests in deterring and prosecuting election crimes and protecting voting rights. The press releases also provide contact information for the DEOs, local FBI officials, and Department officials in the Criminal and Civil Rights Divisions at headquarters, who may be contacted on Election Day by members of the public who have complaints of possible vote fraud or voting rights violations.

d. Inter-Agency Liaison with the Federal Election Commission. The Election Crimes Branch is the formal liaison between the Justice Department and the Federal Election Commission (FEC), an independent federal agency that shares enforcement jurisdiction with the Department over willful violations of the Federal Election Campaign Act (FECA). The FEC has exclusive civil jurisdiction over all FECA violations, while the Department has exclusive criminal jurisdiction over FECA crimes.

e. Inter-Agency Liaison with the Office of Special Counsel. The Branch also serves as the Department's point of contact with the United States Office of Special Counsel (OSC). The OSC has jurisdiction over noncriminal violations of the Hatch Act, 5 U.S.C. §§ 1501-1509, 7321-7326, which may also involve criminal patronage crimes that are within the Department's jurisdiction.

2. Conflicts of Interest Crimes

"Conflicts of interest" is a wide-ranging and complex area of law, with many layers of administrative and oversight responsibility. Moreover, the federal criminal conflicts of interest laws overlap to some extent with the sometimes broader ethics restrictions imposed by civil statutes, agency standards of conduct, Presidential orders, and, in the case of attorneys, bar association codes of conduct.

The Public Integrity Section's work in the conflicts area falls into the following categories:

a. Criminal Referrals from Federal Agencies and Recusals. The Section's criminal enforcement role comes into play with respect to a narrow group of conflicts of interest matters, namely, those that involve possible misconduct proscribed by one of the federal conflicts of interest statutes, 18 U.S.C. §§ 203-209. These crimes are prosecuted either by a United States Attorney's Office or by the Public Integrity Section. Conflicts of interest matters are often referred to the Section by the various federal agencies. If investigation of a referral is warranted, the Section coordinates the investigation with the Inspector General for the agency concerned, the FBI, or both. If prosecution is warranted, the Section prosecutes the case. If a

civil remedy may be appropriate in lieu of criminal prosecution, the Section or the Inspector General may refer the case to the Civil Division of the Department of Justice for its review.

b. Coordination. The Public Integrity Section works with the United States Office of Government Ethics (OGE) to coordinate conflicts of interest issues with OGE and other executive branch agencies and offices. The purpose of this coordination is to ensure that the overall legislative and enforcement efforts in this area are both complementary and consistent. OGE has broad jurisdiction over noncriminal conduct by executive branch personnel, as well as the authority to provide guidance concerning the coverage of the federal criminal conflicts of interest statutes. The Section's coordination with OGE ensures that consistent guidance is provided with respect to the overlapping criminal, civil, and administrative interests implicated by the statutory and regulatory restrictions on federal personnel.

C. LEGAL AND TECHNICAL ASSISTANCE

1. Training and Advice

The Public Integrity Section is staffed with specialists who have considerable experience investigating and prosecuting corruption cases. Section attorneys participate in a wide range of formal training events for federal prosecutors and investigators. They are also available to provide informal advice on investigative methods, charging decisions, and trial strategy in specific cases.

The Section also conducts a public corruption seminar, held semi-annually, at the National Advocacy Center. Speakers at this seminar typically include both the Section's senior prosecutors and Assistant United States Attorneys from the field who have handled significant corruption cases. The seminars provide training for federal prosecutors regarding the statutes most commonly used in corruption cases, guidance in the use of the complex and difficult investigative techniques necessary to investigate government corruption, and advice from experienced prosecutors on conducting corruption trials.

2. Legal Advisor to the Integrity Committee of the Council of Inspectors General on Integrity and Efficiency

Pursuant to the Inspector General Reform Act of 2008, Pub. L. No. 110-409, 122 Stat. 4302 (Oct. 14, 2008), the designee of the Chief of the Public Integrity Section serves as Legal Advisor to the Integrity Committee of the Council of Inspectors General on Integrity and Efficiency (CIGIE). The CIGIE is a body composed of the Inspectors General of the various agencies of the executive branch of the federal government. The Integrity Committee of the CIGIE is charged with handling allegations against Inspectors General and senior members of their staff.

In addition, the Integrity Committee is charged with establishing policies and procedures to ensure consistency in conducting administrative investigations. The Committee's procedures, drafted with the assistance of the Public Integrity Section, provide a framework for the

investigative function of the Committee. Allegations of wrongdoing by Inspectors General and their senior staff are initially reviewed by an Integrity Committee working group, with assistance from the Public Integrity Section, for potential criminal prosecution. In noncriminal matters, the procedures guide the Committee's process for reviewing or investigating alleged misconduct, and for reporting on its findings. The Public Integrity Section also advises the Integrity Committee on matters of law and policy relating to its investigations.

3. Legislative Activities

An important responsibility of the Public Integrity Section is the review of proposed legislation that may affect, directly or indirectly, the investigation and prosecution of public officials and those who seek to corrupt these officials. The Section is often called upon to comment on legislation proposed by Congress, by the Administration, or by other departments of the executive branch; to draft or review testimony for congressional hearings; and to respond to congressional inquiries concerning legislative proposals. On occasion, the Section drafts legislative proposals relating to various corruption matters.

4. Case Supervision and General Assistance

Public corruption cases are often controversial, complex, and highly visible. These factors may warrant Departmental supervision and review of a particular case. On occasion Section attorneys are called upon to conduct a careful review of a sensitive public corruption case, evaluating the quality of the investigative work and the adequacy of any proposed indictments. Based on its experience in this area, the Section can often identify tactical or evidentiary problems early on and either provide needed assistance or, if necessary, assume operational responsibility for the prosecution.

The Section also has considerable expertise in the supervision of the use of undercover operations in serious corruption cases. The Section serves on the FBI's Criminal Undercover Operations Review Committee. A number of the Section's senior prosecutors have experience in the practical and legal problems involved in such operations and have the expertise to employ this sensitive investigative technique effectively and to advise law enforcement personnel on its use.

5. International Advisory Responsibilities

The Public Integrity Section actively participates in the area of international law enforcement. The Section regularly provides briefings and training on United States public corruption issues to visiting foreign delegations and continues the efforts of the United States to assist foreign countries in their quest to combat public corruption and election crime in their respective countries. This assistance includes participation in international proceedings and coordination with other components of the Justice Department and the State Department on the Administration's positions in this area.

Section experts continue to address visiting foreign officials in investigations and prosecutions of public corruption. These presentations are generally conducted under the auspices of the State Department's Foreign Visitor Program and the Justice Department's Office of Overseas Prosecutorial Development Assistance and Training. During 2015, the Section made presentations to officials from Afghanistan, Armenia, Brazil, Bulgaria, Czech Republic, Indonesia, Iraq, Kazakhstan, Macedonia, Maldives, Nepal, Pakistan, Panama, Philippines, and Vietnam.

PART II

PUBLIC INTEGRITY SECTION INDICTMENTS AND PROSECUTIONS IN 2015

INTRODUCTION

As described in Part I, the Public Integrity Section's role in the prosecution of public corruption cases ranges from sole operational responsibility for the entire case to approving an indictment or to providing advice on the drafting of charges. Part II of the Report provides examples of noteworthy public corruption cases for which the Section had either sole or shared operational responsibility during 2015.

In 2015, the Section's case work resulted in numerous guilty pleas, as well as obtaining trial convictions in Georgia, Indiana, Pennsylvania, Puerto Rico, Texas and Virginia.

The descriptions of the Section's significant cases for calendar year 2015 are separated into categories, based on the branch or level of government affected by the corruption. Election crime cases are grouped separately. Unrelated cases in each category are separated by triple lines. When a conviction but not a sentencing took place in 2015, the sentencing may be reported in this report or in a later year's report.

FEDERAL JUDICIAL BRANCH

The Public Integrity Section has sole responsibility for the investigation and prosecution of federal judges due to the potential appearance issues that might arise if a local United States Attorney's Office were to investigate an allegation of wrongdoing by a judge before whom that United States Attorney's Office appears on a regular basis. The investigation of allegations of criminal wrongdoing in the federal judicial branch is a very sensitive matter. These investigations may involve intrusions into pending federal cases, cooperation from parties or witnesses who are appearing before the court, or potential disruption of the normal judicial process. In addition, the Section must coordinate closely with supervisory judges and the Administrative Office of United States Courts to facilitate the assignment of magistrates and judges from outside of the judicial district to handle requests during the investigation, such as grand jury supervision, or applications for warrants or electronic surveillance. The Public Integrity Section has developed substantial experience and expertise in these matters over the years. During 2015, the Section brought no cases involving the federal judicial branch.

FEDERAL LEGISLATIVE BRANCH

The Public Integrity Section plays a central role in the effort to combat corruption in the federal legislative branch. These cases raise unique issues of inter-branch comity, and they are always sensitive given the high-profile stature of elected officials. The Section has developed substantial expertise regarding the unique protections provided to Members of Congress and their staff by the Speech or Debate Clause set forth in Article I of the Constitution, and has worked closely and effectively with House and Senate counsel and the Ethics Committees in both houses. In addition to handling its own cases, the Section routinely provides advice and guidance to prosecutors across the country regarding these sensitive investigations. During 2015, the Section handled several cases involving legislative branch corruption, several of which are described below

United States v. Robert Menendez and Salomon Melgen, District of New Jersey

On April 1, 2015, Robert Menendez, a U.S. Senator, and Salomon Melgen, a Florida ophthalmologist, were indicted for a bribery scheme in which Menendez allegedly accepted gifts from Melgen in exchange for using the power of his Senate office to benefit Melgen's financial and personal interests. Menendez and Melgen were indicted for one count of conspiracy, one count of violating the Travel Act, eight counts of bribery and three counts of honest services fraud. Menendez was also charged with one count of making false statements.

According to allegations in the indictment, Menendez allegedly engaged in three efforts to use his Senate office and staff to advocate on behalf of Melgen's personal and financial interests. First, Menendez allegedly pressured executive agencies in connection with a conflict between Melgen and the Government of the Dominican Republic relating to a disputed contract that Melgen purchased to provide exclusive screening of containers coming through Dominican ports. Second, Menendez allegedly advocated on behalf of Melgen in connection with a Medicare billing dispute worth approximately \$8.9 million to Melgen. Third, Menendez allegedly took active steps to support the tourist and student visa applications of three of Melgen's girlfriends, as well as the visa application of the younger sister of one of Melgen's girlfriends. Throughout these efforts, Menendez allegedly engaged in advocacy for Melgen all the way up to the highest levels of the U.S. government, including meeting with a U.S. cabinet secretary, contacting a U.S. Ambassador, meeting with the heads of executive agencies and other senior executive officials and soliciting other U.S. Senators, all in order to assist Melgen's personal and pecuniary interests.

United States v. Chaka Fattah, et al., Eastern District of Pennsylvania

On July 29, 2015, Congressman Chaka Fattah and four of his associates were indicted for their roles in a racketeering conspiracy involving several schemes that were intended to further the political and financial interests of the defendants and others by, among other tactics, misappropriating hundreds of thousands of dollars of federal, charitable and campaign funds. Congressman Chaka Fattah Sr., lobbyist Herbert Vederman, Fattah's Congressional District Director Bonnie Bowser and Robert Brand and Karen Nicholas, were charged in a 29-count indictment with participating in a racketeering conspiracy and other crimes, including bribery; conspiracy to commit mail, wire and honest services fraud; and multiple counts of mail fraud, falsification of records, bank fraud, making false statements to a financial institution and money laundering.

Specifically, the indictment alleged that, in connection with his failed 2007 campaign to serve as mayor of Philadelphia, Fattah and certain associates borrowed \$1 million from a wealthy supporter and disguised the funds as a loan to a consulting company. After he lost the election, Fattah allegedly returned \$400,000 to the donor that the campaign had not used and arranged for Educational Advancement Alliance (EAA), a non-profit entity that he founded and controlled, to repay the remaining \$600,000 using charitable and federal grant funds that passed through two other companies, including one run by Brand. To conceal the contribution and repayment scheme, the defendants and others allegedly created sham contracts and made false entries in accounting records, tax returns and campaign finance disclosure statements.

In addition, the indictment alleged that after his defeat in the mayoral election, Fattah sought to extinguish approximately \$130,000 in campaign debt owed to a political consultant by agreeing to arrange for the award of federal grant funds to the consultant. According to the allegations in the indictment, Fattah directed the consultant to apply for a \$15 million grant, which he did not ultimately receive, on behalf of a then non-existent non-profit entity. In exchange for Fattah's efforts to arrange the award of the funds to the non-profit, the consultant allegedly agreed to forgive the debt owed by the campaign.

The indictment further alleged that Fattah misappropriated funds from his mayoral and congressional campaigns to repay his son's student loan debt. To execute the scheme, Fattah and Bowser allegedly arranged for his campaigns to make payments to a political consulting company, which the company then used to lessen Fattah's son's student loan debt. According to the allegations in the indictment, between 2007 and 2011, the consultant made 34 successful loan payments on behalf of Fattah's son, totaling approximately \$23,000. In another alleged scheme, beginning in 2008, Fattah communicated with individuals in the legislative and executive branches in an effort to secure for Vederman an ambassadorship or an appointment to the U.S. Trade Commission. In exchange, Vederman provided money and other items of value to Fattah. As part of this scheme, the indictment alleges that the defendants sought to conceal an \$18,000 bribe payment from Vederman to Fattah by disguising it as a payment for a car sale that never actually took place.

Finally, the indictment alleged that Nicholas obtained \$50,000 in federal grant funds that she claimed would be used by EAA to support a conference on higher education. The conference never took place. Instead, Nicholas used the grant funds to pay \$20,000 to a political consultant and \$10,000 to her attorney, and wrote several checks to herself from EAA's operating account.

United States v. Brett O'Donnell, Middle District of Georgia

On September 3, 2015, Brett O'Donnell, a consultant who has assisted legislators and politicians, among others, with their public speaking, debate performances, and messaging, pleaded guilty to one count of making false statements to a congressional investigative entity, the Office of Congressional Ethics ("OCE").

In or about June 2014, OCE interviewed O'Donnell as part of an investigation concerning the alleged misuse of congressional money to pay for services that O'Donnell had provided in support of a Congressman's campaigns. O'Donnell admitted that, during the interview, he made several false statements to OCE in an effort to minimize, and conceal the true nature and scope of, his role on the congressional campaigns, as well as to conceal interactions he had with a congressional staffer regarding O'Donnell's role with the campaigns.

FEDERAL EXECUTIVE BRANCH

The Public Integrity Section frequently receives allegations of corruption in the executive branch from federal law enforcement agencies, including the FBI, the Inspectors General for the various departments and agencies, and United States military investigators. These matters involve a careful balancing of the requirements of a criminal investigation and the operational needs of the executive offices involved. During 2015, the Section handled a number of cases involving executive branch corruption, several of which are described below.

United States v. Carl Force and Shaun Bridges, Northern District of California

On July 1, 2015, Carl M. Force, a former DEA special agent pleaded guilty to extortion, money laundering and obstruction of justice, which he committed while working as an undercover agent investigating Silk Road, an online marketplace used to facilitate the purchase and sale of illegal drugs and other contraband. Between 2012 and 2013, Force was assigned to the Baltimore Silk Road Task Force, a multi-agency group investigating illegal activity on Silk Road. Force was the lead undercover agent in communication with Ross Ulbricht, aka “Dread Pirate Roberts”, who ran Silk Road.

Using several online personas, Force received payments in Bitcoin from Ulbricht in exchange for fake drivers’ licenses and for information concerning the government’s investigation of Silk Road. Force concealed these payments and understood that these payments to be government property, as they constituted evidence of a crime. Force admitted that he falsified official reports and stole the funds, depositing the Bitcoin into his own personal account and then converting them into U.S. currency. Force admitted that the total value of Bitcoin he received from Ulbricht was in excess of \$200,000.

Force also admitted that in 2013, he became affiliated with the digital currency exchange, CoinMTK, acting as its *de facto* compliance officer. Force admitted that he confiscated a client account, transferring \$300,000 in digital currency into his own personal account. Force also admitted that he had obstructed justice both by soliciting and accepting Bitcoin from Ulbricht and by lying to federal prosecutors and agents who were investigating potential misconduct by Force and others.

On, October 19, 2015, Force was sentenced to 78 months imprisonment and forfeiture of more than \$540,000.

On August 31, 2015, Shaun W. Bridges, a former U.S. Secret Service special agent pleaded guilty to money laundering and obstruction of justice in connection with his theft of digital currency during the federal investigation of Silk Road. Bridges was also assigned to the Baltimore Silk Road Task Force. His responsibilities included, among other things, conducting forensic

computer investigations in an effort to locate, identify and prosecute targets, including Ross Ulbricht, aka “Dread Pirate Roberts”, who ran Silk Road. Bridges admitted that he used an administrator account on the Silk Road website to fraudulently obtain access to the website, reset passwords of various accounts and to move Bitcoin from those accounts into a Bitcoin “wallet” that he controlled. Bridges admitted that he stole approximately 20,000 Bitcoin, which at that time was worth approximately \$350,000. He subsequently liquidated the bitcoin into \$820,000 of U.S. currency and then transferred the funds to an investment account that he controlled in the United States.

Bridges admitted that he obstructed the Baltimore federal grand jury’s investigations of Silk Road and Ulbricht in a number of ways, including by impeding the ability of the investigation to fully utilize a cooperator’s access to Silk Road. In addition, Bridges admitted that he made multiple false and misleading statements to investigators in connection with the San Francisco federal grand jury’s investigation into his own illegal acts, and that he encouraged another government employee to lie to investigators.

On December 7, 2015, Bridges was sentenced to 71 months imprisonment and forfeiture of \$651,000.

United States v. Christopher Whitman, et al., Middle District of Georgia

On April 3, 2015, Christopher Whitman, co-owner of United Logistics, an Albany-based trucking company and freight transportation broker, was convicted of 43 counts of honest services wire fraud, five counts of bribery, five counts of obstructing justice and one count of theft of government property. Shawn McCarty, a former employee at the Marine Corps Logistics Base-Albany (MCLB), was convicted of 15 counts of honest services wire fraud, one count of bribery and one count of obstructing justice. Bradford Newell, also a former employee at the MCLB-Albany, was convicted of 13 counts of honest services wire fraud, one count of bribery and one count of theft of government property.

According to evidence presented at trial, Whitman paid more than \$800,000 in bribes to three former officials of the Defense Logistics Agency (DLA) at the MCLB-Albany, including the head of the DLA Traffic Office and McCarty, to obtain commercial trucking business from the base. The transportation contracts included unnecessary premium-priced requirements, including expedited service, expensive trailers and exclusive use, which requires that freight be shipped separately from other equipment, even if that resulted in a truck not being filled to capacity. As a result of these contracts, Whitman’s company grossed more than \$37 million over less than four years.

The evidence further demonstrated that Whitman paid approximately \$200,000 in bribes to Newell, the former inventory control manager of the Distribution Management Center at MCLB-Albany and others, who used their official positions to help Whitman steal more than \$1

million in surplus equipment from the base, including bulldozers, cranes and front-end loaders. In exchange for the bribes, Newell and the inventory control manager removed the surplus items from Marine Corps inventory and arranged to have them transported off the base by Whitman's company. Whitman then arranged to improve and paint the stolen equipment, and sell it to private purchasers.

On September 10, 2015, Christopher Whitman was sentenced to 22 years in prison. Shawn McCarty was sentenced to 10 years in prison and Bradford Newell was sentenced to five years in prison. In addition to imposing the prison terms, the court ordered each defendant to forfeit assets reflecting losses to the government attributable to the bribery and fraud schemes. Whitman was ordered to forfeit \$18,860,313.75; McCarty was ordered to forfeit \$15,410,151.55; and Newell was ordered to forfeit \$513,600. Whitman was specifically ordered to surrender assets derived from the schemes, including more than 100 parcels of real property, several boats and vehicles, and rental income estimated to be worth more than \$14 million.

United States v. Jammie Martin and Michelle Davis, Southern District of Texas

On February 4, 2015, Jammie Martin and Michelle Davis were convicted of conspiracy, bribery, wire fraud and aggravated identity theft. From February 2009 through April 2011, Martin served as an Army National Guard recruiter. Davis served as a recruiting assistant with the Guard Recruiting Assistance Program (G-RAP), which was a recruiting program that offered monetary incentives to soldiers of the Army National Guard who referred others to join the National Guard. Both defendants worked out of a Texas National Guard Armory known as the Westheimer Armory.

According to evidence presented at trial, Martin—who, as a recruiter, was ineligible for the G-RAP incentives—provided the personal identifying information of potential soldiers to Davis and at least three other National Guard soldiers. Davis and the others then falsely claimed they were responsible for referring the potential soldiers to join the military and fraudulently received referral bonus payments through the G-RAP program. Davis and the others paid approximately half of each fraudulent bonus payment to Martin as a kickback.

On July 29, 2015, Martin was sentenced to serve 102 months in prison and Davis was sentenced to serve 57 months in prison. This case arose out of a multi-district investigation into fraud in the recruiting bonus program which has resulted in the conviction of more than 20 defendants.

STATE AND LOCAL GOVERNMENT

The Public Integrity Section plays a major role in combating corruption at all levels of government, including corruption relating to state or local public officials. The following are examples of corruption cases handled by the Section involving state and local officials in 2015.

United States v. Lann Clanton et al., Eastern District of North Carolina

On April 22, 2015, thirteen current and former law enforcement officers and two other individuals were indicted for allegedly protecting narcotics shipments and cash proceeds during transit along the east coast for what they believed was a large-scale drug trafficking organization that was actually an undercover operation by the FBI.

The following individuals were indicted:

- Lann Tjuan Clanton, a correctional officer with the Virginia Department of Corrections;
- Ikeisha Jacobs, a deputy with the Northampton County Sheriff's Office;
- Jason Boone, a deputy with the Northampton County Sheriff's Office;
- Wardie Vincent Jr., formerly of the Northampton County Sheriff's Office;
- Adrienne Moody, a correctional officer with the North Carolina Department of Public Safety;
- Cory Jackson, formerly of the Northampton County Sheriff's Office;
- Jimmy Pair Jr., a deputy with the Northampton County Sheriff's Office;
- Curtis Boone, a deputy with the Northampton County Sheriff's Office;
- Antonio Tillmon, a police officer with the Windsor City Police Department;
- Alaina Kamling, a correctional officer with the North Carolina Department of Public Safety;
- Kavon Phillips, a correctional officer with the North Carolina Department of Public Safety;
- Crystal Pierce, of Raleigh, North Carolina;

- Alphonso Ponton, a correctional officer with the Virginia Department of Corrections;
- Thomas Jefferson Allen II, a deputy with the Northampton County Sheriff's Office; and
- Tosha Dailey, a 911 dispatch operator for Northampton County.

All 15 defendants were charged with conspiring to distribute controlled substances and conspiring to use and carry firearms during and in relation to drug trafficking offenses. Other charges against certain defendants include attempted extortion, attempted possession with intent to distribute controlled substances, money laundering, federal programs bribery and use and carry of firearms during and in relation to crimes of violence and drug trafficking offenses.

United States v. Michael Maggio, Eastern District of Arkansas

On January 9, 2015, Michael Maggio, a former state circuit judge in Arkansas pleaded guilty for accepting a bribe in exchange for reducing a negligence jury verdict against a Conway, Arkansas, company. Maggio pleaded guilty to a one-count information charging him with bribery concerning programs receiving federal funds. As part of his plea agreement, Maggio admitted that in 2013, he served as an elected circuit judge for the state of Arkansas, Twentieth Judicial District, Second Division, presiding over a civil matter in Faulkner County Circuit Court. The plaintiff in that matter, the estate of a decedent, filed a complaint alleging, among other things, that a company, its owner, and others had neglected and mistreated the decedent leading to the decedent's death while the decedent was in their care. On May 16, 2013, a jury returned a verdict in the plaintiff's favor, awarding damages against the sole-remaining defendant, the company, in the amount of \$5.2 million. Approximately one month later, the company filed a motion for new trial or to reduce the amount of damages awarded by the jury to the plaintiff.

Maggio further admitted that he formally announced his candidacy for the Arkansas Court of Appeals on June 27, 2013, while the post-trial motions were pending. On July 10, 2013, Maggio entered an order reducing the verdict against the company to \$1 million. Prior to that order, a fundraiser for Maggio's campaign told Maggio that the company's owner had committed money to support Maggio's campaign. The fundraiser also communicated with Maggio regarding the pending post-trial motions. On July 9, 2013, the owner donated approximately \$24,000 to Maggio's campaign. As part of his plea, Maggio admitted that his decision to remit the judgment was improperly influenced by the donations that his campaign received from the company's owner. Maggio further acknowledged that he attempted to delete text messages between the fundraiser and himself after the media became aware of the illicit contributions to his campaign.

On March 24, 2015, Maggio was sentenced to 120 months in prison.

United States v. Mary Ray, Northern District of Indiana

On September 17, 2015, Mary Ray, a former chief deputy auditor for LaPorte County, Indiana was convicted of embezzling over \$150,000 from the LaPorte County government, tax fraud and defrauding her elderly father-in-law out of at least \$400,000.

According to evidence presented at trial, from September 2011 through December 2012, Ray embezzled over \$150,000 from county coffers, and underreported her income on her U.S. Individual Tax Returns for those years by failing to report the embezzled funds. Evidence at trial also showed that Ray defrauded her 86-year-old father-in-law, a disabled veteran, out of at least \$400,000 that he entrusted her to oversee. The trial evidence also demonstrated that Ray used the funds that she embezzled from LaPorte County and stole from her father-in-law to gamble at casinos.

FEDERAL ELECTION CRIMES

As described in Part I, during 2015, the Public Integrity Section continued its nationwide oversight of the handling of election crime investigations and prosecutions.

Set forth below are examples of the Section's 2015 casework in this area.

United States v. Tyler Harber, Eastern District of Virginia

On February 12, 2015, Tyler Harber, a campaign finance manager and political consultant pleaded guilty for coordinating \$325,000 in federal election campaign contributions by a political action committee (PAC) to a Congressional campaign committee and making false statements to the FBI. This is the first criminal prosecution in the United States based upon the coordination of campaign contributions between political committees.

According to the plea documents, Harber was the Campaign Manager and General Political Consultant for a candidate for Congress in the November 2012 general election. At the same time, Harber participated in the creation and operation of a PAC, which was legally allowed to raise and spend money in unlimited amounts from otherwise prohibited sources to influence federal elections so long as it did not coordinate expenditures with a federal campaign.

Harber admitted, among other things, that he made and directed coordinated expenditures by the PAC to influence the election with \$325,000 of political advertising opposing a rival candidate. The coordination of expenditures made them illegal campaign contributions to the authorized committee of Harber's candidate, and Harber admitted that he knew this coordination of expenditures was an unlawful means of contributing money to a campaign committee. He further admitted that he used an alias and other means to conceal his action from inquiries by an official of the same political party as Harber's candidate. He also admitted that he told multiple lies when interviewed by the FBI concerning his activities.

On June 12, 2015, Harber was sentenced to 24 months in prison.

PART III

NATIONWIDE FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS

INTRODUCTION

The tables in this section of the Report reflect data that is compiled from annual nationwide surveys of the United States Attorneys' Offices and from the Public Integrity Section.

As discussed in Part I, most corruption cases are handled by the local United States Attorney's Office in the district where the crime occurred. However, on occasion outside prosecutors are asked either to assist the local office on a corruption case, or to handle the case entirely as a result of recusal of the local office due to a possible conflict of interest. The figures in Tables I through III include all public corruption prosecutions within each district including cases handled by the United States Attorneys' Offices and the Public Integrity Section.*

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*Prior to 2015, Tables I through III included cases only from the United States Attorneys' Offices.

TABLE I
NATIONWIDE FEDERAL PROSECUTIONS
OF CORRUPT PUBLIC OFFICIALS
IN 2015

Federal Officials	
Charged	458
Convicted	402
Awaiting Trial	153

State Officials	
Charged	123
Convicted	97
Awaiting Trial	66

Local Officials	
Charged	259
Convicted	200
Awaiting Trial	135

Others Involved	
Charged	262
Convicted	205
Awaiting Trial	150

Totals	
Charged	1,102
Convicted	904
Awaiting Trial	504

TABLE II

**PROGRESS OVER THE LAST TWO DECADES:
FEDERAL PROSECUTIONS BY UNITED STATES ATTORNEYS' OFFICES
OF CORRUPT PUBLIC OFFICIALS**

	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
FEDERAL OFFICIALS										
Charged	456	459	442	480	441	502	478	479	424	445
Convicted	459	392	414	460	422	414	429	421	381	390
Awaiting Trial as of 12/31	64	83	85	101	92	131	119	129	98	118
STATE OFFICIALS										
Charged	109	51	91	115	92	95	110	94	111	96
Convicted	83	49	58	80	91	61	132	87	81	94
Awaiting Trial as of 12/31	40	20	37	44	37	75	50	38	48	51
LOCAL OFFICIALS										
Charged	219	255	277	237	211	224	299	259	268	309
Convicted	190	169	264	219	183	184	262	119	252	232
Awaiting Trial as of 12/31	60	118	90	95	89	110	118	106	105	148
PRIVATE CITIZENS INVOLVED IN PUBLIC CORRUPTION OFFENSES										
Charged	200	292	364	302	256	266	249	318	410	313
Convicted	170	243	278	306	242	261	188	241	306	311
Awaiting Trial as of 12/31	80	106	128	89	109	121	126	139	168	136
TOTALS										
Charged	984	1,057	1,174	1,134	1,000	1,087	1,136	1,150	1,213	1,163
Convicted	902	853	1,014	1,065	938	920	1,011	868	1,020	1,027
Awaiting Trial as of 12/31	244	327	340	329	327	437	413	412	419	453

TABLE II (continued)

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Totals
FEDERAL OFFICIALS											
Charged	463	426	518	425	422	412	381	337	364	458	8,812
Convicted	407	405	458	426	397	392	369	315	364	402	8,117
Awaiting Trial as of 12/31	112	116	117	107	103	110	108	113	111	153	X
STATE OFFICIALS											
Charged	101	128	144	93	168	93	100	133	80	123	2,127
Convicted	116	85	123	102	108	143	78	119	109	97	1,896
Awaiting Trial as of 12/31	38	65	61	57	105	41	68	68	33	66	X
LOCAL OFFICIALS											
Charged	291	284	287	270	296	282	319	334	231	259	5,411
Convicted	241	275	246	257	280	276	295	303	252	200	4,699
Awaiting Trial as of 12/31	141	127	127	148	146	127	135	149	100	135	X
PRIVATE CITIZENS INVOLVED IN PUBLIC CORRUPTION OFFENSES											
Charged	295	303	355	294	298	295	278	330	241	262	5,921
Convicted	266	249	302	276	251	296	318	300	264	205	5,273
Awaiting Trial as of 12/31	148	179	184	161	200	191	144	169	106	150	X
TOTALS											
Charged	1,150	1,141	1,304	1,082	1,184	1,082	1,078	1,134	916	1102	22,271
Convicted	1,030	1,014	1,129	1,061	1,036	1,107	1,060	1,037	989	904	19,985
Awaiting Trial as of 12/31	439	487	489	473	554	469	455	499	350	504	X

TABLE III

**UNITED STATES ATTORNEYS' OFFICES
FEDERAL PUBLIC CORRUPTION CONVICTIONS
BY DISTRICT OVER THE PAST DECADE**

U.S. Attorney's Office	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Totals
Alabama, Middle	11	8	3	5	1	9	8	9	8	6	68
Alabama, Northern	33	39	17	18	11	14	13	12	11	13	181
Alabama, Southern	7	5	0	5	3	0	1	2	0	1	24
Alaska	3	15	8	1	9	4	4	2	1	4	51
Arizona	16	32	20	19	16	18	34	40	29	18	242
Arkansas, Eastern	8	8	4	2	11	7	12	4	3	10	69
Arkansas, Western	2	0	1	1	6	1	3	0	2	3	19
California, Central	36	55	41	43	29	27	39	19	66	53	408
California, Eastern	18	13	9	15	12	20	4	4	10	14	119
California, Northern	4	2	3	2	3	3	7	3	9	12	48
California, Southern	7	6	5	9	0	2	39	37	10	7	122
Colorado	4	3	4	14	6	6	9	3	2	0	51
Connecticut	11	17	5	2	4	0	8	13	9	6	75
Delaware	7	5	7	1	1	2	3	5	0	1	32
District of Columbia	25	22	66	28	41	39	47	18	15	8	309
Florida, Middle	39	28	51	30	18	24	25	20	28	27	290
Florida, Northern	17	19	3	27	13	3	9	8	9	14	122
Florida, Southern	27	22	12	12	21	13	28	21	27	42	225
Georgia, Middle	3	0	7	3	0	11	11	9	10	11	65
Georgia, Northern	6	7	15	21	32	32	27	11	33	22	206
Georgia, Southern	0	1	2	1	5	2	4	7	4	1	27
Guam & NMI	2	0	3	6	3	5	1	2	3	10	35
Hawaii	5	1	2	1	0	3	2	0	4	5	23

TABLE III (continued)

U.S. Attorney's Office	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Totals
Idaho	1	1	1	1	0	3	6	4	1	3	21
Illinois, Central	6	8	6	6	0	2	1	6	10	0	45
Illinois, Northern	30	28	43	47	46	30	36	45	18	16	339
Illinois, Southern	2	6	7	5	6	9	7	18	4	3	67
Indiana, Northern	5	15	9	10	4	4	25	15	7	7	101
Indiana, Southern	4	9	5	8	8	2	7	8	10	5	66
Iowa, Northern	0	0	0	0	0	2	1	1	2	4	10
Iowa, Southern	2	9	9	4	11	1	3	2	2	2	45
Kansas	0	2	5	4	5	9	8	4	2	2	41
Kentucky, Eastern	23	33	22	22	28	25	19	12	15	10	209
Kentucky, Western	4	6	6	19	6	13	13	3	4	3	77
Louisiana, Eastern	26	29	26	20	26	29	29	20	10	12	227
Louisiana, Middle	13	6	3	10	4	13	4	5	7	9	74
Louisiana, Western	10	7	10	14	25	9	19	25	4	6	129
Maine	4	4	8	5	1	4	2	2	3	4	37
Maryland	36	21	39	32	21	58	26	47	38	31	349
Massachusetts	28	29	19	28	27	19	13	22	18	16	219
Michigan, Eastern	13	7	20	7	14	18	17	19	13	4	132
Michigan, Western	12	5	13	11	16	6	0	0	6	2	71
Minnesota	6	3	7	13	6	8	0	6	5	4	58
Mississippi, Northern	5	18	13	13	9	4	9	11	8	3	93
Mississippi, Southern	2	7	4	2	15	13	0	7	10	8	68
Missouri, Eastern	12	12	22	16	11	10	11	10	10	5	119
Missouri, Western	8	8	9	8	14	4	10	0	9	6	76
Montana	8	0	8	7	10	5	2	5	27	8	80

TABLE III (continued)

U.S. Attorney's Office	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Totals
Nebraska	3	0	8	2	4	2	3	3	4	3	32
Nevada	3	4	0	7	4	6	6	2	6	0	38
New Hampshire	0	0	4	1	1	0	0	0	0	0	6
New Jersey	47	62	49	44	47	28	27	30	33	23	390
New Mexico	6	3	6	9	7	4	4	2	10	12	63
New York, Eastern	20	26	14	12	12	10	13	5	9	28	149
New York, Northern	9	7	10	2	3	3	5	1	0	4	44
New York, Southern	16	9	9	9	12	24	21	13	13	19	145
New York, Western	6	2	15	15	10	15	18	7	19	17	124
North Carolina, Eastern	20	18	4	4	9	10	4	10	6	13	98
North Carolina, Middle	2	5	1	3	7	1	0	2	0	0	21
North Carolina, Western	2	3	12	2	2	2	0	7	2	4	36
North Dakota	2	6	4	0	6	2	2	0	0	1	23
Ohio, Northern	31	37	29	49	65	28	16	8	11	18	292
Ohio, Southern	12	12	8	7	0	3	9	11	9	12	83
Oklahoma, Eastern	5	3	8	0	3	11	9	14	11	10	74
Oklahoma, Northern	3	3	3	12	2	2	5	3	4	4	41
Oklahoma, Western	10	3	11	10	9	11	12	5	7	6	84
Oregon	6	11	3	5	1	7	2	3	4	3	45
Pennsylvania, Eastern	30	19	15	20	23	23	30	29	36	27	252
Pennsylvania, Middle	27	16	16	16	25	7	7	0	1	14	129
Pennsylvania, Western	10	5	5	5	6	7	10	10	6	8	72
Puerto Rico	20	2	37	28	17	130	30	19	47	13	343
Rhode Island	2	1	2	1	3	8	2	8	4	3	34

U.S. Attorney's Office	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	Totals
South Carolina	3	4	8	7	2	11	2	5	7	3	52
South Dakota	13	4	11	8	9	8	9	3	1	6	72
Tennessee, Eastern	7	12	6	7	4	8	10	8	11	8	81
Tennessee, Middle	9	6	1	4	3	1	9	4	0	5	42
Tennessee, Western	19	24	5	10	14	8	12	18	8	21	139
Texas, Eastern	3	4	10	5	4	2	0	3	6	3	40
Texas, Northern	16	6	23	41	17	19	28	27	39	48	264
Texas, Southern	21	34	64	26	23	43	26	83	29	11	360
Texas, Western	9	11	15	27	27	24	47	53	28	29	270
Utah	1	7	5	3	1	2	1	3	2	0	25
Vermont	0	1	5	0	2	5	3	1	1	1	19
Virgin Islands	8	3	2	0	7	3	0	3	2	1	29
Virginia, Eastern	38	23	72	57	60	57	41	53	34	40	475
Virginia, Western	13	13	2	5	2	0	0	3	5	8	51
Washington, Eastern	1	4	5	0	0	2	0	0	0	0	12
Washington, Western	1	5	7	3	8	5	7	5	7	5	53
West Virginia, Northern	0	0	2	2	6	4	4	7	18	3	46
West Virginia, Southern	9	2	4	2	3	1	3	4	4	2	34
Wisconsin, Eastern	11	7	6	4	5	5	8	6	4	5	61
Wisconsin, Western	5	5	0	5	2	5	6	7	5	2	42
Wyoming	0	1	1	2	1	5	3	3	0	0	16