

REPORT TO CONGRESS
ON THE ACTIVITIES AND OPERATIONS
OF THE
PUBLIC INTEGRITY SECTION
FOR 1989



Public Integrity Section
Criminal Division
United States Department of Justice

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

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

1989

Submitted pursuant
to Section 529 of the
Ethics in Government Act
of 1978

INTRODUCTION

A record number of public officials and their cohorts (1,149) were convicted in 1989 through the efforts of the Offices of the United States Attorneys and the Public Integrity Section of the Criminal Division of the Department of Justice. This report to the Congress prepared as required by Section 529 of the Ethics in Government Act of 1978 details the activities and operations of the Public Integrity Section for calendar year 1989.

Part I of this Report describes the operations and functions of the Public Integrity Section, highlighting major activities; Part II details the cases prosecuted by the Section; and Part III presents data on the national effort to combat public corruption during 1989, based on the Section's annual nationwide survey of United States Attorneys.

The Section was established in 1976 by Attorney General Dick Thornburgh, who at the time was the Assistant Attorney General for the Criminal Division. The Section was given the responsibility for overseeing the federal effort to combat corruption through the prosecution of elected and appointed public officials at all levels of government. The Section is also responsible for supervising the handling of investigations and prosecutions of election crimes. Its attorneys prosecute selected cases against federal, state and local officials, and are available as a source of advice and expertise to prosecutors and investigators.

The Section also supervises the administration of the Independent Counsel provisions of the Ethics in Government Act. In addition, the Section serves as the Justice Department's center for the handling of issues that may arise from time to time regarding public corruption investigations and prosecutions.

Staffing and budget problems continued to pose challenges for the Section in 1989, although it began to recover from the problems of the previous year. During 1989, the Section began to rebuild its staff of trial lawyers. At the same time, the Section's workload, particularly under the Independent Counsel provisions and the conflicts of interest laws, continued to grow. As a result, as can be seen from the cases detailed in Part II of this report, the Section continued to find it necessary to curtail its normal litigation activities. Nevertheless, the Section brought a number of significant cases in 1989, and maintained an experienced staff of litigators, albeit smaller than under ideal circumstances, including experts in election law, the laws prohibiting conflicts of interest and bribery, the Independent Counsel provisions, and the statutes providing federal jurisdiction over corruption at the state and local levels. Gerald E. McDowell continued as Chief of the Section in 1989.

TABLE OF CONTENTS

	<u>Page</u>
PART I	1
OPERATIONAL RESPONSIBILITIES OF THE PUBLIC INTEGRITY SECTION	
A. Responsibility for Litigation	1
1. Recusals	1
2. Sufficiency of Local Resources	2
3. Sensitive or Multi-District Cases	2
4. Federal Agency Referrals	3
B. Special Section Priorities	3
1. Independent Counsel Matters	3
2. Election Crimes	4
3. Conflicts of Interest Crimes	6
C. Technical Assistance	7
1. Advice and Training	7
2. Consultation	8
3. Legislative Activity	8
4. General Assistance and Supervision	8
PART II	9
PUBLIC INTEGRITY SECTION INDICTMENTS, PROSECUTIONS AND APPEALS IN 1989	
Federal Legislative Branch	10
Federal Executive Branch	11
Federal Judicial Branch	19
State and Local Corruption	20
PART III	22
FEDERAL PROSECUTIONS OF CORRUPT OFFICIALS	
List of Tables	23
Table I	24
Table II	25
Table III	27

PART I

OPERATIONAL RESPONSIBILITIES OF THE PUBLIC INTEGRITY SECTION

A. Responsibility for Litigation

Most of the Public Integrity Section's resources are devoted to litigation and supervision of investigations involving alleged abuses of the public trust. Decisions to undertake particular prosecutions are made on a case-by-case basis, based on the following considerations:

1. Recusals

As can be seen from the statistical charts at the end of this Report, the vast majority of federal corruption prosecutions are handled by the United States Attorney's Office in the district where the offense occurred. However, corruption cases, perhaps more than routine criminal prosecutions, raise unique problems of public perception. In conducting government corruption investigations and prosecutions, it is particularly important that the appearance as well as the reality of fairness and impartiality be maintained. Therefore, if the United States Attorney has had a significant business, social, political, or other relationship with any subject or principal witness in a corruption case, it is generally inappropriate for the United States Attorney or his or her office to conduct the investigation and prosecution. Cases in which the conflict is substantial are usually referred to the Public Integrity Section for prosecution or direct supervision.

Cases involving federal judges and other judicial officers always require the recusal of the United States Attorney's Office because the attorneys in the Office are likely to have to appear before the judge and have professional dealings with the court during and after the investigation. Thus, as a matter of established Department of Justice policy, all such cases are handled by the Public Integrity Section. As a result of this policy, for example, during 1989, the Section handled the investigation of United States District Judge Robert P. Aguilar, which resulted in an indictment, including charges of obstruction of justice and unlawful disclosure of wiretap information. Judge Aguilar has subsequently been convicted.

As a result of its handling of the underlying criminal investigations and prosecutions, responsibility has fallen to the Section to serve as liaison to the Congress and provide any necessary support to subsequent judicial impeachment proceedings, a function which absorbed considerable resources in 1989. Former Judges Claiborne and Nixon, who were successfully prosecuted by the Section in previous years, were impeached by the Senate. Former Judge Alcee L. Hastings, whose prosecution on bribery charges by the Section several years ago resulted in an acquittal, was also impeached by the Senate in 1989.

Conflicts of interest similar to those that arise when the subject of an investigation is a federal judge also often arise when the target of the investigation is a federal investigator or prosecutor and require recusal of the United States Attorney's Office. As a result, such cases are frequently referred to the Public Integrity Section, where they constitute a significant portion of its caseload. For example, during 1989, Section attorneys brought to a conclusion a matter involving a former Assistant United States Attorney in New Jersey, who was found not guilty by reason of insanity of committing obstruction of justice.

2. Sufficiency of Local Resources

When the available prosecutorial resources in the United States Attorney's Office are insufficient to undertake a significant corruption case, and the United States Attorney requests the Section's assistance, the Public Integrity Section has historically provided experienced federal prosecutors, skilled in the nuances of corruption cases, to serve as co-counsel. While this has been one of the Section's most important functions in the past, the Section's serious understaffing as a result of budget constraints and hiring freezes continued in 1989 to require the Section to decline to participate in any but the most compelling of such cases, although it continued to honor prior commitments it had made.

The Section's participation in cases at the request of the United States Attorney also serves as valuable training to prosecutors in the field, who learn through working with Section attorneys about the applicable statutes and the investigative techniques most useful in corruption cases.

3. Sensitive or Multi-District Cases

In addition to cases in which there are formal recusals or in which manpower is requested or needed, the Public Integrity Section may become involved, at the request of the Assistant Attorney General for the Criminal Division, in highly sensitive matters and in matters that extend beyond district lines. Sensitive cases include those which, because of their importance, require close coordination with high Department of Justice officials, require a significant amount of coordination with other federal agencies in Washington, involve classified materials, or are so politically controversial on a local level that they are most appropriately handled out of Washington. When an investigation crosses district lines, the Public Integrity Section can provide coordination among various United States Attorney's Offices, or, when appropriate, can assume operational responsibility for the entire investigation.

As an example of a case of this sort, the Section continued a commitment begun in 1988, devoting substantial resources in 1989 to Operation Illwind, a major, multi-district defense procurement

fraud and corruption investigation. The Section's involvement led to the assignment of one of the Deputy Chiefs of the Section to handle corruption cases arising from the investigation. Several convictions, described later in this Report, have already resulted from this wide-ranging investigation.

4. Federal Agency Referrals

Referrals from the federal agencies are an important part of the Section's work load. Ever since the Inspectors General were authorized for various agencies, the Section has worked closely with them, encouraging their investigations, coordinating joint investigations between the FBI and Inspectors General and ensuring that their cases receive prompt prosecutive attention. The Section also invests time training the agencies' investigators in the statutes involved in corruption cases and the investigative approaches that work best in such cases. As a result of its efforts, many of the Section's cases are referrals directly from the agencies.

The Section has also focused particular attention on referrals from the various intelligence agencies; matters involving these agency employees often are particularly sensitive, requiring high level clearances and the application of specialized statutes.

B. Special Section Priorities

1. Independent Counsel Matters

Since the Ethics in Government Act was passed, the Public Integrity Section has been responsible for supervising the administration of the Independent Counsel provisions of the Act, codified at 28 U.S.C. §§ 591-599. Both the procedures and time limits of the Independent Counsel provisions are strict, and these matters may be very sensitive. Therefore, they are handled as the highest priority of the Section. At the same time, the legal issues involved in analyzing these matters are often extremely complex and novel, and attorneys handling the preliminary investigations are required to come to difficult conclusions about these sensitive matters without benefit of the fully developed facts with which prosecutors in corruption matters are accustomed to dealing. The number of Independent Counsel matters handled by the Section has increased steadily over the past several years, to the point that handling such matters has become a significant portion of the Section's workload.

Under the Independent Counsel provisions, if specific information from a credible source is received by the Justice Department alleging that any of certain specified high government officials has committed a crime, the Attorney General must request that a special panel of federal judges appoint an Independent Counsel, unless preliminary investigation, limited to 90 days,

establishes there are no reasonable grounds to believe that further investigation or prosecution is warranted. The Public Integrity Section is responsible for supervising the initial investigation, and preparing a recommendation to the Attorney General as to whether the Independent Counsel provisions have been triggered and whether any further investigation is warranted. Most of these matters are protected under the stringent confidentiality provisions of the statute, and cannot be described in this Report, but one matter handled in 1989 was the investigation of Samuel Pierce, former Secretary of Housing and Urban Development. The Section performed both the initial inquiry and the preliminary investigation that led to the appointment of an independent counsel with jurisdiction to investigate the HUD scandal.

In addition to its work on preliminary investigations under the statute, the Section also serves as the principal liaison between the ongoing independent counsels and the Department of Justice, some of which -- particularly the Iran/Contra investigation -- have absorbed substantial Section resources. The Section has handled independent counsel inquiries concerning legal issues, Departmental policies, requests for documents and interviews of Departmental personnel.

2. Election Crimes

The Section's Election Crimes Branch continued during 1989 to coordinate the Department's efforts to respond effectively to federal crimes involving the electoral process, with respect to which the Branch performs six activities:

a. Advice and Support. The Election Crimes Branch advises the United States Attorneys' Offices regarding the federal laws which criminalize election fraud and campaign-financing abuses, and the application of these laws in connection with campaigns for federal, state, and local office. During 1989, the Branch assisted the U.S. Attorneys Offices with significant election-fraud investigations in Texas; successful prosecutions of vote-buying in Indiana, Florida, Kentucky, and West Virginia; and a series of prosecutions of patronage offenses in New Jersey. The Branch also continued its management of the Department's application of the federal conspiracy statute (18 U.S.C. § 371) and false statements statute (18 U.S.C. § 1001) to schemes to subvert the campaign-financing requirements of the Federal Election Campaign Act (2 U.S.C. § 431 et seq.). These criminal statutes have now been successfully utilized by federal prosecutors around the country to obtain felony convictions for aggravated campaign-financing schemes, including the Project Illwind cases in Virginia; the Michael Goland and Stuart Karl cases in California, which involved laundered and excessive contributions to federal candidates in the context of, respectively, a "stalking horse" candidate and third-party payments to vendors; and the Commodore Savings and Loan case in Texas, in which contributions of savings and loan assets to

federal candidates were laundered through Commodore officers. During 1989, the Election Crimes Branch also continued its efforts to respond to the jurisdictional difficulties created by the Supreme Court's holding in McNally v. United States, 483 U.S. 350 (1987), by developing alternative statutory theories to attain federal jurisdiction over schemes to corrupt the balloting process in elections where federal candidates were not on the ballot.

b. Preclearance. The Election Crimes Branch reviews and authorizes all major election-fraud investigations throughout the country. This preclearance is required for all election investigations which involve either use of the grand jury or extensive use of the FBI. The Branch also reviews and authorizes all proposed indictments which involve election fraud. During 1989, the Branch reviewed over one hundred election-fraud allegations, and authorized full investigations for approximately half of these matters.

c. Education. In order to promote greater awareness of election crimes and the Department's prosecutive responsibility in this area, the Election Crimes Branch provides presentations to numerous training seminars for prosecutors, investigators, and election officials on the federal statutes available to combat these crimes. The Branch is also responsible for ensuring that an Assistant United States Attorney is appointed in each judicial district to serve a two-year term as the District Election Officer, and for training these prosecutors to respond effectively to election complaints in their district. Also, in 1989 the Branch assisted the National Clearinghouse on Election Administration (part of the Federal Election Commission (FEC)) in the development of security standards for electronic voting systems.

d. Legislation. The Election Crimes Branch reviews all proposed legislation which would affect the election process or the regulation of campaigns, and is frequently responsible for formulating the Department's position in these areas. In 1989 the Branch drafted the election-crime provisions of the Department's Anti-Public Corruption Bill, which was passed by the Senate in October of 1989 as Title IV of S. 1711. It was also substantially involved in legislative initiatives dealing with the Hatch Act (H.R. 20, S. 135), with standardized voter registration (S. 675, H.R. 2190, and S. 874), and with the Puerto Rico status bill (S. 712). Finally, during 1989 the Branch drafted a number of provisions to strengthen the regulation of federal campaigns, which are included in the Administration's campaign reform bill.

e. Litigation. The Branch, with the assistance of trial lawyers within the Section, at times assumes operational responsibility for the prosecution of significant election fraud cases. While in the past this function has been one of the most important of the Branch's responsibilities, budgetary and staff

shortages over the past few years have limited the Section's role in this area.

f. Inter-Agency Liaison with the Federal Election Commission and the Office of Special Counsel. The Election Crimes Branch is the formal liaison between the Justice Department and the FEC, with which the Justice Department shares enforcement responsibilities with respect to violations of the Federal Election Campaign Act.

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. § 7324 et seq. and § 1501 et seq., which may also be involved in criminal patronage abuses within the Department's jurisdiction. During 1989 the Branch formalized a Memorandum of Understanding with the OSC which coordinates criminal and civil remedies for patronage abuses. This Understanding was the result of several recent successful joint enforcement efforts by the OSC and the Department, the last of which culminated in 1989 in the debarment from public employment of the three top officials of New York's Niagara Frontier Transportation Authority for coercing political contributions from subordinates.

3. Conflicts of Interest Crimes

Conflicts of interest is a wide-ranging and complex area, with many layers of administrative responsibility. The Public Integrity Section's role comes into play with respect to an extremely narrow group of conflicts matters, those allegations which involve criminal misconduct. Investigation of these allegations is coordinated with the FBI or the Inspector General for the agency concerned, or both.

The Conflicts of Interest Branch also has a number of legislative responsibilities, a role that has been particularly significant in recent years with the surge of interest in more effective legislation governing government ethics. The Branch develops and reviews legislative proposals relating to criminal conflicts of interest, but also devotes considerable resources to the review of non-criminal legislative proposals that overlap, sometimes in a subtle manner not envisioned by a bill's drafters or sponsors, with the criminal statutes. The principal objective is to assure that the impact of proposed legislation on criminal law enforcement is recognized and is consistent with policy reflected in the criminal statutes. Responsibilities of the Branch include formulating policy, drafting legislation and correspondence, reviewing legislative activity of other executive branch agencies, preparing congressional testimony, and providing technical advice to Department officials.

The Branch played a significant role in the development of the recently enacted "Ethics Reform Act of 1989." The legislation --

involving disclosure requirements and an arsenal of criminal, civil, injunctive, and administrative sanctions -- illustrates the broad scope of considerations relevant to designing a comprehensive system to promote public confidence in the integrity of government and to assure that serving with honor is the highest aspiration of every federal official and employee.

Coordination with other government offices is a crucial role of the Conflicts of Interest Crimes Branch, to ensure that our efforts are complementary and consistent. The Office of Government Ethics (OGE) plays the most important role in that effort. For example, by Memorandum of Agreement, the Office of Government Ethics may issue formal advisory opinions after consultation with the Department of Justice. Also, OGE is required to consult with the Department of Justice in promulgating regulations. The Public Integrity Section informs OGE of declinations arising from referrals involving the conflicts statutes, frequently consults with OGE on conflicts issues, and jointly participates in training programs. The two agencies have developed positive, fruitful working relationships that enable each to improve its performance.

C. Technical Assistance

In addition to its litigation responsibilities, the Section provides technical assistance and support services to law enforcement officials at all levels of government:

1. Advice and Training

The Public Integrity Section is staffed with specialists with considerable experience in prosecuting corruption cases. When not operationally involved in a case, Section attorneys are available to advise investigators and prosecutors on substantive questions, investigative methods, indictment drafting, and motions.

In 1989, the Section continued its devotion of substantial efforts to formal training of investigators and prosecutors. For several years, the Section has sponsored an annual four-day training seminar for prosecutors and agents involved in public corruption investigations and prosecutions. The Section again held a seminar in 1989, co-sponsored by the Federal Bureau of Investigation. The seminar was an outstanding success, providing intensive training to approximately 200 prosecutors and investigators. The seminars provided legal training in the statutes most commonly used in corruption cases, guidance in the use of the complex and difficult investigative techniques necessary to investigate corruption, and advice from experienced prosecutors on conducting corruption trials.

2. Consultation

In order to achieve a degree of national uniformity among corruption prosecutions, the Section reviews certain investigations and indictments proposed by the United States Attorneys' Offices, as directed by the Assistant Attorney General for the Criminal Division. Consultation with the Section before federal prosecution may proceed is currently required in all election-related cases, and in corruption cases brought under the Hobbs Act.

3. Legislative Activity

A major responsibility of the Public Integrity Section is the review and coordination of legislation affecting the prosecution of public officials. The Section is often called upon to provide comments on proposed legislation, to draft testimony for congressional hearings, and to respond to congressional inquiries.

4. General Assistance and Supervision

Departmental supervision of prosecutions is often important in public corruption cases, which are frequently controversial, complex and highly visible. Section attorneys are occasionally called upon to conduct a careful review of such sensitive cases, evaluating the quality of the investigative work and the adequacy of the proposed indictments. The presence of Public Integrity Section attorneys helps to ensure that these important public corruption cases are properly developed and brought to trial, since the Section can often identify problems early on and either provide needed assistance, or, if necessary, assume operational responsibility for the prosecution.

The Section has considerable expertise in the supervision and oversight of the use of undercover operations in serious corruption cases. The Section Chief is a member, and his Chief Deputy is an alternate member, of the FBI's Undercover Review Committee. Additionally, a number of the Section's senior prosecutors have experience in both the practical and legal problems and the valuable investigative benefits involved in such operations. Thus, the Section has the ability to employ effectively this sensitive investigative technique and to advise law enforcement personnel on its use.

Finally, the Section provides numerous other miscellaneous support services to United States Attorneys in connection with corruption cases. Much of this support comes in the form of serving as liaison with other components of the Department in order to expedite approval of such procedures as immunity requests, Title III wiretapping orders, and witness protection program applications.

PART II

**PUBLIC INTEGRITY SECTION
INDICTMENTS, PROSECUTIONS AND APPEALS IN 1989**

As described above, the participation of the Public Integrity Section in the prosecution of public corruption cases ranges from sole responsibility for the entire case to approving an indictment or offering advice on the drafting of charges. This portion of the Report describes each case handled by the Section, or in which it shared substantial operational responsibility with a United States Attorney's Office. The public corruption cases handled every year solely by the United States Attorneys' Offices are reflected in the statistics set forth in Part III of this Report.

This section of the Report is divided according to the level of government affected by the corruption. The prosecutions and indictments reported below reflect the Section's work during 1989 and the status of its cases as of December 31, 1989. This section of the Report also provides statistics on the number of matters closed without prosecution during 1989, and the number of matters open at the end of the year.

FEDERAL LEGISLATIVE BRANCH

During 1989, the Public Integrity Section closed five investigations involving allegations of corruption or misconduct within the legislative branch. As of December 31, 1989, fifteen such matters were pending in the Section. Also during 1989, the Section prosecuted the following legislative branch corruption cases:

United States v. Anthony, Northern District of Ohio

Ladd J. Anthony, the former Special Assistant to United States Senator Howard Metzenbaum, was convicted on two counts of demanding and receiving illegal gratuities in violation of 18 U.S.C. § 201(c). The jury found that the defendant solicited a payment of \$2,000 from a Polish immigrant in return for his agreement to assist with an application for admission to Ohio State University College of Veterinary Medicine. The jury also found that the defendant solicited and received payment of \$300 from another Polish immigrant because he agreed to help her with her application to petition for naturalization as a United States citizen.

On April 20, 1989, Anthony was sentenced to five years' probation; fined \$1,300; and ordered to make restitution of \$800, complete 240 hours of community service and participate in an in-patient alcohol and drug treatment program.

United States v. Glen N. Mauldin, et al., Western District of Texas

In 1989, the FBI uncovered a detailed scheme to corruptly acquire, through political influence, savings and loan institutions throughout the Southwest. The investigation disclosed that Glen N. Mauldin, Administrative Assistant to former Nevada Senator (now Ambassador to the Bahamas) Jacob "Chic" Hecht, was to assist a group of investors in acquiring control of various financially-troubled savings and loan institutions in exchange for a secret ten percent ownership interest in the acquired thrifts. Mauldin was to assist the investor group by using the Senator's office to obtain approval from the Federal Home Loan Bank Board (FHLBB) of the planned acquisitions. Mauldin was also to arrange personal access to Danny Wall, then-Chairman of the FHLBB. The other investors were Darrell A. Tomblin, allegedly a former Director of the National Conservative Political Action Committee, Vincent P. Lachelli, a Washington lobbyist, and William M. Abrams, a New Orleans financier.

On September 13, 1989, an indictment was returned charging Tomblin, Mauldin, and Lachelli with a total of twenty-two counts of conspiracy, extortion, bribery, and interstate travel in aid of racketeering. A separate indictment was returned the same day

against Abroms, charging him with five counts of perjury arising from his false testimony before the grand jury.

FEDERAL EXECUTIVE BRANCH

The Public Integrity Section closed 81 matters involving allegations of corruption or misconduct within the executive branch during 1989. As of December 31, 1989, 171 such matters were pending in the Section. Also during 1989, the Section prosecuted the following cases involving executive branch corruption and misconduct:

OPERATION ILLWIND

The Public Integrity Section was involved with a number of cases stemming from the "Operation Illwind" investigation. Deputy Section Chief Lee Radek prosecuted these cases, in conjunction with attorneys from the Fraud Section and the U.S. Attorney's Office for the Eastern District of Virginia. The cases included:

United States v. Gardner, Eastern District of Virginia

On September 15, 1989, Charles F. Gardner was sentenced to incarceration of 32 months, a fine of \$40,000 and 2 years' supervised release. The sentencing judge granted the Government's request for a downward departure in sentence because of Gardner's extraordinary cooperation. Gardner had previously waived indictment and pleaded guilty to a three-count information charging him with conspiracy to commit bribery and file false statements (18 U.S.C. § 371), bribery of a public official (28 U.S.C. § 201) and aiding and assisting in the presentation of a false tax return (26 U.S.C. § 7206(2)).

Gardner was a vice-president and general manager of the Surveillance and Fire Control Systems division of the Unisys Corporation and its predecessor, Sperry, Inc.

The information charged that Gardner conspired with consultants to obtain funds from Sperry/Unisys in return for reports which were billed to the United States and were of little or no value. A portion of the funds received by the consultants was made available for Gardner to direct by placing these funds in foreign and domestic bank accounts for the purposes of bribery, illegal campaign contributions and in part for Gardner's personal use.

United States v. Neal, Eastern District of Virginia

On September 15, 1989, James G. Neal was sentenced to incarceration of 27 months, a fine of \$30,000 and 2 years' supervised release. Neal was also ordered to pay restitution in the amount of taxes owed to the Internal Revenue Service for the tax years 1985-1987. Neal had previously waived indictment and pleaded guilty to a three-count information charging him with conspiracy to defraud the United States, to commit bribery and file false claims (18 U.S.C. § 371), filing of a false claim (18 U.S.C. § 287) and tax evasion (26 U.S.C. § 7201).

Neal was a consultant for Unisys Corporation and its predecessor, Sperry, Inc. Neal conspired with employees of Sperry/Unisys to obtain funds from Sperry/Unisys in return for reports which were of little or no value. Neal established eight companies to receive funds from Sperry/Unisys. A portion of these funds were placed by Neal in foreign and domestic bank accounts for purposes of bribery and illegal campaign contributions.

United States v. Roberts, Eastern District of Virginia

On November 30, 1989, John B.G. Roberts III, a former marketing manager for Unisys Corporation, pleaded guilty to a two-count criminal information charging him with violating 18 U.S.C. § 371 (making false statements to the Department of Defense and the Federal Election Commission) and of violating 18 U.S.C. § 1503 (obstruction of justice).

From 1982 through June 1988, Roberts directed certain consultants for Unisys to use portions of their monies for various purposes, including illegal contributions to the campaign committees of federal legislators. The contributions were made by these consultants and others with the understanding that they would be reimbursed for the contributions from Unisys funds.

Roberts was also responsible for causing fraudulent invoices to be submitted to Unisys. These invoices indicated that a consultant was paid for reports which were technical in nature. Roberts knew the invoices were fraudulent in that the real reason for the compensation was for the consultants' lobbying activities and as funds to be used for campaign contributions. The dollar amounts of the invoices were reflected in claims submitted to the United States by Unisys.

Roberts also pled guilty to the charge of obstruction of justice. On June 14, 1988, during a conversation with another Unisys employee, Roberts was informed of a nationwide investigation of Unisys and the execution of various search warrants. After receiving this telephone call, Roberts caused to be destroyed documents which he had in his home. These documents were material to the pending grand jury investigation of "Operation Illwind."

United States v. Mitchell, Eastern District of Virginia

On October 20, 1989, Dennis Mitchell was sentenced to two years' incarceration with all but 90 days suspended and five years' probation, with a condition of 100 hours of community service. Mitchell had previously waived indictment and entered a plea of guilty to a two-count information charging him with one count of conspiracy to defraud the Federal Election Commission (FEC) (18 U.S.C. § 371), and one count of causing the treasurer of a congressional campaign committee to file a false statement with the FEC (18 U.S.C. § 1001).

Mitchell, a former marketing manager at the Surveillance and Fire Control Division of the Unisys Corporation and its predecessor, Sperry, conspired with other employees of Sperry/Unisys and other individuals to make illegal corporate contributions to the campaigns of several Members of Congress. The contributions were made in the names of individuals acting at the direction of Mitchell, with the understanding that these individuals would be reimbursed for the contributions from Sperry/Unisys funds. These individuals were paid by Sperry/Unisys as "consultants" for writing reports which were of little or no value, with the understanding that the money they received would be used to make the contributions alleged. The treasurers of the political campaign committees to which these illegal contributions were made reported them to the FEC as small and lawful contributions made by the individuals rather than as large and illegal contributions made by Sperry/Unisys.

United States v. Scarano, Eastern District of Virginia

On July 14, 1989, Gerard J. Scarano, a consultant for Unisys Corporation and its predecessor Sperry, Inc., waived indictment and entered a plea of guilty to a one-count information charging him with aiding and abetting in the making of a false statement (18 U.S.C. §§ 1001 and 2).

The information charges that Scarano, a Sperry/Unisys consultant, was paid by Sperry/Unisys for writing reports which were of little or no value, with the understanding that a portion of the money he received would be used to make political campaign contributions for candidates identified by representatives of Sperry/Unisys.

The information further charges that in September 1987 at the direction of a Sperry/Unisys representative, Scarano wrote a check for \$1,000 to a congressional campaign committee. Subsequently, the treasurer for the campaign filed a Report of Receipts and Disbursements with the FEC which listed the \$1,000 check from Scarano.

United States v. Zuba, Eastern District of Virginia

On September 29, 1989, Joseph S. Zuba was sentenced to probation for two years, with a condition of 100 hours of community service, a fine of \$5,000 and special assessment. Zuba had previously waived indictment and pleaded guilty to a four-count information charging him with conspiracy to defraud the United States by obstructing and impeding the Federal Election Commission (FEC) (18 U.S.C. § 371) and three counts of permitting his name to be used to effect a campaign contribution (2 U.S.C. §§ 441 and 437g(d)).

Zuba was a consultant for Unisys Corporation and its predecessor, Sperry, Inc. Zuba was paid by Sperry/Unisys for writing reports which were of little or no value, with the understanding a portion of the money received would be used to make political campaign contributions for candidates identified by representatives of Sperry/Unisys.

OTHER EXECUTIVE BRANCH CORRUPTION

In addition to the Operation Illwind cases prosecuted by the Section, the Public Integrity Section handled the following cases involving executive branch corruption and misconduct:

United States v. Gilliam, District of the District of Columbia

On September 25, 1989, DuBois L. Gilliam, former Deputy Assistant Secretary, Program Policy Development and Evaluation at the Department of Housing and Urban Development (HUD), was sentenced on two counts of receiving an illegal gratuity in violation of 18 U.S.C. § 201(c). Gilliam pleaded guilty to receiving approximately \$8,100 in cash from Bradley Klein of the Crown Bay Local Development Corporation in connection with a \$600,000 HUD grant to Crown Bay. Gilliam also pleaded guilty to receiving an all-expense-paid family vacation in the Virgin Islands, worth approximately \$4,900, also in connection with the \$600,000 HUD grant. Gilliam received concurrent sentences of 18 months in prison on each count.

United States v. Gieniec and Tornberg,
Central District of California

On September 27, 1989, a jury found former Deputy United States Marshals Joseph Gieniec and Gordon Tornberg guilty of accepting illegal gratuities. The defendants accepted direct and indirect gratuity payments from Joseph Rydzewski, President of Lyons International Security, Inc. Rydzewski previously pled guilty to three counts of giving illegal gratuities.

Gieniec was found guilty of four counts of accepting gratuities totaling more than \$3,500. Tornberg, the former

Supervisory Deputy Marshal in charge of the Civil Section of the Marshals Office, was found guilty on two counts of accepting gratuities totaling \$2,200. Tornberg was found not guilty of one count of accepting a \$300 payment from Mr. Rydzewski.

United States v. Rydzewski, Central District of California

On November 15, 1989, Joseph F. Rydzewski was sentenced on his guilty plea to an information charging three counts of paying illegal gratuities to several Deputy United States Marshals in the Central District of California, in violation of 18 U.S.C. § 201(c).

Rydzewski received a three-year sentence on Count I, execution of which was suspended, and was placed on probation for three years. Rydzewski was fined \$5,000 on each of Counts II and III, and was sentenced to probation for three years on each of these counts, concurrent with that imposed for Count I. Finally, Rydzewski was ordered to pay the Government \$210,000 restitution as a condition of probation.

Rydzewski is the former owner of Lyons International Security, Inc., a private security company that provided services for the United States Marshal Service, Los Angeles Office, from 1983 to 1988. He pleaded guilty to giving gratuities to former Deputy United States Marshals Joseph Gieniec, Gordon Tornberg, and Eugene Howell.

Rydzewski's guilty plea represented the first criminal conviction resulting from an investigation by the new Department of Justice Office of the Inspector General.

United States v. Black, Eastern District of Virginia

Former Central Intelligence Agency (CIA) Finance Officer Donald W. Black was sentenced to three years' incarceration, 2-1/2 years of which were suspended. He was given two years' probation with the condition that he make restitution of \$38,000. Black pleaded guilty on June 26, 1989, to an information charging him with embezzling \$68,000 from a CIA fund over which he was responsible. Black successfully concealed his activities until they were discovered during an Inspector General's audit.

United States v. Gupton, Eastern District of Wisconsin

On March 14, 1989, Charles Gupton, an investigator with the Office of Labor Management Standards, Department of Labor, pleaded guilty to a one-count information charging him with contempt of court under Title 18 U.S.C. § 401(3) for making unauthorized disclosure of grand jury material in violation of Federal Rule of Criminal Procedure 6(e). Gupton, the case agent assigned to a criminal investigation of officials of Local 139 of the International Union of Operating Engineers, unlawfully disclosed

matters occurring before the grand jury to a dissident union member. The sentencing judge imposed a fine of \$1,000.

United States v. Russell, District of New Jersey

On March 10, 1989, Judy G. Russell, a former Assistant United States Attorney in Newark, New Jersey, was found not guilty only by reason of insanity of committing obstruction of justice in violation of 18 U.S.C. § 1503 following a stipulated bench trial.

The obstruction charge stemmed from Russell's actions in a 1988 extradition proceeding in Newark, New Jersey, involving two suspected Sikh terrorists. During the course of that proceeding, Russell composed and sent five anonymous threatening letters to herself and one such letter to the presiding Magistrate. Round the clock protection by law enforcement agencies was ordered for Russell and the Magistrate following receipt of the first threats.

After discovery of evidence in her home indicating she sent the anonymous letters, Russell committed herself to a psychiatric hospital. Thereafter, she was examined by two psychiatrists hired by the defense and a psychiatrist and psychologist hired by the United States. All four doctors concluded that, during the relevant time period, Russell was suffering from a severe mental disease and, as a result of that disease, was unable to appreciate the wrongfulness of her actions.

United States v. Alvarez, Western District of Texas

Edward A. Alvarez, the former Assistant District Director of the Small Business Administration in El Paso, Texas, was sentenced on March 8, 1989. On February 6, 1989, Alvarez entered a guilty plea to the first count of a two-count indictment charging him with a violation of 18 U.S.C. § 1014 (making false statements to a financial institution). The charge arose from Alvarez' use of a false statement on March 31, 1986, to obtain a \$168,000 residential loan from El Paso Federal Savings and Loan for the purchase of a home in El Paso.

Alvarez was sentenced to a two-year suspended sentence, with a five-year period of supervised probation. As a special condition of his probation, Alvarez was to spend six months in a residential community treatment facility. Additionally, Alvarez was sentenced to 200 hours of community service.

The prosecution was handled in conjunction with the United States Attorney's Office for the Western District of Texas.

United States v. Agricola, Middle District of Alabama

On October 3, 1989, a judgment of acquittal was entered pursuant to Rule 29 in the trial of Algert S. Agricola, Jr.

Agricola, a former Assistant United States Attorney, had been indicted on August 9, 1989, for contempt. The charge arose from Agricola's admission that he had disclosed to a friend the existence of a wiretap on the telephone of a state legislator. Agricola had told the FBI that the reason for his disclosure was that he wanted to protect his friend.

The trial judge ruled that although the court order authorizing the wiretap "sealed and impounded" the order, the term "sealed" did not bar the disclosure by Agricola, and that there was insufficient evidence for a jury to find any obligation of confidentiality on the part of Agricola. Because jeopardy had attached prior to the court's ruling, and because the ruling was based in part on the sufficiency of evidence, the Government was unable to appeal the ruling.

United States v. Lopez de la Cruz, Eastern District of Virginia

In June 1989, a jury in the Eastern District of Virginia acquitted United States Army Colonel Juan R. Lopez de la Cruz of conspiracy, bribery and false claims in connection with his helping a private company to obtain contracts to sell arms to El Salvador. This matter was prosecuted jointly by the Public Integrity Section and the United States Attorney's Office for the Eastern District of Virginia.

United States v. Walton, District of the District of Columbia

On March 14, 1989, Robin T. Walton was sentenced to three years of probation, 100 hours of community service, and restitution in the amount of \$11,683. Walton, formerly a timekeeper for the Immigration and Naturalization Service, had entered a plea of guilty to one count of violating 18 U.S.C. § 1001 when she falsified her own time and attendance forms by reporting large amounts of overtime hours that she had not actually worked.

United States v. Soni, District of the District of Columbia

On May 12, 1989, Sureshar Lal Soni entered a plea of guilty to a one-count information charging him with supplementing his salary as a government employee by accepting free meals from executives of Southern Bell Telephone and Telegraph Company (Southern Bell), in violation of 18 U.S.C. § 209. Soni was sentenced to one year of probation and ordered to pay a fine of \$1,000.

Soni was employed by the General Services Administration (GSA) as Director of Network Engineering in the Office of Network Services. His duties included the supervision of a team of GSA employees who evaluated proposals submitted by private vendors seeking to obtain GSA contracts for services related to the Federal

Telecommunications System (FTS) network. One of these private vendors was Southern Bell.

Soni admitted that, during the time Southern Bell was bidding on an aspect of FTS and the bid was under evaluation by Soni, he accepted meals from executives of Southern Bell. Southern Bell was subsequently awarded the contract for which they were bidding.

As part of his plea agreement with the United States, Soni resigned from government service. Southern Bell had earlier withdrawn from the contract, which was awarded to another bidder.

The case was handled in conjunction with the United States Attorney's Office in the Northern District of Georgia.

United States v. Vance, District of Maryland

On February 6, 1989, defendant James T. Vance entered a plea of guilty in the District of Maryland to one misdemeanor count of violating 18 U.S.C. § 641 in connection with his submission of a false travel voucher. The defendant waived a presentence report and was sentenced to one year of probation, 100 hours of community service and restitution in the amount of \$13,566.00. Imposition of a sentence of confinement was suspended.

Pursuant to the plea agreement, the defendant resigned from employment at the National Security Agency.

United States v. Robinson, District of the District of Columbia

On May 24, 1989, Robert W. Robinson was sentenced in connection with his guilty plea to two misdemeanor violations of travel voucher fraud, 18 U.S.C. § 641. Robinson received a sentence of one year of incarceration for each count, execution of sentence suspended; two years' supervised probation; 50 hours of community service; and a \$1,000 fine. The plea was based on Robinson's falsification of travel vouchers.

Pursuant to the plea agreement, Robinson retired from the State Department and made restitution.

United States v. Simmons, Eastern District of Maryland

On May 30, 1989, James M. Simmons was sentenced in connection with his plea of guilty to one misdemeanor count of violating 18 U.S.C. § 641 for filing a false travel voucher. Simmons received a sentence of one year of imprisonment with execution of sentence suspended, two years' probation, a \$1,000 fine, and 200 hours of community service.

Pursuant to the plea agreement, Simmons resigned from the National Security Agency and made restitution.

United States v. Woody, District of the District of Columbia

On June 16, 1989, Doris M. Woody, a former Budget Assistant and Accounting Technician with the United States Attorney's Office for the District of Columbia, was sentenced in connection with her guilty plea to one misdemeanor count of violating 18 U.S.C. § 641, theft of government property. The plea was based on Woody's falsification of time and attendance forms to reflect overtime hours that she had not worked. Woody was sentenced to one year of probation and ordered to complete 50 hours of community service.

Pursuant to the plea agreement, Woody resigned from the U.S. Attorney's Office and made restitution.

FEDERAL JUDICIAL BRANCH

During 1989, the Public Integrity Section closed four matters involving judicial corruption without indictment. Seventeen such matters were under investigation at the end of 1989. During 1989, the Section handled the following cases involving judicial corruption:

United States v. Claiborne, United States Court of Appeals for the Ninth Circuit

On March 22, 1989, the United States Court of Appeals for the Ninth Circuit affirmed the denial of Harry E. Claiborne's motion for relief under 28 U.S.C. § 2255 (which authorizes post-trial motions to vacate, set aside or correct a sentence) from his conviction for tax violations. Claiborne, a former United States District Judge, argued, among other things, that the judges who presided over his trial, his appeals, and his section 2255 hearing were improperly designated and that the evidence presented at trial was obtained illegally.

United States v. Aguilar et al., Northern District of California

On June 13, 1989, a grand jury in the Northern District of California returned an eight-count indictment against United States District Judge Robert P. Aguilar; ex-mobster Abe Chapman; and former Teamster leader, Michael Rudy Tham.

Count One charged all three defendants with conspiring to defraud the United States by interfering with its governmental functions and rights, and conspiring to endeavor to obstruct justice, by using Judge Aguilar's access to United States District Judge Stanley Weigel to obtain a favorable result concerning a section 2255 petition filed by Tham. In Count Two, Judge Aguilar was charged with violating the Racketeer Influenced Corrupt Organizations (RICO) statute, and using the United States District Court for the Northern District of California as an enterprise.

Judge Aguilar was charged in Count Three with endeavoring to obstruct justice by attempting to influence United States District Judge Samuel Conti on behalf of Aguilar's friend, Ronald V. Cloud, who was a defendant before Judge Conti. In Counts Four and Six, Judge Aguilar was charged with illegally disclosing the existence of a wiretap to Abe Chapman, a target of the wiretap. Count Five charged all three defendants with endeavoring to obstruct justice by attempting to influence Judge Weigel in the Section 2255 matter on Mr. Tham's behalf. Count Seven charged Judge Aguilar with endeavoring to obstruct a grand jury investigation by counselling a witness to lie to the grand jury. Finally, in Count Eight, Judge Aguilar was charged with endeavoring to obstruct the grand jury investigation by lying to FBI agents in an interview.

Judge Aguilar has since been convicted of endeavoring to obstruct the grand jury investigation by lying to FBI agents in an interview and one count of illegally disclosing the existence of a wiretap.

United States v. Nixon, United States Court of Appeals for the Fifth Circuit

On August 17, 1989, the United States Court of Appeals for the Fifth Circuit affirmed the denial of Walter L. Nixon, Jr.'s motion for relief under 28 U.S.C. § 2255 from his conviction on perjury charges. Nixon, a former United States District Judge, argued, among other things, that he was entitled to a new trial because the government had violated Brady v. Maryland, 373 U.S. 83 (1963), by failing to disclose additional benefits which he alleged were given by the government to one of the witnesses in the case and because a key government witness had recanted some of his trial testimony. The court found that Nixon's allegations were not true and that his conviction should stand.

STATE AND LOCAL CORRUPTION

In 1989, the Public Integrity Section closed two investigations involving corruption affecting state and local government. At the end of 1989, fourteen such matters were open. Also during 1989, the Section prosecuted the following case involving state and local corruption:

United States v. Smith, Southern District of West Virginia

On April 24, 1989, John W. Smith, former president of a major West Virginia coal company, Marrowbone Development Company, was sentenced to three years' imprisonment and \$5,000 in fines, and ordered to pay \$53,000 in restitution to his former company, based on his convictions on three counts of mail fraud. Smith's wife and co-defendant, Patricia M. Smith, who was convicted on four counts of mail fraud, was sentenced to two years' imprisonment, with all

but six months in a halfway house suspended; she also received a \$5,000 fine and was ordered to pay \$81,000 in restitution (\$53,000 for which her husband is jointly liable).

The Smiths were convicted on February 28, 1989, for their role in masterminding a series of schemes between 1984 and 1986 through which outside contractors provided goods and services to company executives, including the Smiths, and then billed the company for the expenses by submitting false invoices for mine-related work. The schemes also produced large sums of cash, which were used for political payoffs. All these expenses were then passed on to the company's principal customer, a North Carolina public utility.

These convictions were the latest step in a continuing investigation of fraud and political corruption by West Virginia coal companies. The case was jointly prosecuted by the Public Integrity Section and the United States Attorney's Office for the Southern District of West Virginia.

PART III
FEDERAL PROSECUTIONS OF CORRUPT OFFICIALS

Each year, the Public Integrity Section collects information from the United States Attorneys about the public corruption cases their Offices have handled. This portion of the Report describes the results of the 1989 survey and summarizes information from preceding years. Tables I through III display the numbers, types, dispositions, and geographical distribution of the reported cases.

TABLE I
FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS

Year Ended December 31, 1989

Federal Officials

Indicted	695
Convicted	610
Awaiting Trial	126

State Officials

Indicted	71
Convicted	54
Awaiting Trial	18

Local Officials

Indicted	269
Convicted	201
Awaiting Trial	122

Others Involved

Indicted	313
Convicted	284
Awaiting Trial	109

Total

Indicted	1,349
Convicted	1,149
Awaiting Trial	375

91 Districts responded
2 Districts did not answer

TABLE II
 PROGRESS OVER THE LAST TWO DECADES
FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS

<u>Federal Officials</u>	<u>1970</u>	<u>1971</u>	<u>1972</u>	<u>1973</u>	<u>1974</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
- Indicted	9	58	58	60	59	53	111	129	133	114
- Convicted	9	40	42	48	51	43	101	94	91	102
- Awaiting Trial on December 31	0	0	4	2	1	5	1	32	42	21
<u>State Officials</u>										
- Indicted	10	21	17	19	36	36	59	50	55	56
- Convicted	7	16	10	17	23	18	35	38	56	31
- Awaiting Trial on December 31	0	0	0	0	0	5	30	33	20	29
<u>Local Officials</u>										
- Indicted	26	46	106	85	130	139	194	157	171	211
- Convicted	16	28	75	64	87	94	100	164	127	151
- Awaiting Trial on December 31	0	0	0	2	4	15	98	62	72	63
<u>Others Involved</u>										
- Indicted	18	35	27	80	66	27	199	171	198	285
- Convicted	12	24	15	52	56	24	144	144	135	252
- Awaiting Trial on December 31	0	0	1	14	0	2	70	83	71	65
<u>TOTALS</u>										
- Indicted	63	160	208	244	291	255	563	507	557	666
- Convicted	44	108	142	181	217	179	380	440	409	536
- Awaiting Trial on December 31	0	0	5	18	5	27	199	210	205	178

TABLE II
 PROGRESS OVER THE LAST TWO DECADES
 FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS

<u>Federal Officials</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>TOTAL</u>
- Indicted	123	198	158	460*	408	563	596	651	629	695	5,265
- Convicted	131	159	147	424	429	470	523	545	529	610	4,588
- Awaiting Trial on December 31	16	23	38	58	77	90	83	118	86	126	823
<u>State Officials</u>											
- Indicted	72	87	49	81	58	79	88	102	66	71	1,112
- Convicted	51	66	43	65	52	66	71	76	69	54	864
- Awaiting Trial on December 31	28	36	18	26	21	20	24	26	14	18	348
<u>Local Officials</u>											
- Indicted	247	244	257	270	203	248	232	246	276	269	3,757
- Convicted	168	211	232	226	196	221	207	204	229	201	3,001
- Awaiting Trial on December 31	82	102	58	61	74	49	55	89	79	122	1,087
<u>Others Involved</u>											
- Indicted	279	349	265	262	267	292	277	342	303	313	4,055
- Convicted	202	294	249	257	257	240	225	256	240	284	3,362
- Awaiting Trial on December 31	87	70	72	77	97	97	84	135	109	109	1,243
<u>Totals</u>											
- Indicted	721	878	729	1,073	936	1,182	1,193	1,340	1,274	1,349	14,189
- Convicted	552	730	671	972	934	997	1,026	1,081	1,067	1,149	11,815
- Awaiting Trial	213	231	186	222	269	256	246	368	288	375	3,501

*/ The 1983 figures were reviewed to attempt to identify the reason for the substantial jump in prosecutions of federal officials. The explanation appears to be two-fold; first, there clearly was a greater focus on federal corruption nationwide, but there also appears to have been more consistent reporting of lower-level employees who abused their office, cases that may have been overlooked in the past. For reference, the U.S. Attorney's Offices were told: "For purposes of this questionnaire, a public corruption case includes any case involving abuse of office by a public employee. We are not excluding low-level employees or minor crimes, but rather focusing on the job-relatedness of the offense and whether the offense involves abuse of the public trust placed in the employee."

TABLE III
FEDERAL PROSECUTIONS OF CORRUPT PUBLIC OFFICIALS
Convictions of Public Officials by Judicial Districts
1976-1989

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>TOTAL</u>
Alabama, Northern	0	6	4	9	6	5	4	7	15	12	3	4	0	8	83
Alabama, Middle	9	4	5	10	22	3	6	6	5	2	7	3	8	9	99
Alabama, Southern	1	0	1	N/A*	5	0	6	12	16	6	8	6	9	8	78
Alaska	4	3	0	0	0	0	0	6	8	9	10	6	0	6	52
Arizona	2	3	0	1	2	6	0	4	3	4	4	5	11	27	72
Arkansas, Eastern	1	3	2	3	4	1	0	9	2	3	2	1	5	3	39
Arkansas, Western	0	1	0	1	1	1	1	4	4	0	6	4	5	0	28
California, Northern	0	0	0	0	0	2	0	3	9	39	12	3	19	9	96
California, Eastern	0	0	0	0	N/A	0	3	0	20	25	28	18	32	30	156
California, Central	10	8	3	8	4	8	4	17	52	2	38	47	15	52	268
California, Southern	1	2	3	7	8	8	5	3	7	22	5	9	6	13	99
Colorado	0	1	1	0	0	0	1	13	9	4	11	11	0	14	65
Connecticut	0	5	4	4	7	0	4	15	8	7	7	9	15	12	97
Delaware	3	0	1	0	0	1	1	1	3	0	3	1	2	1	17
District of Columbia	9	10	14	9	19	17	14	N/A	34	16	30	13	19	25	229
Florida, Northern	1	0	0	0	2	4	0	1	6	3	7	4	3	5	36
Florida, Middle	4	1	5	1	2	6	4	13	23	8	8	20	24	40	159
Florida, Southern	0	0	3	0	14	0	1	8	8	5	3	14	16	36	108

*N/A indicates that the district did not provide statistics.

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>TOTAL</u>
Georgia, Northern	6	2	6	1	2	2	5	20	9	9	21	19	33	27	162
Georgia, Middle	9	7	1	1	3	1	2	10	4	8	12	2	4	14	78
Georgia, Southern	0	1	0	4	2	8	3	8	14	6	3	2	7	8	66
Guam	N/A	N/A	2	0	N/A	2	0	1	14	11	12	10	N/A	9	61
Hawaii	0	0	0	0	0	0	3	2	6	0	N/A	4	6	0	21
Idaho	0	0	0	0	0	0	0	2	2	1	6	4	2	1	18
Illinois, Northern	N/A	N/A	16	27	25	35	20	16	57	35	33	29	119	96	508
Illinois, Central	1	0	8	2	2	0	0	3	24	3	4	3	4	5	59
Illinois, Southern	0	0	4	2	0	0	0	2	0	7	2	0	0	1	18
Indiana, Northern	4	6	5	3	7	2	3	0	4	8	4	8	9	16	79
Indiana, Southern	0	3	0	0	7	2	3	0	3	5	13	17	7	14	74
Iowa, Northern	0	0	0	1	0	1	0	1	3	3	6	2	2	2	21
Iowa, Southern	1	0	0	1	0	1	0	1	3	3	6	2	5	7	30
Kansas	9	4	0	3	N/A	7	0	3	9	9	10	7	9	6	76
Kentucky, Eastern	5	6	5	5	12	5	4	0	7	3	8	5	4	6	75
Kentucky, Western	1	0	2	2	0	2	5	1	0	2	10	5	6	4	40
Louisiana, Eastern	N/A	N/A	6	7	8	13	4	19	9	4	7	6	18	15	116
Louisiana, Middle	1	0	0	1	1	3	2	5	0	2	2	5	7	9	38
Louisiana, Western	0	1	0	10	2	0	2	0	0	4	6	5	5	6	41
Maine	0	0	2	2	3	0	0	1	1	2	5	0	4	4	24
Maryland	2	5	20	11	11	3	2	10	8	14	5	27	31	27	176
Massachusetts	3	5	7	5	6	7	11	8	17	9	35	12	49	15	189

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>TOTAL</u>
Michigan, Eastern	1	4	1	7	3	10	16	18	21	7	43	20	11	14	176
Michigan, Western	1	1	1	0	0	2	4	2	3	6	5	5	3	0	33
Minnesota	1	0	0	2	0	0	0	6	3	2	8	12	9	21	64
Mississippi, Northern	0	2	3	2	4	6	4	0	0	8	13	13	12	14	81
Mississippi, Southern	1	0	5	0	4	9	7	N/A	20	1	1	21	17	10	96
Missouri, Eastern	4	2	1	1	2	2	4	1	1	12	6	13	12	16	77
Missouri, Western	1	0	0	0	0	0	1	9	8	1	9	6	3	6	44
Montana	1	0	0	0	1	0	0	4	4	0	5	6	5	4	30
Nebraska	0	1	0	0	7	0	0	1	6	8	4	5	9	4	45
Nevada	1	1	1	3	0	2	0	2	1	9	2	3	3	2	30
New Hampshire	0	0	2	0	0	3	7	1	1	3	2	0	N/A	1	20
New Jersey	14	10	15	9	25	8	16	30	14	6	7	N/A	N/A	34	188
New Mexico	9	9	1	4	0	2	6	8	3	3	8	3	2	N/A	58
New York, Northern	1	0	2	0	0	0	0	N/A	2	11	14	14	15	N/A	59
New York, Southern	0	8	3	33	17	30	36	49	64	108	35	63	39	65	550
New York, Eastern	21	21	7	1	22	11	11	14	28	35	17	10	82	28	308
New York, Western	0	5	1	5	6	1	0	5	13	1	5	11	11	7	71
North Carolina, Eastern	1	0	1	1	N/A	2	7	8	16	5	0	3	8	7	59
North Carolina, Western	0	0	0	0	0	2	0	6	13	9	3	3	3	5	44
North Carolina, Middle				0	0	0	0	1	6	5	11	7	5	9	44
North Dakota	0	0	0	1	0	0	0	4	0	0	0	0	6	6	17

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>TOTAL</u>
Ohio, Northern	2	5	6	12	3	2	3	11	17	21	22	27	19	23	173
Ohio, Southern	12	18	7	21	10	2	0	4	10	16	7	21	29	28	185
Oklahoma, Northern	0	0	0	0	0	2	8	1	1	1	0	0	0	3	16
Oklahoma, Western	0	0	4	N/A	5	51	44	25	33	4	1	0	1	2	170
Oklahoma, Eastern	0	0	0	5	3	9	13	14	9	1	0	2	3	4	63
Oregon	0	0	1	0	0	0	0	6	8	3	1	2	0	6	27
Pennsylvania, Eastern	8	6	13	11	8	4	4	19	35	25	23	39	48	24	267
Pennsylvania, Middle	21	27	16	3	6	16	13	25	16	9	5	4	6	13	180
Pennsylvania, Western	9	39	12	7	N/A	4	7	3	12	6	5	4	7	16	131
Puerto Rico	1	5	0	N/A	0	0	1	2	10	16	6	7	10	3	61
Rhode Island	N/A	N/A	0	N/A	0	4	0	2	8	1	1	6	2	1	25
South Carolina	19	15	8	10	11	25	8	22	9	14	29	15	28	8	221
South Dakota	0	0	0	2	0	0	0	2	11	3	14	6	3	2	43
Tennessee, Eastern	0	4	0	2	1	0	5	15	5	3	5	4	4	6	54
Tennessee, Middle	1	1	2	3	0	8	5	2	1	10	5	4	8	3	53
Tennessee, Western	2	7	3	5	7	7	4	85	12	28	7	16	20	30	233
Texas, Northern	6	4	4	7	5	5	15	9	7	2	11	12	15	10	112
Texas, Southern	8	3	6	6	1	0	1	11	12	2	14	7	23	21	115
Texas, Eastern	0	1	3	N/A	3	19	11	8	4	5	3	5	8	3	73
Texas, Western	4	2	0	N/A	3	6	8	11	21	8	0	7	3	11	84

	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>	<u>1980</u>	<u>1981</u>	<u>1982</u>	<u>1983</u>	<u>1984</u>	<u>1985</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>	<u>1989</u>	<u>TOTAL</u>
Utah	0	0	2	1	N/A	4	0	5	0	7	2	1	N/A	6	28
Vermont	0	0	1	0	N/A	0	1	0	0	0	0	0	0	1	3
Virgin Islands	N/A	N/A	0	0	0	1	2	1	1	0	0	2	0	0	7
Virginia, Eastern	4	4	1	1	1	13	13	N/A	3	0	25	38	30	55	188
Virginia, Western	0	1	1	0	0	5	0	3	3	0	0	2	3	0	18
Washington, Eastern	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
Washington, Western	0	1	0	0	0	5	0	3	3	0	0	2	N/A	1	15
West Virginia, Northern	0	1	0	3	1	0	0	0	2	2	1	0	0	0	10
West Virginia, Southern	2	0	6	3	N/A	0	3	2	12	6	7	5	9	12	67
Wisconsin, Eastern	1	4	2	0	1	2	11	13	10	7	1	13	7	7	79
Wisconsin, Western	0	3	0	1	1	0	0	5	0	1	2	6	2	3	24
Wyoming	0	0	0	0	0	0	0	2	1	0	1	0	2	3	9