

**REPORT TO CONGRESS
ON THE ACTIVITIES AND OPERATIONS
OF THE
PUBLIC INTEGRITY SECTION
FOR 2021**



**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 2021. It also provides statistics on the nationwide federal effort against public corruption during 2021 and over the previous two decades. Both the activities of the Public Integrity Section and the nationwide statistics for 2021 reflect the impact of the COVID-19 pandemic on court, law enforcement, and Departmental operations.

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: Corey Amundson, Chief; John D. Keller, Principal Deputy Chief; Todd Gee, Deputy Chief; Robert Heberle, Deputy Chief; Jennifer Clark, Deputy Chief; Peter Nothstein, Acting 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 2021. Part II describes significant cases prosecuted by the Section in 2021. Part III presents nationwide data regarding the national federal effort to combat public corruption over the last two decades.

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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 2021 the Public Integrity Section continued its involvement in a number of 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 additional 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. (Justice 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. (Justice Manual 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 2021, 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 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 seminar provides 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.

PART II

PUBLIC INTEGRITY SECTION INDICTMENTS AND PROSECUTIONS IN 2021

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 2021.

In 2021, despite limitations associated with the COVID-19 pandemic, the Section's case work resulted in numerous guilty pleas, as well as trial convictions in Florida, South Carolina, and Pennsylvania. The Section tried three cases in 2021 resulting in the convictions of five defendants.

The descriptions of the Section's significant cases for calendar year 2021 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 2021, the case 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 2021, 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. Department procedures require consultation with the Section in all investigations involving a Member of Congress or a congressional staff member. (Justice Manual 9-85.110.) In addition to handling its own cases, the Section routinely provides advice and guidance to prosecutors across the country regarding these sensitive investigations. During 2021, the Section brought the following case involving the federal legislative branch.

US v. Anthony Barry, District of Arizona

On May 7, 2021, Anthony Barry pled guilty to unlawful conversion of campaign funds. Barry served as a deputy campaign manager and consultant for former U.S. Senator Martha McSally's senate campaign in 2018 and 2019. He used his position in the campaign to fraudulently direct the campaign to make payments of more than \$115,000 to him. This was beyond what he was owed for his salary and had the fraudulently obtained funds deposited into his personal bank account.

On August 17, 2021, Anthony Barry was sentenced to six months in prison, three years supervised release and restitution of \$115500.

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 2021, the Section handled a number of cases involving executive branch corruption, several of which are described below.

US v. Andrew Maffey, Southern District of New York

On April 14, 2021, Andrew Maffey, pled guilty to bribery. According to court documents, Maffey worked as a program specialist at the United States Department of State's Office of Foreign Missions. From 2011 to 2019, Maffey used his position to fast-track duty-free alcohol orders on behalf of certain retailers, to approve orders that exceeded generally accepted limits, and to provide information to cure deficient orders even though it was not in the normal course of business to do so. In exchange for prioritizing and authorizing these purchases, Maffey received meals and beverages, tickets to professional sporting events, and outings to adult entertainment venues.

US v. James McDonald, District of New Hampshire

On March 31, 2021, James McDonald pled guilty to an information charging one count of conspiracy to commit wire fraud. McDonald was the owner of an IT services company called Namtek and was the third and final defendant to plead guilty in connection with a long-running procurement fraud and bribery scheme at Marine Corps Base Camp Lejeune, North Carolina. Between approximately 2006 and 2012 Namtek held a series of IT services contracts with the U.S. Marine Corps ("USMC"). In August 2008, Anthony Gillespie, then a civilian employee at Camp Lejeune charged with overseeing the provision and management of IT services and equipment, directed the award of a lucrative 3-year contract to Namtek. In exchange

for receiving the contract, McDonald agreed to perform unauthorized work at Gillespie's direction, including construction and improvement projects in and around Gillespie's office at Camp Lejeune. In order to pay subcontractors who performed this unauthorized work, McDonald submitted false invoices to USMC for payment under Namtek's IT services contract. Between November 2008 and May 2009, McDonald transmitted at least 7 invoices for payment for unauthorized work and received a total of approximately \$250,000 based on those false statements.

On November 9, 2021, McDonald was sentenced to a term of six months of imprisonment and one year of post-release supervision.

STATE AND LOCAL CORRUPTION

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. During 2021, the Section handled a number of cases involving state and local corruption, several of which are described below.

US v. John Burnett, Northern District of Florida

On August 13, 2021, a federal jury convicted John Thomas Burnette of one count of Extortion Under Color of Official Right, two counts of Honest Services Fraud by Bribery, one count of Use of Interstate Commerce Facilities to Promote Bribery, and one count of Making False Statements to a Federal Officer.

In December 2018, a federal grand jury charged Tallahassee City Commissioner Scott Maddox and Paige Carter-Smith in a forty-four-count indictment. In May 2019, a grand jury returned a superseding indictment adding Burnette as a defendant. Maddox and Carter-Smith subsequently pleaded guilty to two counts of Honest Services Fraud by Bribery and one count of Conspiring to Interfere with the Lawful Function of the IRS. In October 2019, a grand jury returned a second superseding indictment against Burnette.

At trial, the government presented evidence that Burnette engaged in a multi-year scheme with Maddox and Carter-Smith to commit extortion, fraud, and bribery. During the scheme, Burnette and Maddox extorted bribe payments from FBI undercover agents (“UCs”) who were posing as real estate developers and entrepreneurs. Burnette instructed the UCs that to obtain preferential treatment, they must pay bribes to Maddox through Governance Services. Burnette, Maddox, Carter-Smith, and the UCs agreed that the UCs would pay Governance Services \$10,000 per month in exchange for Maddox agreeing to perform official acts meant to benefit the UCs’ sham development company.

In 2017, FBI agents approached Burnette, identified themselves as FBI agents, and asked Burnette about his involvement in the bribe payments to Maddox. During

the interview, Burnette repeatedly lied about his knowledge of the UCs' payments to and involvement with Maddox.

US v. Christopher Collare, Middle District of Pennsylvania

On July 16, 2021, a federal jury convicted Christopher Collare, a veteran detective for the Carlisle, Pennsylvania Police Department, who was also a task force officer with the FBI and a member of the Cumberland County Drug Task Force, of bribery, drug distribution, and making false statements.

According to court documents and evidence presented at trial, Christopher Collare, used his official position to obtain sex from two women in exchange for agreeing to take actions in prosecutions. Specifically, in 2015, Collare agreed to accept sex in exchange for not appearing at an evidentiary hearing so that a criminal charge would be dismissed. In 2018, Collare agreed to accept sexual favors in exchange for taking steps to help reduce a potential sentence. Collare distributed heroin in 2016. He also lied in November 2015 on a federal form he completed during the process of becoming an FBI task force officer, and he made multiple false statements in an interview with federal agents in May 2018.

US v. Underwood, District of South Carolina

On April 26, 2021, a federal jury convicted a former South Carolina sheriff and two of his former deputies of conspiracy and a range of other charges, such as deprivation of civil rights during an unlawful arrest, falsification of records, and various charges relating to their misuse of funds and personnel. According to court documents and evidence presented at trial, former Sheriff of Chester County, South Carolina, George Underwood, former Chester County Sheriff's Office Chief Deputy Robert Sprouse, and former Chester County Sheriff's Office Lieutenant Johnny Neal Jr., conspired to use their positions to enrich themselves by obtaining money to which they were not entitled, cover up their misconduct, and obstruct investigations into their misconduct. Evidence showed Underwood and Sprouse violated the rights of a Chester County resident, K.S., who was filming the Sheriff's

Office's response to a crash scene on Nov. 20, 2018, by arresting him without probable cause. When the FBI began investigating these civil rights violations, Sprouse and Neal tried to cover up what happened by creating a false incident reports and Sprouse made false statements to the FBI.

Additionally, court documents and evidence presented at trial showed the three defendants directed on-duty Sheriff's Office employees to provide manual labor or other services that personally benefited Underwood and Sprouse, including requiring them to help with extensive renovations of a barn on Underwood's property to add a bar, a television viewing area, and other amenities. Underwood and Sprouse took family members on a trip to a conference in Reno, Nevada, and charged the cost to the Sheriff's Office. Underwood and Neal also engaged in a scheme in which they skimmed money from payments owed to other Sheriff's Office employees for off-duty work at public safety checkpoints.

Underwood was convicted of conspiracy, deprivation of rights, federal program theft, and wire fraud. Sprouse was convicted of conspiracy, falsification of records, false statements, and federal program theft. Neal was convicted of conspiracy, deprivation of rights, falsification of records, federal program theft, and wire fraud.

US v. Kristian Hart and Jerry Trabona, Eastern District of Louisiana

On November 18, 2021, former Amite City Police Chief Jerry Trabona and current Amite City Councilmember Kristian Hart were indicted with criminally violating federal election laws as part of a scheme to pay for votes in a federal election. Trabona and Hart were each charged with conspiracy to buy votes and multiple counts of buying votes.

According to the indictment, Trabona, and Hart, conspired to and did unlawfully pay voters to cast their ballots for certain candidates during the 2016 Open Primary Election and the 2016 Open General Election in Tangipahoa Parish, Louisiana. The indictment alleges that, in furtherance of the scheme, the conspirators

solicited and hired individuals to identify potential voters, transported those voters to the polls where they were provided with the names and candidate numbers of candidates, and paid the voters to cast their ballots for candidates.

US v. Ollie Rose, Eastern District of North Carolina

On May 12, 2021, Ollie Rose III, pleaded guilty to a bribery and smuggling scheme in which he abused his position as a prison official to funnel drugs and other contraband into Caledonia Correctional Institution.

According to court documents, Rose worked as a case manager at Caledonia Correctional Institution, a state prison in Halifax County. Rose admitted to agreeing to use his position, from at least November 2018 through October 2020, to smuggle contraband — including oxycodone, marijuana and synthetic cannabinoids — into the prison for inmates. Rose further admitted that he did so in exchange for payments ranging from \$500 to \$1,200 and received more than \$40,000 in total in bribes. He was paid both in cash and via a mobile application, and he sometimes also accepted a portion of the drugs he smuggled into the prison as payment.

Rose pleaded guilty to one count of conspiring to use a facility in interstate commerce in furtherance of unlawful activity and one count of extortion under color of official right.

FEDERAL ELECTION CRIMES

As described in Part I, during 2021, 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 2021 casework in this area.

US v. Douglas Mackey, Eastern District of New York

On January 27, 2021, Douglas Mackey, aka Ricky Vaughn, was charged by criminal complaint with conspiring with others in advance of the 2016 U.S. Presidential Election to use various social media platforms to disseminate misinformation designed to deprive individuals of their constitutional right to vote.

The complaint alleges that in 2016, Mackey established an audience on Twitter with approximately 58,000 followers. A February 2016 analysis by the MIT Media Lab ranked Mackey as the 107th most important influencer of the then-upcoming Election, ranking his account above outlets and individuals such as NBC News (#114), Stephen Colbert (#119) and Newt Gingrich (#141).

As alleged in the complaint, between September 2016 and November 2016, in the lead up to the Nov. 8, 2016, U.S. Presidential Election, Mackey conspired with others to use social media platforms, including Twitter, to disseminate fraudulent messages designed to encourage supporters of one of the presidential candidates (the "Candidate") to "vote" via text message or social media, a legally invalid method of voting.

For example, on Nov. 1, 2016, Mackey allegedly tweeted an image that featured an African American woman standing in front of an "African Americans for [the Candidate]" sign. The image included the following text: "Avoid the Line. Vote from Home. Text '[Candidate's first name]' to 59925[.] Vote for [the Candidate] and be a part of history." The fine print at the bottom of the image stated: "Must be 18 or older to vote. One vote per person. Must be a legal citizen of the United States. Voting by text not available in Guam, Puerto Rico, Alaska or Hawaii. Paid for by [Candidate] for President 2016."

The tweet included the typed hashtags “#Go [Candidate]” and another slogan frequently used by the Candidate. On or about and before Election Day 2016, at least 4,900 unique telephone numbers texted “[Candidate’s first name]” or some derivative to the 59925 text number, which was used in multiple deceptive campaign images tweeted by the defendant and his co-conspirators.

On February 10, 2021, Mackey was indicted on Conspiracy Against Rights.

US v. Tunstall et al, Western District of Texas

On November 2, 2021, Matthew Tunstall, Robert Reyes, Jr., and Kyle Davies were indicted for their alleged involvement in a scheme to operate two fraudulent political action committees (PACs) during the 2016 federal election cycle. As alleged in the indictment, Tunstall, Reyes, and Davies, solicited contributions to Liberty Action Group PAC and Progressive Priorities PAC under the guise that the PACs were affiliated with or meaningfully supporting specified candidates for public office. Between January 2016 and April 2017, the defendants obtained approximately \$3.5 million from unwitting donors based on false and misleading representations and used those funds to enrich themselves and to pay for additional fraudulent advertisements soliciting donations. Tunstall and Reyes are also alleged to have laundered more than \$350,000 in illegal proceeds from the scheme through a third-party vendor to conceal the use of those funds for their own benefit.

Tunstall and Reyes are both charged with conspiracy to commit wire fraud and to make a false statement to the Federal Election Commission (FEC), multiple counts of wire fraud, and multiple counts of money laundering. Davies is charged with conspiracy commit wire and to make a false statement to the FEC, and multiple counts of wire fraud.

US v. Jesse Benton and Roy Wead, District of Columbia

On September 9, 2021, Jessie Benton and Roy Douglas were indicted on conspiracy to solicit and cause an illegal campaign contribution by a foreign national, effect a conduit contribution and cause false records to be filed with the

Federal Election Commission (FEC) and related substantive offenses. Jesse Benton previously worked as a campaign manager for two campaigns for U.S. Senate and one campaign for president, and Roy Douglas “Doug” Wead previously served as an advisor to multiple presidential campaigns. They were charged with conspiring together to solicit a political contribution from a Russian foreign national (Foreign National 1). As described in the indictment, Wead conveyed to Foreign National 1 that he could meet Political Candidate 1, a candidate for president during the 2016 election cycle, in exchange for a payment. Shortly after Foreign National 1 committed to transfer the funds, Benton reached out to individuals at Political Committee B, the national party committee for Political Candidate 1’s political party. He then arranged for Foreign National 1 to attend a political fundraising event and get a photograph with Political Candidate 1, in exchange for a political contribution to Political Committee C, a joint fundraising committee comprised of the campaign committee for Political Candidate 1, Political Committee B, and related state committees. Foreign National 1 ultimately wired \$100,000 to Company A, a political consulting firm owned by Benton. To disguise the true purpose of the transfer of funds, Wead and Benton created a fake invoice for “consulting services” and invented a cover story.

Wead and Foreign National 1 attended the political fundraising event for Political Candidate 1 on Sept. 22, 2016. Foreign National 2, who worked as a Russian/English translator for Wead, also attended. All three individuals had photographs taken at the event with Political Candidate 1. Following the event, Benton repeatedly represented to a consultant working for Political Committee B and Political Committee C that he had already sent the promised contribution for the event, but in actuality he delayed sending the contribution. Benton ultimately filled out a contributor form, indicated that he was the contributor, and used a personal credit card to make a \$25,000 contribution. Benton retained the remaining \$75,000 of Foreign National 1’s money. Because Benton falsely claimed to have given the contribution himself, three different political committees unwittingly filed reports with the FEC that inaccurately reported Benton, rather than Foreign National 1, as the source of the funds.

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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- TABLE I:** Nationwide Federal Prosecutions of Public Corruption in 2021
- TABLE II:** Progress Over the Past Two Decades: Nationwide Federal Prosecutions of Public Corruption
- TABLE III:** Federal Public Corruption Convictions by District Over the Past Decade

TABLE I
NATIONWIDE FEDERAL PROSECUTIONS
OF CORRUPT PUBLIC OFFICIALS
IN 2020

Federal Officials	
Charged	246
Convicted	228
Awaiting Trial	153

State Officials	
Charged	52
Convicted	43
Awaiting Trial	60

Local Officials	
Charged	167
Convicted	138
Awaiting Trial	150

Others Involved	
Charged	181
Convicted	189
Awaiting Trial	192

Totals	
Charged	646
Convicted	598
Awaiting Trial	555

TABLE II

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

	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011
FEDERAL OFFICIALS										
Charged	478	479	424	445	463	426	518	425	422	412
Convicted	429	421	381	390	407	405	458	426	397	392
Awaiting Trial as of 12/31	119	129	98	118	112	116	117	107	103	110
LOCAL OFFICIALS										
Charged	110	94	111	96	101	128	144	93	168	93
Convicted	132	87	81	94	116	85	123	102	108	143
Awaiting Trial as of 12/31	50	38	48	51	38	65	61	57	105	41
PRIVATE CITIZENS INVOLVED IN PUBLIC CORRUPTION OFFENSES										
Charged	249	318	410	313	295	303	355	294	298	295
Convicted	188	241	306	311	266	249	302	276	251	296
Awaiting Trial as of 12/31	126	139	168	136	148	179	184	161	200	191
TOTALS										
Charged	1136	1,150	1,213	1,163	1,150	1,141	1,304	1,082	1,184	1,082
Convicted	1011	868	1,020	1,027	1,030	1,014	1,129	1,061	1,036	1,107
Awaiting Trial as of 12/31	413	412	419	453	439	487	489	473	554	469

TABLE II (continued)

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Totals
FEDERAL OFFICIALS											
Charged	381	337	364	458	354	383	275	300	242	246	7,832
Convicted	369	315	364	402	326	334	250	307	207	228	7,208
Awaiting Trial as of 12/31	108	113	111	153	170	169	165	131	154	153	X
STATE OFFICIALS											
Charged	100	133	80	123	139	63	85	60	55	52	2,028
Convicted	78	119	109	97	125	68	72	63	30	43	1,875
Awaiting Trial as of 12/31	68	68	33	66	74	53	59	46	48	60	X
LOCAL OFFICIALS											
Charged	319	334	231	259	234	223	171	213	135	167	5,131
Convicted	295	303	252	200	213	208	175	199	110	138	4,533
Awaiting Trial as of 12/31	135	149	100	135	148	150	110	111	129	150	X
PRIVATE CITIZENS INVOLVED IN PUBLIC CORRUPTION OFFENSES											
Charged	278	330	241	262	255	194	234	207	196	181	5,508
Convicted	318	300	264	205	222	227	198	165	122	189	4,896
Awaiting Trial as of 12/31	144	169	106	150	177	149	145	163	230	192	X
TOTALS											
Charged	1078	1134	916	1102	982	863	765	780	628	646	20,499
Convicted	1060	1037	989	904	886	837	695	734	469	598	18,512
Awaiting Trial as of 12/31	455	499	350	504	569	521	479	451	561	555	X

TABLE III

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

U.S. Attorney's Office	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Totals
Alabama, Middle	8	9	8	6	2	4	3	5	2	8	55
Alabama, Northern	13	12	11	13	8	7	11	8	4	2	89
Alabama, Southern	1	2	0	1	0	0	0	1	3	6	14
Alaska	4	2	1	4	4	1	0	0	2	2	20
Arizona	34	40	29	18	8	18	29	26	12	16	230
Arkansas, Eastern	12	4	3	10	14	15	2	3	5	0	68
Arkansas, Western	3	0	2	3	0	1	4	4	1	2	20
California, Central	39	19	66	53	32	23	13	41	23	14	323
California, Eastern	4	4	10	12	14	12	8	8	3	8	83
California, Northern	7	3	9	12	8	12	4	11	4	9	79
California, Southern	39	37	10	7	10	13	7	5	5	3	136
Colorado	9	3	2	0	3	1	6	8	2	0	34
Connecticut	8	13	9	6	0	0	1	4	0	7	48
Delaware	3	5	0	1	0	2	0	2	0	0	13
District of Columbia	47	18	15	8	7	10	19	21	11	8	164
Florida, Middle	25	20	28	27	10	24	14	13	4	5	170
Florida, Northern	9	8	9	14	8	9	5	13	8	5	88
Florida, Southern	28	21	27	42	38	26	39	30	23	21	295
Georgia, Middle	11	9	10	11	2	6	1	4	0	6	60
Georgia, Northern	27	11	33	22	67	24	19	11	11	4	229
Georgia, Southern	4	7	4	1	4	5	2	0	0	6	33
Guam & NMI	1	2	3	10	1	0	2	2	2	4	27
Hawaii	2	0	4	5	0	2	2	5	4	4	28

TABLE III (continued)

U.S. Attorney's Office	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Totals
Idaho	6	4	1	3	4	1	7	2	2	2	32
Illinois, Central	1	6	10	0	1	4	0	3	1	1	27
Illinois, Northern	36	45	18	16	30	25	13	26	22	32	263
Illinois, Southern	7	18	4	3	4	5	5	3	8	4	61
Indiana, Northern	25	15	7	7	10	5	5	5	5	5	89
Indiana, Southern	7	8	10	5	10	4	4	1	4	7	60
Iowa, Northern	1	1	2	4	3	2	0	5	2	1	21
Iowa, Southern	3	2	2	2	6	2	2	0	1	0	20
Kansas	8	4	2	2	0	2	12	16	3	3	52
Kentucky, Eastern	19	12	15	10	17	15	7	14	15	5	129
Kentucky, Western	13	3	4	3	3	6	2	6	5	2	47
Louisiana, Eastern	29	20	10	12	16	14	11	10	8	51	181
Louisiana, Middle	4	5	7	9	3	9	0	0	0	0	37
Louisiana, Western	19	25	4	6	22	9	10	12	8	8	123
Maine	2	2	3	4	5	0	1	0	0	0	17
Maryland	26	47	38	31	23	80	17	11	11	2	286
Massachusetts	13	22	18	16	17	19	11	26	4	21	167
Michigan, Eastern	17	19	13	4	25	20	24	16	3	14	155
Michigan, Western	0	0	6	2	9	7	3	7	1	2	37
Minnesota	0	6	5	4	5	3	3	7	3	8	44
Mississippi, Northern	9	11	8	3	4	3	3	2	0	4	47
Mississippi, Southern	0	7	10	8	3	6	4	2	5	12	57
Missouri, Eastern	11	10	10	5	6	3	6	5	4	2	62
Missouri, Western	10	0	9	6	12	11	15	11	8	5	87
Montana	2	5	27	8	26	19	10	16	13	0	126

TABLE III (continued)

U.S. Attorney's Office	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Totals
Nebraska	3	3	4	3	6	8	14	8	9	3	61
Nevada	6	2	6	0	0	1	5	2	3	4	29
New Hampshire	0	0	0	0	1	1	0	1	1	1	5
New Jersey	27	30	33	23	28	21	31	35	15	29	272
New Mexico	4	2	10	12	4	6	1	4	5	0	48
New York, Eastern	13	5	9	28	8	12	16	17	11	8	127
New York, Northern	5	1	0	4	2	1	2	3	1	6	25
New York, Southern	21	13	13	19	20	15	33	1	8	18	161
New York, Western	18	7	19	17	18	18	2	1	2	9	111
North Carolina, Eastern	4	10	6	13	15	5	16	4	2	5	80
North Carolina, Middle	0	2	0	0	0	0	1	0	0	0	3
North Carolina, Western	0	7	2	4	2	4	3	4	6	0	32
North Dakota	2	0	0	1	0	2	3	3	0	2	13
Ohio, Northern	16	8	11	18	13	12	8	7	11	16	120
Ohio, Southern	9	11	9	12	1	0	2	5	8	10	67
Oklahoma, Eastern	9	14	11	10	4	12	4	11	2	0	77
Oklahoma, Northern	5	3	4	4	5	0	5	0	2	0	28
Oklahoma, Western	12	5	7	6	4	9	4	7	2	3	59
Oregon	2	3	4	3	0	1	5	0	0	0	18
Pennsylvania, Eastern	30	29	36	27	26	26	29	21	9	13	246
Pennsylvania, Middle	7	0	1	14	3	14	7	6	5	8	65
Pennsylvania, Western	10	10	6	8	3	8	4	2	2	2	55
Puerto Rico	30	19	47	13	41	13	28	25	7	27	250
Rhode Island	2	8	4	3	0	1	0	1	0	0	19

TABLE III (continued)

U.S. Attorney's Office	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	Totals
South Carolina	2	5	7	3	6	0	7	10	0	5	45
South Dakota	9	3	1	6	1	15	6	13	6	3	63
Tennessee, Eastern	10	8	11	8	4	2	5	3	2	1	54
Tennessee, Middle	9	4	0	5	7	5	5	0	0	0	35
Tennessee, Western	12	18	8	21	9	10	13	0	2	4	97
Texas, Eastern	0	3	6	3	4	4	0	1	2	4	27
Texas, Northern	28	27	39	48	49	18	8	16	13	2	248
Texas, Southern	26	83	29	11	3	12	6	17	2	30	219
Texas, Western	47	53	28	29	30	33	8	11	13	4	256
Utah	1	3	2	0	2	1	0	0	3	1	13
Vermont	3	1	1	1	0	0	0	1	0	0	7
Virgin Islands	0	5	2	1	0	0	4	4	2	1	19
Virginia, Eastern	41	53	34	40	32	32	16	26	26	27	327
Virginia, Western	0	3	5	8	4	3	0	3	1	2	29
Washington, Eastern	0	0	0	0	7	1	0	3	0	2	13
Washington, Western	7	5	7	5	9	7	7	7	5	5	64
West Virginia, Northern	4	7	18	3	3	3	2	2	4	2	48
West Virginia, Southern	3	4	4	2	1	4	11	10	5	6	50
Wisconsin, Eastern	8	6	4	5	3	2	8	7	6	3	52
Wisconsin, Western	6	7	5	2	4	6	0	1	1	1	33
Wyoming	3	3	0	0	0	0	0	0	0	0	6