

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **CRIMINAL NO.: 13 -**  
**v.** : **DATE FILED: February 6, 2013**  
**JOHN D. MCDANIEL** : **VIOLATION:**  
: **18 U.S.C. § 1343 (wire fraud - 1 count)**  
: **18 U.S.C. § 2 (aiding and abetting)**

**I N O R M A T I O N**

**COUNT ONE**

**WIRE FRAUD  
18 U.S.C. § 1343**

**THE UNITED STATES ATTORNEY CHARGES THAT:**

At all times material to the indictment:

1. Person #1 was a Philadelphia City Councilperson who was an elected public official serving on the Philadelphia City Council, the legislative arm of the Philadelphia government.
2. Person #1 maintained a campaign/political committee ("the committee"), which maintained a bank account at Wachovia Bank in Philadelphia. All transactions concerning the committee's Wachovia Bank account were electronically routed by the bank through its record keeping facility in Charlotte, North Carolina.
3. Pennsylvania State law and Philadelphia City law requires that candidates for public office, and their political committees, file campaign finance reports with particular state and city entities. These campaign finance reports must accurately report all contributions to, and expenditures on behalf of, a candidate for public office.

4. Pennsylvania state law requires that expenditures from the campaign/political fund be made for the purpose of influencing the outcome of an election.

The Scheme to Defraud the Campaign/Political Fund.

5. From approximately 2009 through approximately 2011, defendant

**JOHN D. MCDANIEL**

devised and intended to devise a scheme to defraud the campaign/political committee, and to obtain money and property of the committee by means of false and fraudulent pretenses, representations, and promises.

6. It was part of the scheme that defendant JOHN D. MCDANIEL acted as the Treasurer of the committee and kept the books and records of the committee, including its account records, yet identified another person as the committee Treasurer on campaign reports which he routinely filed with the state and the city on behalf of the committee.

7. It was further part of the scheme that defendant JOHN D. MCDANIEL used several methods to routinely and, at times, without authorization, withdraw funds from the committee account, which funds he then used for his own purposes and other purposes. At times, defendant MCDANIEL withdrew cash through bank counter withdrawals and through Automated Teller Machine withdrawals. At other times, MCDANIEL wrote and cashed checks to himself, and wrote checks to Progressive Agenda, a political action committee which he controlled, from which he then took stolen funds.

8. It was further part of the scheme that defendant JOHN D. MCDANIEL concealed his theft of the committee's funds by filing false and incomplete campaign finance reports. At times, defendant MCDANIEL simply failed to include his cash withdrawals from

committee funds in the campaign reports, and masked the withdrawal of those funds by falsely creating non-existent expenses, such as printing costs, which he included in the campaign reports. At other times, McDANIEL concealed his theft of the committee's funds by exaggerating actual expenditures on campaign reports.

9. As a result of his scheme, defendant JOHN D. MCDANIEL unlawfully withdrew and stole approximately \$100,000 from the campaign/political committee.

**THE WIRE TRANSFERS**

10. At various and numerous times during 2010 and 2011, in Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, having devised and intending to devise this scheme, defendant

**JOHN D. MCDANIEL,**

for the purpose of executing the scheme and attempting to do so, knowingly caused to be transmitted in interstate commerce various and numerous transactions and withdrawals from the Wachovia Bank account of the campaign/political committee.

All in violation of Title 18, United States Code, Sections 1343 and 2.

  
**ZANE DAVID MEMEGER**  
**United States Attorney**