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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

TODD BOSNICH,

Defendant.

Case No. 15cr1544-LAB

I N F O R M A T I O N

18 U.S.C. 1512(c)(2) - Obstruction
of Justice

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The United States charges:

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INTRODUCTORY ALLEGATIONS

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1. In May 2013, Carl DeMaio ("DeMaio") announced his intention to run for California's 52nd Congressional District the following year. In October 2013, Defendant was hired by DeMaio's campaign to serve as its "Policy Director."

2. In May 2014, Defendant was terminated by DeMaio's campaign. The reason for his termination, as well as the events that occurred immediately before and after his termination, are contested. Defendant claimed that DeMaio made a series of unwanted sexual advances towards him in the Spring of 2014, and that when he complained to DeMaio's campaign manager, he was first marginalized and later offered a \$50,000 "payment" in exchange for signing a "non-disclosure" agreement.

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1 3. For its part, the DeMaio campaign maintained that
2 Defendant was terminated not because of a sexual harassment claim,
3 but because of poor work performance. Specifically, the Campaign
4 asserted that Defendant was first terminated as a paid employee (in
5 early May 2014) because he issued a report to the media that was both
6 inaccurate and plagiarized. The Campaign then alleged that Defendant
7 (on May 24, 2014) was barred from working in any capacity because he
8 "misappropriated" several internal emails. Finally, the Campaign
9 asserted that Defendant vandalized its campaign headquarters (on May
10 28, 2014) after he had been fired for cause.

11 4. Sometime between the late evening of May 27, 2014, and
12 the early morning of May 28, 2014, an intruder at DeMaio's campaign
13 headquarters cut telephone cords, broke laptop computers, damaged
14 office equipment, and stole several items from the office. Among the
15 items stolen was a notebook containing sensitive campaign
16 information, as well as the office's cable modem and router.

17 5. On May 29, 2014, Defendant wrote several emails to the
18 Chief-of-Staff for DeMaio's opponent, Scott Peters. Defendant
19 initiated contact by sending several internal DeMaio campaign emails
20 that he received during his time serving as the Campaign's Policy
21 Director. He also reiterated his claim that DeMaio had sexually
22 harassed him and threatened to destroy him if he did not stay quiet
23 about the harassment.

24 6. On May 31, 2014, the Peters' Campaign Chief-of-Staff
25 delivered the emails received from Defendant to the San Diego Police
26 Department ("SDPD"). She told the SDPD that the emails arrived
27 unexpectedly and she decided to give them to the police because: (1)
28 they included allegations regarding possible threats and sexual

1 harassment; and (2) she thought there might be some connection
2 between Defendant's emails and the recent burglary of the DeMaio
3 campaign office.

4 7. Later that same day, SDPD detectives interviewed
5 Defendant, who denied any involvement in the burglary. To the
6 contrary, Defendant told the detectives: (1) he had been harassed by
7 DeMaio on a number of occasions; (2) that he complained to DeMaio's
8 Campaign Manager about the harassment; and (3) the Campaign Manager
9 offered Defendant a job with the San Diego Republican Party if he
10 would keep silent. In addition, Defendant stated that he was informed
11 that his career would be destroyed if he spoke to anyone about
12 DeMaio's harassment.

13 8. On June 2, 2014, Defendant recorded an interview with
14 a local radio personality. During the interview, Defendant repeated
15 the allegations he had previously told the detectives. Defendant also
16 stated for the first time that he had received threatening emails.
17 Although these emails were allegedly anonymous, Defendant stated that
18 he was "positive" that DeMaio (or someone closely associated with
19 DeMaio) was behind the threats. Subsequently, Defendant repeated his
20 allegations (including the allegedly anonymous threats) to an
21 increasingly wide array of news media outlets.

22 9. On June 5, 2014, Defendant set up a "dummy" Yahoo
23 email account (i.e., elimanagment@yahoo.com) from his North County
24 residence. When doing so, Defendant used false identifying
25 information, including gender and date of birth. After doing so, he
26 used it (for the first and only time) to send a particularly ugly and
27 threatening message ("the Threatening Email") to his own personal
28 email account. The Threatening Email referenced Defendant's

1 disclosures to Peters' Chief-of-Staff and suggested that the
2 "anonymous" author of the email would ensure that Defendant never
3 again worked in politics if Defendant didn't stop making accusations
4 against DeMaio.

5 10. Defendant's main purpose in sending the Threatening
6 Email to himself was to bolster his claims that DeMaio was
7 threatening him to remain silent about the alleged sexual harassment.
8 In this fashion, Defendant's claims about DeMaio's sexual harassment
9 appeared not only to be legitimate, but to take on a new and,
10 perhaps, more sinister context.

11 11. Indeed, the SDPD was sufficiently concerned about the
12 serious nature of the allegations that they notified the Federal
13 Bureau of Investigation ("FBI") to see if they were interested in
14 investigating the Threatening Email received by Defendant and/or the
15 purported sexual harassment of Defendant by DeMaio. Based upon these
16 allegations, the United States requested an interview with Defendant.

17 12. On June 16, 2014, FBI Special Agents Alex Murray and
18 Gabe Ramirez and Assistant U.S. Attorney Phillip L.B. Halpern
19 interviewed Defendant in the presence of attorneys that Defendant
20 retained to prepare the filing of a sexual harassment suit against
21 DeMaio. At the meeting, Defendant was advised that he was being
22 interviewed as a victim in connection with an investigation into
23 whether DeMaio had sent or caused the sending of the threatening
24 emails, which he had discussed with the SDPD and the media.

25 13. In response, Defendant reiterated his prior sexual
26 harassment allegations against DeMaio. In an attempt to influence the
27 investigation of DeMaio, Defendant also claimed that an anonymous
28 source sent him the Threatening Email from the "elimanagment"

1 account. During this initial meeting with federal authorities,
2 Defendant described in detail the Threatening Email (and later
3 provided a copy to the government).

4 14. At this meeting, Defendant speculated that the author
5 of the emails was DeMaio or someone associated with his campaign.
6 Indeed, Defendant stated that DeMaio was fond of sending emails (and
7 communicating via Twitter) using alias accounts. Defendant stressed
8 that DeMaio used this tactic quite often. Prior to the conclusion of
9 this meeting, Defendant was informed that the United States would
10 continue investigating this matter, which would take some time as
11 subpoenas and other process had to be issued and returned. Defendant
12 was also informed that lying to federal agents was a crime and that
13 he needed to be careful about improperly influencing a federal
14 investigation.

15 15. During the late summer and early fall, the United
16 States acted upon the false information provided by Defendant in
17 following up all available leads related to the Threatening Email.
18 Among other things, the Grand Jury issued subpoenas attempting to
19 identify the source of the "threatening" emails.

20 16. On October 17, 2014, at a meeting with FBI Special
21 Agents Alex Murray and Gabe Ramirez and Assistant U.S. Attorneys
22 Phillip L.B. Halpern and Emily Keifer, Defendant repeated his claim
23 that he and his mother received a total of three threatening emails.
24 When questioned specifically about the authorship of these emails,
25 Defendant falsely asserted several times that he "did not know" who
26 sent him the Threatening Email. Defendant also stated that he
27 suspected that the author might have been DeMaio or one of his close
28 associates.

COUNT 1

18 U.S.C. § 1512(c) (2)

OBSTRUCION OF JUSTICE

17. Paragraphs 1 through 16 of the Introductory Allegations are realleged and incorporated by reference.

18. Beginning in approximately May 2014, and continuing up to and through November 2014, within the Southern District of California and elsewhere, defendant TODD BOSNICH corruptly obstructed, influenced, and impeded an official proceeding.

METHODS AND MEANS

19. It was a method and mean of BOSNICH's obstruction that he would and did make false and misleading statements about the Threatening Email in an attempt to influence the investigation into DeMaio.

20. It was a further part of his obstruction that BOSNICH would and did act corruptly by giving the government information that was inaccurate in order to influence a pending official proceeding.

All in violation of Title 18, United States Code, Section 1512(c) (2).

LAURA E. DUFFY
United States Attorney



PHILLIP L.B. HALPERN
Assistant U.S. Attorney

6/15/15

DATED

6/2/15

DATED



EMILY J. KEIFER
Assistant U.S. Attorney