

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA

Plaintiff,

v.

TYLER BROWN,

Defendant.

Case No. 24-cr-20047-DDC/TJJ

INFORMATION

The defendant, TYLER BROWN, having waived in open court prosecution by Indictment, the United States charges as follows:

GENERAL ALLEGATIONS

At all times material to this Information:

A. The International Brotherhood of Boilermakers Union

1. The International Brotherhood of Boilermakers Union, Iron Ship Builders, Blacksmith, Forgers and Helpers (“the Boilermakers Union”) is an international labor organization with approximately 45,000 members consisting of skilled tradespersons and allied workers who fabricate and maintain steam boilers and engines for industrial uses in heavy manufacturing, shipbuilding, utility, rail, metal work, and construction industries in the United States and Canada. For all periods of time relevant to this Information, the Boilermakers Union was headquartered in Kansas City, Kansas.

2. The Boilermakers Union represents members in collective bargaining with employers throughout the United States and Canada with respect to wages, hours,

grievances, and other terms and conditions of employment. Pursuant to that representation, the Boilermakers Union has executed collective bargaining agreements with employers covering work performed in several states and Canadian provinces.

3. The Boilermakers Union is governed by a constitution adopted at a convention of its delegates held every five years (“the Boilermakers Union Constitution”). The most recent version of the Boilermakers Union Constitution was adopted at the Boilermakers Union Convention in 2021.

4. The Boilermakers Union qualifies as a “labor organization” under the Labor Management Reporting and Disclosure Act, Title 29, United States Code, Section 402(i), and is subject to the various provisions of the Labor Management Reporting and Disclosure Act governing “labor organizations.”

5. Defendant TYLER BROWN served as Executive Director of Industrial Sector Operations of the Boilermakers Union from at least 2013 through 2018. From 2016 to 2018, Defendant BROWN also served as Special Assistant to the International President of the Boilermakers Union. From 2018 to 2022, Defendant BROWN also served as Chief of Staff of the Boilermakers Union. From 2018 to 2022, BROWN held all three positions simultaneously and reported directly to Newton Jones.

B. Duties Upon Defendant

6. As an agent and/or representative of the Boilermakers Union, Defendant TYLER BROWN was subject to Section 501(a) of the Labor Management Reporting and Disclosure Act, Title 29, United States Code. In such capacities, Defendant occupied a position of trust in relation to the Boilermakers Union and its members as a group, and was

subject to several fiduciary duties pursuant to section 501(a) including: 1) to hold the money and property of the Boilermakers Union solely for the benefit of the organization and its members; 2) to manage, invest, and expend money and property of the Boilermakers Union in accordance with the Boilermakers Union constitution and bylaws and any resolutions of the governing bodies thereunder; 3) to refrain from dealing with the Boilermakers Union as an adverse party or on behalf of an adverse party in any matter connected with his duties; 4) to refrain from holding or acquiring any pecuniary or personal interest which conflicts with the interests of the Boilermakers Union; and 5) to account to the Boilermakers Union for any profit received by him in whatever capacity in connection with transactions conducted by him or under his direction on behalf of such organization.

COUNT ONE

[Racketeering Conspiracy- 18 U.S.C. § 1962(d)]

7. The General Allegations set forth in paragraphs (1) through (6) of this Information are realleged and incorporated by reference as if fully set forth herein.

A. The Enterprise

8. At all times relevant to this Information, in the District of Kansas and elsewhere, certain members of the International Brotherhood of Boilermakers Union, Iron Ship Builders, Blacksmith, Forgers and Helpers (the “Boilermakers Union”), Defendant TYLER BROWN, and others known and unknown, constituted an enterprise as that term is defined in Title 18, United States Code, Section 1961(4), that is, an association in fact (“the Boilermakers Union Enterprise”).

9. At all times relevant to this Information, the Boilermakers Union Enterprise

constituted an ongoing organization whose members functioned as a continuing unit for a common purpose of achieving the objectives of the enterprise. The Boilermakers Union Enterprise was engaged in, and its activities affected, interstate and foreign commerce.

B. The Defendant

10. Defendant TYLER BROWN was a primary figure within the Boilermakers Union Enterprise, as well as an employee and member of the Boilermakers Union. Beginning in or about January 2013 until in or about October 2022, Defendant TYLER BROWN participated in the activities of the Boilermakers Union Enterprise as Executive Director of Industrial Sector Operations, Chief of Staff, and Special Assistant to the International President of the Boilermakers Union.

C. Purposes of the Boilermakers Union Enterprise

11. The purposes of the Boilermakers Union Enterprise included the following:
 - a. Enriching the members and associates of the Boilermakers Union Enterprise through, among other things, theft from a labor organization, and
 - b. Preserving and protecting the power and profits of the Boilermakers Union Enterprise through theft from a labor organization.

D. Means and Methods of the Boilermakers Union Enterprise

12. The means and methods by which the Defendant and other members and associates of the Boilermakers Union Enterprise conducted and participated in the conduct of the enterprise included the following:

- a. Members and associates of the Boilermakers Union Enterprise sought

to dominate and control operations of the Boilermakers Union through the commission of theft from the Boilermakers Union in order to operate the Boilermakers Union so as to enrich themselves and other members and associates of the Enterprise;

b. Members and associates of the Boilermakers Union Enterprise failed to expend money and property of the Boilermakers Union with the proper authorization as required by the Boilermakers Constitution; and

c. Members and associates of the Boilermakers Union Enterprise failed to supervise and authorize expenditures deemed necessary to effectuate and accomplish the objectives of the Boilermakers Union, as set forth in Boilermakers Constitution Article 1.2, and other applicable provisions of the Boilermakers Constitution, or for its benefit, contrary to Article 5.2 of the Boilermakers Constitution.

E. The Racketeering Conspiracy

13. Beginning on or about 2013 and continuing to on or about October 2022, in the District of Kansas and elsewhere, Defendant TYLER BROWN, being a person employed by and associated with the Boilermakers Union Enterprise, which enterprise was engaged in, and the activities of which affected, interstate and foreign commerce, did knowingly, intentionally, and unlawfully combine, conspire, confederate, and agree with others known and unknown, to violate Title 18, United States Code, Section 1962(c), that is, to conduct and participate, directly and indirectly, in the conduct of the affairs of the Boilermakers Union Enterprise through a pattern of racketeering activity, as that term is

defined in Title 18, United States Code, Sections 1961(1) and 1961(5), which pattern of racketeering consisted of multiple acts indictable under Title 29, United States Code, Sections 501(c) (relating to embezzlement from union funds).

14. It was a part of the conspiracy that Defendant TYLER BROWN agreed that a conspirator would commit at least two acts of racketeering activity in the conduct of the affairs of the Boilermakers Union Enterprise.

All in violation of Title 18, United States Code, Section 1962(d).

Respectfully submitted,

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PENALTIES

Count 1: Racketeering Conspiracy- 18 U.S.C. § 1962(d)

- Punishable by a term of imprisonment of not more than 20 years. 18 U.S.C. § 1963(a);
- A term of supervised release of not more than 3 years. 18 U.S.C. § 3583(b)(3);
- A fine not to exceed \$250,000, or, if any person derives pecuniary gain from the offense, or if the offense results in pecuniary loss to a person other than the defendant, the defendant may be fined not more than the greater of twice the gross gain or twice the gross loss. 18 U.S.C. § 3571; 18 U.S.C. § 3583(a)(3);
- Forfeiture. 18 U.S.C. § 1963;
- A mandatory special assessment of \$100.00. 18 U.S.C. § 3013(a)(2)(A).