

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

WALLACE NEWMAN GEORGE, JR.,

[DOB: 11-04-1945],

Defendant.

No. 16-04004-01-CR-C-BCW

18 U.S.C. § 666(a)(1)(A)

NMT 10 Years

NMT \$250,000 Fine

NMT 3 Years Supervised Release

Class C Felony

Mandatory Restitution

\$100 Special Assessment

INFORMATION

THE UNITED STATES ATTORNEY CHARGES THAT:

Introduction and Background

At all times relevant to this Information:

Saline County, Missouri

1. Saline County, Missouri (Saline County), was a local government agency incorporated as a Fourth Class County in the State of Missouri. Pursuant to Section 48.020.1 of the Revised Statutes of Missouri (RSMo), Saline County operated under the laws of the State of Missouri applicable to a Second Class County.

2. Saline County received federal assistance in excess of \$10,000 during each calendar year beginning January 1, 2009, through December 31, 2014, including, but not limited to, funds from the United States Department of Transportation (DOT), Department of Justice (DOJ), General Services Administration (GSA), Department of the Interior (DOI), Department of Health and Human Services (HHS), Election Assistance Commission, and the Department of Homeland Security (DHS). In calendar year 2014, Saline County received approximately

\$1,201,383 in federal assistance from these sources.

3. The elected office holders of Saline County included the County Sheriff, whose duties were defined in Chapter 57 RSMo.

4. Section 57.380 RSMo required the sheriff in all second class counties to receive, on behalf of the county, all money that accrues to him or his office for official services rendered in civil and criminal matters, by virtue of any statute of this state, and at the end of each month to pay all those monies collected by him to the county treasurer.

The State of Missouri

5. The State of Missouri (Missouri) was admitted to the United States on August 10, 1821, as the 24th State. Missouri was governed from Jefferson City, Cole County, Missouri.

6. Missouri received federal assistance in excess of \$10,000 during each fiscal year (FY) beginning July 1, 2008, through June 30, 2014, including but not limited to, funds from the United States Departments of Health and Human Services (HHS), of Agriculture (USDA), of Labor (DOL), of Education (DOE), and other federal entities. During FY 2014 and through 313 separate federal programs, Missouri received approximately \$11,490,000,000.

7. Chapter 548 RSMo specified the procedures for payment of expenses incurred in the extradition or voluntary return of criminal defendants from outside Missouri to the jurisdiction of the appropriate county officer within Missouri. Section 548.241 RSMo specified that all necessary and proper expenses as approved by the Governor shall be paid out of the state treasury to the agent of the Governor, who returned the criminal defendant to Missouri.

8. In order to obtain a reimbursement under Chapter 548 RSMo, the county sheriff or other agent of the Governor submitted a “claim for return of fugitives” to the Missouri Department of Corrections (Department of Corrections) for payment. After the Department of Corrections

reviewed a claim, that claim was certified for payment. Approximately, 75% of the total reimbursement amount was attributable to mileage that was reimbursed at a set rate on a per mile basis. Typically, multiple claims were bundled for payment in a single check drawn on the state treasury and mailed to the county sheriff or other agent of the Governor.

The Defendant

9. **WALLACE NEWMAN GEORGE, JR.** (GEORGE) was appointed as acting County Sheriff for Saline County, Missouri, in November 1979. GEORGE was elected County Sheriff for Saline County, Missouri, on December 18, 1979, and has held office since that time.

10. Beginning at least as early as November 24, 2009, GEORGE, as the Sheriff of Saline County, assigned Saline County Sheriff's Deputies to transport prisoners extradited or voluntarily returned from outside Missouri to Saline County.

11. Beginning at least as early as November 27, 2009, GEORGE, as the Sheriff of Saline County, submitted claims to the State of Missouri for expenses incurred in the extradition or the voluntary return of criminal defendants from outside Missouri to Saline County.

12. As a result of these claims and at various times relevant to this Information, the State of Missouri issued reimbursement checks made payable to "Saline County-Sheriff," and mailed those checks to P.O. Box 366, Marshall, MO 65340.

13. Beginning in 2002, the official mailing address for the Saline County Sheriff's Office was P.O. Box 366, Marshall, MO 65340.

14. On or about, March 28, 2006, GEORGE opened a free checking account number xxx xxx 385, at Wood & Huston Bank in Marshall, Saline County, Missouri (hereinafter "WHB 385"). GEORGE shared this account with his wife as "Tenants by the Entirety."

15. Beginning at least as early as January 28, 2010, GEORGE without lawful authority converted to his own use reimbursement checks paid by the State of Missouri to the Saline County Sheriff's Office for expenses incurred in the extradition or voluntary return of criminal defendants from outside Missouri to Saline County.

16. At various times since January 28, 2010, GEORGE cashed reimbursement checks at Wood & Huston Bank. At various times, GEORGE deposited portions of reimbursement checks into WHB 385, while retaining a portion for himself. At various times, GEORGE deposited reimbursement checks into WHB 385.

17. Between January 28, 2010, and June 30, 2015, GEORGE cashed at Wood & Huston Bank, partially deposited, and deposited into WH 385, approximately 34 extradition reimbursement checks with an aggregate value of approximately \$97,083.05. Approximately, \$71,994.09 of this total represented reimbursement, at a set per mile rate, of the miles driven to effect each extradition or voluntary return.

18. Between July 1, 2013, and June 30, 2014, the Saline County Sheriff's Office received 6 reimbursement checks for expenses incurred in the extradition or voluntary return of criminal defendants from outside Missouri to Saline County in the aggregate amount of \$30,969.32. GEORGE deposited each of those checks into WHB 385.

(Theft from an Organization Receiving Federal Funds)
18 U.S.C. § 666(a)(1)(A)

19. The factual allegations in paragraphs 1 through 18 of this indictment are re-alleged and incorporated herein by reference as if fully set forth herein.

Between July 1, 2013, and June 30, 2014, at Jefferson City, Cole County, and at Marshall, Saline County, both within the Western District of Missouri, and elsewhere, the defendant,

WALLACE NEWMAN GEORGE, JR., knowingly embezzled, stole, obtained by fraud, and otherwise without authority converted to the use of himself, property valued at \$5,000.00 or more and owned by or under the care, custody, and control of the State of Missouri and Saline County, that is, the taxpayer funds, all of which were owned by the State of Missouri and Saline County, which the defendant unlawfully embezzled, stole, obtained by fraud, and without lawful authority converted from the State of Missouri and Saline County by depositing check number 7081874, payable to County of Saline – Sheriff and drawn on the Missouri state treasury in the amount of \$9,592.24, into WHB 385, all in violation of Title 18, United States Code, Section 666(a)(1)(A).

TAMMY DICKINSON
United States Attorney

By: _____
MICHAEL S. OLIVER
Assistant United States Attorney

Dated: February 9, 2016
Jefferson City, Missouri