



Prosecutors: Blagojevich should get 15 to 20 years

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 12:35 PM November 30, 2011

"In this June 27, 2011 file photo, former Illinois Gov. Rod Blagojevich speaks to the media at the federal courthouse in Chicago. Federal prosecutors said Wednesday, Nov. 30, 2011, Blagojevich should be sentenced to 15 to 20 years in prison. Blagojevich's attorneys are expected to respond with their own recommendation later Wednesday. His sentencing hearing is scheduled to begin Dec. 6. Blagojevich was convicted of 18 corruption-related counts. (AP Photo/Kiichiro Sato, File)"

The Associated Press (AP) on November 30, 2011 released the following:

By NOMAAN MERCHANT
Associated Press

CHICAGO (AP) — Ousted Illinois Gov. Rod Blagojevich deserves a sentence of 15 to 20 years in prison for his convictions on corruption charges, federal prosecutors said Wednesday.

Prosecutors said Blagojevich, who was convicted of 18 corruption-related counts including that he tried to sell or trade the U.S. Senate seat vacated by President Barack Obama, should receive more time than his predecessor, former Gov. George Ryan, and a key former fundraiser, Tony Rezko.

Ryan is serving 6 1/2 years on racketeering and fraud charges. Rezko was sentenced last week to 10 1/2 years, minus time served, on convictions for fraud, money laundering and plotting to squeeze more than \$7 million in kickbacks from companies seeking state business.

Blagojevich, who is to be sentenced next week, had campaigned as a reformer



following Ryan and "was acutely aware of the damage" Ryan had caused, prosecutors said. And Blagojevich was an elected official, unlike Rezko, who also offered limited cooperation to the government, they said.

"As the chief executive of the state, Blagojevich was in a special position of responsibility to the public," prosecutors said. "His abuse of office is particularly grave given the faith put in him by the citizens of Illinois."

Blagojevich, 54, was convicted at two trials of 18 counts, including lying to the FBI. His attorneys are expected to make their own sentencing recommendation later Wednesday, ahead of Blagojevich's sentencing by U.S. District Judge James Zagel on Dec. 6.

Prosecutors appeared to preemptively attack any argument that Blagojevich deserves leniency. They said he should not be seen as a family man and governor who helped the state, but as a common criminal. The former governor "appears to be committed to his wife and daughters," prosecutors said, noting that defendants in other cases also often have families that suffer when they go to prison. And any good work he did as governor shouldn't mitigate the charges against him, prosecutors argued.

"Many criminals are productive members of society, holding down jobs that they ably accomplish when they are not otherwise engaged in criminal activity," they said.

Prosecutors also enclosed a packet of news releases and articles about other convicted public officials who were sent to prison for 15 years or more."

[Government's Sentencing Memorandum](#)
[Government's Sentencing Memorandum - Exhibit A](#)

To find additional federal criminal news, please read [Federal Crimes Watch Daily](#).

Douglas McNabb and other members of the U.S. law firm practice and write and/or report extensively on matters involving Federal Criminal Defense, INTERPOL Red Notice Removal, International Extradition and OFAC SDN Sanctions Removal.

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New York State Assemblyman William F. Boyland, Jr. Charged with Alleged Bribery and Attempted Hobbs Act Extortion

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 5:38 AM November 30, 2011

William Boyland, Jr.
(photo by Gregory P. Mango)
The Federal Bureau of Investigation (FBI) on November 29, 2011 released the following:

“Recordings Capture Boyland Soliciting More Than \$250,000 in Bribes, Accepting Thousands in Bribes Solicited and Accepted Following Earlier Bribery Arrest

Loretta E. Lynch, United States Attorney for the Eastern District of New York, and Janice K. Fedarcyk, Assistant Director in Charge of the New York Office of the Federal Bureau of Investigation, today announced the unsealing of a complaint charging New York State Assemblyman William F. Boyland, Jr. with soliciting more than \$250,000 in bribes and accepting thousands of dollars of bribe money in exchange for performing official acts for the bribe payers.[1] Boyland was arrested this morning and is scheduled to be arraigned this afternoon before United States Magistrate Judge Joan M. Azrack, at the U.S. Courthouse, 225 Cadman Plaza East, Brooklyn, New York.

The criminal complaint alleges the following:

Between August 2010 and June 2011, Boyland solicited and accepted a stream of bribes from a carnival promoter (“CW”) and two undercover FBI agents (“UC1” and “UC2”), whom Boyland believed to be out-of-state businessmen and real estate developers. In exchange, Boyland agreed to take official action to secure business opportunities for CW, UC1 and UC2.

Carnival Scheme: Boyland Takes Over \$7,000 in Bribes

Starting in August 2010, Boyland, UC1 and CW met and discussed ways in which Boyland could assist CW and UC1 with CW’s carnival business.² All the meetings were recorded. In explaining how he could help them secure carnival locations in his district, Boyland stated that he had the New York City Department of Housing Preservation and Development (“HPD”) “locked up,” and stated that “we got HPD . . . we’re there.” Boyland and UC1 also discussed ways to “compensate” Boyland for his assistance, including by funneling payments to Boyland through a non-profit organization controlled by Boyland or through payments disguised as fees to a consulting firm.



UC1 ultimately made payments to Boyland. The first was a \$3,800 payment in the form of money orders to Boyland’s campaign account in October 2010. The second payment occurred in February 2011, in the form of a \$3,000 check (where the payee line was left blank) and \$600 cash. In that case, UC1 specifically told Boyland that he did not want the \$3,000 check to be applied against the New York State campaign contribution limit of \$3,800. Boyland replied, “Got it, got it, got it. Makes sense.” Despite this, the \$3,000 check was ultimately made payable to and deposited into Boyland’s campaign account.

In return for these payments, Boyland told CW and UC1 that Boyland and his staff had engaged in discussions with governmental agencies to assist CW in obtaining leases and permits for his carnival business. In addition, at Boyland’s direction, Boyland’s staff provided UC1 with letters of support from Boyland, on his official State Assembly letterhead, on behalf of CW and the carnivals CW purported to be promoting.

Real Estate Scheme: Boyland Takes \$7,000 Cash Bribe

After Boyland was charged with bribery in a separate case in the Southern District of New York on March 10, 2011,³ Boyland and a member of his staff contacted UC1 seeking a direct, personal payment of \$7,000. In a recorded telephone call, Boyland told UC1 that he needed the money to “solidify some attorneys.” Boyland stated that he was willing to travel to Philadelphia for the money and that he wanted the payment in cash.

On or about March 25, 2011, UC1 met Boyland at his district office in Brooklyn. During that meeting, which was recorded by UC1, Boyland and UC1 discussed real

estate development projects in Boyland’s district that Boyland had previously discussed with UC1 and UC2. UC1 made clear that the money he was going to give Boyland was coming from both him and UC2, and in response, Boyland stated, “We’ll do business.” UC1 then told Boyland that he and UC2 wanted state grant monies to help finance the proposed development projects. Boyland assured UC1 that the money was there and stated that his support was a “no brainer” because the projects are “right here at home.”

At the end of meeting, UC1 gave Boyland the \$7,000 in cash, and stated: “Knowing that if you think you want to bring someone else onboard or knowing that you’ll be there politically for us is all that we’re looking for.” In response, Boyland made a “thumbs up” sign and affirmed that “the political thing will be fine in terms of just where we need to go because I’m thinking environmental and I’m thinking the two houses of the state and city. You know, the relationships are there.”

Approximately one week after Boyland took the \$7,000 cash bribe, he showed UC1 and UC2 different properties in his district. In a recorded conversation, Boyland assured UC1 and UC2 that certain zoning changes requested by UC1 and UC2 in connection with developing the sites were “not a problem.” He emphasized that all the properties he was showing UC1 and UC2 were in his district, which “we have control over.” Boyland later reiterated this point: “Everything we’ve seen I’m in control of. You know, I’m the politician. I’m the guy who can make that move over on this end, so we know the folks that can pull the sort of triggers we’re looking for.”

Hospital Buy-Back Scheme: Boyland Solicits \$250,000 Bribe

On or about April 29, 2011, during a recorded conversation in a hotel suite in Atlantic City, New Jersey, Boyland solicited a \$250,000 bribe from UC1 and UC2. Boyland proposed a scheme which called for UC1 and UC2 to purchase a former hospital in Boyland’s district for \$8 million, obtain state grant money to renovate the hospital, and resell it to a non-profit organization that Boyland claimed to control for \$15 million. In exchange for the \$250,000, Boyland promised that he would, among other things, arrange for the



NEW

continued from page 2

sale and take official action and use his influence to secure state grant money to allow UC1 and UC2 to renovate the hospital so that it could be sold to Boyland's organization for a profit.

During this meeting, Boyland promised that he would facilitate any needed state grants and also promised that he would arrange for one of UC2's purported investors to be awarded any demolition contracts related to the project. Boyland stated that "zoning won't be an issue," because he had "tons of friends" and knew "everybody on the Board" of the New York City Board of Standards and Appeals, which handles zoning issues.

Boyland further explained his desire to conceal his involvement in the bribery scheme. He stated, "I got a middle guy by the way . . . I gotta stay clean . . . I got a bag man . . ." Boyland also explained to UC1 and UC2 that he did not want to talk on the telephone about these activities and that he preferred in-person meetings: "I stopped talking on the phone awhile ago . . . I'm just saying there is no real conversation that you can have that, you know, especially with what we're talking about. You can't do that."

About one month later, Boyland, a member of his staff, and an individual whom Boyland described as a "developer" took UC2 on a site tour of the hospital.

On or about June 7, 2011, Boyland met with UC1 and UC2 in a hotel room in Manhattan. The meeting was recorded. Boyland reiterated that he wanted to be paid \$250,000. UC2 offered to pay Boyland \$5,000 for each introduction to another person who would accept bribes in connection with the development project. Boyland rejected the suggestion, stating that the people whom Boyland planned to introduce to UC1 and UC2 were worth more than \$5,000: "I'm not talking about \$5,000 folks. I'm talking

about . . . people that can actually get these projects done and that's where we started off with. We started off, we didn't start off with, we can go with somebody who knows someone. We not talking about those folks We talking about the man."

"As detailed in the criminal complaint, the extent of the charged corruption is staggering," stated United States Attorney Lynch." The defendant had a strong political legacy, the trust of his community, and the privilege of serving it. Not content with these many benefits, the defendant is alleged to have auctioned the power of his seat in the Assembly to the highest bidder, for his own personal gain and to the potential detriment of the voters who elected him to office. Fortunately for his constituents and the people of New York, in this instance the "bidders" were working for the FBI. The message of this case is clear – we will utilize all available resources to protect the public's right to government free of corruption." Ms. Lynch stated that the government's investigation is continuing.

FBI Assistant Director in Charge Fedarcyk stated, "The charges announced today are all the more astonishing in light of the fact that Boyland allegedly committed much of the criminal conduct after he had already been charged in another bribery case. Boyland was unaware that it was two undercover FBI agents with whom he was arranging quid pro quo deals, and to whom he insisted on speaking in person to avoid the recording of incriminating phone calls. Recording phone calls is not the only method the FBI has available to fight public corruption."

If convicted, Boyland faces a maximum sentence of 30 years in prison.

The government's case is being prosecuted by Assistant United States Attorneys Roger Burlingame, Carolyn

Pokorny and Lan Nguyen.

The Defendant:

WILLIAM F. BOYLAND, JR.

Age: 41

1 The charges contained in the complaint are merely allegations, and the defendant is presumed innocent unless and until proven guilty.

2 As detailed more fully in the complaint, to obtain the permissions and/or permits necessary to operate carnivals in New York City, carnival businesses must obtain the support of local community boards and elected officials.

3 Boyland was acquitted of those charges on November 10, 2011."

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FBI Busts Alleged St. Louis Area Heroin Trafficking Ring

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 9:19 AM November 30, 2011

STLToday.com on November 30, 2011 released the following:

“BY PATRICK M. O’CONNELL

ST. LOUIS • Sixteen members of an alleged drug trafficking ring that distributed and sold heroin throughout St. Charles and Madison counties have been indicted on an assortment of federal charges.

Ten people were arrested in a Tuesday morning sweep by the FBI. They face charges of conspiracy to distribute heroin, firearms violations and money laundering. A total of 16 members of the alleged drug ring were indicted by a grand jury in September in U.S. District Court in St. Louis.

Four members were previously arrested and two remain at-large, the FBI said.

Cortez “Tez” White, 32, of Florissant, and Samantha Street, 23, of St. Louis County, allegedly served as the coordinators of the network, according to the charges, and used cellphones to oversee the trafficking and direct the drug runners. White also is charged with intent to distribute marijuana.

The group was responsible for the distribution of more than one kilogram of heroin, according to the indictment, then



pocketed the profits.

Also arrested Tuesday were: Donald “Lil Don” White, 29, of St. Charles; Darnell “Lil Red” Lathan, 31, of Florissant; Charles Peoples, 31, of St. Louis; Reginald Davis, 33, of St. Louis County; Stephany “Ann” Fowler, 35, of St. Louis; Clarissa “Red” McCary, 36, of Florissant; Bridgett Corbett, 28, of O’Fallon, Mo.; and Philip Pratt, 26, of Pagedale.

The FBI continues to look for Orbia “Pops” Carthen, 52, of St. Louis County and Kevin Mulvill, 29, of Alton. Both were indicted with the others in September. Anyone with information about their location should call the FBI at

314-589-2500.

The investigation was launched in April 2009 after the FBI received a tip about the network. The FBI’s Safe Streets Gang Task Force made the arrests in St. Louis, St. Louis County and St. Charles County.”

Douglas McNabb – McNabb Associates, P.C.’s

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Catherine Greig, Ex-Massachusetts Crime Boss’ Girlfriend Faces More Federal Charges

McNabb Associates, P.C. (Federal Criminal Defense Lawyers)

Submitted at 10:33 AM November 30, 2011

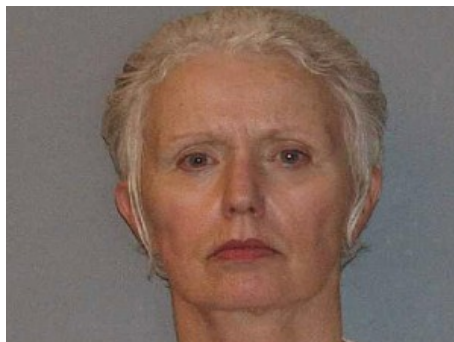
The Associated Press (AP) on November 29, 2011 released the following:

“By DENISE LAVOIE, AP Legal Affairs Writer

BOSTON (AP) — A lawyer for the longtime girlfriend of former crime boss James “Whitey” Bulger said Tuesday that he might ask that her trial be held in California if federal prosecutors bring additional charges against her for the time the couple spent living in Santa Monica.

Catherine Greig is charged in Boston with conspiracy to harbor and conceal a fugitive. Prosecutors say she helped Bulger elude authorities during the 16 years the couple spent together after fleeing Boston. They were captured in Santa Monica in June and have pleaded not guilty.

During a brief status conference in federal court Tuesday, Assistant U.S. Attorney Jack Pirozzolo said prosecutors



plan to seek new charges against Greig. He said the issue of where the charges will be brought was still being discussed.

Afterward, Greig’s lawyer, Kevin Reddington, said that if new charges were brought related to the couple’s years in California, he would prefer to have Greig’s trial in Los Angeles. “I think it would be a good place to try the case out there,” Reddington said. “The witnesses are all out there.”

Reddington said that with new charges, a judge would likely combine the two cases

and decide where the trial would be held.

The 60-year-old Greig didn’t attend Tuesday’s status hearing. Her Boston trial has been scheduled for May 7.

Pirozzolo said in court documents that prosecutors expect to resolve the venue issue within the next few weeks and prosecutors will seek the additional charges shortly after that.

The 82-year-old Bulger, the former leader of the notorious Winter Hill Gang, is charged in connection with 19 murders.”

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CATHERINE page 5



CATHERINE

continued from page 4

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