



## Security and Fire Professionals President in Detroit Pleads Guilty

Posted on July 23, 2019 by Carl Horowitz

On July 19, **Esper Alexander, former president of Security, Police and Fire Professionals of America Local 1111, pleaded guilty** in Wayne County (Michigan) District Court to one count of larceny by conversion of funds from the Detroit-based union in a sum of at least \$200 but less than \$1,000. The plea follows an investigation by the U.S. Labor Department's Office of Labor-Management Standards.

<https://nlpc.org/2019/07/23/security-and-fire-professionals-president-in-detroit-pleads-guilty/>

## SPFPA President in Maryland Sentenced for Thefts

Posted on January 8, 2019 by Carl Horowitz

On December 7, **Keith Franzese, former president of Security, Police and Fire Professionals of America Local 275, was sentenced** in Circuit Court for Prince George's County, Md. to 10 years in prison (suspended), 90 days of home detention and five years of probation for

various acts of theft from the Greenbelt-based union. He also was ordered to pay \$67,624 in restitution. Franzese, who entered an Alford plea last June, **had been indicted in November 2017 on 15 counts of various acts of theft, embezzlement and fraud totaling well over \$200,000.** The actions follow an investigation by the U.S. Labor Department's Office of Labor-Management Standards.

<https://nlpc.org/2019/01/08/spfpa-president-in-maryland-sentenced-for-thefts/>

## **SPFPA President in Maryland Enters Alford Plea for Theft**

Posted on June 21, 2018 by Carl Horowitz

On June 1, **Keith Franzese, former president of Security, Police and Fire Professionals of America Local 275, entered an Alford plea** in the Circuit Court for Prince George's County, Md. to one count of theft in an amount of \$67,624 from the Greenbelt, Md.-based union. He had been indicted on multiple counts last November for thefts of a substantially greater sum. In an Alford plea, the defendant does not formally admit to have committed the offense but admits that the evidence is sufficient for a conviction. The actions follow a probe by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2018/06/21/spfpa-president-in-maryland-enters-alford-plea-for-theft/>

# Ex-President of SPFPA Local in Maryland Indicted for Theft

Posted on December 14, 2017 by Carl Horowitz

On November 21, **Keith Franzese, former president of Security, Police and Fire Professionals of America Local 275, was indicted** in the Circuit Court for Prince George's County, Md. on one count of theft of at least \$100,000; two counts of theft of at least \$10,000 but less than \$100,000; six counts of theft of at least \$1,000 but less than \$10,000; five counts of theft of more than \$500; and **one count of embezzlement/fraudulent misappropriation by a fiduciary for stealing \$104,834 from the Greenbelt, Md.-based union**. The indictment follows an investigation by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2017/12/14/ex-president-spfpa-local-maryland-indicted-theft/>

# SPFPA President in Michigan Sentenced for Embezzlement

Posted on March 6, 2017 by Carl Horowitz

On February 15, **Devon Madray, former president of Security, Police and Fire Professionals of America (SPFPA) Local 119, was sentenced in U.S. District Court for the Eastern District of Michigan to five years** of probation, and ordered to pay \$20,097 in restitution and a \$100 special assessment, for embezzling funds from the Roseville, Mich. union. He had pleaded guilty last October after being indicted in July. The actions

follow an investigation by the U.S. Labor Department's Office of Labor-Management Standards.

<https://nlpc.org/2017/03/06/spfpa-president-michigan-sentenced-embezzlement/>

## Detroit-Area SPFPA Boss Indicted for Embezzlement

Posted on August 17, 2016 by Carl Horowitz

On July 14, **Devon Madray, president of Security, Police and Fire Professionals of America (SPFPA) Local 119, was indicted in U.S. District Court for the Eastern District of Michigan for embezzling around \$20,000 in funds from the Roseville, Mich.** (Macomb County)-based union. The charge follows a probe by the U.S. Labor Department's Office of Labor-Management Standards.

<https://nlpc.org/2016/08/17/detroit-area-spfpa-boss-indicted-embezzlement/>

## Kentucky Security Officers Local Secretary Sentenced for Theft

Posted on December 8, 2016 by Carl Horowitz

spfpaOn October 25, **Laura Cloyd, former financial secretary of Security, Police and Fire Professionals of America Local 112, was sentenced** in Campbell County, Kentucky Circuit Court to three years of diversion and ordered to pay \$1,669 in restitution for theft of funds from the Alexandria, Ky.-based union. She had pleaded guilty in September after being indicted in July. The actions follow an investigation by the U.S. Labor Department's Office of Labor-Management Standards. <https://nlpc.org/2016/12/08/kentucky-security-officers-local-secretary-sentenced-theft/>

# Security Professionals Secretary in Kentucky Pleads Guilty; Sentenced

Posted on November 15, 2016 by Carl Horowitz

On September 26, Laura Cloyd, **former financial secretary of Security, Police and Fire Professionals of America Local 112, pleaded guilty** in the Campbell County, Kentucky Circuit Court to one count of felony theft and one count of misdemeanor theft from the Alexandria, Ky.-based union. A month later, on October 25, she was sentenced to three years of diversion and ordered to pay \$1,669 in restitution. The actions follow an investigation by the U.S. Labor Department's Office of Labor-Management Standards.

<https://nlpc.org/2016/11/15/security-professionals-secretary-kentucky-pleads-guilty-sentenced/>

# Security Professionals Secretary in Kentucky Indicted

Posted on August 19, 2016 by Carl Horowitz

On July 14, **Laura Cloyd, former financial secretary of Security, Police and Fire Professionals of America Local 112, was indicted** in Campbell Court (Ky.) Circuit Court with theft by failure to make required disposition of private property in an amount of at least \$500. The charge follows an investigation by the U.S. Labor Department's Office of Labor-Management Standards.

<https://nlpc.org/2016/08/19/security-professionals-secretary-kentucky-indicted/>

# President of Security Workers Local in Houston Sentenced for Embezzlement

Posted on April 5, 2016 by Carl Horowitz

On March 1, Cynthia Angulo, **former president of the Currency and Security Handlers Association, was sentenced in U.S. District Court for the Southern District of Texas to 10 months of confinement**, to be followed by three years of supervised release, for embezzling \$61,272 in funds from the Houston union. She also was ordered to pay full restitution. Angulo had pleaded guilty in August. The union is an affiliate of the Security, Police and Fire Professionals of America (SPFPA). The actions follow an investigation by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2016/04/05/president-security-workers-local-houston-sentenced-embezzlement/>

# Employees Local President in Texas Pleads Guilty to Theft

Posted on October 28, 2015 by Carl Horowitz

On August 27, **Cynthia Angulo, former president of the Currency and Security Handlers Association, pleaded guilty in U.S. District Court** for the Southern District of Texas to one count of embezzling \$61,200 in funds from the Houston-based union, an affiliate of the Security, Police and Fire Professionals of America (SPFPA). The plea follows a probe by the Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2015/10/28/security-employees-local-president-texas-pleads-guilty-theft/>

# Washington, D.C. Security Professionals Secretary-Treasurer Sentenced

Posted on January 16, 2015 by Carl Horowitz

**On November 25, Milton Hilliard, former secretary-treasurer of Security, Police and Fire Professionals of America Local 287, was sentenced in U.S. District Court** for the District of Columbia to 180 days of home confinement with electronic monitoring and three years of probation for embezzling \$34,612 from the Washington, D.C. union. He also was ordered to pay full restitution plus a \$4,000 fine. Hilliard had pleaded guilty in August after being indicted in July. The actions follow an investigation by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2015/01/16/washington-dc-security-professionals-secretary-treasurer-sentenced/>

# D.C. Security Professionals Treasurer Charged with Embezzlement

Posted on August 22, 2014 by Carl Horowitz

On July 29, **Milton Hilliard, former secretary-treasurer of Security, Police and Fire Professionals of America Local 287, was charged in U.S. District Court for the District of Columbia** in an information count with one count of embezzlement in the amount of \$25,575 from the Washington, D.C.-based union. The charge follows an investigation by the Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2014/08/22/security-professionals-treasurer-charged-embezzlement/>

# Security Professionals Local Treasurer in Texas Charged with Theft

Posted on November 1, 2013 by Carl Horowitz

On September 24, **Carl Green, former treasurer of Security, Police and Fire Professionals (SPFPA) of America Local 126, was charged in the State of Texas, 118th District Court,** Howard County, with unlawfully appropriating property from the Big Spring, Tex.-based union. The charge follows a probe by the Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2013/11/01/security-professionals-local-treasurer-texas-charged-theft/>

# New Orleans-Area Security Professionals President Sentenced

Posted on September 30, 2013 by Carl Horowitz

On September 5, **Wayne Boudoin, former president of Security, Police and Fire Professionals of America Local 709, was sentenced in U.S. District Court** for the Eastern District of Louisiana to two years of probation, including six months of home confinement, for embezzling funds from the Houma, La. union over a more than seven-year period. He also was ordered to pay restitution in the amount of \$16,398. Boudoin previously had made \$20,988 in restitution. He had pleaded guilty in May after being charged in April. The actions follow a probe by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2013/09/30/new-orleans-area-security-professionals-president-sentenced/>

# Security Professionals President in Louisiana Pleads Guilty to Theft

Posted on June 18, 2013 by Carl Horowitz

On May 30, **Wayne Boudoin, formerly president of Security, Police and Fire Professionals of America Local 709, pleaded guilty in U.S. District Court** for the Eastern District of Louisiana to embezzling \$16,367.96 in funds from the Houma, La. union over a more than seven-year period. He had been charged in April. The charge and guilty plea follow an investigation by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2013/06/18/security-professionals-president-louisiana-pleads-guilty-theft/>

# Louisiana Security Professionals Local President Charged

Posted on April 29, 2013 by Carl Horowitz

Wayne Boudoin represented public safety employees. Apparently, member dues weren't safe with him. On April 23, **Boudoin, was charged in an information count in U.S. District Court for the Eastern District of Louisiana with embezzling \$16,367.96 over a more than seven-year period from Local 709 of the Security, Police and Fire Professionals of America International Union.** Prosecutors allege that Boudoin, 60, a resident of Edgard, La. (St. John the Baptist Parish), during September 2003-January 2011 used the bank debit card of the Houma, La. (New Orleans-area) union to make unauthorized purchases at various retail establishments and to make cash withdrawals from ATM machines. The charge follows a probe by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2013/04/29/louisiana-security-professionals-local-president-charged/>

# Former President of Texas Security Local Found Guilty; Sentenced

Posted on November 30, 2012 by Carl Horowitz

On November 5, **Kemberly Fields, former law officer and president of Security, Police and Fire Professionals of America (SPFPA) Local 300, was found guilty** by a jury in the Texas 176th Criminal District Court (Harris County) for theft from the Houston union. Two days later, on November 7, she was sentenced to three years of home confinement and ordered to pay \$5,644.40 in restitution plus a \$5,000 fine. The sentencing follows an investigation by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2012/11/30/former-president-texas-security-local-found-guilty-sentenced/>

# Virginia Local Security Employees President Sentenced for Embezzlement

Posted on May 9, 2012 by Carl Horowitz

On April 6, **Joseph Meizlik, former president of Security, Police, Fire Professionals of America (SPFPA) Local 454, was sentenced in U.S. District Court** for the Eastern District of Virginia to four years of probation for embezzling \$9,122.44 in funds from the Fort Lee, Va.-based union. He also was ordered to pay full restitution and a \$100 special assessment. Meizlik had been charged in December and pleaded guilty in January. The actions follow an investigation by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2012/05/09/virginia-local-security-employees-president-sentenced-embezzlement/>

# Security Employees President in Virginia Charged; Pleads Guilty

Posted on February 22, 2012 by Carl Horowitz

On December 2, **Joseph Meizlik, former president of Security, Police, Fire Professionals of America Local 454, was charged in U.S. District Court** for the Eastern District of Virginia with one count of **embezzling \$9,122.44** from the Fort Lee, Va.-based union. This past January 6 he pleaded guilty. The actions follow a probe by the Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2012/02/22/security-employees-president-virginia-charged-embezzlement/>

# Security/Police/Firefighters Local Secretary in Michigan Charged

Posted on February 14, 2012 by Carl Horowitz

On November 23, **Sherry Thompson, former financial secretary for Security, Police, Fire Professionals of America (SPFPA) Local 121, was charged in U.S. District Court for the Eastern District of Michigan with embezzling \$17,578.62** in funds from the Detroit union. She also was charged with making false entries in union financial records and filing a report based on those entries. The charge follows a probe by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2012/02/14/securitypolicefirefighters-local-secretary-michigan-charged/>

# Security Professionals Local President in Illinois Pleads Guilty

Posted on December 1, 2010 by Carl Horowitz

On August 19, **James Patrick Correll, former president of Security, Police and Fire Professionals of America Local 238, pleaded guilty** in U.S. District Court for the Central District of Illinois to embezzling \$22,278 from the Morrison, Ill. (northwest part of the state) union. The guilty plea follows an investigation by the Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2010/12/01/security-professionals-local-president-illinois-pleads-guilty/>

# Ex-Treasurer of Arizona Security, Police and Firefighters Local Sentenced

Posted on February 15, 2010 by Carl Horowitz

On December 7, **Roger Wuest, formerly secretary-treasurer of the Phoenix affiliate of the Security, Police and Fire Professionals of America (SPFPA), was sentenced** to one year of probation for willful concealment or destruction of union financial records. He had pleaded guilty in September. The actions follow an investigation by the Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2010/02/15/ex-treasurer-arizona-security-police-and-firefighters-local-sentenced/>

# Arizona Security, Police and Firefighters Secretary-Treasurer Pleads Guilty

Posted on December 2, 2009 by Carl Horowitz

On September 24, **Roger Wuest, formerly secretary-treasurer of the Phoenix affiliate of Security, Police, Fire Professionals of America (SPFPA), pleaded guilty** in U.S. District Court for the District of Arizona to one count of willful concealment and destruction of union financial records. He had been charged in September. The guilty plea follows an investigation by the Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2009/12/02/arizona-security-workers-union-secretary-treasurer-pleads-guilty/>

# Security Employees Secretary in Georgia Pleads Guilty to Embezzlement

Posted on August 18, 2009 by Carl Horowitz

On July 31, **Dianne Drawdy, former financial secretary of Security, Police and Fire Professionals Local 576 in Baxley, Georgia, pleaded guilty in U.S. District Court** for the Southern District of Georgia to embezzling union funds in the amount of \$17,900. She had been charged in April following an investigation by the U.S. Labor Department's Office of Labor-Management Standards....

<https://nlpc.org/2009/08/18/security-employees-secretary-georgia-pleads-guilty-embezzlement/>

# Security Employees Financial Secretary in Georgia Indicted for Embezzlement

Posted on May 28, 2009 by Carl Horowitz

On April 10, **Dianne Drawdy, former financial secretary of Security, Police, Fire Professionals of America (SPFPA) Local 576, was indicted in U.S. District Court** for the Southern District of Georgia on 16 counts of embezzling nearly \$18,000 in funds from the Baxley-based union. The indictment follows a probe by the Labor Department's Office of Labor-Management Standards. (OLMS, 5/22/09)....

<https://nlpc.org/2009/05/28/security-employees-financial-secretary-georgia-indicted-embezzlement/>

Tags: union | boss | embezzlement | racketeering

# Feds Investigate Security Union Leader

Friday, 20 April 2012 01:34 PM

Read Newsmax: Feds Investigate Security Union Leader |  
Newsmax.com

[Home](#) | [TheWire](#)

Tags: union | boss | embezzlement | racketeering

## Feds Investigate Security Union Leader

Friday, 20 April 2012 01:34 PM

[Share](#) | [Like](#) | [Twitter](#) | [Email](#) | [Email Article](#) | [Comment](#) | [Contact](#) | [Print](#) | [A A](#)

Federal agents have raided the home of a Michigan-based labor boss amid allegations that he may have stolen money from union members who guard nuclear power facilities and a NASA space center, according to the **Detroit News**.

The newspaper reported Friday that David Hickey, international president of the Security, Police, and Fire Professionals of America, is apparently the target of a racketeering and fraud investigation being carried out by the Labor Department.

In an exclusive report, the News said **Hickey's home in Troy, Mich., was recently raided**, along with the union's headquarters in Roseville. The investigators seized financial records and even cases filled with magic tricks from Hickey's home, apparently in an effort to establish a money trail that would substantiate **allegations of embezzlement**.

Peter Henning, a former federal prosecutor who now teaches law at Wayne State University, told the News that agents must suspect that the magic materials were purchased with money embezzled from the union “If you find a bag of money, you take the bag of money,” Henning told the paper. “If you have a bag of tricks, then you seize the bag of tricks.”

**The 58-year-old Hickey, who, as it turns out, is a magician,** declined to comment. But his attorney, Robert Morgan, confirmed that the authorities were looking for evidence in order to charge his client with embezzlement of union funds.

“I’m confident that when the government goes through all the records that there’s not going to be any basis to **charge Mr. Hickey with the offense of embezzlement of union assets,**” Morgan told the News.

Asked why the union leader’s magic tricks may have been seized, Morgan said: “The intriguing is intriguing.”

**Federal authorities, meanwhile, gave no indication of how much money is alleged to have been taken.** But according to the News the union’s recent annual report puts its cash assets at \$4.7 million.

The union itself is small, with only 24,519 members. But it bills itself as the oldest and one of the most important security police unions in the country. Its members, for example, stand guard at nearly half the nation’s 104 nuclear facilities, as well as the Kennedy Space Center, and Cape Canaveral Air Force Station.

Read Newsmax: Feds Investigate Security Union Leader |  
Newsmax.com

<https://www.newsmax.com/thewire/union-boss-embezzlement-racketeering/2012/04/20/id/436582/>

## Citizen WELLS

Obama eligibility, Obama news

HOME ABOUT KERCHNER V OBAMA LAWSUIT OBAMA INDICTMENT PHILIP J BERG LAWSUIT  
PROTECTING OBAMA, JUSTICE DEPT. COLLUSION US CONSTITUTION HALL OF SHAME

# Citizen WELLS News

← Jesus Campos vanished, David Hickey last to communicate with Campos investigated in 2012 for embezzlement, No one saw Campos be a hero, No one saw Steven Paddock pull a trigger, Quick Care has no record

Attorney Victoria Toensing client FBI informant blocked from revealing Russia nuclear corruption case to congress, Bill and Hillary Clinton pay to play, John Podesta heavily involved →

### Citizen News

#### CITIZEN NEWS

- Trump "I didn't need to do this" spoken in context of election and building the wall, He didn't need to do to get reelected, Faster for nation's security February 17, 2019
- Last print issue of Rhino Times, Rhinoceros Times moving to web as daily news, More topical and timely, Posturing to replace News Record? November 25, 2018

**David Hickey SPFPA 2012 Fed investigation, Security union's leader probed for possible fraud, Detroit News article scrubbed, Allegations labor boss stole money from union whose members guard nuclear power plants NASA space center**

<https://citizenwells.com/2017/10/17/david-hickey-spfpa-2012-fed-investigation-security-unions-leader-probed-for-possible-fraud-detroit-news-article-scrubbed-allegations-labor-boss-stole-money-from-union-whose-members-guard-nuclear/>

**David Hickey SPFPA 2012 Fed investigation, Security union's leader probed for possible fraud, Detroit News** article scrubbed, Allegations labor boss stole money from union whose members guard nuclear power plants NASA space center

Posted on October 17, 2017 | 29 Comments

David Hickey SPFPA 2012 **Fed investigation, Security union's leader probed for possible fraud, Detroit News** article scrubbed, Allegations labor boss stole money from union whose members guard nuclear power plants NASA space center

“Apparently Jesus Campos is not a licensed security guard in NV. Why is David Hickey representing him?”...Citizen Wells

“And if all others accepted the lie which the Party imposed –if all records told the same tale–then the lie passed into history and became truth. “Who controls the past,” ran the Party slogan, “controls the future: who controls the present controls the past.”...George Orwell, “1984”

“We are being lied to on a scale unimaginable by George Orwell.”...Citizen Wells

The following article, presented on April 20, 2012 by the Detroit News, is presented in its entirety since it was scrubbed.

“APRIL 20, 2012 AT 2:17 PM

## **SECURITY UNION’S LEADER PROBED FOR POSSIBLE FRAUD**

BY ROBERT SNELL

THE DETROIT NEWS

COMMENTS

Detroit— **Federal agents are investigating allegations a labor boss stole money from a union whose members** guard nuclear power plants, a NASA space center, auto plants and Detroit’s three casinos, The Detroit News has learned.

**Racketeering and fraud investigators recently raided the Security, Police and Fire Professionals of America’s international headquarters in Roseville and the Troy home of labor leader David Hickey,** according to federal court records obtained by The News.

Search and seizure warrants chronicle a quirky investigation that is focusing on the union’s finances and a labor leader who also performs as a popular magician.

Along with financial records, agents seized several cases filled with magic tricks, including a rubber dove, foam bricks and card tricks, according to federal search warrants filed in U.S. District Court in Detroit.

Agents probably suspect the magic tricks were purchased with money stolen from the union, said Peter Henning, a former federal prosecutor and current law professor at Wayne State University.

“If you find a bag of money, you take the bag of money. If you have a bag of tricks, then you seize the bag of tricks,” Henning said.

**Hickey, 58, international president of the Security, Police and Fire Professionals of America, declined comment.**

His lawyer, Robert Morgan, said agents were searching for evidence that Hickey may have stolen money from the union.

“I’m confident that when the government goes through all the records that there’s not going to be any basis to **charge Mr. Hickey with the offense of embezzlement of union assets,**” Morgan said.

He wouldn’t address why investigators seized Hickey’s magic tricks.

“The intriguing,” he said, “is intriguing.”

**The investigation involves the investigators from the Labor Department's Office of Labor Racketeering and Fraud Investigations.**

**The agency targets labor racketeering and corruption** in employee benefit plans, labor-management relations and internal union affairs, according to the office's website.

**PEER: MAGIC IS HICKEY'S LIFE**

At 24,519 members, the union is small, but important. The union bills itself as the country's largest and oldest security police union in the United States.

Members work at almost half of the country's 104 nuclear facilities — but at none of the Michigan sites — and guard NASA facilities including Cape Canaveral Air Force Station and Kennedy Space Center in Florida.

Its members work at Detroit's three casinos and at General Motors Co. and Chrysler Group LLC facilities. The union also has members in Puerto Rico and Canada.

Hickey, who served as a union director and as secretary/treasurer before being elected president 12 years ago, was paid \$156,639 last year, according to the union's most recent annual report filed with the Labor Department.

The union's total assets were almost \$6.23 million last year, which included almost \$4.7 million cash, according to the annual report.

**"We have cooperated fully with the Department of Labor** and will continue to do so," said Gordon Gregory, the union's general counsel.

The probe sheds light on Hickey's life in the magic community. Gregory calls it a "hobby."

**In his free time, Hickey performs magic tricks using the stage name Dave Devin,** friends said. He also invents and sells magic tricks and gags such as the Stretch-a-Buck

Hickey's stage name is listed as the resident agent of a company called **Magical Promotions Unlimited, LLC,** according to state business records. The company's address is the union headquarters on Kelly Road in Roseville.

Magician Keri Kazz of Mount Clemens met Hickey through a local magic shop. He said Hickey is known as a consultant for magicians who specialize in close-up tricks that rely on sleight of hand.

"I want to say magic is his hobby, but it's more like it's his life," Kazz said.

Hickey also invented and sells card tricks that are carried at area magic shops, including Wunderground Magic Shop in Clawson.

"He's a guy who produces a lot," Kazz said. "He's definitely a creative mind."

## **HOME, UNION HQ RAIDED**

**Hickey's professional and private life collided late last month.**

Federal agents armed with search warrants launched simultaneous raids March 28 at the union's international headquarters and Hickey's house.

Agents seized 43 items at the union headquarters, including Hickey's personal expense vouchers, bank and credit card statements, a union financial summary, cash receipts and audit paperwork.

They also left with at least eight boxes or cases filled with magic tricks, foam bricks, ropes, a rubber dove, DVDs and magic-related items carrying the name "Dave Devin."

Gregory, the union lawyer, wasn't concerned that agents seized magic items stored at the union headquarters.

"I was puzzled, frankly, and well, that's it," Gregory said.

**Labor Racketeering and Fraud Investigations Special Agent Megan Howell, who raided the union headquarters,** could not be reached for comment and the U.S. Attorney's Office declined comment.

While agents were hauling away Hickey's magic tricks, others were raiding his home in Troy.

Agents seized two Apple computers, a camcorder, portable DVD players, a woman's gold necklace and diamond charm, magic books and movies.

Union Vice President Mark Crawford said he knew about the raid at union headquarters, but not the Troy raid.

"We have nothing to worry about," Crawford said. "These are routine investigations."

**Hickey's job status has not changed as the probe continues.**

“There is absolutely no basis for any action,” said Gregory, the union’s lawyer.

The raids didn’t stop Hickey’s magic career.

One day after the raids, Hickey served as master of ceremonies during a magic show at the Emerald Theatre in downtown Mount Clemens.

rsnell@detnews.com

(313) 222-2028”

<https://web.archive.org/web/20120613041545/http://www.detroitnews.com/article/20120420/METRO/204200370>

The original link:

<http://www.detroitnews.com/article/20120420/METRO/204200370#ixzz1sb3xIs59>

← → × web.archive.org/web/20120613041545/http://www.detroitnews.com/article/20120420/METRO/204200370

INTERNET ARCHIVE  
Wayback Machine

http://www.detroitnews.com/article/20120420/METRO/204200370 Go MAY JUN 13 MAR  
2 captures  
13 Jun 2012 - 29 Mar 2013 2011 2012 2013 Rectangular Snip

eEdition | Stay Connected | Customer Service | Advertise | Classifieds | Homes | Jobs | Cars | Shopping

**The Detroit News**

# Metro and State

Home News Sports Business+Autos Entertainment+Lifestyle Opinion Photos Video

**TRENDING TOPICS** DETROIT FINANCES METRO CRASH SURVIVOR LIONS MINICAMP DPS ATTENDANCE BRENNAN BOESCH WOODWARD GARDEN RADIOHEAD

Home Metro Metro and State

APRIL 20, 2012 AT 2:17 PM

## Security union's leader probed for possible fraud

BY ROBERT SNELL THE DETROIT NEWS COMMENTS

*Detroit*— Federal agents are investigating allegations a labor boss stole money from a union whose members guard nuclear power plants, a NASA space center, auto plants and Detroit's three casinos, The Detroit News has learned.

Racketeering and fraud investigators recently raided the Security, Police and Fire Professionals of America's international headquarters in Roseville and the Troy home of labor leader David Hickey, according to federal court

Zoom  
Hickey )

ADVERTISEMENT

**Most Popular**

> Red Hot Chili Peppers' drummer sings 'The Victors' at Ohio State concert

aiting for web.archive.org...

<https://web.archive.org/web/20120613041545/http://www.detroitnews.com/article/20120420/METRO/204200370>

APRIL 20, 2012 AT 2:17 PM

Security union's leader probed for possible fraud

BY ROBERT SNELL THE DETROIT NEWS COMMENTS

Hickey Zoom

Hickey )

Detroit— **Federal agents are investigating allegations a labor boss stole money from a union whose members guard nuclear power plants, a NASA space center, auto plants and Detroit's three casinos,** The Detroit News has learned.

**Racketeering and fraud investigators recently raided the Security, Police and Fire Professionals of America's international headquarters in Roseville and the Troy home of labor leader David Hickey,** according to federal court records obtained by The News.

Search and seizure warrants chronicle a quirky investigation that is focusing on the union's finances and a labor leader who also performs as a popular magician.

Along with financial records, agents seized several cases filled with magic tricks, including a rubber dove, foam bricks and card tricks, according to federal search warrants filed in U.S. District Court in Detroit.

Agents probably suspect the magic tricks were purchased with money stolen from the union, said Peter Henning, a former federal prosecutor and current law professor at Wayne State University.

**"If you find a bag of money, you take the bag of money.** If you have a bag of tricks, then you seize the bag of tricks," Henning said.

**Hickey, 58, international president of the Security, Police and Fire Professionals of America, declined comment.**

His lawyer, Robert Morgan, said agents were searching for evidence that Hickey may have stolen money from the union.

"I'm confident that when the government goes through all the records that there's not going to be any basis to **charge Mr. Hickey with the offense of embezzlement of union assets**," Morgan said.

He wouldn't address why investigators seized Hickey's magic tricks.

"The intriguing," he said, "is intriguing."

**The investigation involves the investigators from the Labor Department's Office of Labor Racketeering and Fraud Investigations.** The agency targets labor racketeering and corruption in employee benefit plans, labor-management relations and internal union affairs, according to the office's website.

Peer: Magic is Hickey's life

At 24,519 members, the union is small, but important. The union bills itself as the country's largest and oldest security police union in the United States.

Members work at almost half of the country's 104 nuclear facilities — but at none of the Michigan sites — and guard NASA facilities including Cape Canaveral Air Force Station and Kennedy Space Center in Florida.

Its members work at Detroit's three casinos and at General Motors Co. and Chrysler Group LLC facilities. The union also has members in Puerto Rico and Canada.

Hickey, who served as a union director and as secretary/treasurer before being elected president 12 years ago, was paid \$156,639 last year, according to the union's most recent annual report filed with the Labor Department.

The union's total assets were almost \$6.23 million last year, which included almost \$4.7 million cash, according to the annual report.

**"We have cooperated fully with the Department of Labor and will continue to do so,"** said Gordon Gregory, the union's general counsel.

The probe sheds light on Hickey's life in the magic community. Gregory calls it a "hobby."

In his free time, Hickey performs magic tricks using the stage name Dave Devin, friends said. He also invents and sells magic tricks and gags such as the Stretch-a-Buck.

Hickey's stage name is listed as the resident agent of a company called Magical Promotions Unlimited, LLC, according to state business records. The company's address is the union headquarters on Kelly Road in Roseville.

Magician Keri Kazz of Mount Clemens met Hickey through a local magic shop. He said Hickey is known as a consultant for magicians who specialize in close-up tricks that rely on sleight of hand.

"I want to say magic is his hobby, but it's more like it's his life," Kazz said.

Hickey also invented and sells card tricks that are carried at area magic shops, including Wunderground Magic Shop in Clawson.

"He's a guy who produces a lot," Kazz said. "He's definitely a creative mind."

Home, union HQ raided

Hickey's professional and private life collided late last month.

Federal agents armed with search warrants launched simultaneous raids March 28 at the union's international headquarters and Hickey's house.

**Agents seized 43 items at the union headquarters, including Hickey's personal expense vouchers, bank and credit card statements, a union financial summary, cash receipts and audit paperwork.**

They also left with at least eight boxes or cases filled with magic tricks, foam bricks, ropes, a rubber dove, DVDs and magic-related items carrying the name "Dave Devin."

Gregory, the union lawyer, wasn't concerned that agents seized magic items stored at the union headquarters.

"I was puzzled, frankly, and well, that's it," Gregory said.

**Labor Racketeering and Fraud Investigations Special Agent Megan Howell, who raided the union headquarters, could not be reached for comment** and the U.S. Attorney's Office declined comment.

While agents were hauling away Hickey's magic tricks, others were raiding his home in Troy.

Agents seized two Apple computers, a camcorder, portable DVD players, a woman's gold necklace and diamond charm, magic books and movies.

Union Vice President Mark Crawford said he knew about the raid at union headquarters, but not the Troy raid.

"We have nothing to worry about," Crawford said. "These are routine investigations."

Hickey's job status has not changed as the probe continues.

"There is absolutely no basis for any action," said Gregory, the union's lawyer.

The raids didn't stop Hickey's magic career.

One day after the raids, Hickey served as master of ceremonies during a magic show at the Emerald Theatre in downtown Mount Clemens.

rsnell@detnews.com

(313) 222-2028

<https://web.archive.org/web/20120613041545/http://www.detroitnews.com/article/20120420/METRO/204200370>

Feds Raided Home of Jesus Campos' Handler & Union Boss; Vegas Security Guard's Union Has Long History of Corruption

<https://truepundit.com/feds-raided-home-of-jesus-campos-handler-vegas-security-guards-union-has-long-history-of-corruption/>

# Feds Raided Home of Jesus Campos' Handler & Union Boss; Vegas Security Guard's Union Has Long History of Corruption

The Las Vegas shooting story grows yet even more bizarre. Jesus Campos' union handler and spokesman **David Hickey has been the target of a federal corruption and racketeering probe, according to records and federal sources.**

**And the union Hickey is president of, Campos' union, has a long list of convicted felons who committed crimes while employed by the union: The Security, Police, and Fire Professionals of America.**

Hickey is also a magician. More on that later.

Campos has been lauded as a hero who helped thwart Las Vegas shooter Stephen Paddock, however, Campos has gone on the lam.

Let's begin with Hickey, who was in Las Vegas last week serving as Campos' spokesman and handler before the 25-year-old security guard vanished. No one has seen Campos publicly in nearly a week.

**Federal agents raided Hickey's home in Troy, Michigan and seized evidence as part of a corruption and racketeering probe,** according to federal records. **Hickey was suspected of stealing money from union members** employed by a NASA space center and nuclear power facilities. Federal agents also raided the union's headquarters in Roseville, Michigan. Both raids were in 2012.

Among the items seized from Hickey's home were crates of new and unopened magic trick kits. Hickey, in addition to being a union boss and Campos' handler, is also a magician. (This is not a joke).

The revelation that Hickey is also a magician immediately raises a legitimate question: Did the union boss help Campos disappear?

Hickey did not return requests for comment. We sent a reporter to Campos' home in Las Vegas as well for comment. An armed security guard refused our reporter access to Campos' house.

No charges have been filed against Hickey.

But charges have been filed against Hickey's union underbosses. Many charges.

**In Oct. 2016, Hickey's predecessor union president Devon Madray plead guilty to embezzling funds from Campos' union.** She was fired and sentenced in federal court.

**Other criminal action against Hickey’s union include:**

Date	Description
<b>October 25th, 2016</b>	On October 25, 2016, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), was sentenced to three years diversion and was ordered to pay restitution totaling \$1,669 for a felony conviction and one year of probation for a misdemeanor conviction. On September 28, 2016, Cloyd pled guilty to Theft by Failure to Make Required Disposition, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. The sentencing follows an investigation by the OLMS Cincinnati-Cleveland District Office.
<b>September 28th, 2016</b>	On September 28, 2016, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), pled guilty to Theft by Failure to Make Required Disposition over \$500, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. Sentencing is scheduled for October 25, 2016. The plea follows an investigation by the OLMS Cincinnati-Cleveland District Office.

iteqorv/sports/

<https://truepundit.com/feds-raided-home-of-jesus-campos-handler-vegas-security-guards-union-has-long-history-of-corruption/>

<p><b>May 30th, 2013</b></p>	<p>On May 30, 2013, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), pled guilty to a one-count information for embezzlement of union funds in the amount of \$16,367.96, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS New Orleans District Office.</p>
<p><b>November 7th, 2012</b></p>	<p>On November 7, 2012, in the Texas 176th Criminal District Court, Kemberly Fields, a former Texas commissioned law officer and former President of Security, Police, and Fire Professionals of America (SPFPA) Local 300 (located in Harris County, Tex.), was sentenced to three years of confinement and was ordered to pay \$5,644.40 in restitution and a \$5,000 fine. On November 5, 2012, a jury found Fields guilty following a trial for aggregate theft from a nonprofit organization, in violation of Texas Criminal Statute Section 31.03. The sentencing follows an investigation by the OLMS New Orleans District Office.</p>
<p><b>April 6th, 2012</b></p>	<p>On April 6, 2012, in the United States for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), was sentenced to four years of probation and was ordered to pay restitution of \$9,122.44 and a \$100 special assessment. On January 6, 2012, Meizlik pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C.</p>

<https://truepundit.com/feds-raided-home-of-jesus-campos-handler-vegas-security-guards-union-has-long-history-of-corruption/>

<p><b>April 6th, 2012</b></p>	<p>On April 6, 2012, in the United States for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), was sentenced to four years of probation and was ordered to pay restitution of \$9,122.44 and a \$100 special assessment. On January 6, 2012, Meizlik pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.</p>
<p><b>January 6th, 2012</b></p>	<p>On January 6, 2012, in the United States District Court for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Washington District Office.</p>
<p><b>December 17th, 2010</b></p>	<p>On December 17, 2010, in the United States District Court for the Central District of Illinois, James Correll, former President of the Security, Police, and Fire Professionals of America (SPFPA) Local 238 (located in Morrison, Ill.), was sentenced to two years of probation with the first six months to be served in home detention and was ordered to pay restitution in the amount of \$22,286. On August 19, 2010, Correll pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Chicago District Office.</p>

<https://truepundit.com/feds-raided-home-of-jesus-campos-handler-vegas-security-guards-union-has-long-history-of-corruption/>

**October  
6th, 2010**

On October 6, 2010, in the United States District Court for the Eastern District of Wisconsin, Craig A. Bohn, former Financial Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 558 (located in Green Bay, WI), was sentenced to one year probation, a \$1,500 fine, and a \$100 special assessment. Bohn previously made restitution in the amount of \$5,000. On June 18, 2010, Bohn pled guilty to two counts of creating false union records. The sentencing follows an investigation by the OLMS Milwaukee District Office.

**August  
19th, 2010**

On August 19, 2010, in the United States District Court for the Central District of Illinois, James Patrick Correll, former president of the Security, Police and Fire Professionals of America Local 238 (located in Morrison, Ill.) pled guilty to an information charging him with embezzling and converting to his own use union funds in the amount of \$22,278. The plea follows an investigation by the OLMS Chicago District Office.

**February  
18th, 2010**

On February 18, 2010, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police, Fire Professionals, Ind., Local 598 (located in Roseville, Miss.), pled guilty to one count of embezzling union funds in the amount of \$10,690 and was sentenced to 24 months probation and ordered to pay a \$100 special assessment. The sentencing follows an investigation by the OLMS Nashville District Office.

com/category/entertainment/

<https://truepundit.com/feds-raided-home-of-jesus-campos-handler-vegas-security-guards-union-has-long-history-of-corruption/>

<p><b>December 7th, 2009</b></p>	<p>On December 7, 2009, in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals (SPFPA) (located in San Bernardino, Calif.), was sentenced to one year of probation. On September 24, 2009, Wuest pled guilty to a charge of concealment or destruction of union records. The sentencing follows an investigation by the OLMS Phoenix Resident Investigator Office.</p>
<p><b>December 1st, 2009</b></p>	<p>On December 1, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was sentenced to six months imprisonment, followed by three years of supervised release and ordered to pay restitution in the amount of \$ 18, 818.74. On July 31, 2009, Drawdy pled guilty to embezzling union funds in the amount of \$17,900. The sentencing follows an investigation by the OLMS Miami Resident Investigator Office.</p>
<p><b>September 24th, 2009</b></p>	<p>On September 24, 2009, in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals Union Officer, Ind. (located in Phoenix, Ariz.), pled guilty to one count of willful concealment and destruction of required union records. On September 9, 2009, Wuest was charged with the same offenses. The plea follows an investigation by the OLMS Phoenix Resident Investigator Office.</p>

n/category/entertainment/

<https://truepundit.com/feds-raided-home-of-jesus-campos-handler-vegas-security-guards-union-has-long-history-of-corruption/>

**July 31st,  
2009**

On July 31, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.) pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900. The plea follows an investigation by the OLMS Miami Resident Office.

**February  
24th, 2006**

On February 24, 2006, in the 81st Indiana Judicial Circuit in Lawrence County, Indiana, William F. Campbell, former President of Security, Police, & Fire Professionals of America, Local 10, pled guilty to theft in the amount of \$3,894. He was sentenced to a suspended confinement of one year and six months, thirty days house arrest, fifteen days of working on a road crew, and one year and six months of probation. Campbell was also ordered to make full restitution to the local. The guilty plea and sentence follow an investigation by the OLMS Cincinnati District Office.

Source: Center for Union Facts

Share:



<https://truepundit.com/feds-raided-home-of-jesus-campos-handler-vegas-security-guards-union-has-long-history-of-corruption/>

## SECURITY POLICE AND FIRE PROFESSIONALS

 BASIC INFO  
  FINANCIALS  
  SPENDING  
  MEMBERS & DUES  
  LEADERS & SALARIES  
  **CRIME & CORRUPTION**  
  PENSIONS  
  DECERTIFICATIONS  
  UNFAIR LABOR PRACTICES  
  STRIKES

### CRIME, CORRUPTION & RACKETEERING

The Office of Labor-Management Standards (OLMS) conducts investigations to determine if violations of the Labor-Management Relations and Disclosure Act (LMRDA) provisions have occurred.

Investigations are initiated based on various sources such as complaints from union members; information developed by OLMS as a result of reviewing reports filed; information developed during an OLMS audit of

### FINANCIAL AUDITS

The Office of Labor-Management Standards (OLMS) has responsibility under the Labor-Management Relations and Disclosure Act (LMRDA) to conduct audits to determine if unions are complying with the law.

OLMS uses a streamlined audit approach called the Compliance Audit Program (CAP) to audit local unions which utilizes specialized records review and investigative techniques to verify LMRDA compliance.

[https://www.unionfacts.com/union/Security\\_Police\\_and\\_Fire\\_Professionals#crime-tab](https://www.unionfacts.com/union/Security_Police_and_Fire_Professionals#crime-tab)

← → ↻ unionfacts.com/union/Security\_Police\_and\_Fire\_Professionals#crime-tab

Rectangular Snip

### CRIME, CORRUPTION & RACKETEERING

The Office of Labor-Management Standards (OLMS) conducts investigations to determine if violations of the Labor-Management Relations and Disclosure Act (LMRDA) provisions have occurred.

Investigations are initiated based on various sources such as complaints from union members; information developed by OLMS as a result of reviewing reports filed; information developed during an OLMS audit of a union's books and records; and information obtained from other government agencies. Investigations may involve civil matters (such as an election of union officers) or criminal matters (such as embezzlement of union funds).

### CORRUPTION AND EMBEZZLEMENT CHARGES

Type of Criminal Activity	Number of Incidents
criminal charges	14
embezzlement charges	16
Guilty Pleas	15
Indictments	5
Officials Sentenced	12

### FINANCIAL AUDITS

The Office of Labor-Management Standards (OLMS) has responsibility under the Labor-Management Relations and Disclosure Act (LMRDA) to conduct audits to determine if unions are complying with the law.

OLMS uses a streamlined audit approach called the Compliance Audit Program (CAP) to audit local unions which utilizes specialized records review and investigative techniques to verify LMRDA compliance.

Local	Date	View Audit
SPFPA Local 452	June 20, 2016	<a href="#">Full Audit Text</a>
SPFPA Local 554	July 15, 2015	<a href="#">Full Audit Text</a>
SPFPA Local 256	November 6, 2012	<a href="#">Full Audit Text</a>
SPFPA Local 5	June 4, 2012	<a href="#">Full Audit Text</a>
SPFPA Local 723	January 18, 2012	<a href="#">Full Audit Text</a>
SPFPA Local 265	July 20, 2011	<a href="#">Full Audit Text</a>
SPFPA Local 263	September 22, 2010	<a href="#">Full Audit Text</a>
SPFPA Local 511	June 14, 2010	<a href="#">Full Audit Text</a>
SPFPA Local 214	May 18, 2010	<a href="#">Full Audit Text</a>

[https://www.unionfacts.com/union/Security\\_Police\\_and\\_Fire\\_Professionals#crime-tab](https://www.unionfacts.com/union/Security_Police_and_Fire_Professionals#crime-tab)

← → ↻ unionfacts.com/union/Security\_Police\_and\_Fire\_Professionals#crime-tab

### CORRUPTION AND EMBEZZLEMENT CHARGES

Type of Criminal Activity	Number of Incidents
criminal charges	14
embezzlement charges	16
Guilty Pleas	15
Indictments	5
Officials Sentenced	12

*Some incidents may be accounted for in multiple categories.*  
**Source:** Office of Labor-Management Standards  
**Last Updated:** November 15th, 2016

SPFFPA Local 554	July 15, 2015	Full Audit Text
SPFFPA Local 256	November 6, 2012	Full Audit Text
SPFFPA Local 5	June 4, 2012	Full Audit Text
SPFFPA Local 725	January 18, 2012	Full Audit Text
SPFFPA Local 265	July 20, 2011	Full Audit Text
SPFFPA Local 263	September 22, 2010	Full Audit Text
SPFFPA Local 511	June 14, 2010	Full Audit Text
SPFFPA Local 214	May 18, 2010	Full Audit Text
SPFFPA Local 48	April 30, 2010	Full Audit Text
SPFFPA Local 547	January 21, 2009	Full Audit Text
SPFFPA Local 109	May 29, 2008	Full Audit Text
SPFFPA Local 5	June 5, 2007	Full Audit Text
SPFFPA Local 250	August 9, 2006	Full Audit Text
SPFFPA Local 558	July 21, 2005	Full Audit Text
SPFFPA Local 405	May 5, 2005	Full Audit Text

**Source:** Office of Labor-Management Standards  
**Last Updated:** November 15th, 2016

tps://www.unionfacts.com/audit\_pdfs/SPFFPA\_LU554\_07-15-15.pdf

[https://www.unionfacts.com/union/Security\\_Police\\_and\\_Fire\\_Professionals#crime-tab](https://www.unionfacts.com/union/Security_Police_and_Fire_Professionals#crime-tab)

← → ↻ unionfacts.com/olmscrime/Security\_Police\_and\_Fire\_Professionals/criminal\_charges ☆

🏠 / Union Profiles / Security Police and Fire Professionals / criminal charges -- select a union --

## SECURITY POLICE AND FIRE PROFESSIONALS

### CRIMINAL CHARGES

#### OFFICE OF LABOR-MANAGEMENT ENFORCEMENT

The Office of Labor-Management Standards (OLMS) conducts both civil and criminal investigations of alleged violations of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws.

These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

Date	Description
July 14th, 2016	On July 14, 2016, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFFPA) Local 112 (located in Alexandria, Ky.), was charged in a one-count indictment for felony theft by failure to make required disposition of property, value \$500 or more, in violation of KRS 514.070. The indictment follows an investigation by the OLMS Cincinnati-Cleveland District Office.

[https://www.unionfacts.com/olmscrime/Security\\_Police\\_and\\_Fire\\_Professionals/criminal\\_charges](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/criminal_charges)

unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/criminal_charges	
<b>January 16th, 2014</b>	On January 16, 2014, in the 421st Judicial District Court, Caldwell County, Texas, David Martinez, former Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 267 (located in Austin, Tex.), was sentenced to five years of probation and was ordered to pay restitution in the amount of \$10,512 and a \$1,500 fine. On April 12, 2013, Martinez was charged with felony theft in the value of \$1,500 or more but less than \$20,000, in violation of Texas State Penal Code 31.03. The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.
<b>September 24th, 2013</b>	On September 24, 2013, in the State of Texas, 118th District Court, Howard County, Carl Green, former Treasurer of Security, Police, and Fire Professionals (SPFPA) Local 126 (located in Big Springs, Tex.), was charged with unlawfully appropriating property of another. The charge follows an investigation by the OLMS Dallas District Office.
<b>April 25rd, 2013</b>	On April 23, 2013, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), was charged in a one-count information with embezzlement of union funds in the amount of \$16,367.96, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS New Orleans District Office.
<b>April 17th, 2012</b>	On April 17, 2012, in the Harris County, Texas District Court, Kemberly Fields, former President of Security Police and Fire Professionals of America (SPFPA), Local 300 (located at the Johnson Space Center in Houston, Tex.), was charged and arrested for embezzling approximately \$23,000 in union funds, in violation of Texas Statute 32.45 a€ Misapplication of Fiduciary Property. The charge and arrest follow an investigation by the OLMS New Orleans District Office.
<b>December 2nd, 2011</b>	On December 2, 2011, in the United States District Court for the Eastern District of Virginia, an information was filed against Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), charging him with one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Washington District Office.
<b>November 23rd, 2011</b>	On November 23, 2011, in the United States District Court for the Eastern District of Michigan, Sherry Thompson, former Financial Secretary for Security, Police, Fire Professionals of America (SPFPA) Local 121 (located in Detroit, Mich.), was charged in a criminal complaint with embezzling \$17,578.62 in union funds, filing a false financial report, and making false entries in union records. The charges follow an investigation by the OLMS Detroit District Office.

[https://www.unionfacts.com/olmscrime/Security Police and Fire Professionals/criminal\\_charges](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/criminal_charges)

unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/criminal_charges	
<b>August 19th, 2010</b>	On August 19, 2010, in the United States District Court for the Central District of Illinois, James Patrick Correll, former president of the Security, Police and Fire Professionals of America Local 238 (located in Morrison, Ill.) pled guilty to an information charging him with embezzling and converting to his own use union funds in the amount of \$22,278. The plea follows an investigation by the OLMS Chicago District Office.
<b>December 7th, 2009</b>	On December 7, 2009, in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals (SPFPA) (located in San Bernardino, Calif.), was sentenced to one year of probation. On September 24, 2009, Wuest pled guilty to a charge of concealment or destruction of union records. The sentencing follows an investigation by the OLMS Phoenix Resident Investigator Office.
<b>September 24th, 2009</b>	On September 24, 2009, in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals Union Officer, Ind. (located in Phoenix, Ariz.), pled guilty to one count of willful concealment and destruction of required union records. On September 9, 2009, Wuest was charged with the same offenses. The plea follows an investigation by the OLMS Phoenix Resident Investigator Office.
<b>July 31st, 2009</b>	On July 31, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.) pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900. The plea follows an investigation by the OLMS Miami Resident Office.
<b>April 10th, 2009</b>	On April 10, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was indicted on sixteen counts of embezzling union funds in the amount of approximately \$17,900. The charge follows an investigation by the OLMS Miami Resident Investigator Office.
<b>December 29th, 2005</b>	On December 29, 2005, in the 81st Indiana Judicial Circuit in Lawrence County, Indiana, an information was filed against William F. Campbell, former President of Security, Police, & Fire Professionals of America Local 10, charging him with one count of felony theft in the amount of \$3,894.36. The indictment follows an investigation by the OLMS Cincinnati District Office.
<b>September 17th, 2003</b>	On September 17, 2003, in Marion County (Indiana) Superior Court, Jo Ellen Tumey, former president of Security, Police and Fire Professionals of America Local 4, was charged in an information with embezzling \$2,470.88 in union funds. The charges were brought following an investigation by the OLMS Cincinnati District Office.

[https://www.unionfacts.com/olmscrime/Security Police and Fire Professionals/criminal\\_charges](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/criminal_charges)

unionfacts.com/olmscrime/Security\_Police\_and\_Fire\_Professionals/criminal\_charges

**July 31st, 2009** On July 31, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.) pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900. The plea follows an investigation by the OLMS Miami Resident Office.

**April 10th, 2009** On April 10, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was indicted on sixteen counts of embezzling union funds in the amount of approximately \$17,900. The charge follows an investigation by the OLMS Miami Resident Investigator Office.

**December 29th, 2005** On December 29, 2005, in the 81st Indiana Judicial Circuit in Lawrence County, Indiana, an information was filed against William F. Campbell, former President of Security, Police, & Fire Professionals of America Local 10, charging him with one count of felony theft in the amount of \$3,894.36. The indictment follows an investigation by the OLMS Cincinnati District Office.

**September 17th, 2005** On September 17, 2005, in Marion County (Indiana) Superior Court, Jo Ellen Tumey, former president of Security, Police and Fire Professionals of America Local 4, was charged in an information with embezzling \$2,470.88 in union funds. The charges were brought following an investigation by the OLMS Cincinnati District Office.

Looking for something? © 2019 Center for Union Facts Sign up for email updates:

Find Your Union Our Advertisements The Center for Union Facts is a 501(c)(3) nonprofit SIGN UP

[https://www.unionfacts.com/olmscrime/Security Police and Fire Professionals/criminal charges](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/criminal_charges)

unionfacts.com/olmscrime/Security\_Police\_and\_Fire\_Professionals/embezzlement\_charges



**UNIONFACTS.COM** Google Custom Search

EMPLOYEE RIGHTS FACTS UNION PROFILES RESOURCES MEDIA & ADS BLOG ABOUT US HELP US

/ Union Profiles / Security Police and Fire Professionals / embezzlement charges

SECURITY POLICE AND FIRE PROFESSIONALS

**EMBEZZLEMENT CHARGES**

**OFFICE OF LABOR-MANAGEMENT ENFORCEMENT**

The Office of Labor-Management Standards (OLMS) conducts both civil and criminal investigations of alleged violations of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws.

These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

[https://www.unionfacts.com/olmscrime/Security Police and Fire Professionals/embezzlement charges](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/embezzlement_charges)

These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

Date	Description
September 5th, 2013	On September 5, 2013, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in New Orleans, La.), was sentenced to two years of probation, including six months of home confinement, for embezzlement of union funds, in violation of 29 U.S.C. 501(c). Boudoin was also ordered to pay restitution, in the amount of \$16,398. Boudoin had previously made restitution in the amount of \$20,988. The sentencing follows an investigation by the OLMS New Orleans District Office.
May 30th, 2013	On May 30, 2013, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), pled guilty to a one-count information for embezzlement of union funds in the amount of \$16,367.96, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS New Orleans District Office.
April 23rd, 2013	On April 23, 2013, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), was charged in a one-count information with embezzlement of union funds in the amount of \$16,367.96, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS New Orleans District Office.
April 17th, 2012	On April 17, 2012, in the Harris County, Texas District Court, Kemberly Fields, former President of Security Police and Fire Professionals of America (SPFPA), Local 300 (located at the Johnson Space Center in Houston, Tex.), was charged and arrested for embezzling approximately \$23,000 in union funds, in violation of Texas Statute 32.45 "Misapplication of Fiduciary Property. The charge and arrest follow an investigation by the OLMS New Orleans District Office.
April 6th, 2012	On April 6, 2012, in the United States for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), was sentenced to four years of probation and was ordered to pay restitution of \$9,122.44 and a \$100 special assessment. On January 6, 2012, Meizlik pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The

[https://www.unionfacts.com/olmscrime/Security\\_Police\\_and\\_Fire\\_Professionals/embezzlement\\_charges](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/embezzlement_charges)

April 6th, 2012	On April 6, 2012, in the United States for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), was sentenced to four years of probation and was ordered to pay restitution of \$9,122.44 and a \$100 special assessment. On January 6, 2012, Meizlik pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.
January 6th, 2012	On January 6, 2012, in the United States District Court for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Washington District Office.
December 2nd, 2011	On December 2, 2011, in the United States District Court for the Eastern District of Virginia, an information was filed against Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), charging him with one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Washington District Office.
November 23rd, 2011	On November 23, 2011, in the United States District Court for the Eastern District of Michigan, Sherry Thompson, former Financial Secretary for Security, Police, Fire Professionals of America (SPFPA) Local 121 (located in Detroit, Mich.), was charged in a criminal complaint with embezzling \$17,578.62 in union funds, filing a false financial report, and making false entries in union records. The charges follow an investigation by the OLMS Detroit District Office.
December 17th, 2010	On December 17, 2010, in the United States District Court for the Central District of Illinois, James Correll, former President of the Security, Police, and Fire Professionals of America (SPFPA) Local 238 (located in Morrison, Ill.), was sentenced to two years of probation with the first six months to be served in home detention and was ordered to pay restitution in the amount of \$22,286. On August 19, 2010, Correll pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Chicago District Office.
August 19th, 2010	On August 19, 2010, in the United States District Court for the Central District of Illinois, James Patrick Correll, former president of the Security, Police and Fire Professionals of America Local 238 (located in Morrison, Ill.) pled guilty to an information charging him with embezzling and converting to his own use union funds in the amount of \$22,278. The plea follows an investigation by the OLMS Chicago District Office.

[https://www.unionfacts.com/olmscrime/Security\\_Police\\_and\\_Fire\\_Professionals/embezzlement\\_charges](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/embezzlement_charges)

<b>February 18th, 2010</b>	On February 18, 2010, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police, Fire Professionals, Ind., Local 598 (located in Roseville, Miss.), pled guilty to one count of embezzling union funds in the amount of \$10,690 and was sentenced to 24 months probation and ordered to pay a \$100 special assessment. The sentencing follows an investigation by the OLMS Nashville District Office.
<b>December 1st, 2009</b>	On December 1, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was sentenced to six months imprisonment, followed by three years of supervised release and ordered to pay restitution in the amount of \$ 18, 818.74. On July 31, 2009, Drawdy pled guilty to embezzling union funds in the amount of \$17,900. The sentencing follows an investigation by the OLMS Miami Resident Investigator Office.
<b>August 6th, 2009</b>	On August 6, 2009, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police and Fire Professionals, Ind. Local 598 (located in Huntsville, Ala.), was indicted on one count of embezzling union funds in the amount of \$10,690. The indictment follows an investigation by the OLMS Nashville District Office.
<b>July 31st, 2009</b>	On July 31, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.) pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900. The plea follows an investigation by the OLMS Miami Resident Office.
<b>April 10th, 2009</b>	On April 10, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was indicted on sixteen counts of embezzling union funds in the amount of approximately \$17,900. The charge follows an investigation by the OLMS Miami Resident Investigator Office.
<b>September 17th, 2003</b>	On September 17, 2003, in Marion County (Indiana) Superior Court, Jo Ellen Tumey, former president of Security, Police and Fire Professionals of America Local 4, was charged in an information with embezzling \$2,470.88 in union funds. The charges were brought following an investigation by the OLMS Cincinnati District Office.

[https://www.unionfacts.com/olmscrime/Security Police and Fire Professionals/embezzlement charges](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/embezzlement_charges)

The screenshot shows the website interface for Union Facts. At the top, there is a navigation bar with the Union Facts logo and the text 'UNIONFACTS.COM'. Below this is a menu with links for 'EMPLOYEE RIGHTS', 'FACTS', 'UNION PROFILES', 'RESOURCES', 'MEDIA & ADS', 'BLOG', 'ABOUT US', and 'HELP US'. A search bar is also present. The main content area shows a breadcrumb trail: '/ Union Profiles / Security Police and Fire Professionals / Guilty Pleas'. Below this is a heading 'SECURITY POLICE AND FIRE PROFESSIONALS' and a sub-heading 'GUILTY PLEAS'. The main text describes the 'OFFICE OF LABOR-MANAGEMENT ENFORCEMENT' and states: 'The Office of Labor-Management Standards (OLMS) conducts both civil and criminal investigations of alleged violations of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws. These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.'

[https://www.unionfacts.com/olmscrime/Security Police and Fire Professionals/Guilty Pleas](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Guilty_Pleas)

## GUILTY PLEAS

### OFFICE OF LABOR-MANAGEMENT ENFORCEMENT

The Office of Labor-Management Standards (OLMS) conducts both civil and criminal investigations of alleged violations of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws.

These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

Date	Description
<b>October 25th, 2016</b>	On October 25, 2016, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), was sentenced to three years diversion and was ordered to pay restitution totaling \$1,669 for a felony conviction and one year of probation for a misdemeanor conviction. On September 28, 2016, Cloyd pled guilty to Theft by Failure to Make Required Disposition, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. The sentencing follows an investigation by the OLMS Cincinnati-Cleveland District Office.
<b>September 28th, 2016</b>	On September 28, 2016, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), pled guilty to Theft by Failure to Make Required Disposition over \$500, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. Sentencing is scheduled for October 25, 2016. The plea follows an investigation by the OLMS Cincinnati-Cleveland District Office.

[https://www.unionfacts.com/olmscrime/Security\\_Police and Fire Professionals/Guilty Pleas](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Guilty_Pleas)

<b>May 30th, 2015</b>	On May 30, 2013, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), pled guilty to a one-count information for embezzlement of union funds in the amount of \$16,367.96, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS New Orleans District Office.
<b>November 7th, 2012</b>	On November 7, 2012, in the Texas 176th Criminal District Court, Kemberly Fields, a former Texas commissioned law officer and former President of Security, Police, and Fire Professionals of America (SPFPA) Local 300 (located in Harris County, Tex.), was sentenced to three years of confinement and was ordered to pay \$5,644.40 in restitution and a \$5,000 fine. On November 5, 2012, a jury found Fields guilty following a trial for aggregate theft from a nonprofit organization, in violation of Texas Criminal Statute Section 31.05. The sentencing follows an investigation by the OLMS New Orleans District Office.
<b>April 6th, 2012</b>	On April 6, 2012, in the United States for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), was sentenced to four years of probation and was ordered to pay restitution of \$9,122.44 and a \$100 special assessment. On January 6, 2012, Meizlik pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.
<b>January 6th, 2012</b>	On January 6, 2012, in the United States District Court for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Washington District Office.
<b>December 17th, 2010</b>	On December 17, 2010, in the United States District Court for the Central District of Illinois, James Correll, former President of the Security, Police, and Fire Professionals of America (SPFPA) Local 238 (located in Morrison, Ill.), was sentenced to two years of probation with the first six months to be served in home detention and was ordered to pay restitution in the amount of \$22,286. On August 19, 2010, Correll pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Chicago District Office.
<b>October 6th, 2010</b>	On October 6, 2010, in the United States District Court for the Eastern District of Wisconsin, Craig A. Bohn, former Financial Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 558 (located in Green Bay, WI), was sentenced to one year probation, a \$1,500 fine, and a \$100 special assessment. Bohn previously made restitution in the amount of \$5,000. On June 18, 2010, Bohn pled guilty to two counts of creating false union records. The sentencing follows an investigation by the OLMS Milwaukee District Office.

[https://www.unionfacts.com/olmscrime/Security\\_Police and Fire Professionals/Guilty Pleas](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Guilty_Pleas)

- August 19th, 2010** On August 19, 2010, in the United States District Court for the Central District of Illinois, James Patrick Correll, former president of the Security, Police and Fire Professionals of America Local 238 (located in Morrison, Ill), pled guilty to an information charging him with embezzling and converting to his own use union funds in the amount of \$22,278. The plea follows an investigation by the OLMS Chicago District Office.
- February 18th, 2010** On February 18, 2010, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police, Fire Professionals, Ind., Local 598 (located in Roseville, Miss.), pled guilty to one count of embezzling union funds in the amount of \$10,690 and was sentenced to 24 months probation and ordered to pay a \$100 special assessment. The sentencing follows an investigation by the OLMS Nashville District Office.
- December 7th, 2009** On December 7, 2009, in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals (SPFPA) (located in San Bernardino, Calif.), was sentenced to one year of probation. On September 24, 2009, Wuest pled guilty to a charge of concealment or destruction of union records. The sentencing follows an investigation by the OLMS Phoenix Resident Investigator Office.
- December 1st, 2009** On December 1, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was sentenced to six months imprisonment, followed by three years of supervised release and ordered to pay restitution in the amount of \$ 18, 818.74. On July 31, 2009, Drawdy pled guilty to embezzling union funds in the amount of \$17,900. The sentencing follows an investigation by the OLMS Miami Resident Investigator Office.
- September 24th, 2009** On September 24, 2009, in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals Union Officer, Ind. (located in Phoenix, Ariz.), pled guilty to one count of willful concealment and destruction of required union records. On September 9, 2009, Wuest was charged with the same offenses. The plea follows an investigation by the OLMS Phoenix Resident Investigator Office.
- July 31st, 2009** On July 31, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.) pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900. The plea follows an investigation by the OLMS Miami Resident Office.

[https://www.unionfacts.com/olmscrime/Security\\_Police and Fire Professionals/Guilty Pleas](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Guilty_Pleas)

- July 31st, 2009** On July 31, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.) pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900. The plea follows an investigation by the OLMS Miami Resident Office.
- February 24th, 2006** On February 24, 2006, in the 81st Indiana Judicial Circuit in Lawrence County, Indiana, William F. Campbell, former President of Security, Police, & Fire Professionals of America, Local 10, pled guilty to theft in the amount of \$3,894. He was sentenced to a suspended confinement of one year and six months, thirty days house arrest, fifteen days of working on a road crew, and one year and six months of probation. Campbell was also ordered to make full restitution to the local. The guilty plea and sentence follow an investigation by the OLMS Cincinnati District Office.

Looking for something?

- Find Your Union
- Employee Rights
- Vital Stats
- Union Member Resources
- Our Advertisements
- Help Us
- About CUF
- Privacy Policy

© 2019 Center for Union Facts

The Center for Union Facts is a 501(c)(3) nonprofit organization that fights for transparency and accountability in America's labor movement.

Sign up for email updates:

[https://www.unionfacts.com/olmscrime/Security\\_Police and Fire Professionals/Guilty Pleas](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Guilty_Pleas)

## SECURITY POLICE AND FIRE PROFESSIONALS

### INDICTMENTS

#### OFFICE OF LABOR-MANAGEMENT ENFORCEMENT

The Office of Labor-Management Standards (OLMS) conducts both civil and criminal investigations of alleged violations of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws.

These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

[https://www.unionfacts.com/olmscrime/Security\\_Police\\_and\\_Fire\\_Professionals/Indictments](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Indictments)

These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

Date	Description
July 14th, 2016	On July 14, 2016, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), was charged in a one-count indictment for felony theft by failure to make required disposition of property, value \$500 or more, in violation of KRS 514.070. The indictment follows an investigation by the OLMS Cincinnati-Cleveland District Office.
April 10th, 2015	On April 10, 2015, in the 421st Judicial District of Texas, David Martinez, former Financial Secretary of the Security, Police, and Fire Professionals of America (SPFPA) Local 267 (formerly located in Lockhart, Tex.), was indicted for theft of property valued between \$1,500 and \$20,000, in violation of the Texas Penal Code 31.05. The indictment follows an investigation by the OLMS New Orleans District Office.
August 6th, 2009	On August 6, 2009, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police and Fire Professionals, Ind. Local 598 (located in Huntsville, Ala.), was indicted on one count of embezzling union funds in the amount of \$10,690. The indictment follows an investigation by the OLMS Nashville District Office.
April 10th, 2009	On April 10, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was indicted on sixteen counts of embezzling union funds in the amount of approximately \$17,900. The charge follows an investigation by the OLMS Miami Resident Investigator Office.
December 29th, 2005	On December 29, 2005, in the 81st Indiana Judicial Circuit in Lawrence County, Indiana, an information was filed against William F. Campbell, former President of Security, Police, & Fire Professionals of America Local 10, charging him with one count of felony theft in the amount of \$3,894.36. The indictment follows an investigation by the OLMS Cincinnati District Office.

[https://www.unionfacts.com/olmscrime/Security\\_Police\\_and\\_Fire\\_Professionals/Indictments](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Indictments)



## SECURITY POLICE AND FIRE PROFESSIONALS

### OFFICIALS SENTENCED

#### OFFICE OF LABOR-MANAGEMENT ENFORCEMENT

The Office of Labor-Management Standards (OLMS) conducts both civil and criminal investigations of alleged violations of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws.

These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

[https://www.unionfacts.com/olmscrime/Security\\_Police\\_and\\_Fire\\_Professionals/Officials\\_Sentenced](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Officials_Sentenced)

These investigations by OLMS District Offices involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

Date	Description
October 25th, 2016	On October 25, 2016, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), was sentenced to three years diversion and was ordered to pay restitution totaling \$1,669 for a felony conviction and one year of probation for a misdemeanor conviction. On September 28, 2016, Cloyd pled guilty to Theft by Failure to Make Required Disposition, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. The sentencing follows an investigation by the OLMS Cincinnati-Cleveland District Office.
September 28th, 2016	On September 28, 2016, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), pled guilty to Theft by Failure to Make Required Disposition over \$500, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. Sentencing is scheduled for October 25, 2016. The plea follows an investigation by the OLMS Cincinnati-Cleveland District Office.
January 16th, 2014	On January 16, 2014, in the 421st Judicial District Court, Caldwell County, Texas, David Martinez, former Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 267 (located in Austin, Tex.), was sentenced to five years of probation and was ordered to pay restitution in the amount of \$10,512 and a \$1,500 fine. On April 12, 2013, Martinez was charged with felony theft in the value of \$1,500 or more but less than \$20,000, in violation of Texas State Penal Code 31.03. The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.
September 5th, 2013	On September 5, 2013, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in New Orleans, La.), was sentenced to two years of probation, including six months of home confinement, for embezzlement of union funds, in violation of 29 U.S.C. 501(c). Boudoin was also ordered to pay restitution, in the amount of \$16,398. Boudoin had previously made restitution in the amount of \$20,988. The sentencing follows an investigation by the OLMS New Orleans District Office.

[https://www.unionfacts.com/olmscrime/Security\\_Police\\_and\\_Fire\\_Professionals/Officials\\_Sentenced](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Officials_Sentenced)

- November 7th, 2012** On November 7, 2012, in the Texas 176th Criminal District Court, Kemberly Fields, a former Texas commissioned law officer and former President of Security, Police, and Fire Professionals of America (SPFPA) Local 300 (located in Harris County, Tex.), was sentenced to three years of confinement and was ordered to pay \$5,644.40 in restitution and a \$5,000 fine. On November 5, 2012, a jury found Fields guilty following a trial for aggregate theft from a nonprofit organization, in violation of Texas Criminal Statute Section 31.03. The sentencing follows an investigation by the OLMS New Orleans District Office.
- April 6th, 2012** On April 6, 2012, in the United States for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), was sentenced to four years of probation and was ordered to pay restitution of \$9,122.44 and a \$100 special assessment. On January 6, 2012, Meizlik pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.
- December 17th, 2010** On December 17, 2010, in the United States District Court for the Central District of Illinois, James Correll, former President of the Security, Police, and Fire Professionals of America (SPFPA) Local 238 (located in Morrison, Ill.), was sentenced to two years of probation with the first six months to be served in home detention and was ordered to pay restitution in the amount of \$22,286. On August 19, 2010, Correll pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Chicago District Office.
- October 6th, 2010** On October 6, 2010, in the United States District Court for the Eastern District of Wisconsin, Craig A. Bohn, former Financial Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 558 (located in Green Bay, WI), was sentenced to one year probation, a \$1,500 fine, and a \$100 special assessment. Bohn previously made restitution in the amount of \$5,000. On June 18, 2010, Bohn pled guilty to two counts of creating false union records. The sentencing follows an investigation by the OLMS Milwaukee District Office.
- February 18th, 2010** On February 18, 2010, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police, Fire Professionals, Ind., Local 598 (located in Roseville, Miss.), pled guilty to one count of embezzling union funds in the amount of \$10,690 and was sentenced to 24 months probation and ordered to pay a \$100 special assessment. The sentencing follows an investigation by the OLMS Nashville District Office.

## [https://www.unionfacts.com/olmscrime/Security Police and Fire Professionals/Officials Sentenced](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Officials_Sentenced)

- October 6th, 2010** On October 6, 2010, in the United States District Court for the Eastern District of Wisconsin, Craig A. Bohn, former Financial Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 558 (located in Green Bay, WI), was sentenced to one year probation, a \$1,500 fine, and a \$100 special assessment. Bohn previously made restitution in the amount of \$5,000. On June 18, 2010, Bohn pled guilty to two counts of creating false union records. The sentencing follows an investigation by the OLMS Milwaukee District Office.
- February 18th, 2010** On February 18, 2010, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police, Fire Professionals, Ind., Local 598 (located in Roseville, Miss.), pled guilty to one count of embezzling union funds in the amount of \$10,690 and was sentenced to 24 months probation and ordered to pay a \$100 special assessment. The sentencing follows an investigation by the OLMS Nashville District Office.
- December 7th, 2009** On December 7, 2009, in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals (SPFPA) (located in San Bernardino, Calif.), was sentenced to one year of probation. On September 24, 2009, Wuest pled guilty to a charge of concealment or destruction of union records. The sentencing follows an investigation by the OLMS Phoenix Resident Investigator Office.
- December 1st, 2009** On December 1, 2009, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was sentenced to six months imprisonment, followed by three years of supervised release and ordered to pay restitution in the amount of \$ 18, 818.74. On July 31, 2009, Drawdy pled guilty to embezzling union funds in the amount of \$17,900. The sentencing follows an investigation by the OLMS Miami Resident Investigator Office.
- February 24th, 2006** On February 24, 2006, in the 81st Indiana Judicial Circuit in Lawrence County, Indiana, William F. Campbell, former President of Security, Police, & Fire Professionals of America, Local 10, pled guilty to theft in the amount of \$3,894. He was sentenced to a suspended confinement of one year and six months, thirty days house arrest, fifteen days of working on a road crew, and one year and six months of probation. Campbell was also ordered to make full restitution to the local. The guilty plea and sentence follow an investigation by the OLMS Cincinnati District Office.

## [https://www.unionfacts.com/olmscrime/Security Police and Fire Professionals/Officials Sentenced](https://www.unionfacts.com/olmscrime/Security_Police_and_Fire_Professionals/Officials_Sentenced)

Union Facts | Security Police and Fire Professionals | X

unionfacts.com/union/Security\_Police\_and\_Fire\_Professionals#crime-tab

a union's books and records, and information obtained from other government agencies. Investigations may involve civil matters (such as an election of union officers) or criminal matters (such as embezzlement of union funds).

**CORRUPTION AND EMBEZZLEMENT CHARGES**

Type of Criminal Activity	Number of Incidents
criminal charges	14
embezzlement charges	16
Guilty Pleas	15
Indictments	5
Officials Sentenced	12

*Some incidents may be accounted for in multiple categories.*  
**Source:** Office of Labor-Management Standards  
**Last Updated:** November 15th, 2016

Local	Date	View Audit
SPFPA Local 452	June 20, 2016	<a href="#">Full Audit Text</a>
SPFPA Local 554	July 15, 2015	<a href="#">Full Audit Text</a>
SPFPA Local 256	November 6, 2012	<a href="#">Full Audit Text</a>
SPFPA Local 5	June 4, 2012	<a href="#">Full Audit Text</a>
SPFPA Local 723	January 18, 2012	<a href="#">Full Audit Text</a>
SPFPA Local 265	July 20, 2011	<a href="#">Full Audit Text</a>
SPFPA Local 265	September 22, 2010	<a href="#">Full Audit Text</a>
SPFPA Local 511	June 14, 2010	<a href="#">Full Audit Text</a>
SPFPA Local 214	May 18, 2010	<a href="#">Full Audit Text</a>
SPFPA Local 48	April 30, 2010	<a href="#">Full Audit Text</a>
SPFPA Local 547	January 21, 2009	<a href="#">Full Audit Text</a>
SPFPA Local 109	May 29, 2008	<a href="#">Full Audit Text</a>
SPFPA Local 5	June 5, 2007	<a href="#">Full Audit Text</a>
SPFPA Local 250	August 9, 2006	<a href="#">Full Audit Text</a>
SPFPA Local 558	July 21, 2005	<a href="#">Full Audit Text</a>
SPFPA Local 403	May 5, 2005	<a href="#">Full Audit Text</a>

Local Date View Audit

SPFPA Local 452 June 20, 2016 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU452\\_06-20-16\\_Redacted.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU452_06-20-16_Redacted.pdf)

SPFPA Local 554 July 15, 2015 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU554\\_07-15-15.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU554_07-15-15.pdf)

SPFPA Local 256 November 6, 2012 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU256\\_11-06-12.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU256_11-06-12.pdf)

SPFPA Local 5 June 4, 2012 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU5\\_06-04-12.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU5_06-04-12.pdf)

SPFPA Local 723 January 18, 2012 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU723\\_01-18-12.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU723_01-18-12.pdf)

SPFPA Local 265 July 20, 2011 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU265\\_072011.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU265_072011.pdf)

SPFPA Local 263 September 22, 2010 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU263\\_092210.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU263_092210.pdf)

SPFPA Local 511 June 14, 2010 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU511\\_061410.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU511_061410.pdf)

SPFPA Local 214 May 18, 2010 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU214\\_051810.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU214_051810.pdf)

SPFPA Local 48 April 30, 2010 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU48\\_043010.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU48_043010.pdf)

SPFPA Local 547 January 21, 2009 Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU547\\_1-21-09.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU547_1-21-09.pdf)

SPFPA Local 109      May 29, 2008      Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU109\\_05-29-08.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU109_05-29-08.pdf)

SPFPA Local 5      June 5, 2007      Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU5\\_06-05-07.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU5_06-05-07.pdf)

SPFPA Local 250      August 9, 2006      Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/SPFPA\\_LU250\\_08-09-06.pdf](https://www.unionfacts.com/audit_pdfs/SPFPA_LU250_08-09-06.pdf)

SPFPA Local 558      July 21, 2005      Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/0402.pdf](https://www.unionfacts.com/audit_pdfs/0402.pdf)

SPFPA Local 403      May 5, 2005      Full Audit Text

[https://www.unionfacts.com/audit\\_pdfs/0095.pdf](https://www.unionfacts.com/audit_pdfs/0095.pdf)

## UNION DECERTIFICATIONS

Unionized employees can elect to revoke a union's right to represent them through a process called a decertification. In order to decertify a union, a majority of the unionized employees must vote to remove the union in an election overseen by the National Labor Relations Board (NLRB).

### TOTAL DECERTIFICATION PETITIONS

16

### RECENT DECERTIFICATION PETITIONS

Case Number	Name/Union	Date Filed
05-RD-170721	Frontline Security Services LLC	February 29th, 2016
21-RD-002898	G4S Secure Solutions (USA) Inc.	June 17th, 2011
06-RD-001668	Carlow University	May 9th, 2011
28-RD-000993	Management Training Corporation	December 22nd, 2009
03-RD-001571	Syracuse University	October 13th, 2009
31-RD-001595	Cedars Sinai Medical Center	August 10th, 2009
13-RD-002625	Day & Zimmerman, LLC	July 10th, 2009
21-RD-002856	American Guard Services, Inc.	February 23rd, 2009

[https://www.unionfacts.com/union/Security\\_Police\\_and\\_Fire\\_Professionals#rd-tab](https://www.unionfacts.com/union/Security_Police_and_Fire_Professionals#rd-tab)

### RECENT DECERTIFICATION PETITIONS

Case Number	Name/Union	Date Filed
05-RD-170721	Frontline Security Services LLC	February 29th, 2016
21-RD-002898	G4S Secure Solutions (USA) Inc.	June 17th, 2011
06-RD-001668	Carlow University	May 9th, 2011
28-RD-000993	Management Training Corporation	December 22nd, 2009
03-RD-001571	Syracuse University	October 13th, 2009
31-RD-001595	Cedars Sinai Medical Center	August 10th, 2009
13-RD-002625	Day & Zimmerman, LLC	July 10th, 2009
21-RD-002856	American Guard Services, Inc.	February 23rd, 2009
10-RD-001477	Paragon Systems, Inc.	August 5th, 2008
37-RD-000423	Loomis Armored US	April 25th, 2008

» [See All Decertifications](#)

Source: [National Labor Relations Board](#)  
Case Activity Tracking System

[https://www.unionfacts.com/union/Security Police and Fire Professionals#rd-tab](https://www.unionfacts.com/union/Security_Police_and_Fire_Professionals#rd-tab)



Office of Labor-Management Standards - OLMS

OLMS LM REPORTS & CBAs

COMPLIANCE ASSISTANCE RESOURCES

LAWS & RELATED MATERIALS

FINAL AGENCY DECISIONS & REPORTS

ABOUT OLMS

DOL HOME / OLMS / CRIMINAL AND CIVIL ENFORCEMENT ACTIONS

## Office of Labor-Management Standards (OLMS)

### Criminal and Civil Enforcement Actions

The Office of Labor-Management Standards (OLMS) conducts both civil and criminal investigations of alleged violations of the Labor-Management Reporting and Disclosure Act (LMRDA) and related laws. These investigations by [OLMS District Offices](#) involve issues such as embezzlements of union funds, union officer elections, the filing of required reports by unions and others with OLMS, and the imposition of trusteeships over subordinate unions by a parent body. These investigations may result in legal enforcement actions.

#### Criminal Enforcement Actions

- Criminal Actions - [2019](#)
- Criminal Actions - [2018](#)
- Criminal Actions - [2017](#)
- Criminal Actions - [2016](#)
- Criminal Actions - [2015](#)
- Criminal Actions - [2014](#)

[https://www.dol.gov/olms/regs/compliance/enforcement\\_1.htm](https://www.dol.gov/olms/regs/compliance/enforcement_1.htm)

### **Criminal Enforcement Actions**

- Criminal Actions - [2019](#)
- Criminal Actions - [2018](#)
- Criminal Actions - [2017](#)
- Criminal Actions - [2016](#)
- Criminal Actions - [2015](#)
- Criminal Actions - [2014](#)
- Criminal Actions - [2013](#)
- Criminal Actions - [2012](#)
- Criminal Actions - [2011](#)
- Criminal Actions - [2010](#)
- Criminal Actions - [2009](#)
- Criminal Actions - [2001 - 2008](#)

### **Civil Enforcement Actions**

- Civil Actions - [2019](#)
- Civil Actions - [2018](#)
- Civil Actions - [2017](#)
- Civil Actions - [2016](#)
- Civil Actions - [2015](#)
- Civil Actions - [2014](#)
- Civil Actions - [2013](#)
- Civil Actions - [2012](#)
- Civil Actions - [2011](#)
- Civil Actions - [2010](#)
- Civil Actions - [2001 - 2009](#)

---

[https://www.dol.gov/olms/regs/compliance/enforcement\\_1.htm](https://www.dol.gov/olms/regs/compliance/enforcement_1.htm)



Office of Labor-Management Standards - OLMS

- OLMS LM REPORTS & CBAs
- COMPLIANCE ASSISTANCE RESOURCES
- LAWS & RELATED MATERIALS
- FINAL AGENCY DECISIONS & REPORTS
- ABOUT OLMS

DOL HOME / OLMS / OLMS CRIMINAL AND CIVIL ENFORCEMENT / 2019 CRIMINAL ENFORCEMENT ACTIONS

## Office of Labor-Management Standards (OLMS)

### 2019 Criminal Enforcement Actions

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a

[https://www.dol.gov/olms/regs/compliance/enforce\\_2019.htm](https://www.dol.gov/olms/regs/compliance/enforce_2019.htm)

## Office of Labor-Management Standards (OLMS)

### 2019 Criminal Enforcement Actions

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

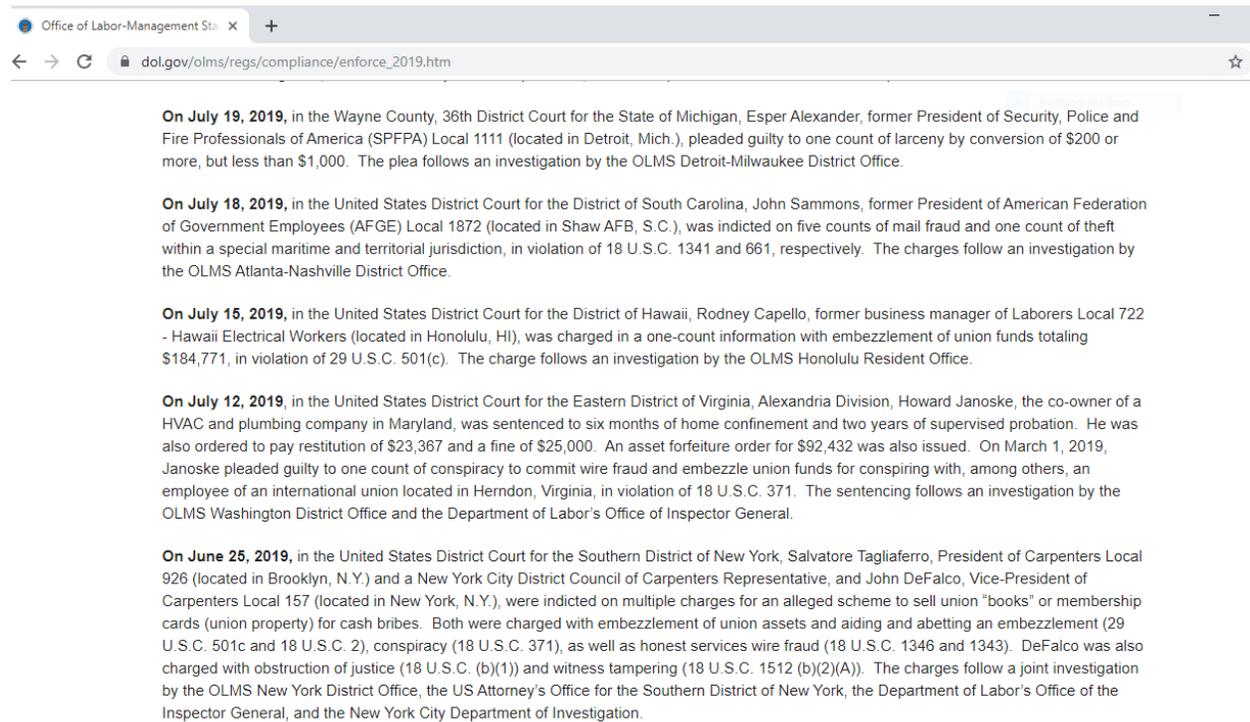
A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant is guilty of the crime charged.

A **sentence** is a judicial determination of the punishment to be imposed on an individual who has plead guilty or has been convicted by a jury or judge of a criminal offense.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2019.htm](https://www.dol.gov/olms/regs/compliance/enforce_2019.htm)

On July 19, 2019, in the Wayne County, 36th District Court for the State of Michigan, **Esper Alexander, former President of Security, Police and Fire Professionals of America (SPFPA) Local 1111 (located in Detroit, Mich.), pleaded guilty** to one count of larceny by conversion of \$200 or more, but less than \$1,000. The plea follows an investigation by the OLMS Detroit-Milwaukee District Office.



[https://www.dol.gov/olms/regs/compliance/enforce\\_2019.htm](https://www.dol.gov/olms/regs/compliance/enforce_2019.htm)



Office of Labor-Management Standards - OLMS

- OLMS LM REPORTS & CBAs
- COMPLIANCE ASSISTANCE RESOURCES
- LAWS & RELATED MATERIALS
- FINAL AGENCY DECISIONS & REPORTS
- ABOUT OLMS

DOL HOME / OLMS / OLMS CRIMINAL AND CIVIL ENFORCEMENT / 2018 CRIMINAL ENFORCEMENT ACTIONS

## Office of Labor-Management Standards (OLMS)

### 2018 Criminal Enforcement Actions

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

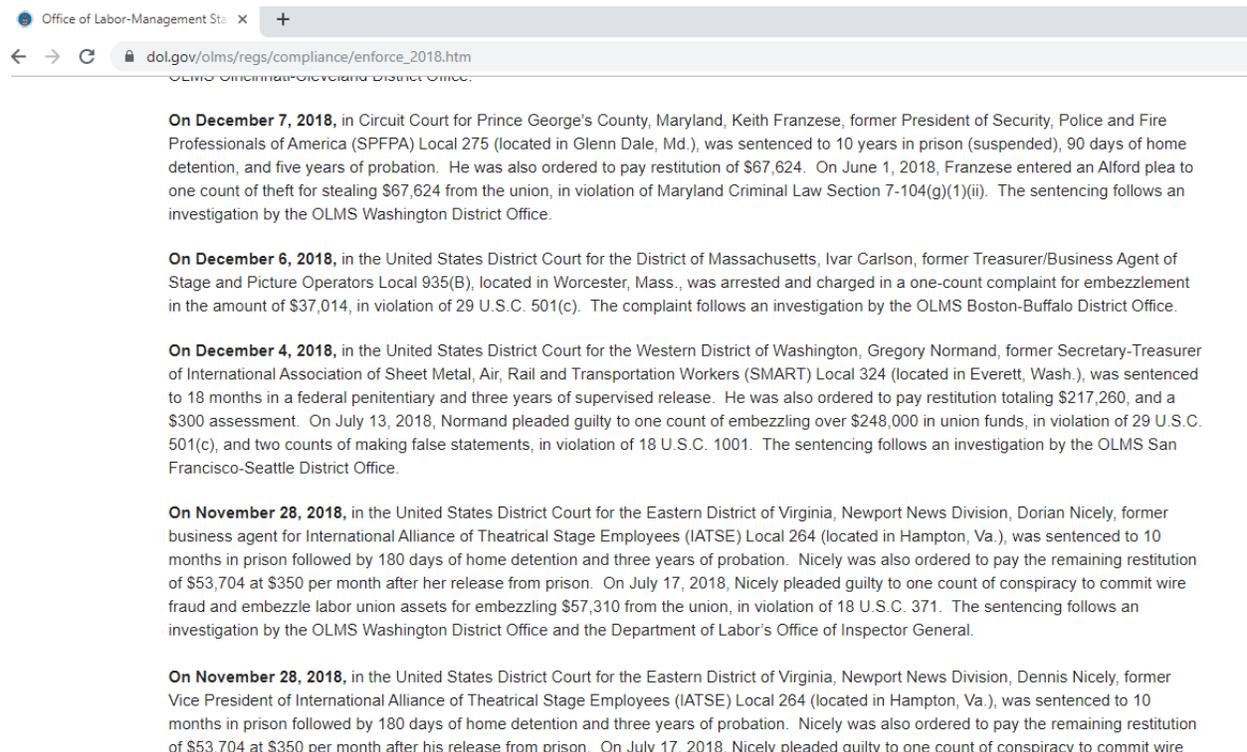
A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a

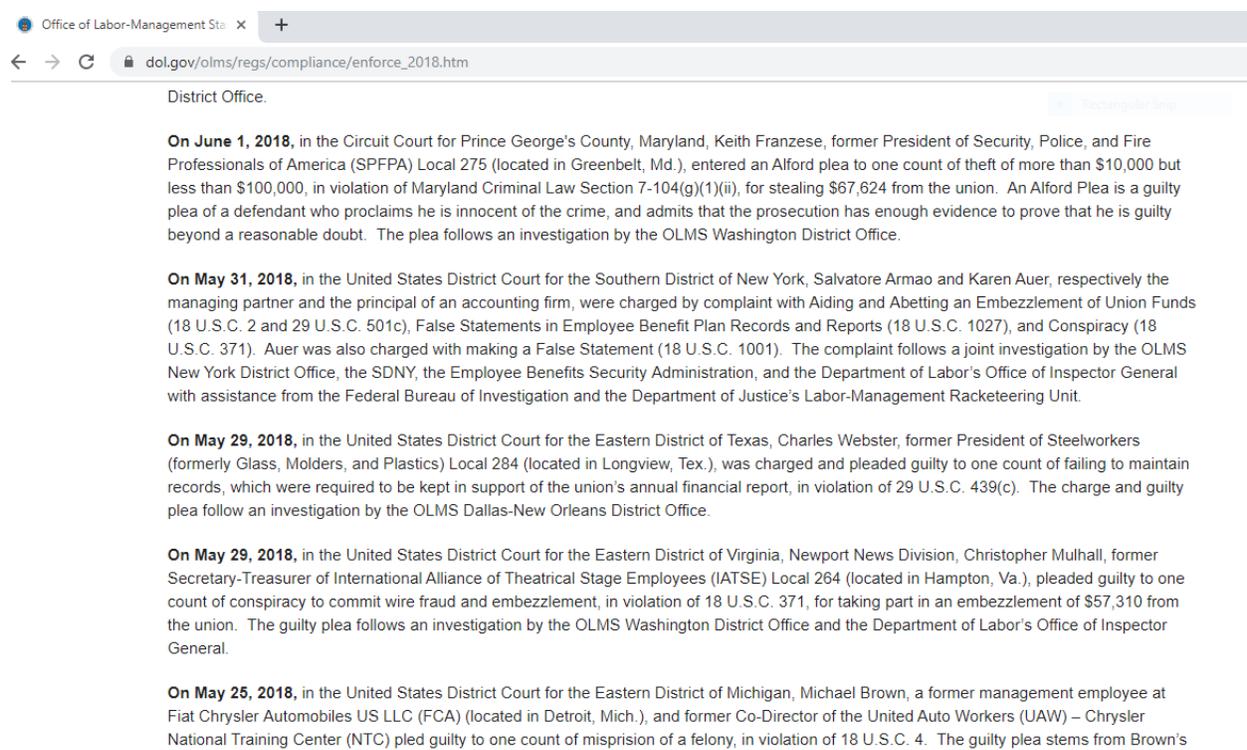
[https://www.dol.gov/olms/regs/compliance/enforce\\_2018.htm](https://www.dol.gov/olms/regs/compliance/enforce_2018.htm)

**On December 7, 2018, in Circuit Court for Prince George's County, Maryland, Keith Franzese, former President of Security, Police and Fire Professionals of America (SPFPA) Local 275 (located in Glenn Dale, Md.), was sentenced to 10 years in prison** (suspended), 90 days of home detention, and five years of probation. He was also ordered to pay restitution of \$67,624. On June 1, 2018, Franzese entered an Alford plea to one count of theft for stealing \$67,624 from the union, in violation of Maryland Criminal Law Section 7-104(g)(1)(ii). The sentencing follows an investigation by the OLMS Washington District Office.



[https://www.dol.gov/olms/regs/compliance/enforce\\_2018.htm](https://www.dol.gov/olms/regs/compliance/enforce_2018.htm)

**On June 1, 2018, in the Circuit Court for Prince George's County, Maryland, Keith Franzese, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 275 (located in Greenbelt, Md.), entered an Alford plea** to one count of theft of more than \$10,000 but less than \$100,000, in violation of Maryland Criminal Law Section 7-104(g)(1)(ii), for stealing \$67,624 from the union. An Alford Plea is a guilty plea of a defendant who proclaims he is innocent of the crime, and admits that the prosecution has enough evidence to prove that he is guilty beyond a reasonable doubt. The plea follows an investigation by the OLMS Washington District Office.



Office of Labor-Management Sta x +

dol.gov/olms/regs/compliance/enforce\_2018.htm

District Office.

**On June 1, 2018**, in the Circuit Court for Prince George's County, Maryland, Keith Franzese, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 275 (located in Greenbelt, Md.), entered an Alford plea to one count of theft of more than \$10,000 but less than \$100,000, in violation of Maryland Criminal Law Section 7-104(g)(1)(ii), for stealing \$67,624 from the union. An Alford Plea is a guilty plea of a defendant who proclaims he is innocent of the crime, and admits that the prosecution has enough evidence to prove that he is guilty beyond a reasonable doubt. The plea follows an investigation by the OLMS Washington District Office.

**On May 31, 2018**, in the United States District Court for the Southern District of New York, Salvatore Armao and Karen Auer, respectively the managing partner and the principal of an accounting firm, were charged by complaint with Aiding and Abetting an Embezzlement of Union Funds (18 U.S.C. 2 and 29 U.S.C. 501c), False Statements in Employee Benefit Plan Records and Reports (18 U.S.C. 1027), and Conspiracy (18 U.S.C. 371). Auer was also charged with making a False Statement (18 U.S.C. 1001). The complaint follows a joint investigation by the OLMS New York District Office, the SDNY, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General with assistance from the Federal Bureau of Investigation and the Department of Justice's Labor-Management Racketeering Unit.

**On May 29, 2018**, in the United States District Court for the Eastern District of Texas, Charles Webster, former President of Steelworkers (formerly Glass, Molders, and Plastics) Local 284 (located in Longview, Tex.), was charged and pleaded guilty to one count of failing to maintain records, which were required to be kept in support of the union's annual financial report, in violation of 29 U.S.C. 439(c). The charge and guilty plea follow an investigation by the OLMS Dallas-New Orleans District Office.

**On May 29, 2018**, in the United States District Court for the Eastern District of Virginia, Newport News Division, Christopher Mulhall, former Secretary-Treasurer of International Alliance of Theatrical Stage Employees (IATSE) Local 264 (located in Hampton, Va.), pleaded guilty to one count of conspiracy to commit wire fraud and embezzlement, in violation of 18 U.S.C. 371, for taking part in an embezzlement of \$57,310 from the union. The guilty plea follows an investigation by the OLMS Washington District Office and the Department of Labor's Office of Inspector General.

**On May 25, 2018**, in the United States District Court for the Eastern District of Michigan, Michael Brown, a former management employee at Fiat Chrysler Automobiles US LLC (FCA) (located in Detroit, Mich.), and former Co-Director of the United Auto Workers (UAW) – Chrysler National Training Center (NTC) pled guilty to one count of misprision of a felony, in violation of 18 U.S.C. 4. The guilty plea stems from Brown's

[https://www.dol.gov/olms/regs/compliance/enforce\\_2018.htm](https://www.dol.gov/olms/regs/compliance/enforce_2018.htm)

U.S. Department of Labor — Office of Labor-Management Standards

dol.gov/olms/regs/compliance/enforce\_2017.htm

U.S. DEPARTMENT OF LABOR

All DOL OLMS

A to Z | Site Map | FAQs | Forms | About DOL | Contact Us | Español

Office of Labor-Management Standards

DOL Home > OLMS > Enforcement > Criminal Actions 2017

## Office of Labor-Management Standards (OLMS)

### Criminal Enforcement Actions 2017

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant is guilty of the crime charged.

A **sentence** is a judicial determination of the punishment to be imposed on an individual who has plead guilty or has been convicted by a jury or judge of a criminal offense.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2017.htm](https://www.dol.gov/olms/regs/compliance/enforce_2017.htm)

**On November 21, 2017, in Circuit Court for Prince George's County, Maryland, Keith Franzese, former President of Security, Police and Fire Professionals of America (SPFPA) Local 275 (located in Greenbelt, Md.), was indicted** on one count of theft of at least \$100,000, two counts of theft of at least \$10,000 but less than \$100,000; six counts of theft of at least \$1,000 but less than \$10,000; five counts of theft of more than \$500; and one count of embezzlement/fraudulent misappropriation by a fiduciary for stealing \$104,834 from the union, in violation of Maryland Criminal Law Sections 7-104(g)(1)(iii), 7-104(g)(1)(ii), 7-104(g)(1)(i), 7-104, and 7-113, respectively. The indictment follows an investigation by the OLMS Washington District Office.

U.S. Department of Labor — Offi x +

dol.gov/olms/regs/compliance/enforce\_2017.htm

**On November 21, 2017**, in Circuit Court for Prince George's County, Maryland, Keith Franzese, former President of Security, Police and Fire Professionals of America (SPFPA) Local 275 (located in Greenbelt, Md.), was indicted on one count of theft of at least \$100,000, two counts of theft of at least \$10,000 but less than \$100,000; six counts of theft of at least \$1,000 but less than \$10,000; five counts of theft of more than \$500; and one count of embezzlement/fraudulent misappropriation by a fiduciary for stealing \$104,834 from the union, in violation of Maryland Criminal Law Sections 7-104(g)(1)(iii), 7-104(g)(1)(ii), 7-104(g)(1)(i), 7-104, and 7-113, respectively. The indictment follows an investigation by the OLMS Washington District Office.

**On November 15, 2017**, in the United States District Court for the District of Massachusetts, Henry Clay Green, Sr., former Financial Secretary-Treasurer of Union of Needletrades, Industrial, and Textile Employees - Hotel Employees and Restaurant Employees (UNITE HERE) Local 26 (located in Medford, Mass.), was charged in an information with one count of embezzling \$171,455 in union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Boston-Buffalo District Office, the Department of Labor's Office of Inspector General, and the Employee Benefits Security Administration.

**On November 14, 2017**, in the United States District Court for the Eastern District of Michigan, Brenda Schaefer, former Treasurer of National Rural Letter Carriers Association (NRLCA) Local 39 (located in Chesterfield, Mich.), was sentenced to one year of probation and was ordered to pay \$11,570 in restitution and a \$25 special assessment. On July 10, 2017, Schaefer pled guilty to one count of willful failure to maintain union records, in violation of 29 U.S.C. 439(a). The sentencing follows an investigation by the OLMS Detroit-Milwaukee District Office.

**On November 14, 2017**, in the United States District Court for the Eastern District of Virginia, Norfolk Division, Tamika Bullock, former Secretary-Treasurer of International Brotherhood of Boilermakers Local 684 (located in Chesapeake, Va.), pled guilty to one count of embezzlement from a labor organization for embezzling \$24,600 from the union, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS Washington District Office.

**On November 13, 2017**, in the United States District Court for the Western District of Michigan, Stephanie DeBoer, former office manager and bookkeeper for International Brotherhood of Electrical Workers (IBEW) Local 876 (located in Edmore, Mich.), pled guilty to one count of embezzling union funds in the amount of approximately \$307,563, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS Detroit-Milwaukee District Office and the Department of Labor's Office of Inspector General.

**On November 9, 2017**, in the United States District Court for the District of Columbia, Roderick Bennett, former Chief of Staff for the Laborers International Union of North America (LIUNA), located in Washington, D.C., was charged in a criminal information with one count of embezzling \$141,335 from the union, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2017.htm](https://www.dol.gov/olms/regs/compliance/enforce_2017.htm)

**On February 15, 2017, in the United States District Court for the Eastern District of Michigan, Devon Madray, former President of Security, Police and Fire Professionals of America (SPFPA) Local 119 (located in Roseville, Mich.), was sentenced to five years**

of probation and was also ordered to pay \$20,097 in restitution and a \$100 special assessment. On October 24, 2016, Madray pled guilty to one count of embezzling union funds in the same amount, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Detroit-Milwaukee District Office.

U.S. Department of Labor — Offi: x +

doI.gov/olms/regs/compliance/enforce\_2017.htm

**On February 15, 2017**, in the United States District Court for the Eastern District of Michigan, Devon Madray, former President of Security, Police and Fire Professionals of America (SPFPA) Local 119 (located in Roseville, Mich.), was sentenced to five years of probation and was also ordered to pay \$20,097 in restitution and a \$100 special assessment. On October 24, 2016, Madray pled guilty to one count of embezzling union funds in the same amount, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Detroit-Milwaukee District Office.

**On February 14, 2017**, in the United States District Court for the Western District of Texas, Clementine T. Ray , former President of American Federation of Government Employees (AFGE) Local 2109 (located in Temple, Tex.), was charged in a one-count indictment of wire fraud, in violation of 18 U.S.C. 1343. The charge follows an investigation by the OLMS Dallas-New Orleans District Office.

**On February 8, 2017**, in the Franklin County, Ohio Court of Common Pleas, Michael Mathis, former Secretary-Treasurer of Locomotive Engineers Division 34 (located in Columbus, Ohio), was charged with one count of theft in the amount of \$5,784, in violation of Ohio Revised Code 2913.02. The charge follows an investigation by the OLMS Cincinnati-Cleveland District Office.

**On February 8, 2017**, in the United States District Court for the District of Columbia, Christopher Kwegan, a contractor associated with Laborers Local 657 (located in Washington, D.C.), was sentenced to three years in prison, three years of probation, and 120 hours of community service. He was also ordered to pay \$1,632,000 in restitution. On November 1, 2016, Kwegan pled guilty to one count of conspiracy to commit embezzlement from a labor organization, in violation of 29 U.S.C. 501(c) and 18 U.S.C. 371; one count of conspiracy to accept unlawful labor payments, in violation of 29 U.S.C. 186(b) and 18 U.S.C. 371; one count of conspiracy to commit wire and honest services fraud, in violation of 18 U.S.C. 1341, 18 U.S.C. 1346, and 18 U.S.C. 371; and 39 counts of money laundering, in violation of 18 U.S.C. 1957. The sentencing follows an investigation by the OLMS Washington District Office, the FBI, and the Department of Labor's Office of Inspector General.

**On February 7, 2017**, in the United States District Court for the District of Columbia, Anthony Frederick, former business manager for Laborers Local 657 (located in Washington, D.C.), was sentenced to four years in prison, three years of probation, and 120 hours of community service. Frederick was also ordered to pay \$1,632,000 in restitution. On October 31, 2016, Frederick pled guilty to one count of conspiracy to embezzle money from a labor organization, in violation of 29 U.S.C. 501(c) and 18 U.S.C. 371; one count of conspiracy to receive unlawful labor payments in violation of 29 U.S.C. 186 and 18 U.S.C. 371; one count of conspiracy to commit wire fraud in violation of 18 U.S.C. 1343 and 18 U.S.C. 371; and one count of money laundering, in violation of 18 U.S.C. 1957. The sentencing follows an investigation by the OLMS Washington District Office, the FBI, and the Department of Labor's Office of Inspector General.

**On February 7, 2017**, in the United States District Court District of Wyoming, Harold Giberson, former President of Utility Workers Local 127 (located in Casper, Wyo.), was sentenced to six months of home confinement and five years of probation. He was also ordered to pay restitution in

[https://www.dol.gov/olms/regs/compliance/enforce\\_2017.htm](https://www.dol.gov/olms/regs/compliance/enforce_2017.htm)

On January 18, 2017, in the United States District Court for the Eastern District of Washington, **Charles Nelson, former Secretary-Treasurer of the National Council of Security Police (NCSP)**, formally located in Yakima, Wash., was sentenced to six months in a federal penitentiary and three years of federal probation. He was also ordered to pay restitution in the amount of \$143,489 and a \$100 fine. **On September 7, 2016, Nelson pled guilty to one count of embezzling over \$140,000 in union funds, in violation of 29 U.S.C. 501(c).** The sentencing follows an investigation by the OLMS San Francisco-Seattle District Office. It has been noted on the NCSP website, SPFPA was a member of the National Council of Security Police (NCSP).

U.S. Department of Labor — Offi. x +

← → ↻ dol.gov/olms/regs/compliance/enforce\_2017.htm

**On January 18, 2017**, in the United States District Court for the Eastern District of Washington, Charles Nelson, former Secretary-Treasurer of the National Council of Security Police (NCSP), formally located in Yakima, Wash., was sentenced to six months in a federal penitentiary and three years of federal probation. He was also ordered to pay restitution in the amount of \$143,489 and a \$100 fine. On September 7, 2016, Nelson pled guilty to one count of embezzling over \$140,000 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS San Francisco-Seattle District Office.

**On January 17, 2017**, in the United States District Court for the Central District of California, John J. Romero, former Treasurer of United Industrial & Service Workers of America (UISWA), located in Colton, Calif., pled guilty to one count of conspiracy to commit theft or embezzlement in connection with healthcare, in violation of 18 U.S.C. 669. The guilty plea follows an investigation by the OLMS Los Angeles District Office, the Department of Labor's Office of Inspector General, and the Employee Benefits Security Administration.

**On January 12, 2017**, in the 10th Judicial Circuit in Jefferson County, Alabama, John Clifton, former unit grievor for Steelworkers Local 09-1013-S (located in Fairfield, Ala.), pled guilty to theft of property, in violation of 13A-008-005. He was then sentenced to one year in the Jefferson County Jail (suspended) and placed on unsupervised probation for two years. Clifton was also ordered to pay \$8,000 in restitution. The guilty plea and sentencing follow an investigation by the OLMS Atlanta-Nashville District Office.

**On January 12, 2017**, in the Western District of Oklahoma, Kathleen Smith, former Financial Secretary-Treasurer of Machinists Lodge 850 and the Oklahoma State Council of Machinists (located in Oklahoma City, Okla.), was charged and pled guilty to one count of embezzling \$18,658 in union funds, in violation of 29 U.S.C 501(c). The charge and plea follow an investigation by the OLMS Dallas-New Orleans District Office.

**On January 9, 2017**, in the United States District Court for the District of New Jersey, Sergio Acosta, President/Employee of United Auto Workers (UAW) Local 2326 and Lawrence Ackerman, a health insurance broker, were each charged with one count of conspiring to defraud Horizon Blue Cross Blue Shield of \$5.5 million and one count of conspiring to defraud the Local 2326 self-insured plan of \$1 million, in violation of 18 U.S.C. 1347 and 1349, respectively. The charges follow an investigation by the OLMS New York District Office, the Department of Labor's Office of Inspector General, and the Office of Employee Benefits Security Administration.

**On January 5, 2017**, in the United States Court for the Southern District of New York, Adrian Lindsay, former Vice President of the Benefit Fund Staff Association (located in New York, N.Y.), was sentenced to two years of probation. Lindsay was also ordered to pay \$12,000 in restitution and a \$25 special assessment. On July 21, 2016, Lindsay pled guilty to willful concealment and withholding of records, in violation of 29 U.S.C. 439(c), showing use of association funds for approximately \$25,000 in combined expenditures, with former President Malkia King, that were not authorized by the union. The sentencing follows an investigation by the OLMS New York District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2017.htm](https://www.dol.gov/olms/regs/compliance/enforce_2017.htm)

U.S. Department of Labor — Offi: x +  
dol.gov/olms/regs/compliance/enforce\_2016.htm

 U.S. DEPARTMENT OF LABOR

All DOL OLMS  SEARCH

A to Z | Site Map | FAQs | Forms | About DOL | Contact Us | Español

Office of Labor-Management Standards SHARE

DOL Home > OLMS > Enforcement > Criminal Actions 2016

## Office of Labor-Management Standards (OLMS)

### Criminal Enforcement Actions 2016

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant is guilty of the crime charged.

A **sentence** is a judicial determination of the punishment to be imposed on an individual who has plead guilty or has been convicted by a jury or judge of a criminal offense.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On December 16, 2016, in the Superior Court for the District of Columbia, **Gregory Tyree, former President** of the National Association of Special Police and Security Officers of America (NASPSO), located in Washington, D.C., **was charged in an information with one count of theft in the second degree**, in violation of 22 D.C. Code Sections 3211 and 3212(b), for stealing \$1,219 from the union. **Tyree then pled guilty** and was sentenced on this date to 90 days incarceration (all suspended) and one year of probation. Tyree was also ordered not to hold union office for five years and to pay the remaining restitution of \$389. The charge, guilty plea, and sentencing follow an investigation by the OLMS Washington District Office. The National Association of Special Police and Security Officers of America (NASPSO), was formally affiliated with the SPFPA union.

U.S. Department of Labor — Offi: x +

dol.gov/olms/regs/compliance/enforce\_2016.htm

follow a joint investigation by the OLMS New York District Office and the FBI.

**On December 16, 2016**, in the Superior Court for the District of Columbia, Gregory Tyree, former President of the National Association of Special Police and Security Officers of America (NASPSO), located in Washington, D.C., was charged in an information with one count of theft in the second degree, in violation of 22 D.C. Code Sections 3211 and 3212(b), for stealing \$1,219 from the union. Tyree then pled guilty and was sentenced on this date to 90 days incarceration (all suspended) and one year of probation. Tyree was also ordered not to hold union office for five years and to pay the remaining restitution of \$389. The charge, guilty plea, and sentencing follow an investigation by the OLMS Washington District Office.

**On December 15, 2016**, in the United States District Court for the Northern District of Illinois, David Fleury, former President of Bricklayers Local 6 (located in Rockford, Ill.), was sentenced to two years of incarceration and three years of supervised release, and he was also ordered to pay \$318,036 in restitution and a \$100 special assessment. On August, 9, 2016, Fleury pled guilty to embezzling over \$250,000 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Chicago District Office.

**On December 15, 2016**, in the United States District Court for the Western District of Texas, Jennifer Cruise, also known as Jenn Studebaker, former office manager for International Brotherhood of Electrical Workers (IBEW) Local 520 (located in Austin, Tex.), was sentenced to three years of probation and was also ordered to pay restitution in the amount of \$12,344 and a \$100 special assessment. On October 5, 2016, Cruise pled guilty to one count of embezzlement, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

**On December 14, 2016**, in the Jefferson County New York District Court, Ronald G. Watson, former Treasurer of International Association of Fire Fighters (IAFF) Local 105F (located on United States Army Base Fort Drum, N.Y.), was indicted on one count of grand larceny in the third degree, nine counts of forgery in the second degree, and nine counts of criminal possession of a forged instrument in the second degree. On April 21, 2017, the indictment was unsealed. The charges follow an investigation by the OLMS Boston-Buffalo District Office.

**On December 14, 2016**, in the United States Court for the Southern District of New York, Malkia King, former President of the Benefit Fund Staff Association (located in New York, N.Y.), was sentenced to one year of probation, as well as ordered to complete 100 hours of community service and to pay a \$25 special assessment. King previously paid full restitution of \$13,000. On July 15, 2016, King pled guilty to willful concealment and withholding of records, in violation of 29 U.S.C. 439 (c), showing use of association funds for approximately \$25,000 in combined expenditures, with former Vice President Adrian Lindsay, that were not authorized by the union. The sentencing follows an investigation by the OLMS New York District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On November 22, 2016, in the United States District Court for the District of New Jersey, **Assane Faye, the founder and former President of the United Security and Police Officers of America (USPOA), located in Toms River, N.J., was sentenced to three years of incarceration**, three years of supervised release, and was ordered to pay \$350,000 in restitution. On May 10, 2016, a federal jury found Faye guilty of two counts of embezzling union funds and seven counts of mail fraud, in violation of 29 U.S.C. 501(c) and 18 U.S.C. 1341, respectively. The sentencing follows a joint investigation by the OLMS New York District Office and the Department of Labor's Office of Inspector General. **Assane Faye was the former Washington DC Director for the International Union, of Security, Police and Fire Professionals of America (SPFPA).**

U.S. Department of Labor — Offi: X +

dol.gov/olms/regs/compliance/enforce\_2016.htm

\$179,052, in violation of 29 U.S.C. 501(c). The charge and guilty plea follow an investigation by the OLMS Denver-St. Louis District Office.

**On November 22, 2016**, in the United States District Court for the District of New Jersey, Assane Faye, the founder and former President of the United Security and Police Officers of America (USPOA), located in Toms River, N.J., was sentenced to three years of incarceration, three years of supervised release, and was ordered to pay \$350,000 in restitution. On May 10, 2016, a federal jury found Faye guilty of two counts of embezzling union funds and seven counts of mail fraud, in violation of 29 U.S.C. 501(c) and 18 U.S.C. 1341, respectively. The sentencing follows a joint investigation by the OLMS New York District Office and the Department of Labor's Office of Inspector General.

**On November 22, 2016**, in the United States District Court for the District of Columbia, after a one week trial, a jury found Gary Cooper, a contractor associated with Laborers Local 657 (located in Washington, D.C.), guilty of one count of conspiracy to commit embezzlement from a labor organization, in violation of 29 U.S.C. 501(c) and 18 U.S.C. 371; one count of conspiracy to accept unlawful labor payments, in violation of 29 U.S.C. 186(b) and 18 U.S.C. 371; one count of wire fraud, in violation of 18 U.S.C. 1343; and two counts of money laundering, in violation of 18 U.S.C. 1957. The scheme for which Cooper was found guilty involved \$1.73 million in checks written from Laborers Local 657 to STS Construction, a company co-owned by Cooper, for minimal work done on union buildings. STS Construction then put a \$225,000 down payment on a house for the Local 657 business manager, wrote the business manager a check for \$8,000, and transferred \$624,000 to a business that was co-owned by the business manager's wife. The guilty verdict is the result of an investigation by the OLMS Washington District Office, the FBI, and the Department of Labor's Office of Inspector General.

**On November 22, 2016**, in the United States District Court for the District of Columbia, Wanda Rosenboro-Correa, former Secretary-Treasurer of American Federation of Government Employees (AFGE) Local 2798 (located in Washington, D.C.), pled guilty to one count of theft within a special maritime and territorial jurisdiction of the United States for stealing \$13,803 from the union, in violation of 18 U.S.C. 661. The guilty plea follows an investigation by the OLMS Washington District Office.

**On November 21, 2016**, in the United States District Court for the Northern District of Indiana, Michael R. Bennett, former President of United Auto Workers (UAW) Local 2317 (located in Lafayette, Ind.), pled guilty to one count of wire fraud, in violation of 18 U.S.C. 1343, for diverting over \$100,000 of unions funds for personal use. The guilty plea follows an investigation by the OLMS Chicago District Office.

**On November 17, 2016**, in the United States District Court for the Southern District of New York (White Plains), Brian W. Scott, former President/Business Manager of the International Brotherhood of Electrical Workers (IBEW) Local 503 (located in Monroe, N.Y.), pled guilty to one count of mail fraud, in violation of 18 U.S.C. 1341. The guilty plea follows an investigation by the OLMS New York District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On October 25, 2016, in the Campbell County, Kentucky Circuit Court, **Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), was sentenced to three years** diversion and was ordered to pay restitution totaling \$1,669 for a felony conviction and one year of probation for a misdemeanor conviction. On September 28, 2016, Cloyd pled guilty to Theft by Failure to Make Required Disposition, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. The sentencing follows an investigation by the OLMS Cincinnati-Cleveland District Office.

U.S. Department of Labor — Offi X +

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

**On October 25, 2016**, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), was sentenced to three years diversion and was ordered to pay restitution totaling \$1,669 for a felony conviction and one year of probation for a misdemeanor conviction. On September 28, 2016, Cloyd pled guilty to Theft by Failure to Make Required Disposition, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. The sentencing follows an investigation by the OLMS Cincinnati-Cleveland District Office.

**On October 24, 2016**, in the United States District Court for the Eastern District of Michigan, Devon Madray, President of Security, Police and Fire Professionals of America (SPFPA) Local 119 (located in Roseville, Mich.), pled guilty to one count of embezzling union funds in the amount of \$20,097, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Detroit-Milwaukee District Office.

**On October 19, 2016**, in the United States District Court for the District of Arizona, Patrick Remigio, former President of American Federation of Government Employees (AFGE) Local 2859 (located in Tucson, Ariz.), pled guilty to one count of wire fraud, in violation of 18 U.S.C. 1343. In addition, Remigio agreed to pay \$95,000 in restitution. The guilty plea follows an investigation by the OLMS Phoenix Resident Investigator Office, the Department of Homeland Security's Office of Professional Responsibility, and the FBI.

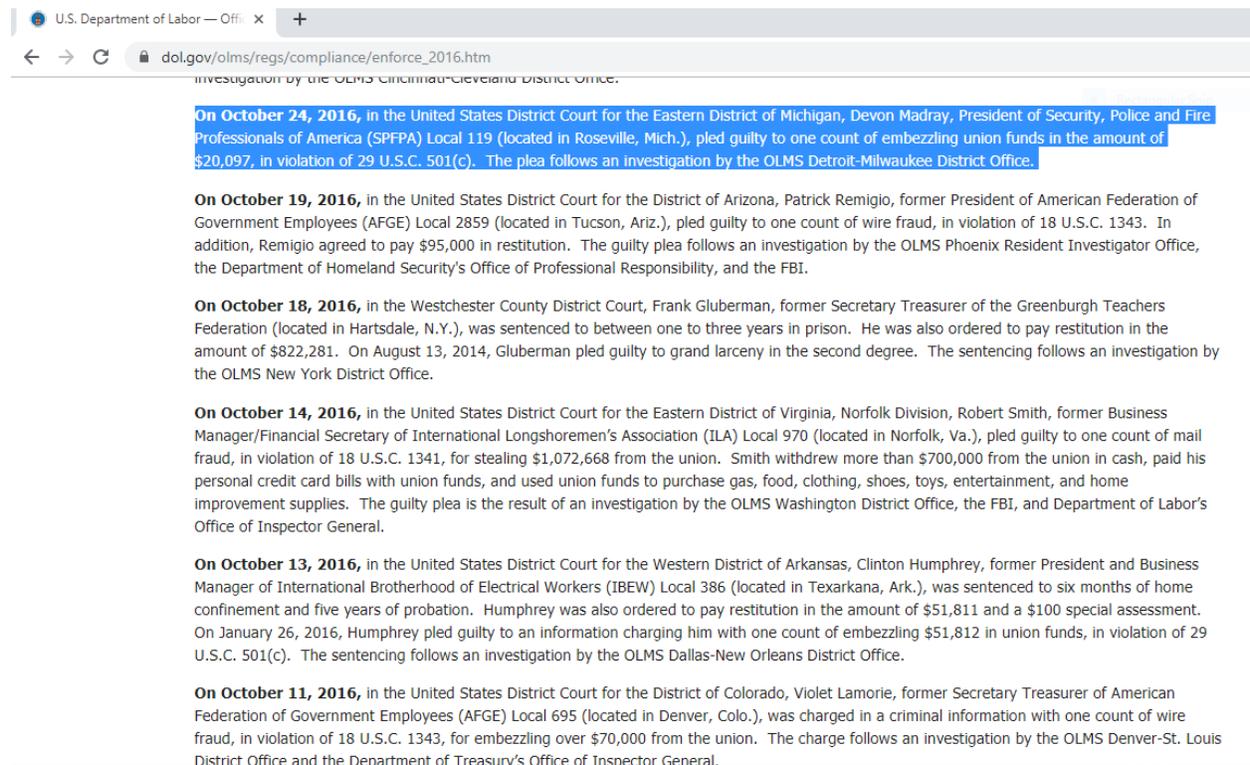
**On October 18, 2016**, in the Westchester County District Court, Frank Gluberman, former Secretary Treasurer of the Greenburgh Teachers Federation (located in Hartsdale, N.Y.), was sentenced to between one to three years in prison. He was also ordered to pay restitution in the amount of \$822,281. On August 13, 2014, Gluberman pled guilty to grand larceny in the second degree. The sentencing follows an investigation by the OLMS New York District Office.

**On October 14, 2016**, in the United States District Court for the Eastern District of Virginia, Norfolk Division, Robert Smith, former Business Manager/Financial Secretary of International Longshoremen's Association (ILA) Local 970 (located in Norfolk, Va.), pled guilty to one count of mail fraud, in violation of 18 U.S.C. 1341, for stealing \$1,072,668 from the union. Smith withdrew more than \$700,000 from the union in cash, paid his personal credit card bills with union funds, and used union funds to purchase gas, food, clothing, shoes, toys, entertainment, and home improvement supplies. The guilty plea is the result of an investigation by the OLMS Washington District Office, the FBI, and Department of Labor's Office of Inspector General.

**On October 13, 2016**, in the United States District Court for the Western District of Arkansas, Clinton Humphrey, former President and Business Manager of International Brotherhood of Electrical Workers (IBEW) Local 386 (located in Texarkana, Ark.), was sentenced to six months of home confinement and five years of probation. Humphrey was also ordered to pay restitution in the amount of \$51,811 and a \$100 special assessment. On January 26, 2016, Humphrey pled guilty to an information charging him with one count of embezzling \$51,811 in union funds, in violation of 29

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On October 24, 2016, in the United States District Court for the Eastern District of Michigan, **Devon Madray, President of Security, Police and Fire Professionals of America (SPFPA) Local 119 (located in Roseville, Mich.), pled guilty to one count of embezzling union funds in the amount of \$20,097**, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Detroit-Milwaukee District Office.



U.S. Department of Labor — Offi: x +

dol.gov/olms/regs/compliance/enforce\_2016.htm

investigation by the OLMS Cincinnati-Cleveland District Office.

**On October 24, 2016**, in the United States District Court for the Eastern District of Michigan, Devon Madray, President of Security, Police and Fire Professionals of America (SPFPA) Local 119 (located in Roseville, Mich.), pled guilty to one count of embezzling union funds in the amount of \$20,097, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Detroit-Milwaukee District Office.

**On October 19, 2016**, in the United States District Court for the District of Arizona, Patrick Remigio, former President of American Federation of Government Employees (AFGE) Local 2859 (located in Tucson, Ariz.), pled guilty to one count of wire fraud, in violation of 18 U.S.C. 1343. In addition, Remigio agreed to pay \$95,000 in restitution. The guilty plea follows an investigation by the OLMS Phoenix Resident Investigator Office, the Department of Homeland Security's Office of Professional Responsibility, and the FBI.

**On October 18, 2016**, in the Westchester County District Court, Frank Gluberman, former Secretary Treasurer of the Greenburgh Teachers Federation (located in Hartsdale, N.Y.), was sentenced to between one to three years in prison. He was also ordered to pay restitution in the amount of \$822,281. On August 13, 2014, Gluberman pled guilty to grand larceny in the second degree. The sentencing follows an investigation by the OLMS New York District Office.

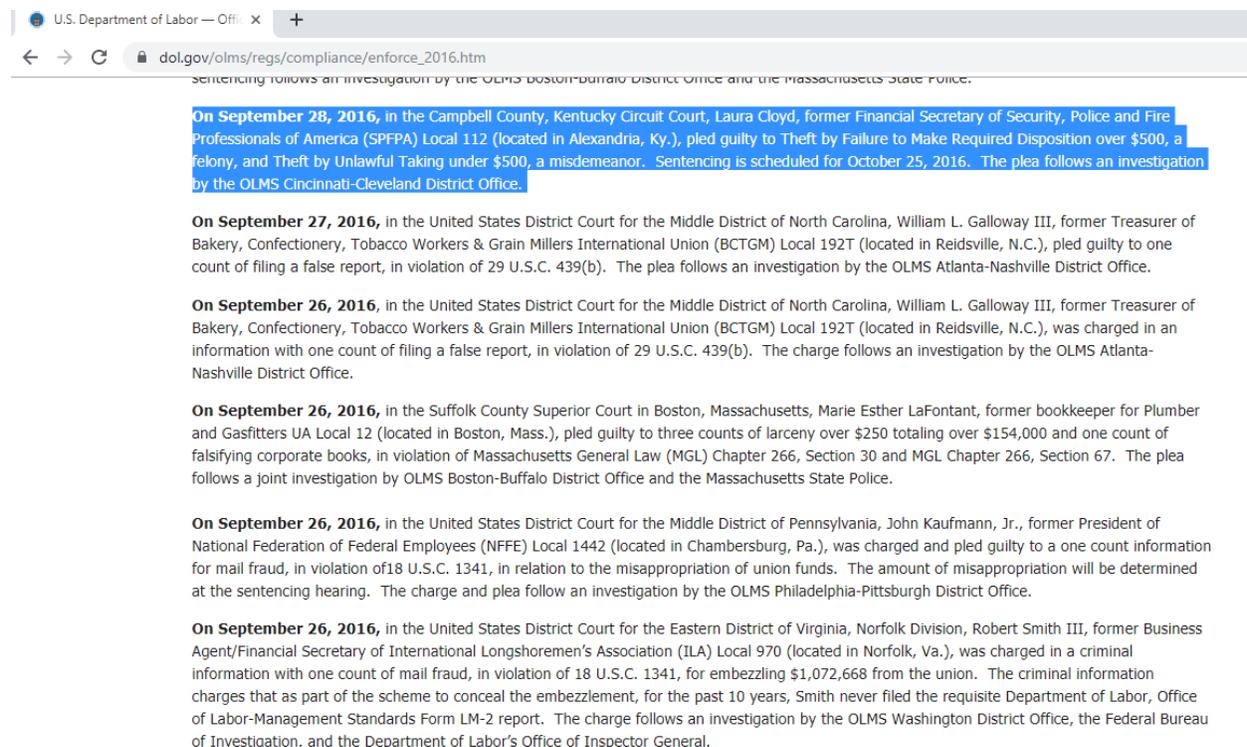
**On October 14, 2016**, in the United States District Court for the Eastern District of Virginia, Norfolk Division, Robert Smith, former Business Manager/Financial Secretary of International Longshoremen's Association (ILA) Local 970 (located in Norfolk, Va.), pled guilty to one count of mail fraud, in violation of 18 U.S.C. 1341, for stealing \$1,072,668 from the union. Smith withdrew more than \$700,000 from the union in cash, paid his personal credit card bills with union funds, and used union funds to purchase gas, food, clothing, shoes, toys, entertainment, and home improvement supplies. The guilty plea is the result of an investigation by the OLMS Washington District Office, the FBI, and Department of Labor's Office of Inspector General.

**On October 13, 2016**, in the United States District Court for the Western District of Arkansas, Clinton Humphrey, former President and Business Manager of International Brotherhood of Electrical Workers (IBEW) Local 386 (located in Texarkana, Ark.), was sentenced to six months of home confinement and five years of probation. Humphrey was also ordered to pay restitution in the amount of \$51,811 and a \$100 special assessment. On January 26, 2016, Humphrey pled guilty to an information charging him with one count of embezzling \$51,812 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

**On October 11, 2016**, in the United States District Court for the District of Colorado, Violet Lamorie, former Secretary Treasurer of American Federation of Government Employees (AFGE) Local 695 (located in Denver, Colo.), was charged in a criminal information with one count of wire fraud, in violation of 18 U.S.C. 1343, for embezzling over \$70,000 from the union. The charge follows an investigation by the OLMS Denver-St. Louis District Office and the Department of Treasury's Office of Inspector General.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On September 28, 2016, in the Campbell County, Kentucky Circuit Court, **Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), pled guilty** to Theft by Failure to Make Required Disposition over \$500, a felony, and Theft by Unlawful Taking under \$500, a misdemeanor. Sentencing is scheduled for October 25, 2016. The plea follows an investigation by the OLMS Cincinnati-Cleveland District Office.



[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On September 7, 2016, in the United States District Court for Eastern District of Washington, **Charles Nelson**, former Secretary-Treasurer of the National Council of Security Police (NCSP), formally located in Yakima, Wash., **pled guilty to one count of embezzling over \$140,000 in union funds**, in violation of 29 U.S.C. 501(c). The sentencing is scheduled for December 14, 2016. The guilty plea follows an investigation by the OLMS San Francisco-Seattle District Office. It has been noted on the NCSP website, SPFPA was a member of the National Council of Security Police (NCSP).

U.S. Department of Labor — Offi x +

dol.gov/olms/regs/compliance/enforce\_2016.htm

investigation by the OLMS Detroit-Milwaukee District Office.

**On September 7, 2016**, in the United States District Court for Eastern District of Washington, Charles Nelson, former Secretary-Treasurer of the National Council of Security Police (NCSP), formally located in Yakima, Wash., pled guilty to one count of embezzling over \$140,000 in union funds, in violation of 29 U.S.C. 501(c). The sentencing is scheduled for December 14, 2016. The guilty plea follows an investigation by the OLMS San Francisco-Seattle District Office.

**On September 7, 2016**, in the Dubois Superior Court in Dubois County, Indiana, Carlton Woodcox, former Secretary-Treasurer for American Federation of Government Employees (AFGE) Local 2150 (located in Jasper, Ind.), pled guilty to one count of theft in the amount of \$30,859, a Class D felony. The plea follows an investigation by the OLMS Cincinnati-Cleveland District Office.

**On September 7, 2016**, in the United States District Court for the Northern District of Oklahoma, Jason Leach, former President of United Steelworkers of America (USWA) Local 13-669 (located in Pryor, Okla.), was ordered to pay a \$100 fine and a \$25 special assessment. On May 25, 2016, Leach pled guilty to a superseding indictment charging him with one count of making false statements and representation of a material fact knowing it to be false, in violation of 29 U.S.C. 439(b). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

**On September 7, 2016**, in the Court of Common Pleas of Cuyahoga County, Ohio, Arthur W. Boedecker, Jr., former Vice President of Utility Workers Union of America (UWUA) Local 270 (located in Brooklyn Heights, Ohio), was indicted for money laundering prohibitions, in violation of Ohio Revised Code 1315.55. On March 17, 2016, Boedecker was initially charged with one count of theft in the amount of \$40,203. The charges follow an investigation by the OLMS Cincinnati-Cleveland District Office.

**On September 1, 2016**, in the United States District Court for the Middle District of Louisiana, Todd Culley, former Secretary-Treasurer of United Steelworkers of America (USWA) Local 103 (located in St. Francisville, La.), was sentenced to two years of probation and was ordered to pay restitution in the amount of \$91,926, in monthly installments of no less than \$700. He was also ordered to pay a \$3,000 fine and a \$100 special assessment fee. On April 26, 2016, Culley pled guilty to one count of embezzlement of union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans Office.

**On September 1, 2016**, in the 17th Judicial Circuit Court of Florida, Roger Martinez, former Vice President of Transport Workers Union (TWU) Local 296 (formerly located in Ft. Lauderdale, Fla.), pled no contest to one count of grand theft in the 3rd degree in the amount of \$5,500. Based upon an open plea to the court, the judge withheld adjudication and sentenced the subject to 18 months of probation. Martinez previously paid full restitution of \$5,500. The plea and sentencing follow an investigation by the OLMS Ft. Lauderdale Resident Investigator Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On July 14, 2016, in the Campbell County, Kentucky Circuit Court, **Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), was charged in a one-count indictment for felony theft** by failure to make required disposition of property, value \$500 or more, in violation of KRS 514.070. The indictment follows an investigation by the OLMS Cincinnati-Cleveland District Office.

U.S. Department of Labor — Offi: X +

dol.gov/olms/regs/compliance/enforce\_2016.htm

**On July 14, 2016**, in the Campbell County, Kentucky Circuit Court, Laura Cloyd, former Financial Secretary of Security, Police and Fire Professionals of America (SPFPA) Local 112 (located in Alexandria, Ky.), was charged in a one-count indictment for felony theft by failure to make required disposition of property, value \$500 or more, in violation of KRS 514.070. The indictment follows an investigation by the OLMS Cincinnati-Cleveland District Office.

**On July 14, 2016**, in the United States District Court for the Central Division of the District of South Dakota, Kenneth Potter, former Treasurer of the South Dakota Staff Organization (located in Pierre, S.D.), pled guilty to one count of false records, in violation of 29 U.S.C. 439(c). He was then sentenced to 12 months of probation and ordered to obtain and pay for credit counseling. Potter had previously paid \$4,130 in restitution. On April 22, 2016, Potter was charged in a one-count information with falsification of financial records required to be kept by labor unions, in violation of 29 U.S.C. 439(c). The guilty plea and sentencing follow an investigation by the OLMS Minneapolis Resident Investigator Office.

**On July 14, 2016**, in the United States District Court for the Eastern District of Michigan, Bernadine Bell, former Treasurer of International Alliance of Theatrical Stage Employees (IATSE) Local 757 (located in Detroit, Mich.), pled guilty to one count of embezzling union funds in the amount of \$73,000, in violation of 29 U.S.C. 501(c). The guilty plea follows a joint investigation by the OLMS Detroit-Milwaukee District Office and the Department of Labor's Office of Inspector General.

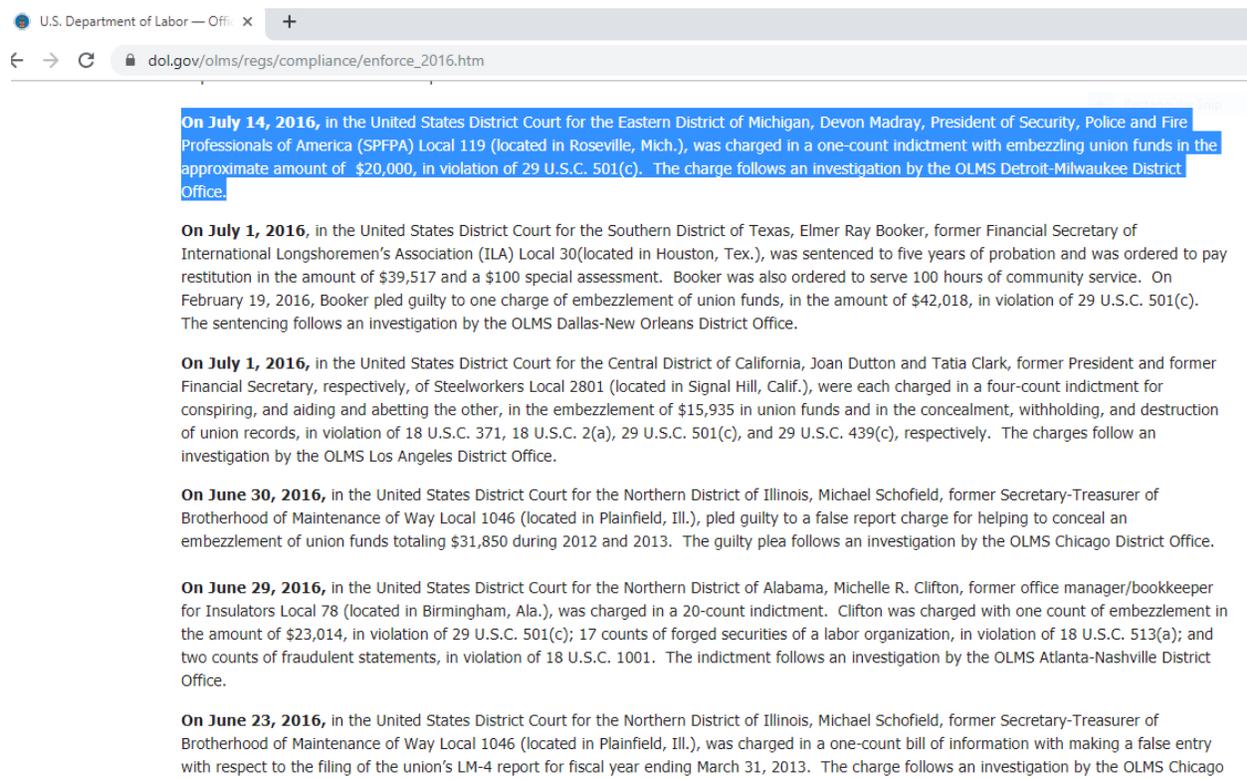
**On July 14, 2016**, in the United States District Court for the Eastern District of Michigan, Devon Madray, President of Security, Police and Fire Professionals of America (SPFPA) Local 119 (located in Roseville, Mich.), was charged in a one-count indictment with embezzling union funds in the approximate amount of \$20,000, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Detroit-Milwaukee District Office.

**On July 1, 2016**, in the United States District Court for the Southern District of Texas, Elmer Ray Booker, former Financial Secretary of International Longshoremen's Association (ILA) Local 30 (located in Houston, Tex.), was sentenced to five years of probation and was ordered to pay restitution in the amount of \$39,517 and a \$100 special assessment. Booker was also ordered to serve 100 hours of community service. On February 19, 2016, Booker pled guilty to one charge of embezzlement of union funds, in the amount of \$42,018, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

**On July 1, 2016**, in the United States District Court for the Central District of California, Joan Dutton and Tatia Clark, former President and former Financial Secretary, respectively, of Steelworkers Local 2801 (located in Signal Hill, Calif.), were each charged in a four-count indictment for conspiring, and aiding and abetting the other, in the embezzlement of \$15,935 in union funds and in the concealment, withholding, and destruction of union records in violation of 29 U.S.C. 437, 29 U.S.C. 438, 29 U.S.C. 501(c), and 29 U.S.C. 439(c), respectively. The charges follow an investigation by the OLMS San Francisco District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On July 14, 2016, in the United States District Court for the Eastern District of Michigan, **Devon Madray, President of Security, Police and Fire Professionals of America (SPFPA) Local 119 (located in Roseville, Mich.), was charged in a one-count indictment with embezzling union** funds in the approximate amount of \$20,000, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Detroit-Milwaukee District Office.



U.S. Department of Labor — Offi. x +

dol.gov/olms/regs/compliance/enforce\_2016.htm

**On July 14, 2016**, in the United States District Court for the Eastern District of Michigan, Devon Madray, President of Security, Police and Fire Professionals of America (SPFPA) Local 119 (located in Roseville, Mich.), was charged in a one-count indictment with embezzling union funds in the approximate amount of \$20,000, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Detroit-Milwaukee District Office.

**On July 1, 2016**, in the United States District Court for the Southern District of Texas, Elmer Ray Booker, former Financial Secretary of International Longshoremen's Association (ILA) Local 30 (located in Houston, Tex.), was sentenced to five years of probation and was ordered to pay restitution in the amount of \$39,517 and a \$100 special assessment. Booker was also ordered to serve 100 hours of community service. On February 19, 2016, Booker pled guilty to one charge of embezzlement of union funds, in the amount of \$42,018, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

**On July 1, 2016**, in the United States District Court for the Central District of California, Joan Dutton and Tatia Clark, former President and former Financial Secretary, respectively, of Steelworkers Local 2801 (located in Signal Hill, Calif.), were each charged in a four-count indictment for conspiring, and aiding and abetting the other, in the embezzlement of \$15,935 in union funds and in the concealment, withholding, and destruction of union records, in violation of 18 U.S.C. 371, 18 U.S.C. 2(a), 29 U.S.C. 501(c), and 29 U.S.C. 439(c), respectively. The charges follow an investigation by the OLMS Los Angeles District Office.

**On June 30, 2016**, in the United States District Court for the Northern District of Illinois, Michael Schofield, former Secretary-Treasurer of Brotherhood of Maintenance of Way Local 1046 (located in Plainfield, Ill.), pled guilty to a false report charge for helping to conceal an embezzlement of union funds totaling \$31,850 during 2012 and 2013. The guilty plea follows an investigation by the OLMS Chicago District Office.

**On June 29, 2016**, in the United States District Court for the Northern District of Alabama, Michelle R. Clifton, former office manager/bookkeeper for Insulators Local 78 (located in Birmingham, Ala.), was charged in a 20-count indictment. Clifton was charged with one count of embezzlement in the amount of \$23,014, in violation of 29 U.S.C. 501(c); 17 counts of forged securities of a labor organization, in violation of 18 U.S.C. 513(a); and two counts of fraudulent statements, in violation of 18 U.S.C. 1001. The indictment follows an investigation by the OLMS Atlanta-Nashville District Office.

**On June 23, 2016**, in the United States District Court for the Northern District of Illinois, Michael Schofield, former Secretary-Treasurer of Brotherhood of Maintenance of Way Local 1046 (located in Plainfield, Ill.), was charged in a one-count bill of information with making a false entry with respect to the filing of the union's LM-4 report for fiscal year ending March 31, 2013. The charge follows an investigation by the OLMS Chicago

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On May 10, 2016, in the United States District Court for the District of New Jersey, **Assane Faye**, National President/Executive Director for the United Security and Police Officers of America (USPOA), located in Toms River, N.J., **was found guilty by a jury for charges relating to two counts of embezzling union funds over \$350,000**, in violation of 29 U.S.C. 501(c), and seven counts of mail fraud over \$7,000 arising from unemployment insurance fraud, in violation of 18 U.S.C. 1341. Faye was ordered by the court to immediately relinquish his union position as National President/Executive Director and remain under home confinement pending sentencing. The guilty verdict follows a joint investigation by the OLMS New York District Office and the Department of Labor's Office of Inspector General. **Assane Faye was the former Washington DC Director for the International Union, of Security, Police and Fire Professionals of America (SPFPA).**

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)  
Investigative Office and the Internal Revenue Service-Criminal Investigations.

**On May 10, 2016**, in the United States District Court for the District of New Jersey, Assane Faye, National President/Executive Director for the United Security and Police Officers of America (USPOA), located in Toms River, N.J., was found guilty by a jury for charges relating to two counts of embezzling union funds over \$350,000, in violation of 29 U.S.C. 501(c), and seven counts of mail fraud over \$7,000 arising from unemployment insurance fraud, in violation of 18 U.S.C. 1341. Faye was ordered by the court to immediately relinquish his union position as National President/Executive Director and remain under home confinement pending sentencing. The guilty verdict follows a joint investigation by the OLMS New York District Office and the Department of Labor's Office of Inspector General.

**On May 5, 2016**, in the United States District Court for the Western District of Louisiana, Gregory J. Hill, Jr., former Vice President of United Auto Workers (UAW) Local 2297 (formerly located in Shreveport, La.), was sentenced to four years of probation and was ordered to pay restitution in the amount of \$12,232. On January 21, 2016, Hill pled guilty to one count of Uttering-Forgery, in violation of 18 U.S.C. 513(a), in the amount of \$581. The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

**On May 4, 2016**, in the United States District Court for the District of Kansas, Shelly Sutton, former Treasurer of American Federation of Government Employees (AFGE) Local 477 (located in Wichita, Kans.), was sentenced to three months in prison, three years of supervised release, and was ordered to pay restitution of \$78,778. On February 17, 2016, Sutton pled guilty to one count of bank fraud, in violation of 18 U.S.C. 1344. The sentencing follows an investigation by the OLMS Denver-St. Louis District Office.

**On May 3, 2016**, in the United States District Court for the District of Columbia, Marcella Champion, former Treasurer of American Federation of Government Employees (AFGE) Local 1831 (located in Washington, D.C.), pled guilty to one count of theft within a special maritime and territorial jurisdiction of the United States, in violation of 18 U.S.C. 661 for stealing \$4,130 from the union. The guilty plea follows an investigation by the OLMS Washington District Office.

**On April 26, 2016**, in the United States District Court for the Middle District of Louisiana, Todd Culley, former Secretary-Treasurer of United Steelworkers (USW) Local 103 (located in St. Francisville, La.), pled guilty to one count of embezzlement of union funds, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS Dallas-New Orleans Office.

**On April 22, 2016**, in the United States District Court for the Central Division of the District of South Dakota, Kenneth Potter, former Treasurer of the South Dakota Staff Organization (located in Pierre, S.D.), was charged in a one-count information with falsification of financial records required to be kept by labor unions, in violation of 29 U.S.C. 439(c). Potter was previously charged in a one-count indictment on March 15, 2016 with embezzling union funds in the amount of \$4,130, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Minneapolis Resident Investigator Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On April 20, 2016, in the United States District Court for the Eastern District of Washington, **Charles Nelson**, former Treasurer for the National Council of Security Police (NCSP), located in Yakima, Wash., **was indicted for one count of embezzling over \$140,000 in union funds**, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS San Francisco-Seattle District Office. It has been noted on the NCSP website, SPFPA was a member of the National Council of Security Police (NCSP).

🏠 → 🔄 [dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)  
Resident Investigator Office.

**On April 20, 2016**, in the United States District Court for the Eastern District of Washington, Charles Nelson, former Treasurer for the National Council of Security Police (NCSP), located in Yakima, Wash., was indicted for one count of embezzling over \$140,000 in union funds, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS San Francisco-Seattle District Office.

**On April 19, 2016**, in the United States District Court for the Western District of Michigan, Jeffrey Velfling and John Crosby, former Chief Steward and Assistant Steward, respectively, of National Postal Mail Handlers Union (NPMHU) Local 307 (located in Detroit, Mich.), were each charged in an indictment with one count of embezzling approximately \$6,758 in union funds, in violation of 29 U.S.C. 501(c). The indictment follows a joint investigation by the OLMS Detroit-Milwaukee District Office, the Department of Labor's Office of Inspector General, and the United States Postal Service's Office of Inspector General.

**On April 14, 2016**, in the United States District Court for the Northern District of Illinois, Raul Mascote, former Secretary-Treasurer of International Association of Machinists Local Lodge 2458 (located in Minooka, Ill.), pled guilty to one count of embezzling union funds in the amount of \$63,263, in violation of 29 U.S.C. 501(c). Not included in the charge, but for the purposes of computing his sentence under Guideline Section 1B1.2, Mascote stipulated to having stolen, and knowingly converted to his own, property of the United States valued at \$510,973, in violation of 18 U.S.C. 641. The guilty plea follows investigations conducted by the OLMS Chicago District Office and the Department of Energy's Office of Inspector General.

**On April 14, 2016**, in the United States District Court for the Middle District of Louisiana, Todd Culley, former Secretary-Treasurer of United Steelworkers (USW) Local 103 (located in St. Francisville, La.), was charged in a one-count bill of information with embezzlement of union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Dallas-New Orleans District Office.

**On April 11, 2016**, in the United States District Court for South Dakota, Southern Division, Susan Haugen, former Treasurer of the South Dakota American Postal Workers of America (APWU) State Association (located in Huron, S.D.), was sentenced to one year of probation and was ordered to pay a \$100 special assessment. Haugen previously paid restitution in the amount of \$38,234. On January 26, 2016, Haugen pled guilty to one count of embezzling union funds in the amount of \$30,783, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Detroit-Milwaukee District Office.

**On April 6, 2016**, in the Nassau County District Court in Mineola, New York, Charles Burke, former Treasurer of Utility Workers Union of America (UWUA) Local 365 (located in Valley Stream, N.Y.), pled guilty to Scheme to Defraud 2 (a class A misdemeanor) and admitted to stealing \$111,000 from Local 365 without the union's permission, authority, or knowledge. The guilty plea follows an investigation by the OLMS New York District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On March 1, 2016, in the United States District Court for the Southern District of Texas, **Cynthia Gale Angulo, former President** of the Currency and Security Handlers Association (CASHA), located in Houston, Tex., **was sentenced to 10 months of confinement**, split into three months in custody and seven months of home confinement, and three years of supervised release. She was also ordered to pay restitution in the amount of \$61,272. On August 27, 2015, **Angulo pled guilty to one count of embezzlement of union funds, in the amount of \$61,200**, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

and the Department of Labor's Office of Inspector General.

Rectangular Sign

**On March 1, 2016**, in the United States District Court for the Southern District of Texas, Cynthia Gale Angulo, former President of the Currency and Security Handlers Association (CASHA), located in Houston, Tex., was sentenced to 10 months of confinement, split into three months in custody and seven months of home confinement, and three years of supervised release. She was also ordered to pay restitution in the amount of \$61,272. On August 27, 2015, Angulo pled guilty to one count of embezzlement of union funds, in the amount of \$61,200, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

**On February 26, 2016**, in the Onondaga County Court in Syracuse, New York, Patrick Rommevaux, former business representative of Elevator Constructors Local 62 (located in Syracuse, N.Y.), was sentenced to five years of probation and was ordered to pay a \$2,000 fine. He previously made restitution in the amount of \$16,545. On December 9, 2015, Rommevaux was indicted and pled guilty to one felony count of grand larceny in the fourth degree. The sentencing follows an investigation from the OLMS Boston-Buffalo District Office.

**On February 23, 2016**, in the United States District Court for the Eastern District of North Carolina, Benjamin F. Stancil, former Secretary-Treasurer of American Federation of Government Employees (AFGE) Local 451 (located in Havelock, N.C.), was charged in an information with four counts of wire fraud, in violation of 18 U.S.C. 1343. The charge follows an investigation by the OLMS Atlanta-Nashville District Office.

**On February 19, 2016**, in the United States District Court for the Southern District of Texas, Elmer Ray Booker, former Financial Secretary of the International Longshoremen's Association (ILA) Local 1530 (located in Houston, Tex.), pled guilty to one count of embezzlement of union funds in the amount of \$42,018, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS Dallas-New Orleans District Office.

**On February 19, 2016**, in the United States District Court for the Southern District of New York, Malkia King and Adrian Lindsay, former President and Vice President, respectively, of the Benefit Fund Staff Association (BFSA), located in New York, N.Y., were each charged in a complaint with conspiracy and embezzlement of union funds in the amount of approximately \$25,000, in violation of 18 U.S.C. 371 and 29 U.S.C. 501(c). The charges follow and investigation by the OLMS New York District Office.

**On February 18, 2016**, in the 8th District Court of Kalamazoo County, Michigan, Alton Alexander, former Financial Secretary of United Steelworkers of America Local 2-479 (located in Plainwell, Mich.), pled guilty to one count of misdemeanor embezzlement of \$200 or more, but less than \$1,000, in violation of Michigan Compiled Laws 750.174(3)(a). Alexander was then sentenced to six months of probation and was ordered to pay \$2,553 in restitution, a \$100 fine, and court and probation costs totaling \$300. Alexander previously paid restitution in the amount of \$1,653. The guilty plea and sentencing follow an investigation by the OLMS Detroit-Milwaukee District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

On January 12, 2016, in the United States District Court for the District of New Hampshire, **Gregory Paradis**, former chief steward of the United Federation of Special Police and Security Officers (UFSPSO) Local 501 (located in Seabrook, N.H.), was sentenced to two years of probation and was ordered to pay restitution in the amount of \$13,493. On October 2, 2015, Paradis pled guilty to **one count of embezzlement of labor union funds**, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Boston-Buffalo District Office. SPFPA is an associate of former UFSPSO President Ralph Purdy who had attended SPFPA's 2015 convention.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

**On January 12, 2016**, in the United States District Court for the District of New Hampshire, Gregory Paradis, former chief steward of the United Federation of Special Police and Security Officers (UFSPSO) Local 501 (located in Seabrook, N.H.), was sentenced to two years of probation and was ordered to pay restitution in the amount of \$13,493. On October 2, 2015, Paradis pled guilty to one count of embezzlement of labor union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Boston-Buffalo District Office.

**On January 12, 2016**, in the United States District Court for the District of Delaware, Herbert White, Jr., former Financial Secretary-Treasurer of Local 8936 (located in Wilmington, Del.), was charged in a criminal complaint with embezzling \$24,287 in union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Philadelphia-Pittsburgh District Office.

**On January 7, 2016**, in the United States District Court for the Southern District of Illinois, Carolyn Hall, bookkeeper for Laborers Local 1197 (located in McLeansboro, Ill.), was sentenced to two years of probation and was ordered to pay a \$100 assessment. Hall previously paid restitution in full. On August 7, 2015, Hall pled guilty to one count of embezzling \$26,291 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Denver-St. Louis District Office.

**On January 6, 2016**, in the United States District Court for the Central District of Illinois, Jerry L. Conner, former President and Business Agent of Teamsters Local 279 (located in Decatur, Ill.), was charged in an information with making false entries in financial records, in violation of 29 U.S.C. 439(c). The charge follows a joint investigation by the OLMS Chicago District Office and the Department of Labor's Office of Inspector General.

**On January 5, 2016**, in the United States District Court for the District of Colorado, Christopher Headlee, former Treasurer of United Government Security Officers of America (UGSOA) Local 50 (located in Durango, Colo.), was sentenced to one year of probation and was ordered to pay remaining restitution in the amount of \$1,947 (\$9,000 previously paid) and a \$25 special assessment. On October 14, 2015, Headlee pled guilty to one count of falsification of an annual financial report filed by a labor union, in violation of 29 U.S.C. 439(b). The sentencing follows an investigation by the OLMS Denver-St. Louis District Office.

**On January 5, 2016**, in the United States District Court for the Eastern District of Michigan, Northern Division, Edward Mason, former President of American Federation of Government Employees (AFGE) Local 2274 (located in Saginaw, Mich.), was sentenced to two years of probation and was ordered to pay \$21,077 in restitution and a \$25 special assessment. On September 17, 2015, Mason pled guilty to one count of making false statements in an official certificate or writing, in violation of 18 U.S.C. 1018. The sentencing follows an investigation by the OLMS Detroit-Milwaukee District Office and the Department of Labor's Office of Inspector General.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2016.htm](https://www.dol.gov/olms/regs/compliance/enforce_2016.htm)

**On January 12, 2016**, in the United States District Court for the District of New Hampshire, Gregory Paradis, former chief steward of the United Federation of Special Police and Security Officers (UFSPSO) Local 501 (located in Seabrook, N.H.), was sentenced to two years of probation and was ordered to pay restitution in the amount of \$13,493. On October 2, 2015, Paradis pled guilty to one count of embezzlement of labor union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Boston-Buffalo District Office.

**On January 12, 2016**, in the United States District Court for the District of Delaware, Herbert White, Jr., former Financial Secretary-Treasurer of Local 8936 (located in Wilmington, Del.), was charged in a criminal complaint with embezzling \$24,287 in union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Philadelphia-Pittsburgh District Office.

**On January 7, 2016**, in the United States District Court for the Southern District of Illinois, Carolyn Hall, bookkeeper for Laborers Local 1197 (located in McLeansboro, Ill.), was sentenced to two years of probation and was ordered to pay a \$100 assessment. Hall previously paid restitution in full. On August 7, 2015, Hall pled guilty to one count of embezzling \$26,291 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Denver-St. Louis District Office.

**On January 6, 2016**, in the United States District Court for the Central District of Illinois, Jerry L. Conner, former President and Business Agent of Teamsters Local 279 (located in Decatur, Ill.), was charged in an information with making false entries in financial records, in violation of 29 U.S.C. 439(c). The charge follows a joint investigation by the OLMS Chicago District Office and the Department of Labor's Office of Inspector General.

**On January 5, 2016**, in the United States District Court for the District of Colorado, Christopher Headlee, former Treasurer of United Government Security Officers of America (UGSOA) Local 50 (located in Durango, Colo.), was sentenced to one year of probation and was ordered to pay remaining restitution in the amount of \$1,947 (\$9,000 previously paid) and a \$25 special assessment. On October 14, 2015, Headlee pled guilty to one count of falsification of an annual financial report filed by a labor union, in violation of 29 U.S.C. 439(b). The sentencing follows an investigation by the OLMS Denver-St. Louis District Office.

**On January 5, 2016**, in the United States District Court for the Eastern District of Michigan, Northern Division, Edward Mason, former President of American Federation of Government Employees (AFGE) Local 2274 (located in Saginaw, Mich.), was sentenced to two years of probation and was ordered to pay \$21,077 in restitution and a \$25 special assessment. On September 17, 2015, Mason pled guilty to one count of making false statements in an official certificate or writing, in violation of 18 U.S.C. 1018. The sentencing follows an investigation by the OLMS Detroit-Milwaukee District Office and the Department of Labor's Office of Inspector General.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)

On August 27, 2015, in the United States District Court for the Southern District of Texas, **Cynthia Gale Angulo, former President** of the Currency and Security Handlers Association (CASHA), located in Houston, Texas, **pled guilty to one count of embezzling \$61,200** in union funds, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Dallas-New Orleans District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)

**On August 27, 2015**, in the United States District Court for the Southern District of Texas, Cynthia Gale Angulo, former President of the Currency and Security Handlers Association (CASHA), located in Houston, Texas, pled guilty to one count of embezzling \$61,200 in union funds, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Dallas-New Orleans District Office.

**On August 27, 2015**, in the Court of Common Pleas of Washington County Pennsylvania, Rae Dawn Grillo, former Treasurer of the Charleroi Area Education Association (CAEA), located in Charleroi, Pa., pled guilty to theft of \$65,963 in association funds, in violation of 18 Pa. Criminal Code 3921(a). Grillo was then sentenced to nine months of electronic monitoring, five years of probation, 200 hours of community service, and was ordered to pay the remaining restitution in the amount \$8,175. The guilty plea and sentencing follow a joint investigation by the OLMS Philadelphia-Pittsburgh District Office and the Department of Labor's Office of Inspector General.

**On August 25, 2015**, in the United States District Court for the Northern District of Illinois, Michelle Misso, former bookkeeper of Ironworkers Local 63 (located in Broadview, Ill.), was charged in a one-count information with making a false entry on a check, in violation of 29 U.S.C. 439(c). The charge follows a joint investigation by the OLMS Chicago District Office and the Department of Labor's Office of Inspector General.

**On August 20, 2015**, in the United States District Court for the Western District of Pennsylvania, Michael C. Trembulak, former President of Utility Workers Union Local 475 (located in Rochester, Pa.), was sentenced to five months of incarceration, followed by six months of home confinement, three years of supervised release, and was ordered to pay restitution in the amount \$31,528. On March 4, 2015, Trembulak had previously pled guilty to embezzlement of union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Philadelphia-Pittsburgh District Office.

**On August 18, 2015**, in the United States District Court for the Eastern District of Michigan, Karen McJimpson, former Executive Vice President of Communications Workers of America (CWA) Local 4004 (located in Detroit, Mich.), was charged in a one-count indictment with embezzling approximately \$19,000 in union funds, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS Detroit-Milwaukee District Office.

**On August 17, 2015**, in the United States District Court for the Western District of Kentucky, Jerry Vincent, former President of Teamsters Local 783 (located in Louisville, Ky.), pled guilty to one count of embezzling union funds in the amount of \$17,272 and 13 counts of falsifying union records, in violation of 29 U.S.C. 501(c) and 29 U.S.C. 439(c), respectively. The guilty plea follows an investigation by the OLMS Cincinnati-Cleveland District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)

On August 12, 2015, in the United States District Court for the District of New Hampshire, **Gregory Paradis, former Chief Steward** of United Federation of Special Police and Security Officers (UFSPSO) Local 501 (located in Seabrook, N.H.), **was charged in a one-count indictment with embezzling union funds, in violation of 29 U.S.C. 501(c).** The indictment follows an investigation by the OLMS Boston-Buffalo District Office. SPFPA is an associate of former UFSPSO President Ralph Purdy who had attended SPFPA's 2015 convention.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)

follows a joint investigation by the OLMS Detroit-Milwaukee District Office and the Department of Labor's Office of Inspector General.

**On August 12, 2015**, in the United States District Court for the District of New Hampshire, Gregory Paradis, former Chief Steward of United Federation of Special Police and Security Officers (UFSPSO) Local 501 (located in Seabrook, N.H.), was charged in a one-count indictment with embezzling union funds, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS Boston-Buffalo District Office.

**On August 12, 2015**, in the United States District Court for the Western District of Michigan, Jesus Gonzales, President of American Postal Workers Union (APWU) Local 300 (formerly Local 488-489), located in Lansing, Mich., was charged with one count of embezzling \$6,720 in union funds, in violation of 29 U.S.C. 501(c), and one count of falsifying financial records, in violation of 29 U.S.C. 439(c). The charges follow a joint investigation by the OLMS Detroit-Milwaukee District Office and the United States Postal Service's Office of Inspector General.

**On August 12, 2015**, in the United States District Court for the Northern District of Ohio, Heather Banhidy, former office secretary for Plumbers Local 120 (located in Cleveland, Ohio), was indicted for one count of embezzlement in the amount of \$13,906, in violation of 29 U.S.C. 501(c), and two counts of falsification of union records, in violation of 29 U.S.C. 439(c). The charges follow an investigation by the OLMS Cincinnati-Cleveland District Office.

**On August 11, 2015**, in the United States District Court for the Southern District of Ohio, Estella Collier, former office secretary for Carpenters Local 200 (located in Columbus, Ohio), pled guilty to one count of embezzlement, in violation of 29 U.S.C. 501(c). On July 28, 2015, an information was filed charging Collier with embezzling \$12,933 by writing unauthorized checks payable to herself and her credit union as well as using the union's bank account to make personal purchases from online merchants. The guilty plea follows an investigation by the OLMS Cincinnati-Cleveland District Office and the Department of Labor's Office of Inspector General.

**On August 10, 2015**, in the Circuit Court of Summers County, West Virginia, Nathan McCallister, former Secretary-Treasurer of Brotherhood of Locomotive Engineers and Trainmen (BLET) Division 101 (located in Hinton, W.Va.), was sentenced to two years of probation and was ordered to pay restitution in the amount of \$1,409. On June 12, 2015, McCallister pled guilty to one count of felony embezzlement of an amount more than \$1,000, in violation of West Virginia Code 61-3-20. The sentencing follows an investigation by the OLMS Philadelphia-Pittsburgh District Office.

**On August 7, 2015**, in the United States District Court for the District of Maine, Mark P. Durinski, former President of American Federation of Government Employees (AFGE) Local 294 (located in Limestone, Maine), was charged in a three-count information with making false statements and entries on LM-Reports, in violation of 18 U.S.C. 1001(a)(3). The charge follows an investigation by the OLMS Boston-Buffalo District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)

On June 18, 2015, in the United States District Court for the Southern District of Texas, **Cynthia Gale Angulo, former President** of the Currency and Security Handlers Association (located in Houston, Tex.), was charged in a **one-count information with embezzlement of union funds in the approximate amount of \$61,200**, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Dallas-New Orleans District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)

2015 - The charge and plea follow an investigation by the OLMS San Francisco-Seattle District Office.

**On June 18, 2015**, in the United States District Court for the Southern District of Texas, Cynthia Gale Angulo, former President of the Currency and Security Handlers Association (located in Houston, Tex.), was charged in a one-count information with embezzlement of union funds in the approximate amount of \$61,200, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Dallas-New Orleans District Office.

**On June 16, 2015**, in the United States District Court for the Western District of Michigan, Timothy Casperson, former Treasurer of National Association of Letter Carriers (NALC) Branch 249 (located in Menominee, Mich.), was indicted on one count of embezzling \$9,650 in union funds, in violation of 29 U.S.C. 501(c); one count of false reporting, in violation of 29 U.S.C. 439(b); and one count of falsifying union records, in violation of 29 U.S.C. 439(c). The indictment follows an investigation by the Detroit-Milwaukee District Office.

**On June 16, 2015**, in the United States District Court for the Eastern District of North Carolina, Russell Cameron Hill, former Financial Secretary-Treasurer of National Association of Letter Carriers (NALC) Branch 780 (located in New Bern, N.C.), was sentenced to 24 months of probation with home detention for a period not to exceed 180 consecutive days, and was ordered to pay a \$1,200 fine and a \$100 assessment. On March 11, 2015, Hill pled guilty to one count of embezzlement from a labor union, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Atlanta-Nashville District Office.

**On June 12, 2015**, in the Circuit Court of Summers County, West Virginia, Nathan McCallister, former Treasurer of Brotherhood of Locomotive Engineers and Trainmen (BLET) Division 101 (located in Hinton, W.V.), pled guilty to one count of felony embezzlement of an amount more than \$1,000, in violation of West Virginia Code 61-3-20. The sentencing is scheduled for August 10, 2015. The plea follows an investigation by the Philadelphia-Pittsburgh District Office.

**On June 11, 2015**, in the United States District Court for the Eastern District of Washington, John P. Jones, former Financial Secretary for United Brotherhood of Carpenters and Joiners of America (UBCJA) Local 59 (located in Spokane, Wash.), pled guilty to one count of embezzlement, in violation of 29 U.S.C. 501(c), for embezzling over \$12,000 from the union. The plea follows an investigation by the OLMS San Francisco-Seattle District Office.

**On June 11, 2015**, in the Circuit Court of Hancock County, Indiana, Marcia K. Shull, former Financial Secretary of United Auto Workers (UAW) Local 661 (located in Greenfield, Ind.), was sentenced to 180 days of house arrest, 550 days of probation, and ordered to pay \$168 in fines and costs. Shull previously paid restitution totaling \$18,250. On May 7, 2015, Shull pled guilty to one count felony forgery, in violation of IRC 35-43-5-2(b)(1). The sentencing follows an investigation by the OLMS Cincinnati-Cleveland District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)

On March 30, 2015, in the United States District Court for the District of New Jersey, **Assane Faye**, the founder and National President of the United Security Police Officers Association (USPOA), located in Washington, DC, **was charged in an indictment with two counts of embezzlement of union funds**, in violation of 29 U.S.C 501(c), and seven counts of unemployment fraud, in violation of Title 18 U.S.C. Section 1341. Faye was charged with embezzling over \$300,000 from the union beginning in 2010. The indictment follows a joint investigation by the OLMS New York District Office and the Department of Labor's Office of Inspector General. **Assane Faye was the former Washington DC Director for the International Union, of Security, Police and Fire Professionals of America (SPFPA).**

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)

**On March 30, 2015**, in the United States District Court for the District of New Jersey, Assane Faye, the founder and National President of the United Security Police Officers Association (USPOA), located in Washington, DC, was charged in an indictment with two counts of embezzlement of union funds, in violation of 29 U.S.C 501(c), and seven counts of unemployment fraud, in violation of Title 18 U.S.C. Section 1341. Faye was charged with embezzling over \$300,000 from the union beginning in 2010. The indictment follows a joint investigation by the OLMS New York District Office and the Department of Labor's Office of Inspector General.

**On March 30, 2015**, in the United States District Court for the Southern District of New York, John Earvin, former President of the United Federation of Law Enforcement Officers (UFLEO), located in Bellerose, N.Y., was charged in an indictment with wire fraud, in violation of 18 U.S.C. 1343, for allegedly using an ATM card to make hundreds of cash withdrawals from the union's bank account for personal use and defrauding the union of approximately \$48,012. The indictment follows an investigation by the OLMS New York District Office.

**On March 26, 2015**, in the United States District Court for the Western District of Oklahoma, Michael Low, former Secretary Treasurer of Laborers Local 2097 (located in Oklahoma City, Okla.), was charged and pled guilty to a one-count information of making a false statement to a federal agency, in violation of 18 U.S.C. 1001, for embezzling union funds in the amount of \$12,937. The charge and plea follow an investigation by the OLMS Dallas-New Orleans District Office.

**On March 25, 2015**, in the United States District Court for the Eastern District of Washington, Henry Mayer, former Financial Secretary of National Association of Letter Carriers (NALC) Local 852 (located in Yakima, Wash.), was indicted on one count of embezzlement from a labor union, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS San Francisco-Seattle District Office.

**On March 25, 2015**, in the United States District Court for the Eastern District of Virginia, Norfolk Division, Choi Hawks, former Treasurer of National Association of Letter Carriers (NALC) Branch 6066 (located in Chesapeake, Va.), was sentenced to six months of home detention, five years of supervised probation, and was ordered to attend financial counseling and fraud counseling, and have a mental health evaluation. Hawks previously paid full restitution of \$11,196. On December 17, 2014, Hawks pled guilty to one count of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.

**On March 25, 2015**, in the United States District Court for the Eastern District of Louisiana, Andrea Hobgood, former secretary for Ironworkers Local 58 (located in New Orleans, La.), was sentenced to five years of probation and was ordered to pay \$3,600 in restitution and a \$100 special assessment. Hobgood previously paid \$14,039 in restitution. On March 12, 2014, Hobgood pled guilty to one count of embezzlement, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2015.htm](https://www.dol.gov/olms/regs/compliance/enforce_2015.htm)



## Office of Labor-Management Standards

[DOL Home](#) > [OLMS](#) > [Enforcement](#) > [Criminal Actions 2014](#)

[About OLMS](#)

[Online Public Disclosure Room](#)

[Electronic Filing System \(EFS\)](#)

[Contact OLMS](#)

## Office of Labor-Management Standards (OLMS)

### Criminal Enforcement Actions 2014

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant is guilty of the crime charged.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)

On November 25, 2014, in the United States District Court for the District of Columbia, **Milton Hilliard, former Secretary-Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 287 (located in Washington, D.C.), was sentenced to 180 days** of home confinement with electronic monitoring, three years of probation, and was **ordered to pay restitution of \$34,612 and a fine of \$4,000.** On August 28, 2014, **Hilliard pled guilty to embezzlement of union funds, in violation of 29 U.S.C. 501(c).** The sentencing follows an investigation by the OLMS Washington District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)

**On November 25, 2014,** in the United States District Court for the District of Columbia, Milton Hilliard, former Secretary-Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 287 (located in Washington, D.C.), was sentenced to 180 days of home confinement with electronic monitoring, three years of probation, and was ordered to pay restitution of \$34,612 and a fine of \$4,000. On August 28, 2014, Hilliard pled guilty to embezzlement of union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.

**On November 24, 2014,** in the Eastern District of New York, Warren Joseph Annunziata pled guilty to violating 29 U.S.C. 1111 (persons prohibited from holding certain positions related to an employee benefit fund). In 2011, Annunziata was sentenced to prison for his participation in an extortion scheme, in violation of 18 U.S.C. 1951, following a DOL investigation of his activities while the fund administrator for the plans of the United Craft and Industrial Workers Local Union 91, an independent union located in Williston Park, N.Y., that represents primarily school bus drivers and matrons. The current plea follows a joint investigation by the OLMS New York District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General.

**On November 24, 2014,** in the United States District Court for the Western District of Pennsylvania, Jennifer Gent, former office manager for Sheet Metal Workers (SMW) Local 12, Industry of Western Pennsylvania Joint Apprenticeship Training Fund (JATF), located in Pittsburgh, Pa., pled guilty to a one-count indictment charging her with embezzling \$30,297, in violation of 18 U.S.C. 664. The sentencing is scheduled for March 5, 2015. The plea follows an investigation by the OLMS Philadelphia-Pittsburgh District Office and the Employee Benefits Security Administration.

**On November 20, 2014,** in the United States District Court for the Eastern District of Virginia, Norfolk Division, Jeffrey Jones, former President of National Association of Letter Carriers (NALC) Branch 6066 (located in Chesapeake, Va.), pled guilty to one count of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c), for embezzling \$7,649 from the union. The guilty plea follows an investigation by the OLMS Washington District Office.

**On November 20, 2014,** in the United States District Court for the Northern District of Indiana, Pamela Nessen, former President of American Postal Workers Union (APWU) Local 286 (located in Fort Wayne, Ind.), was charged in a one-count indictment for embezzling \$58,598 in union funds, in violation of 29 U.S.C. 501(c). The indictment was sealed until Nessen self-surrendered on January 12, 2015. The charge follows an investigation by the OLMS Chicago District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)

On August 28, 2014, in the United States District Court for the District of Columbia, **Milton Hilliard, former Secretary-Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 287 (located in Washington, D.C.), pled guilty to one count of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c), for embezzling \$34,612 from the union by making personal purchases on the union's debit card and cash withdrawals from the union's account.** The plea follows an investigation by the OLMS Washington District Office.

→ → ↻ [dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)  
Investigation by the OLMS Philadelphia - Pittsburgh District Office.

**On August 28, 2014**, in the United States District Court for the District of Columbia, Milton Hilliard, former Secretary-Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 287 (located in Washington, D.C.), pled guilty to one count of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c), for embezzling \$34,612 from the union by making personal purchases on the union's debit card and cash withdrawals from the union's account. The plea follows an investigation by the OLMS Washington District Office.

**On August 27, 2014**, in the United States District Court for the District of Maryland, Michael E. Sewell, the owner and operator of MESCO, a contractor that did business with International Brotherhood of Electrical Workers (IBEW) Local 24 (located in Baltimore, Md.), pled guilty to one count of falsifying a document required to be kept by ERISA, in violation of 18 U.S.C. 1027, for knowingly underreporting the hours of work for MESCO employees in documents required to be kept under ERISA as part of the records of employee welfare benefit plans and employee pension benefit plans. The plea follows an investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General.

**On August 27, 2014**, in the United States District Court for the Central District of Illinois, Robert Lewis, former Secretary-Treasurer of American Federation of State, County and Municipal Employees (AFSCME) Local 3585 (located in Canton, Ill.), was sentenced to four months of imprisonment, one year of supervised release with the first eight months being home confinement, and was ordered to pay restitution of \$77,469 and a \$100 assessment. On April 14, 2014, Lewis pled guilty to one count of embezzlement of union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Chicago District Office and the Department of Labor's Office of Inspector General.

**On August 26, 2014**, in the 10th Judicial Circuit in Jefferson County, Alabama, an indictment was filed against John K. Clifton, former Unit Griever of the Steelworkers Local 1013 (located in Fairfield, Ala.), charging him with one count of theft of property in excess of \$2,500, in violation of Alabama Code 13A-8-3. The indictment follows an investigation by the OLMS Atlanta-Nashville District Office.

**On August 22, 2014**, in the United States District Court for the Western District of Tennessee, Don McMahon, former Treasurer for Civilian Technicians Association Independent (CTAI), Tennessee State Council for Air (located in Memphis, Tenn.), was sentenced to one month of imprisonment, three years of supervised release with the condition of one year home detention with electronic monitoring during the first year of supervised release, and was ordered to pay \$11,928

[https://www.dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)

On July 29, 2014, in the United States District Court for the District of Columbia, **Milton Hilliard, former Secretary-Treasurer of Security, Police, Fire Professionals of America (SPFPA) Local 287 (located in Washington, D.C.), was charged in a criminal information with one count of embezzlement from a labor organization**, in violation of 29 U.S.C. 501(c), for embezzling \$25,575 from the union. The charges follow an investigation by the OLMS Washington District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)

**On July 29, 2014**, in the United States District Court for the District of Columbia, Milton Hilliard, former Secretary-Treasurer of Security, Police, Fire Professionals of America (SPFPA) Local 287 (located in Washington, D.C.), was charged in a criminal information with one count of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c), for embezzling \$25,575 from the union. The charges follow an investigation by the OLMS Washington District Office.

**On July 29, 2014**, in the United States Court for the Western District of Pennsylvania, Michael C. Trembulak, former President of Utility Workers Local 475 (located in Rochester, Pa.), was indicted on one count of embezzlement of union funds in the amount of \$31,528 during the period April 19, 2012 through September 18, 2012, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS Philadelphia-Pittsburgh District Office.

**On July 24, 2014**, in the United States District Court for the Central District of Illinois, Robert Davis, former Secretary-Treasurer of Brotherhood of Locomotive Engineers and Trainmen (BLET) Division 644 (located in Cameron, Ill.), was sentenced to four years of probation with the first six months being supervised release and was ordered to pay restitution of \$24,625 and a \$100 assessment. On March 20, 2014, Davis pled guilty to one count of embezzlement of union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Chicago District Office.

**On July 24, 2014**, in the United States District Court for the District of Maryland, Michael E. Sewell, the owner and operator of MESCO, a contractor that did business with International Brotherhood of Electrical Workers (IBEW) Local 24 (located in Baltimore, Md.), was charged in a criminal information with one count of falsifying a document required to be kept by ERISA, in violation of 18 U.S.C. 1027, for knowingly underreporting the hours of work for MESCO employees in documents required to be kept under ERISA as part of the records of employee welfare benefit plans and employee pension benefit plans. The charges follow an investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General.

**On July 21, 2014**, in the United States District Court for the Northern District of Oklahoma, Michael W. Couch, former Business Manager for Sheet Metal Workers (SMW) Local 270 (located in Tulsa, Okla.), was sentenced to three years of probation and was ordered to pay \$8,867 in restitution. On March 11, 2014, Couch pled guilty to willful concealment of union funds, in violation of 29 U.S.C. 439(c). The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)

On January 16, 2014, in the 421st Judicial District Court, Caldwell County, Texas, **David Martinez, former Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 267 (located in Austin, Tex.), was sentenced to five years of probation and was ordered to pay restitution in the amount of \$10,512 and a \$1,500 fine.** On April 12, 2013, Martinez was charged with felony theft in the value of \$1,500 or more but less than \$20,000, in violation of Texas State Penal Code 31.03. The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)

investigation by the OLMS Cincinnati-Cleveland District Office and the Department of Labor's Office of Inspector General.

**On January 16, 2014**, in the 421st Judicial District Court, Caldwell County, Texas, David Martinez, former Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 267 (located in Austin, Tex.), was sentenced to five years of probation and was ordered to pay restitution in the amount of \$10,512 and a \$1,500 fine. On April 12, 2013, Martinez was charged with felony theft in the value of \$1,500 or more but less than \$20,000, in violation of Texas State Penal Code 31.03. The sentencing follows an investigation by the OLMS Dallas-New Orleans District Office.

**On January 16, 2014**, in the United States District Court for the District of Maryland, James Babcock, former Financial Secretary of United Electrical, Radio and Machine Workers of America (UE) Local 121 (located in Baltimore, Md.), pled guilty to one count of embezzling union funds in the amount of \$24,854, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Washington District Office and the Department of Labor's Office of Inspector General.

**On January 15, 2014**, in the United States District Court of the Northern District of Texas, James Jones, former Business Manager and Financial Secretary of International Brotherhood of Electrical Workers (IBEW) Local 898 (located in San Angelo, Tex.), was indicted on one count of embezzlement of union funds in the amount of \$11,551, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS Dallas-New Orleans District Office.

**On January 14, 2014**, in the United States District Court for the District of Columbia, Kenneth Marshall Jr. was indicted on one count of bank theft, in violation of 18 U.S.C. 2113(b), and one count of aiding and abetting, in violation of 18 U.S.C. 2 for cashing two counterfeit checks totaling \$18,851 drawn on the bank account of Marine Engineers Benevolent Association District 1 (located in Washington, D.C.). The indictment follows an investigation by the OLMS Washington District Office, the Department of Labor's Office of Inspector General, and the Federal Bureau of Investigation.

**On January 10, 2014**, in the Oklahoma County Court for District 7, Stephanie Johnson, former Secretary-Treasurer of Boilermakers Lodge 465D (located in Kansas City, Kans.), was charged in a one-count information with forgery and a warrant was issued for her arrest. The information follows an investigation by the OLMS Dallas-New Orleans District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2014.htm](https://www.dol.gov/olms/regs/compliance/enforce_2014.htm)



Office of Labor-Management Standards

DOL Home > OLMS > Enforcement > Criminal Actions

- [About OLMS](#)
- [Online Public Disclosure Room](#)
- [Electronic Filing System \(EFS\)](#)
- [Contact OLMS](#)

## Office of Labor-Management Standards (OLMS)

### Criminal Enforcement Actions 2013

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant is guilty of the crime charged.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

On September 5, 2013, in the United States District Court for the Eastern District of Louisiana, **Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in New Orleans, La.), was sentenced to two years** of probation, including six months of home confinement, **for embezzlement of union funds, in violation of 29 U.S.C. 501(c).**

Boudoin was also ordered to pay restitution, in the amount of \$16,398. Boudoin had previously made restitution in the amount of \$20,988. The sentencing follows an investigation by the OLMS New Orleans District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

**On September 5, 2013**, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in New Orleans, La.), was sentenced to two years of probation, including six months of home confinement, for embezzlement of union funds, in violation of 29 U.S.C. 501(c). Boudoin was also ordered to pay restitution, in the amount of \$16,398. Boudoin had previously made restitution in the amount of \$20,988. The sentencing follows an investigation by the OLMS New Orleans District Office.

**On September 3, 2013**, in the United States District Court for the Northern District of Oklahoma, Angela G. Webster, former office secretary for Carpenters Local 943 (located in Tulsa, Okla.), was indicted for embezzling \$13,015 in union funds, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS Dallas District Office.

**On September 3, 2013**, in the United States District Court for the Northern District of Oklahoma, Shelly Roanhorse, former Treasurer of American Federation of Government Employees (AFGE) Local 3601 (located in Claremore, Okla.), was indicted for making false statements, in violation of 18 U.S.C. 1001. The indictment follows an investigation by the OLMS Dallas District Office.

**On September 3, 2013**, in the United States District Court for the Northern District of Oklahoma, Michael W. Couch, former business manager for Sheet Metal Workers Local 270 (located in Tulsa, Okla.), was indicted for embezzling \$12,825 in union funds, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS Dallas District Office.

**On September 3, 2013**, in the United States District Court for the Southern District of Mississippi, Bonnie Nixon, former Secretary Treasurer of International Association of Machinists and Aerospace Workers (IAMAW) Local Lodge W443 (located in Laurel, Miss.), was sentenced to three years of probation, including six months of home confinement, for embezzling union funds, in violation of 29 U.S.C. 501(c). Nixon was also ordered to pay restitution in the amount of \$16,368. The sentencing follows an investigation by the OLMS New Orleans District Office.

**On August 29, 2013**, in the United States District Court for the Middle District of Pennsylvania, Bernard Nolter, former Secretary-Treasurer of Steelworkers Local 635 (located in Mount Carmel, Pa.), pled guilty to an information charging him with falsifying union records to conceal an embezzlement of union funds, in violation of 29 U.S.C. 439(c). The plea follows an investigation by the OLMS Philadelphia District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

On May 30, 2013, in the United States District Court for the Eastern District of Louisiana, **Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), pled guilty** to a one-count information for embezzlement of union funds in the amount of \$16,367.96, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS New Orleans District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

**On May 30, 2013**, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), pled guilty to a one-count information for embezzlement of union funds in the amount of \$16,367.96, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS New Orleans District Office.

**On May 29, 2013**, in the United States District Court for the Eastern District of Louisiana, Malvin J. Bergeron, former President and Secretary Treasurer of Graphic Communications International Union (GCIU) Local 537M (formerly located in Marrero, La.), pled guilty to a one-count information for embezzlement of union funds, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS New Orleans District Office.

**On May 29, 2013**, in the United States District Court for the Middle District of Georgia, Joseph Allen, former Secretary-Treasurer for National Association of Letter Carriers (NALC) Branch 588 (located in Athens, Ga.), was sentenced to one year in prison, one year of probation and ordered to pay restitution in the amount of \$50,000. On March 20, 2013, Allen pled guilty to one count of filing a false report, in violation of 29 U.S.C. 439(b). The sentencing follows an investigation by the OLMS Atlanta District Office, the Department of Labor's Office of Inspector General, and the U.S. Postal Service's Office of Inspector General.

**On May 28, 2013**, in the Hamilton County (Ohio) Court of Common Pleas, Cynthia Yancey, former Secretary Treasurer of American Federation of Government Employees (AFGE) Local 3840 (located in Cincinnati, Ohio), pled guilty to misdemeanor theft, in violation of Ohio Revised Code 2913.02. On the same date, Yancey was sentenced to court costs. She previously made restitution in the amount of \$4,255. The guilty plea and sentencing follow an investigation by the OLMS Cincinnati District Office.

**On May 22, 2013**, in the United States District Court, Northern District of New York, William Mochrie, former Financial Secretary of Steelworkers Local 28 (located in Castleton, N.Y.), pled guilty to making false entries in labor union records. On May 8, 2013, an information was filed charging Mochrie with falsifying union records. Mochrie has agreed to make restitution in the amount of \$13,763.05. The plea follows an investigation by the OLMS Buffalo District Office.

**On May 21, 2013**, in the Criminal Court for Hamilton County, State of Tennessee, Clarence Howard, former Secretary-Treasurer of United Steelworkers Local 789 (located in Chattanooga, Tenn.), was sentenced to three years of probation and ordered to pay a \$26.50 special assessment after he pled guilty to one count of theft of property over \$1,000. The

[https://www.dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

On April 23, 2013, in the United States District Court for the Eastern District of Louisiana, **Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), was charged in a one-count information with embezzlement of union funds in the amount of \$16,367.96**, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS New Orleans District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

plea follows an investigation by the OLMS Dallas District Office. ✖ Rectangular Snip

**On April 23, 2013**, in the United States District Court for the Eastern District of Louisiana, Wayne Patrick Boudoin, former President of Security, Police, and Fire Professionals of America (SPFPA) Local 709 (located in Houma, La.), was charged in a one-count information with embezzlement of union funds in the amount of \$16,367.96, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS New Orleans District Office.

**On April 19, 2013**, in the United States District Court for the Northern District of Indiana, Tracey R. Tigner, former office secretary for International Union of Painters and Allied Trades District Council 91 (located in Merrillville, Ind.), pled guilty to embezzlement of union funds, in violation of 29 U.S.C. 501(c). On February 7, 2013, Tigner was indicted on the same charge. The plea follows an investigation by the OLMS Chicago District Office and the Department's Office of Inspector General.

**On April 16, 2013** in the Superior Court of Huntington County, Indiana, Charlotta Hammons, former representative of the United Auto Workers (UAW) Local 2209 (located in Roanoke, Ind.), was sentenced to one year probation, with 120 days on house arrest/electronic monitoring, and ordered to pay various fees and costs totaling \$266. Hammons had previously made restitution in the amount of \$1329 to the union. On March 5, 2013, Hammons pled guilty to one count of conversion. The sentencing follows an investigation by the OLMS Chicago District Office.

**On April 11, 2013**, in the United States District Court for the Southern District of Mississippi, Bonnie Nixon, former Secretary Treasurer of International Association of Machinists and Aerospace Workers (IAMAW) Local Lodge W443 (located in Laurel, Miss.), pled guilty to one count of embezzling \$15,981 in union funds, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by the OLMS New Orleans District Office.

**On April 10, 2013**, in the United States District Court for the Northern District of West Virginia, Jeffrey Beresford, current Business Manager and Financial Secretary of Plumbers Local 83 (located in Wheeling, W.Va.), pled guilty to falsifying local union records, in violation of 29 U.S.C. 439(c). The guilty plea follows an investigation by the OLMS Pittsburgh District Office.

**On April 10, 2013**, in the 421st Judicial District of Texas, David Martinez, former Financial Secretary of the Security, Police, and Fire Professionals of America (SPFPA) Local 267 (formerly located in Lockhart, Tex.), was indicted for theft of property valued between \$1,500 and \$20,000, in violation of the Texas Penal Code 31.03. The indictment follows an

[https://www.dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

On April 10, 2013, in the 421st Judicial District of Texas, **David Martinez, former Financial Secretary of the Security, Police, and Fire Professionals of America (SPFPA) Local 267 (formerly located in Lockhart, Tex.),** was indicted for theft of property valued **between \$1,500 and \$20,000**, in violation of the Texas Penal Code 31.03. The indictment follows an investigation by the OLMS New Orleans District Office.

→ [dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

**On April 10, 2013**, in the 421st Judicial District of Texas, David Martinez, former Financial Secretary of the Security, Police, and Fire Professionals of America (SPFPA) Local 267 (formerly located in Lockhart, Tex.), was indicted for theft of property valued between \$1,500 and \$20,000, in violation of the Texas Penal Code 31.03. The indictment follows an investigation by the OLMS New Orleans District Office.

**On April 10, 2013**, in the United States District Court for the Western District of New York, Joseph Grygorcewicz, former Secretary-Treasurer of United Transportation Union (UTU) Local 1566 (located in Tonawanda, N.Y.), was sentenced to three years of probation and ordered to make full restitution and continue to undergo counseling for his gambling addiction. On November 29, 2012, Grygorcewicz pled guilty to embezzling \$39,990 from the union, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Buffalo District Office.

**On April 9, 2013**, in the United States District Court for the Northern District of Illinois, Grace Rathke, former office manager for Laborers Local 32 (located in Rockford, Ill.), was sentenced to 17 months of incarceration, three years of probation, and was ordered to pay full restitution of over \$200,000. On January 3, 2013, Rathke pled guilty to embezzling over \$190,000 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Chicago District Office and the Department of Labor's Office of Inspector General.

**On April 9, 2013**, in the Third Judicial Circuit Court of Wayne County, Michigan, Richard Ikerd, former Secretary-Treasurer of American Federation of State, County, and Municipal Employees (AFSCME) Local 2568 (located in Melvindale, Mich.), was sentenced to 90 days in jail, five years probation, and was ordered to pay restitution totaling \$16,065 and various fees and costs totaling \$1,198. On October 10, 2012, Ikerd pled guilty to one count of embezzlement of \$1,000 or more but less than \$20,000. The sentencing follows an investigation by the OLMS Detroit District Office.

**On April 9, 2013**, in the United States District Court for the Eastern District of New York, Hector Lopez, former President of Metal Polishers Local 8A-28A (located in Long Island City, N.Y.), pled guilty to one count of conspiracy to commit mail fraud and wire fraud, in violation of 18 U.S.C. 1349, and one count of tax evasion, in violation of 26 U.S.C. 7201. The plea agreement requires Lopez to make restitution totaling over \$1.1 million. He will be sentenced in August 2013. On September 18, 2012, Lopez was arrested and arraigned on a 15-count indictment that included a charge of conspiracy to embezzle \$750,000 from the local's employee benefit plan. The guilty plea follows an investigation by the OLMS New York District Office, the Department of Labor's Office of Inspector General, the

[https://www.dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

On April 8, 2013, in the United States District Court for the District of Columbia, **Caleb Gray-Burriss**, founder and President of the National Association of Special Police and Security Officers (located in Washington, D.C.), **was sentenced to 76 months in prison** followed by 36 months of supervised probation. Gray-Burriss was also ordered to perform 100 hours of community service and to pay restitution to the union of \$252,376.42. On December 4, 2012, **Gray-Burriss was found guilty by a jury following a trial on 18 counts, including six counts of mail fraud for theft from the union's pension plan, six counts of embezzlement from a labor organization, one count of conspiracy to embezzle union funds, one count of criminal contempt, one count of tampering with a witness by corrupt persuasion, one count of failure to file LM reports, one count of filing false LM reports, and one count of failing to maintain union records.** The sentencing follows an investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General. **Caleb Gray-Burriss was the former Washington DC Director for the International Union, of Security, Police and Fire Professionals of America (SPFPA).**

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2013.htm](http://dol.gov/olms/regs/compliance/enforce_2013.htm)

by the OLMS Cincinnati District Office.

**On April 8, 2013**, in the United States District Court for the District of Columbia, Caleb Gray-Burriss, founder and President of the National Association of Special Police and Security Officers (located in Washington, D.C.), was sentenced to 76 months in prison followed by 36 months of supervised probation. Gray-Burriss was also ordered to perform 100 hours of community service and to pay restitution to the union of \$252,376.42. On December 4, 2012, Gray-Burriss was found guilty by a jury following a trial on 18 counts, including six counts of mail fraud for theft from the union's pension plan, six counts of embezzlement from a labor organization, one count of conspiracy to embezzle union funds, one count of criminal contempt, one count of tampering with a witness by corrupt persuasion, one count of failure to file LM reports, one count of filing false LM reports, and one count of failing to maintain union records. The sentencing follows an investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General.

**On April 5, 2013**, in the United States District Court for the District of Maryland, Cora Carper, former clerical employee of the International Association of Heat and Frost Insulators and Allied Workers (located in Lanham, Md.), pled guilty to embezzling at least \$200,000 from a labor organization, in violation of 29 U.S.C. 501(c). Carper admitted writing checks to cash from the union's political action committee fund and making false entries in the union's computerized ledger that indicated that the checks were written for donations to political candidates, expense reimbursements, or conference expenses. On November 14, 2012, Carper was indicted for embezzling \$502,586 from the union. The final loss amount will be determined at sentencing on June 4, 2013. The guilty plea follows an investigation by the OLMS Washington District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

On February 26, 2013, in the United States District Court for the District of Columbia, **Kevin Jones, former President** of the Metropolitan Campus Police Officers Union (located in Washington, D.C.), was sentenced to 20 weekends of incarceration, 120 days of electronic monitoring, and four years of probation. Jones was also ordered to pay restitution of \$28,504.27. On November 6, 2012, **Jones pled guilty to one count of embezzlement from a labor organization**, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office. Metropolitan Campus Police Officers Union was previously affiliated with the SPFPA union. SPFPA General counsel also represented this group after the disaffiliation from SPFPA.

→ → ↻ [dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

**On February 26, 2013**, in the United States District Court for the District of Columbia, Kevin Jones, former President of the Metropolitan Campus Police Officers Union (located in Washington, D.C.), was sentenced to 20 weekends of incarceration, 120 days of electronic monitoring, and four years of probation. Jones was also ordered to pay restitution of \$28,504.27. On November 6, 2012, Jones pled guilty to one count of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.

**On February 25, 2013**, in the United States District Court for the Western District of Pennsylvania, Deborah Small, former bookkeeper for International Brotherhood of Electrical Workers (IBEW) Local 712 (located in Beaver, Pa.), pled guilty to one count of embezzlement in excess of \$10,000, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Pittsburgh District Office.

**On February 21, 2013**, in the United States District Court for the Eastern District of Michigan, James Killingsworth and Billie Jo Killingsworth, former President and former Treasurer, respectively, of Communications Workers of America (CWA) Local 84555 (located in Webberville, Mich.), each pled guilty to one count of embezzling union funds in the amount of \$19,197.02, in violation of 29 U.S.C. 501(c). The pleas follow an investigation by the OLMS Detroit District Office.

**On February 20, 2013**, in the Circuit Court of Fauquier County, Virginia, Daniel Kramer, former Secretary-Treasurer of International Association of Fire Fighters (IAFF) Local I-45 (located in Newport News, Va.), pled guilty to one count of disorderly conduct, in violation of Virginia Code 18.2-415, for stealing \$472.73 from the union. Kramer was then sentenced to 12 months in jail, all of which was suspended, five years of probation, and was ordered to pay a fine of \$2,500, of which \$2,000 was suspended. Kramer was also barred from holding a position in the union for 13 years. The guilty plea and sentencing follow an investigation by the OLMS Washington District Office.

**On February 20, 2013**, in the United States District Court for the Northern District of Indiana, Robert Stephenson, former Secretary Treasurer of Machinists Local 2903 (located in Westville, Ind.), was sentenced to one year of supervised probation including six months of home confinement and was ordered to pay a \$3,000 fine. On November 13, 2012, Stephenson pled guilty to one count of filing false reports, in violation of 29 U.S.C. 439(b), by failing to disclose over \$18,000 of union funds that he disbursed for his personal use. The sentencing follows an investigation by the OLMS Chicago District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2013.htm](https://www.dol.gov/olms/regs/compliance/enforce_2013.htm)

On December 4, 2012, in the United States District Court for the District of Columbia, **Caleb Gray-Burriss, President** of the National Association of Special Police and Security Officers (located in Washington, D.C.), **was found guilty by a jury following a trial on 18 counts including six counts of mail fraud for theft from the union's pension plan, six counts of embezzlement from a labor organization, one count of conspiracy to embezzle union funds, one count of criminal contempt, one count of tampering with a witness by corrupt persuasion, one count of failure to file LM reports, one count of filing false LM reports, and one count of failing to maintain union records.** The total amount of loss attributed to Gray-Burriss' actions is more than \$250,000. The guilty verdict follows an investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General. **Caleb Gray-Burriss was the former Washington DC Director for the International Union, of Security, Police and Fire Professionals of America (SPFPA).**

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

**On December 4, 2012**, in the United States District Court for the District of Columbia, Caleb Gray-Burriss, President of the National Association of Special Police and Security Officers (located in Washington, D.C.), was found guilty by a jury following a trial on 18 counts including six counts of mail fraud for theft from the union's pension plan, six counts of embezzlement from a labor organization, one count of conspiracy to embezzle union funds, one count of criminal contempt, one count of tampering with a witness by corrupt persuasion, one count of failure to file LM reports, one count of filing false LM reports, and one count of failing to maintain union records. The total amount of loss attributed to Gray-Burriss' actions is more than \$250,000. The guilty verdict follows an investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General.

**On November 29, 2012**, in the United States District Court for the Eastern District of Missouri, Annie Walker, former Vice President of American Federation of State, County and Municipal Employees (AFSCME) Local 2730 (located in St. Louis, Mo.), pled guilty to one count of wire fraud in the amount of \$19,774.13, in violation of 18 U.S.C. 1343. The plea follows an investigation by the OLMS St. Louis District Office.

**On November 29, 2012**, in the United States District Court for the Western District of New York, Joseph Grygorzewicz, former Secretary-Treasurer of United Transportation Union (UTU) Local 1566 (located in Tonawanda, N.Y.), pled guilty to embezzling \$39,989.72 from his union, in violation of 29 U.S.C. 501(c). Grygorzewicz admitted to writing checks to himself and forging the signature of the union president on the union's checks. The plea follows an investigation by the OLMS Buffalo District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

On November 6, 2012, in the United States District Court for the District of Columbia, **Kevin Jones, former President** of the Metropolitan Campus Police Officers Union (located in Washington, D.C.), **pled guilty to one count of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c), for embezzling \$28,504.96 from the union by making withdrawals at the bank and at ATMs and by making personal purchases on the union's debit card.** The plea follows an investigation by the OLMS Washington District Office. Metropolitan Campus Police Officers Union was previously affiliated with the SPFPA union. SPFPA General counsel also represented this group after the disaffiliation from SPFPA.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

New Orleans District Office.

**On November 6, 2012**, in the United States District Court for the District of Columbia, Kevin Jones, former President of the Metropolitan Campus Police Officers Union (located in Washington, D.C.), pled guilty to one count of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c), for embezzling \$28,504.96 from the union by making withdrawals at the bank and at ATMs and by making personal purchases on the union's debit card. The plea follows an investigation by the OLMS Washington District Office.

**On November 1, 2012**, in the United States District Court for the Eastern District of Missouri, Doris Taylor, former Secretary-Treasurer of the American Federation of State, County and Municipal Employees (AFSCME) Local 2730 (located in St. Louis, Mo.), pled guilty to one count of wire fraud, in violation of 18 U.S.C. 1343. The plea follows an investigation by the OLMS St. Louis District Office.

**On November 1, 2012**, in the United States District Court for the Western District of Pennsylvania, Robert Misuraca, former District 4 Staff Representative for the United Steelworkers International Union (located in Pittsburgh, Pa.), was sentenced to one year of probation and was ordered to pay \$266.53 in remaining restitution plus a \$100 special assessment. Misuraca was also ordered to participate in programs for mental health assessment, alcohol rehabilitation, and gambling. On June 25, 2012, Misuraca pled guilty to one count of embezzling union funds in the amount of \$17,566, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Pittsburgh District Office.

**On October 30, 2012**, in the Circuit Court for the County of Henrico, Virginia, Tim Shell, former Secretary-Treasurer of Brotherhood of Locomotive Engineers (BLE) Division 561 (located in Richmond, Va.), pled guilty to one count of embezzlement of \$200 or more for embezzling money from a union, in violation of Virginia Code Section 18.2-111. The plea follows an investigation by the OLMS Washington District Office.

**On October 23, 2012**, in the United States District Court for the District of South Dakota, Melody Wouden, former President of American Federation of Government Employees (AFGE) Local 2342 (located in Ft. Meade, S.D.), was charged in a two-count indictment with providing a false statement, in violation of 18 U.S.C. 1001, and larceny in an amount under \$1,000, in violation of 18 U.S.C. 7(3) and 661. The charges follow an investigation by the OLMS Minneapolis Resident Investigator Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

On August 16, 2012, in the United States District Court for the District of Columbia, a second superseding indictment was returned charging **Caleb Gray-Burriss, President** of the National Association of Special Police and Security Officers (NASPSO), located in Washington, D.C., on multiple counts. **The superseding indictment charges Gray-Burriss with two additional counts of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c), for embezzling \$68,374.99 from the union and one count of conspiracy to embezzle, in violation of 18 U.S.C. 371.** Gray-Burriss was previously indicted on four counts of embezzlement from a labor organization totaling more than \$116,000, six counts of mail fraud totaling more than \$102,000, one count of criminal contempt; two counts of tampering with a witness by corrupt persuasion; one count of failure to file reports required by the LMRDA; one count of falsification of reports required by the LMRDA; and one count of failure to maintain records in sufficient detail required by the LMRDA. The indictment follows a joint investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of the Inspector General. **Caleb Gray-Burriss was the former Washington DC Director for the International Union, of Security, Police and Fire Professionals of America (SPFPA).**

- → ↻ [dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

The sentencing follows an investigation by the OLMS Nashville District Office.

**On August 16, 2012**, in the United States District Court for the District of Columbia, a second superseding indictment was returned charging Caleb Gray-Burriss, President of the National Association of Special Police and Security Officers (NASPSO), located in Washington, D.C., on multiple counts. The superseding indictment charges Gray-Burriss with two additional counts of embezzlement from a labor organization, in violation of 29 U.S.C. 501(c), for embezzling \$68,374.99 from the union and one count of conspiracy to embezzle, in violation of 18 U.S.C. 371. Gray-Burriss was previously indicted on four counts of embezzlement from a labor organization totaling more than \$116,000, six counts of mail fraud totaling more than \$102,000, one count of criminal contempt; two counts of tampering with a witness by corrupt persuasion; one count of failure to file reports required by the LMRDA; one count of falsification of reports required by the LMRDA; and one count of failure to maintain records in sufficient detail required by the LMRDA. The indictment follows a joint investigation by the OLMS Washington District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of the Inspector General.

**On August 16, 2012**, in the United States District Court for the Southern District of California, Terence J. "T.J." Bonner, former President of American Federation of Government Employees (AFGE) National Border Patrol Council 83 (located in Laredo, Tex.), was indicted on one count of conspiracy to commit wire fraud, in violation of 18 U.S.C. 1349, and 11 counts of wire fraud, in violation of 18 U.S.C. 1343. The indictment also states that Bonner illegally obtained hundreds of thousands of dollars in union funds to which he was not entitled and provides notice of forfeiture pursuant to 18 U.S.C. 981(a)(1)(c) and 28 U.S.C. 2461(c). The indictment follows a joint investigation by the OLMS New Orleans District Office, Customs and Border Protection - Internal Affairs, and the Internal Revenue Service.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

On June 5, 2012, in the **United States District Court for the District of Maryland**, a criminal information was filed charging Ava Ramey, former Trustee of United Government Security Officers of America (UGSOA) Local 21 (located in Bowie, Md.), **with one count of embezzling \$379,000 from a labor organization, in violation of 29 U.S.C. 501(c)**. The charge follows an investigation by the OLMS Washington District Office.

→   [dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

---

the amount of \$2,000. The guilty plea and sentencing follow an investigation by the OLMS Cleveland District Office.

**On June 5, 2012**, in the United States District Court for the District of Maryland, a criminal information was filed charging Ava Ramey, former Trustee of United Government Security Officers of America (UGSOA) Local 21 (located in Bowie, Md.), with one count of embezzling \$379,000 from a labor organization, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Washington District Office.

**On June 5, 2012**, in the United States District Court for the Western District of Pennsylvania, Deborah Small, former bookkeeper for the International Brotherhood of Electrical Workers (IBEW) Local 712 (located in Beaver, Pa.), was charged in a one-count indictment for embezzling in excess of \$10,000 of the monies, funds, property and assets of a labor organization, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Pittsburgh District Office.

**On June 5, 2012**, in the United States District Court for the Southern District of Ohio, an information was filed charging , former secretary for the Machinists District Lodge 34 (located in Columbus, Ohio), with one count of embezzlement in the amount of \$104,876. The charge follows an investigation by the OLMS Cleveland District Office.

**On June 4, 2012**, in the United States District Court for the Northern District of Ohio, Edward Kozusko, former Treasurer of American Postal Workers Union (APWU) Local 443 (located in Youngstown, Ohio), was sentenced to one week of confinement and three years of supervised release, the first eight months of which include home confinement with monitoring. In addition, Kozusko was ordered to pay full restitution in the amount of \$12,613.20 and a \$6,000 fine. On March 21, 2012, Kozusko pled guilty to one count of embezzlement. The sentencing follows an investigation by the OLMS Cleveland District Office.

**On June 1, 2012**, in the Cuyahoga County Court of Common Pleas, Cleveland, Ohio, Tony Cummings, former Financial Secretary of Steelworkers Local 735 (located in Cleveland, Ohio), was indicted on one count of theft in the amount of \$6,451 and 10 counts of forgery. The charges follow an investigation by the OLMS Cleveland District Office.

**On May 31, 2012**, in the United States District Court for the District of Hawaii, David M. Ing, former Treasurer of National Association of Letter Carriers (NALC) Branch 860 (located in Honolulu, Hawaii), pled guilty to one count of embezzling union funds in the amount of \$83,293.19, in violation of 29 U.S.C. 501(c), and one count of structuring cash transactions to evade reporting requirement, in violation of 31 U.S.C. 5324(a)(3). The plea follows an investigation by

[https://www.dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

On April 17, 2012, in the Harris County, Texas District Court, **Kemberly Fields, former President of Security Police and Fire Professionals of America (SPFPA), Local 300 (located at the Johnson Space Center in Houston, Tex.), was charged and arrested for embezzling approximately \$23,000 in union funds, in violation of Texas Statute 32.45 – Misapplication of Fiduciary Property.** The charge and arrest follow an investigation by the OLMS New Orleans District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

charge follows an investigation by the OLMS Cincinnati District Office.

**On April 17, 2012**, in the Harris County, Texas District Court, Kemberly Fields, former President of Security Police and Fire Professionals of America (SPFPA), Local 300 (located at the Johnson Space Center in Houston, Tex.), was charged and arrested for embezzling approximately \$23,000 in union funds, in violation of Texas Statute 32.45 – Misapplication of Fiduciary Property. The charge and arrest follow an investigation by the OLMS New Orleans District Office.

**On April 10, 2012**, in the United States District Court for the District of Nevada, Aurora Rios, former cashier for Laborers International Union of North America (LIUNA) Local 872 (located in Las Vegas, Nev.), pled guilty to 21 counts of embezzlement and three counts of falsifying union records. The guilty plea stems from a \$320,000 embezzlement from the local involving Rios and two other former employees of the local, each of whom were charged and tried separately. On April 28, 2010, Rios was charged with embezzling approximately \$167,500. Rios is scheduled to be sentenced in August 2012. The plea follows an investigation by the OLMS Los Angeles District Office.

**On April 10, 2012**, in the United States District Court for the Western District of Missouri, Vicki Guynn, former President of American Federation of Government Employees (AFGE) Local 1612 (located in Springfield, Mo.), was sentenced to four months of home confinement and three years of probation. On December 15, 2011, Guynn pled guilty to a one-count information charging her with wire fraud, in violation of 18 U.S.C. 1343, in connection with an embezzlement of \$16,081. The sentencing follows an investigation by the OLMS St. Louis District Office, the Department of Justice's Office of Inspector General, and the Department of Labor's Office of Inspector General.

**On April 9, 2012**, in the United States District Court for the Middle District of Alabama, Northern Division, Graven Townsend, former Treasurer of Steelworkers Local 9-462 (located in Prattville, Ala.), was sentenced to serve five years of probation and five months at Dismas Charities. Townsend was also ordered to pay additional restitution owed in the amount of \$80,970.76 and a fine of \$100. On December 21, 2011, Townsend pled guilty to a one-count information charging him with embezzlement in the amount of \$98,970.76, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Nashville District Office.

**On April 9, 2012**, in the United States District Court for the District of Connecticut, Michael Martin, former President of American Postal Workers Union (APWU) Local 3093 (located in Norwalk, Conn.), was sentenced to five years of probation, the first six months of which Martin must spend in home confinement with electronic monitoring. Martin was also ordered to perform 200 hours of community service and was ordered to pay restitution in the amount of \$20,201.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

On April 6, 2012, in the United States for the Eastern District of Virginia, **Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), was sentenced to four years of probation and was ordered to pay restitution of \$9,122.44 and a \$100 special assessment.**

**On January 6, 2012, Meizlik pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c).** The sentencing follows an investigation by the OLMS Washington District Office.

- → C [dol.gov/olms/regs/compliance/enforce\\_2012.htm](http://dol.gov/olms/regs/compliance/enforce_2012.htm)

District Office.

**On April 6, 2012**, in the United States for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), was sentenced to four years of probation and was ordered to pay restitution of \$9,122.44 and a \$100 special assessment. On January 6, 2012, Meizlik pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.

**On April 4, 2012**, in the United States District Court for the District of Nevada, Stacy Johnson, former cashier for Laborers International Union of North America (LIUNA) Local 872 (located in Las Vegas, Nev.), was found guilty by a jury of 12 counts of embezzlement, in violation of 29 U.S.C. 501(c), and three counts of falsifying records union records, in violation of 29 U.S.C. 439(c). The trial stemmed from a \$320,000 embezzlement from the local involving Johnson and two other former local employees, each of whom are being tried separately. On April 28, 2010, Johnson was charged with embezzling approximately \$45,500. Johnson is scheduled to be sentenced in August 2012. The verdict follows an investigation by the OLMS Los Angeles District Office.

**On March 29, 2012**, in the United States District Court for the Southern District of Alabama, Tammy Greene, former Financial Secretary for the Communications Workers of America (CWA) Local 83793 (located in Selma, Ala.), was indicted on one count of embezzlement totaling \$31,076.07, in violation of 29 U.S.C. 501(c). The indictment follows an investigation by the OLMS Nashville District Office.

**On March 29, 2012**, in the Morgan County Circuit Superior Court (Indiana), Cynthia Collier, former Secretary-Treasurer of Carpenters Local 2177 (formerly located in Scottsburg, Ind.), was sentenced 60 days of home detention and two years of probation. Collier made full restitution in the amount of \$2,053 at sentencing. On February 23, 2012, Collier pled guilty to theft in the amount of \$2,053, in violation of Indiana Code 35-43-4-2(a). The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On March 21, 2012**, in the United States District Court for the Northern District, John Gianonne, former Vice President of Teamsters Local 706 (located in Chicago, Ill.), was sentenced to three months of home confinement, one year of probation, and was ordered to pay a \$100 special assessment. Gianonne previously paid restitution. On December 7, 2011, Gianonne pled guilty to a one-count information charging him with embezzlement of union funds totaling \$11,900, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Chicago District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

On January 6, 2012, in the United States District Court for the Eastern District of Virginia, **Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454** (located in Fort Lee, Va.), **pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c).** The plea follows an investigation by the OLMS Washington District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)

29 U.S.C. 501(c). The indictment follows an investigation by the OLMS Chicago District Office.

**On January 9, 2012**, in the United States District Court for the Southern District of West Virginia, Derrick George, former Secretary-Treasurer of Brotherhood of Maintenance of Way Employes (BMWE), IBT, Sub-Lodge 76 (located in Leon, W.Va.), was sentenced to three years of probation, including eight months of home confinement, and was ordered to pay restitution in the amount of \$17,932.07. The sentencing follows an investigation by the OLMS Pittsburgh District Office and the Department of Labor's Office of Inspector General.

**On January 6, 2012**, in the United States District Court for the Eastern District of Virginia, Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), pled guilty to one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Washington District Office.

**On January 4, 2012**, in the United States District Court for the District of Oregon, Toni Lancaster, former office manager for United Brotherhood of Carpenters and Joiners, Millwrights & Machine Erectors Local 711 (located in Portland, Ore.), was sentenced to five months of home confinement, three years of probation, and was ordered to pay full restitution and a \$100 special assessment. On September 19, 2011, Lancaster pled guilty to one count of embezzling union funds in the amount of \$68,403, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Seattle District Office.

**On January 4, 2012**, in the United States District Court for the Southern District of West Virginia, Pamela S. Hinzman, former Treasurer of American Postal Workers Union Local 1580 (located in Parkersburg, W.Va.), was charged in a one-count indictment for embezzling \$26,260.68 in union funds. The charge follows an investigation by the OLMS Pittsburgh District Office.

[▲ Back to Top](#)

[https://www.dol.gov/olms/regs/compliance/enforce\\_2012.htm](https://www.dol.gov/olms/regs/compliance/enforce_2012.htm)



## Office of Labor-Management Standards



[DOL Home](#) > [OLMS](#) > [Enforcement](#) > [Criminal Actions](#)

[About OLMS](#)

[Online Public Disclosure Room](#)

[Electronic Filing System \(EFS\)](#)

[Contact OLMS](#)

## Office of Labor-Management Standards (OLMS)

### Criminal Enforcement Actions 2011

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant is guilty of the crime charged.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2011.htm](https://www.dol.gov/olms/regs/compliance/enforce_2011.htm)

On December 2, 2011, in the United States District Court for the Eastern District of Virginia, an information was filed against **Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), charging him with one count of embezzling \$9,122.44 in union funds**, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Washington District Office.

- →  dol.gov/olms/regs/compliance/enforce\_2011.htm

**On December 2, 2011**, in the United States District Court for the Eastern District of Virginia, an information was filed against Joseph Meizlik, former President of Security, Police, Fire Professionals of America (SPFPA) Local 454 (located in Fort Lee, Va.), charging him with one count of embezzling \$9,122.44 in union funds, in violation of 29 U.S.C. 501(c). The charge follows an investigation by the OLMS Washington District Office.

**On December 2, 2011**, in the United States District Court for the Eastern District of Arkansas, Peggy Bolen, former Financial Secretary for Steelworkers Local 898 (located in Redfield, Ark.), was sentenced to five years probation and was ordered to pay \$61,541.28 in restitution and a \$100 fine. On August 17, 2011, Bolen pled guilty to one count of embezzling union funds in the amount of \$61,541.28. The sentencing follows an investigation by the OLMS Dallas District Office.

**On December 2, 2011**, in the United States District Court for the District of New Mexico, Thomas M. Chavez, former Secretary-Treasurer of Steelworkers Local 12-659 (located in Questa, N.M.), pled guilty to one charge of embezzlement of union funds in the amount of \$16,965.54, in violation of 29 U.S.C. 501(c). The plea follows an investigation by the OLMS Denver District Office.

**On December 1, 2011**, in the United States District Court for the District of Rhode Island, an information and plea agreement were filed against Kenneth Aurecchia, Plumbers International Vice President and former business manager of Plumbers Local 51 (located in East Providence, R.I.), charging him with one count of Wire Fraud totaling \$107,514, in violation of 18 U.S.C. 1343, and one count of Making and Subscribing a False Return totaling \$17,886, in violation of 26 U.S.C. 7206. The charges and plea follow an investigation by the OLMS Boston District Office, the Department of Labor's Office of Inspector General, and the Treasury Department's Criminal Investigative Division.

**On November 28, 2011**, in the State of Florida, the 13th Circuit in Polk County, Alfred Jenkins, former Secretary-Treasurer of Steelworkers Local 9-475 (located in Eaton Park, Fla.), was charged with Grand Theft in the 3rd Degree. The State of Florida charged Jenkins with unlawfully and temporarily depriving Local 9-475 of 17 checks valued at \$4,737.45. Jenkins is currently on supervised probation for kidnapping and robbery with a weapon. The charge follows an investigation by the OLMS Tampa Resident Investigator Office.

**On November 29, 2011**, in the United States District Court for the Western District of Pennsylvania, Donald Kotouch, former President and Business Agent for Amalgamated Transit Union (ATU) Local 1738 (located in Latrobe, Pa.), was

[https://www.dol.gov/olms/regs/compliance/enforce\\_2011.htm](https://www.dol.gov/olms/regs/compliance/enforce_2011.htm)

On November 23, 2011, in the **United States District Court for the Eastern District of Michigan, Sherry Thompson, former Financial Secretary for Security, Police, Fire Professionals of America (SPFPA) Local 121 (located in Detroit, Mich.), was charged in a criminal complaint with embezzling \$17,578.62 in union funds, filing a false financial report, and making false entries in union records.** The charges follow an investigation by the OLMS Detroit District Office.

- →  dol.gov/olms/regs/compliance/enforce\_2011.htm

investigation by the OLMS Pittsburgh District Office.

**On November 23, 2011**, in the United States District Court for the Eastern District of Michigan, Sherry Thompson, former Financial Secretary for Security, Police, Fire Professionals of America (SPFPA) Local 121 (located in Detroit, Mich.), was charged in a criminal complaint with embezzling \$17,578.62 in union funds, filing a false financial report, and making false entries in union records. The charges follow an investigation by the OLMS Detroit District Office.

**On November 17, 2011**, in the United States District Court for the Eastern District of Missouri, Charles Kenney, former President of Independent Store Employees Union (located in O'Fallon, Mo.), was sentenced to six months home confinement, four years probation, and was ordered to pay \$24,865.65 in restitution and a \$100 special assessment. On June 1, 2011, Kenney pled guilty to one count of embezzlement, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS St. Louis District Office.

**On November 17, 2011**, in the United States District Court for the Middle District of Alabama, Michael Williams, former President of International Brotherhood of Electrical Workers (IBEW) Local 780 (located in Eufaula, Ala.), was sentenced to 16 months imprisonment, three years of probation, and was ordered to pay restitution in the amount of \$2,826 and a \$100 special assessment. On March 23, 2011, Williams was indicted on 10 counts of embezzlement totaling \$4,906, in violation of 29 U.S.C. 501(c), and four counts of making a false entry in a record required to be kept under the LMRDA, in violation of 29 U.S.C. 439(c). On June 8, 2011, Williams pled guilty to one count of embezzlement. The sentencing follows an investigation by the OLMS Nashville District Office.

**On November 17, 2011**, in the United States District Court for the Northern District of Georgia, Tommy Harris, former Secretary-Treasurer of National Association of Letter Carriers (NALC) Branch 1230 (located in Griffin, Ga.), pled guilty to one count of embezzlement totaling \$24,646.82, in violation of 29 U.S.C. 501(c). The guilty plea follows an investigation by OLMS Atlanta District Office.

**On November 17, 2011**, in the United States District Court for the District of New Jersey, Kevin McKnight, former Secretary-Treasurer of United Transportation Union (UTU) Local 1390 (located in Laurence Harbor, N.J.), was charged in a one-count information with embezzling union funds in the amount of approximately \$68,000, in violation of 29 U.S.C. 501(c). McKnight then pled guilty to the charge. While Secretary-Treasurer, he withdrew approximately \$68,000 from the union's bank account for his personal use. The sentencing is scheduled for February 28, 2012. The charge and guilty plea follow an investigation by the OLMS New York District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2011.htm](https://www.dol.gov/olms/regs/compliance/enforce_2011.htm)

**On April 1, 2011, in United States District Court for the District of Columbia, a superseding indictment was returned charging Caleb Gray-Burriss, Secretary-Treasurer and Executive Director** of the National Association of Special Police and Security Officers (NASPSO), **with four counts of embezzlement from a labor organization totaling more than \$116,000, in violation of 29 U.S.C. 501(c); six counts of mail fraud totaling more than \$102,000, in violation of 18 U.S.C. 1341; one count of criminal contempt, in violation of 18 U.S.C. 401(3); one count of tampering with a witness by corrupt persuasion, in violation of 18 U.S.C. 1512(c)(1) and (2); one count of tampering with a witness by corrupt persuasion, in violation of 18 U.S.C. 1512(b)(2)(A) and (C); one count of failure to file reports required by the LMRDA, in violation of 29 U.S.C. 439(a); one count of falsification of reports required by the LMRDA, in violation of 29 U.S.C. 439(b); and one count of failure to maintain records in sufficient detail required by the LMRDA, in violation of 29 U.S.C. 439(a).** The indictment follows a joint investigation by the OLMS Washington District Office, the Department of Labor's Employee Benefits Security Administration, and the Department of Labor's Office of the Inspector General. **Caleb Gray-Burriss was the former Washington DC Director for the International Union, of Security, Police and Fire Professionals of America (SPFPA).**

← → 🔒 dol.gov/olms/regs/compliance/enforce\_2011.htm  
SEARCHING follows an investigation by the OLMS Washington District Office.

On April 1, 2011, in United States District Court for the District of Columbia, a superseding indictment was returned charging Caleb Gray-Burriss, Secretary-Treasurer and Executive Director of the National Association of Special Police and Security Officers (NASPSO), with four counts of embezzlement from a labor organization totaling more than \$116,000, in violation of 29 U.S.C. 501(c); six counts of mail fraud totaling more than \$102,000, in violation of 18 U.S.C. 1341; one count of criminal contempt, in violation of 18 U.S.C. 401(3); one count of tampering with a witness by corrupt persuasion, in violation of 18 U.S.C. 1512(c)(1) and (2); one count of tampering with a witness by corrupt persuasion, in violation of 18 U.S.C. 1512(b)(2)(A) and (C); one count of failure to file reports required by the LMRDA, in violation of 29 U.S.C. 439(a); one count of falsification of reports required by the LMRDA, in violation of 29 U.S.C. 439(b); and one count of failure to maintain records in sufficient detail required by the LMRDA, in violation of 29 U.S.C. 439(a). The indictment follows a joint investigation by the OLMS Washington District Office, the Department of Labor's Employee Benefits Security Administration, and the Department of Labor's Office of the Inspector General.

[Back to Top](#)

On March 30, 2011, in the United States District Court for the District of Nevada, Nichelle Alstatt, former Secretary-Treasurer of the Professional Office Personnel Alliance (POPA), located in Las Vegas, Nevada, was indicted on one count of embezzlement in the amount of \$51,637.37, in violation of 29 U.S.C. 501(c); one count of making false entries in required records, in violation of 29 U.S.C. 439(c); and one count of making false entries in reports required to be filed under the LMRDA, in violation of 29 U.S.C. 439(b). The charges follow an investigation by the OLMS Los Angeles District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2011.htm](https://www.dol.gov/olms/regs/compliance/enforce_2011.htm)



SEARCH

Office of Labor-Management Standards

SHARE

DOL Home > OLMS > Enforcement > Criminal Actions

- About OLMS
- Online Public Disclosure Room
- Electronic Filing System (EFS)
- Contact OLMS

## Office of Labor-Management Standards (OLMS)

### Criminal Enforcement Actions 2010

An **indictment** is a formal accusation or charge based on a finding by a Grand Jury that it is likely that the person charged committed the criminal offense described in the indictment and is the means by which an accused person (defendant) is brought to trial. An indictment raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

An **information** is a formal accusation of a crime by a government attorney rather than a Grand Jury. An information raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

A **charge** is an accusation of criminal activity and raises no inference of guilt. As in all criminal cases, each defendant is presumed innocent until proven guilty beyond a reasonable doubt.

Each **count** is a separate and distinct offense charged in an indictment or information.

A **guilty plea** is a defendant's admission to the court that he or she committed the offense charged and an agreement to waive the right to a trial.

A **conviction** is a judgment based on a jury's verdict, judge's finding, or the defendant's admission that the defendant

[https://www.dol.gov/olms/regs/compliance/enforce\\_2010.htm](https://www.dol.gov/olms/regs/compliance/enforce_2010.htm)

On December 17, 2010, in the United States District Court for the Central District of Illinois, **James Correll, former President of the Security, Police, and Fire Professionals of America (SPFPA) Local 238 (located in Morrison, Ill.), was sentenced to two years of probation with the first six months to be served in home detention and was ordered to pay restitution in the amount of \$22,286. On August 19, 2010, Correll pled guilty to one count of embezzling union funds.** The sentencing follows an investigation by the OLMS Chicago District Office.

→ → C [dol.gov/olms/regs/compliance/enforce\\_2010.htm](https://www.dol.gov/olms/regs/compliance/enforce_2010.htm)

**On December 17, 2010**, in the United States District Court for the Central District of Illinois, James Correll, former President of the Security, Police, and Fire Professionals of America (SPFPA) Local 238 (located in Morrison, Ill.), was sentenced to two years of probation with the first six months to be served in home detention and was ordered to pay restitution in the amount of \$22,286. On August 19, 2010, Correll pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Chicago District Office.

**On December 15, 2010**, in Anoka County (Minnesota) District Court, Brenda Olson, former office secretary for Carpenters Local 851 (located in Anoka, Minn.), was charged with theft of over \$5,000. The complaint alleges that Olson stole union funds in the amount of \$19,350.31. The charge follows an investigation by the OLMS Milwaukee District Office.

**On December 15, 2010**, in the United States District Court for the Eastern District of Wisconsin, Paula Dorsey, former President of American Federation of State, County and Municipal Employees (AFSCME) District Council 48 (located in Milwaukee, Wis.), was sentenced to three years probation and was ordered to pay restitution in the amount of \$180,000. On August 11, 2010, Dorsey pled guilty to one count of embezzling union funds. The sentencing follows an investigation by the OLMS Milwaukee District Office.

**On December 15, 2010**, in the United States District Court for the Eastern District of Kentucky, Connie Ball, former Secretary-Treasurer of Bakery and Tobacco Workers Local 531 (formerly located in London, Ky.), pled guilty to one count of embezzling union funds in the amount of \$7,754. Sentencing is scheduled for April 7, 2011. The plea follows an investigation by the OLMS Cincinnati District Office.

**On December 13, 2010**, in United States District Court for the District of Columbia, Jo Ann Duffy, former Project Organizer for the Teamsters (located in Washington, D.C.), was sentenced to 36 months probation, 50 hours of community service, and counseling for gambling. Duffy was also ordered to pay restitution of \$13,738 to the bonding company at \$50 per month. On September 1, 2010, Duffy pled guilty to one count of embezzlement from a labor organization for embezzling \$13,738 from the union in violation of 29 U.S.C. 501(c). The sentencing followed an investigation by the OLMS Washington District Office.

**On December 10, 2010**, in the United States District Court for the Western District of Washington, an information was filed charging Poutoa Tuiolemotu, former Treasurer of Glass Molders Local 50, with embezzlement of union funds, in

[https://www.dol.gov/olms/regs/compliance/enforce\\_2010.htm](https://www.dol.gov/olms/regs/compliance/enforce_2010.htm)

On October 6, 2010, in the United States District Court for the Eastern District of Wisconsin, **Craig A. Bohn, former Financial Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 558 (located in Green Bay, WI), was sentenced to one year probation, a \$1,500 fine, and a \$100 special assessment.**

Bohn previously made restitution in the amount of \$5,000. On June 18, 2010, Bohn pled guilty to two counts of creating false union records. The sentencing follows an investigation by the OLMS Milwaukee District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2010.htm](https://www.dol.gov/olms/regs/compliance/enforce_2010.htm)

charge follows an investigation by the OLMS Philadelphia District Office.

**On October 6, 2010**, in the United States District Court for the Eastern District of Wisconsin, Craig A. Bohn, former Financial Secretary Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 558 (located in Green Bay, WI), was sentenced to one year probation, a \$1,500 fine, and a \$100 special assessment. Bohn previously made restitution in the amount of \$5,000. On June 18, 2010, Bohn pled guilty to two counts of creating false union records. The sentencing follows an investigation by the OLMS Milwaukee District Office.

**On October 6, 2010**, in the United States District Court for the Eastern District of Arkansas, Lance Hinerman, former President of American Postal Workers Union (APWU) Local 189 (located in Little Rock, AR), was sentenced to two years probation and a \$200 assessment. On July 6, 2010, Hinerman pled guilty to wire fraud in violation of 18 U.S.C. 1343, a Class C Felony. The sentencing follows an investigation by the OLMS Dallas District Office and the United States Postal Service - Office of Inspector General.

**On October 5, 2010**, in the United States District Court for the Eastern District of Wisconsin, an information was filed charging Nickolas Weihert, former Financial Secretary of Steelworkers Local 4845 (located in Waukesha, WI), with three counts of embezzlement totaling \$450.00. The information states that the three counts were fraudulent transactions related to an embezzlement of \$17,256. The charge follows an investigation by the OLMS Milwaukee District Office.

**On October 5, 2010**, Joseph Kerwan, Business Manager/Financial Secretary-Treasurer of Sheet Metal Workers Local Union 112 (located in Elmira, NY), was sentenced to 12 months of probation and ordered to pay a \$2,000 fine in the Western District of New York. On May 20, 2010, Kerwan pled guilty to falsification of union records. As part of the plea and sentencing, Kerwan made full restitution to his local union totaling \$6,927.55. The court action came as a result of an investigation by the Buffalo District Office.

**On October 5, 2010**, in the United States District Court for the Western District of Pennsylvania, Donald Kotouch, the former President and Business Agent of the Amalgamated Transit Union Local 1738 (located in Latrobe, PA), was charged in a two count indictment for embezzling \$18,806.27 in union funds and falsifying union records. The indictment follows an investigation by the Pittsburgh District Office.

**On October 4, 2010**, in the United States District Court for the Western District of Pennsylvania, Thomas Carrola, the former Secretary-Treasurer of IBEW Local 1919 (located in Pittsburgh, PA), was sentenced to two years probation for each of the two counts (to run concurrently) and six months home detention, and ordered to pay restitution of \$25,057.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2010.htm](https://www.dol.gov/olms/regs/compliance/enforce_2010.htm)

On August 19, 2010, in the United States District Court for the Central District of Illinois, **James Patrick Correll, former president of the Security, Police and Fire Professionals of America Local 238 (located in Morrison, Ill.) pled guilty to an information charging him with embezzling and converting to his own use union funds in the amount of \$22,278.** The plea follows an investigation by the OLMS Chicago District Office.

- → C  dol.gov/olms/regs/compliance/enforce\_2010.htm

District Office.

**On August 19, 2010,** in the United States District Court for the Central District of Illinois, James Patrick Correll, former president of the Security, Police and Fire Professionals of America Local 238 (located in Morrison, Ill.) pled guilty to an information charging him with embezzling and converting to his own use union funds in the amount of \$22,278. The plea follows an investigation by the OLMS Chicago District Office.

**On August 18, 2010,** in the United States District Court for the Southern District of Mississippi, Sharron Dixon Haynes, aka Sharron A. Haynes, former election candidate of National Association of Letter Carriers (NALC) Branch 217 (located in Jackson, Miss.), was indicted on three counts of making and causing to be made, and using and causing to be used, a false writing or document in a matter within the jurisdiction of the executive branch of the United States Government.. Haynes is alleged to have submitted a false certification of her eligibility for election to Branch 217, which she knew falsely certified that she had not served as a supervisor within two years prior to October 2008, when in fact she had served as a supervisor in May 2008. The indictment follows an investigation by the OLMS New Orleans District Office.

**On August 18, 2010,** in the United States District Court for the Southern District of Mississippi, Mechelle Busse, aka Mechelle Singleton, former office manager of Plumbers and Pipefitters Local 568 (located in Gulfport, Miss.), was indicted on one count of embezzling union funds in the amount of \$110,117.69 between June 2005 and December 2007. The indictment follows an investigation by the OLMS New Orleans District Office.

**On August 18, 2010,** in the United States District Court for the Southern District of Mississippi, Patsy Fontenot, former International Representative for the United Food and Commercial Workers (UFCW), was indicted on one count of embezzling \$6,943.15 from UFCW Local 790C (located in Pearl, Miss.) between November 2002 and March 2006. The indictment follows an investigation by the OLMS New Orleans District Office.

**On August 11, 2010,** in the United States District Court for the Eastern District of Wisconsin, Paula S. Dorsey, former President of AFSCME District Council 48 (located in Milwaukee, Wis.) pled guilty to one count of embezzling union funds in the amount of \$532.50. On June 22, 2010, Dorsey was charged in an information with the same offense. The plea follows and investigation by OLMS Milwaukee District Office.

**On August 6, 2010,** in the Hamilton County (Ohio) Court of Common Pleas, Tiffany Freeman pled guilty to three counts of forgery on checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). On December 2, 2009, Freeman was charged with five counts of forgery on checks totaling \$3,360. The plea follows an investigation by the

[https://www.dol.gov/olms/regs/compliance/enforce\\_2010.htm](https://www.dol.gov/olms/regs/compliance/enforce_2010.htm)

On June 25, 2010, in the United States District Court for the District of Columbia, **Caleb Gray-Burriss**, Treasurer of the National Association of Special Police and Security Officers (NASPSO), was indicted on four counts of mail fraud. **Gray-Burriss is alleged to have spent at least \$102,000 of pension plan funds for his personal benefit, the union, and third parties.** The indictment follows a joint investigation by the OLMS Washington District Office, the Department of Labor's Employee Benefits Security Administration, and the Department of Labor's Office of the Inspector General. **Caleb Gray-Burriss was the former Washington DC Director for the International Union, of Security, Police and Fire Professionals of America (SPFPA).**

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2010.htm](https://www.dol.gov/olms/regs/compliance/enforce_2010.htm)

**On June 25, 2010**, in the United States District Court for the District of Columbia, Caleb Gray-Burriss, Treasurer of the National Association of Special Police and Security Officers (NASPSO), was indicted on four counts of mail fraud. Gray-Burriss is alleged to have spent at least \$102,000 of pension plan funds for his personal benefit, the union, and third parties. The indictment follows a joint investigation by the OLMS Washington District Office, the Department of Labor's Employee Benefits Security Administration, and the Department of Labor's Office of the Inspector General.

**On June 24, 2010**, in Hamilton County (Ohio) Court of Common Pleas, LaDonna Turner was sentenced to three years probation, and was ordered to undergo random drug screening and make restitution in the amount of \$15,800. On June 3, 2010, Turner pled guilty to three counts of forgery concerning checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). The sentencing follows an investigation by the OLMS Cincinnati District Office.

**On June 24, 2010**, in the United States District Court for the Northern District of Illinois, Pamela Williams, former travel procurement coordinator of SEIU Local 880 (located in Chicago, Ill.), was sentenced to five years probation, five months of electronic monitoring/home confinement (except for work), and ordered to pay restitution in the amount of \$6,080.06. Also, Williams was ordered to perform 300 hours of community service and pay a special assessment of \$100. On March 25, 2010, Williams pled guilty to embezzling union funds in the amount of \$6080.06. The sentencing follows an investigation by the OLMS Chicago District Office.

**On June 23, 2010**, in the United States District Court for the Northern District of Indiana, Richard D. Schwab, former Secretary-Treasurer of UTU Local 298 (located in Fort Wayne, Ind.), was sentenced to two years probation and six months electronic monitoring, and he was ordered to pay restitution in the amount of \$4,719.57 and a special assessment of \$100. Schwab previously made restitution in the amount of \$42,009. On February 25, 2010, Schwab pled guilty to embezzling union funds in the amount of \$46,728. The sentencing follows an investigation by the OLMS Chicago District Office.

**On June 23, 2010**, in United States District Court for the District of Alaska, Kevin McGee, former President of AFGE Local 3028 (located in Anchorage, Alaska), was sentenced to eighteen months of probation with thirty days of home confinement, and ordered to pay a \$2,400 fine in addition to a restitution payment of \$2,400. On February 26, 2010, McGee pled guilty to making a false representation in a federal form. The sentencing follows an investigation by the OLMS Seattle District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2010.htm](https://www.dol.gov/olms/regs/compliance/enforce_2010.htm)

On December 7, 2009, in the United States District Court for the District of Arizona, **Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals (SPFPA) (located in San Bernardino, Calif.), was sentenced to one year of probation. On September 24, 2009, Wuest pled guilty to a charge of concealment or destruction of union records.** The sentencing follows an investigation by the OLMS Phoenix Resident Investigator Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

follows an investigation by the OLMS St. Louis District Office.

**On December 7, 2009**, in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals (SPFPA) (located in San Bernardino, Calif.), was sentenced to one year of probation. On September 24, 2009, Wuest pled guilty to a charge of concealment or destruction of union records. The sentencing follows an investigation by the OLMS Phoenix Resident Investigator Office.

**On December 7, 2009**, in the Circuit Court of Marion County, Kentucky, Mark Owens, former Financial Secretary of Machinists Local Lodge 366W (located in Lebanon, Ky.), was charged with theft by unlawful taking in the amount of \$200.00. Owens then pled guilty to the charge and was sentenced to sixty days probated for twenty-four months on the condition that he make restitution of \$200.00 and pay \$153.00 in fines and court costs by February 3, 2010. The charge, plea and sentencing follow an investigation by the OLMS Cincinnati District Office.

**On December 7, 2009**, in the United States District Court for the Southern District of New York, Ira Sokol, a former school bus inspector for the New York City Department of Education, was sentenced to two years probation including six months home confinement, ordered to pay a fine of \$10,000, and make restitution in the amount of \$5,000 following a guilty plea to conspiracy to accept bribes in an industry receiving federal funds. The sentencing follows an investigation by the OLMS New York District Office, the Department of Labor's Office of the Inspector General and the FBI.

**On December 4, 2009**, in the United States District Court for the Western District of Pennsylvania, Christine S. Throckmorton, former office secretary/bookkeeper for the Hotel Employees Restaurant Employees (HERE) Local 57 (located in Pittsburgh, Pa.), pled guilty to one count of embezzlement of union funds in the amount of \$9,674.95. The plea follows an investigation by the OLMS Pittsburgh District Office.

**On December 2, 2009**, in the United States District Court for the Southern District of Mississippi, Dale Holfield, former Financial Secretary Treasurer of United Food and Commercial Workers Local 982C (located in Pearl, Miss.), pled guilty to one count of embezzling union funds in the amount of \$7,468.19. The plea follows an investigation by the OLMS New Orleans District Office.

**On December 2, 2009**, in Hamilton County (Ohio) Court of Common Pleas, the following Tiffany Freeman, Tiesha Hamer, Lavina Smith, LaDonna Turner and Britton Russia were charged with forging checks belonging to Musicians Local 1 (located in Cincinnati, Ohio). Freeman was charged with five counts of forgery totaling \$2,260; Hamer was charged

[https://www.dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

On December 1, 2009, in the United States District Court for the Southern District of Georgia, **Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.),** was sentenced to six months imprisonment, followed by three years of supervised release and ordered to pay restitution in the amount of \$ 18, 818.74. On July 31, 2009, Drawdy pled guilty to embezzling union funds in the amount of \$17,900. The sentencing follows an investigation by the OLMS Miami Resident Investigator Office.

→ → ↻ [dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

The charges follow an investigation by the OLMS Cincinnati District Office.

**On December 1, 2009,** in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was sentenced to six months imprisonment, followed by three years of supervised release and ordered to pay restitution in the amount of \$ 18, 818.74. On July 31, 2009, Drawdy pled guilty to embezzling union funds in the amount of \$17,900. The sentencing follows an investigation by the OLMS Miami Resident Investigator Office.

**On November 30, 2009,** in the United States District Court for the District of Minnesota, Edward Kobe, former General Chairman of United Transportation Union (UTU) General Committee of Adjustment 325 (located in Duluth, Minn.), pled guilty to embezzling union funds in the amount of \$16,200. On November 12, 2009, Kobe was charged in an information with one count of embezzling union funds during a period between 2005 through 2006. The plea follows a joint investigation by the OLMS Minneapolis Resident Investigator Office and the office of the Inspector General, Railroad retirement Board.

**On November 23, 2009,** in the United States Court for the Western District of Louisiana, an information was filed charging David Matthis, former Secretary Treasurer of American Postal Workers Union (APWU) Local 205 (located in Alexandria, La.), with one count of embezzlement of union funds between August 2006 and October 2007. The charge follows an investigation by OLMS New Orleans District Office.

**On November 23, 2009,** in the United States District Court for the Western District of Louisiana, an information was filed charging David Matthis, former Secretary Treasurer of American Postal Workers Union (APWU) Local 205 (located in Alexandria, La.), with one count of embezzling union funds during a period between August 2006 and October 2007. The charge follows an investigation by OLMS New Orleans District Office.

**On November 18, 2009,** in the United States District Court for the Northern District of Georgia, Sonia McGuire, former-treasurer of America Postal Workers Union, Local 3434, (Decatur, Ga.), plead guilty to one count of embezzlement of union funds in the amount of \$16,023.12. The plea follows an investigation by OLMS Atlanta District Office and the U.S. Postal Service's Office of Inspector General.

**On November 18, 2009,** in the United States District Court for the Southern District of Iowa, John A. Mannenga, former Recording Secretary-Treasurer of Railroad Signalmen Local 98 (located in Norwalk, Iowa) was charged with one

[https://www.dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

On September 24, 2009, in the United States District Court for the District of Arizona, **Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals Union Officer, Ind. (located in Phoenix, Ariz.), pled guilty to one count of willful concealment and destruction of required union records.** On September 9, 2009, Wuest was charged with the same offenses. The plea follows an investigation by the OLMS Phoenix Resident Investigator Office.

→ → ↻ [dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

**On September 24, 2009,** in the United States District Court for the District of Arizona, Roger Wuest, former Secretary-Treasurer of Security Police and Fire Professionals Union Officer, Ind. (located in Phoenix, Ariz.), pled guilty to one count of willful concealment and destruction of required union records. On September 9, 2009, Wuest was charged with the same offenses. The plea follows an investigation by the OLMS Phoenix Resident Investigator Office.

**On September 23, 2009,** in the United States District Court for the Northern District of Ohio, Jack Hooks, former Secretary-Treasurer of AFSCME Local 11, Chapter 7010 (located in Mansfield, Ohio), was sentenced to two years probation, including six months home confinement with electronic monitoring, ordered to make full restitution, and fined \$2,000. On May 1, 2009, Hooks pled guilty to embezzling \$15,192 in union funds. The sentencing follows an investigation by the OLMS Cleveland District Office.

**On September 17, 2009,** in the United States District Court for the Northern District of Indiana, Karen Snelling, former Treasurer of Communication Workers Local 34014 (located in Gary, Ind.), was indicted on one count of embezzling \$18,100 between February 2004 and September 2008. The indictment follows an investigation by the OLMS Chicago District Office and Department of Labor's Office of Inspector General.

**On September 17, 2009,** in the United States District Court for the Western District of Michigan, Carolyn Williams, former Secretary-Treasurer of International Brotherhood of Electrical Workers (IBEW) Local 352 (located in Lansing, Mich.), was indicted on one count of embezzling union funds in the amount of \$9,554.14. The indictment follows an investigation by the OLMS Detroit District Office.

**On September 16, 2009,** in the United States District Court for the Northern District of Indiana, Jeanne R. Brophy, former office manager for Ironworkers Local 379 (located in Lafayette, Ind.), pled guilty to one count of embezzlement of union funds of over \$5,000. Brophy was immediately sentenced to two years probation and ordered to pay a fine of \$1,000 and a special assessment of \$100. Brophy had previously paid over \$47,172 in restitution. The sentencing follows an investigation by the OLMS Chicago District Office.

**On September 15, 2009,** in the United States District Court for the Northern District of Georgia, Sonia McGuire, former treasurer of American Postal Workers Union (APWU) Local 3434 located in Decatur, Ga.), was indicted for embezzling union funds, between January 15, 2005 and April 28, 2008, in excess of \$15,000. The indictment follows a joint investigation by the OLMS Atlanta District Office and the U.S. Postal Service Office of Inspector General.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

On August 6, 2009, in the United States District Court for the Northern District of Alabama, **Herman Peoples, former Financial Secretary of Security Police and Fire Professionals, Ind. Local 598 (located in Huntsville, Ala.), was indicted on one count of embezzling union funds in the amount of \$10,690.** The indictment follows an investigation by the OLMS Nashville District Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

Buffalo District Office.

**On August 6, 2009**, in the United States District Court for the Northern District of Alabama, Herman Peoples, former Financial Secretary of Security Police and Fire Professionals, Ind. Local 598 (located in Huntsville, Ala.), was indicted on one count of embezzling union funds in the amount of \$10,690. The indictment follows an investigation by the OLMS Nashville District Office.

**On August 5, 2009**, in the United States District Court for the Northern District of California, Audrea Ann Jimenez, former secretary/bookkeeper of Carpenters Local 262 (located in San Jose, Calif.), was sentenced to two years probation and 75 hours of community service, and was ordered to pay a \$25 special assessment. On May 6, 2009, Jimenez had pled guilty to one count of making a false entry in or willful concealment of books and records. The sentencing follows an investigation by the OLMS San Francisco District Office.

**On August 4, 2009**, in the United States District Court for the Northern District of Georgia, Gary Barner, former Treasurer of Steelworkers Local 518 (located in Rome, Ga.), was indicted on one count of embezzling union funds in excess of \$10,000 between August 4, 2004 and September 13, 2006. The indictment follows an investigation by the OLMS Atlanta District Office.

**On August 3, 2009**, in the United States District Court for the Western District of Pennsylvania, Michael R. Rhoades, former Secretary Treasurer of the Communications Workers Local 88667 (located in Latrobe, Pa.), pled guilty to embezzling union funds. On August 12, 2008, Rhoades was indicted on one count of embezzling union funds in the amount of \$8,001.86 between June 2006 and November 2006. The plea follows an investigation by the OLMS Pittsburgh District Office.

**On August 3, 2009**, the United States Court of Appeals for the Eleventh Circuit ruled, in *Warshauer v. Solis*, that the Secretary of Labor did not act arbitrarily and capriciously in requiring a union's designated legal counsel (DLC) to report as an employer on Form LM-10 concerning potential conflict of interest payments to unions or union officials.

**On July 31, 2009**, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.) pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900. The plea follows an investigation by the OLMS Miami District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

On July 31, 2009, in the United States District Court for the Southern District of Georgia, **Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.)** **pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900.** The plea follows an investigation by the OLMS Miami Resident Office.

← → ↻ [dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

as an employer on Form EM-16 concerning potential conflict of interest payments to unions or union officials.

**On July 31, 2009**, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.) pled guilty to embezzling union funds. Drawdy agreed to make restitution in the amount of \$17,900. On April 10, 2009, Drawdy was charged with sixteen counts of embezzling union funds in the amount of \$17,900. The plea follows an investigation by the OLMS Miami Resident Office.

**On July 31, 2009**, in the United States District Court for the Northern District of Florida, Stephen J. Pfeiffer, former Secretary Treasurer of IATSE Local 60 (located in Pensacola, Fla.), was sentenced to thirteen months imprisonment, to run consecutively to the yet to be imposed sentence on state charges, and three years of probation. He was ordered to pay restitution in the amount of \$6,824.30 and a special assessment of \$100.00. On May 13, 2009, Pfeiffer pled guilty to embezzling union funds in the amount of \$12,051. The sentence follows a joint investigation by the OLMS Tampa Resident Investigator Office and the U.S. Department of Labor's Office of Inspector General.

**On July 30, 2009**, in the United States District Court for the Northern District of Ohio, Michael Kelly, former Secretary-Treasurer for the United Transportation Union (UTU) Local 586 (located in Crestline, Ohio), pled guilty to one count of embezzling union funds in the amount of \$97,970.71. The plea follows an investigation by the OLMS Cleveland District Office.

**On July 29, 2009**, in the United States District Court for the Southern District of Ohio, Terry Hacker, former Secretary-Treasurer of UNITE-HERE Local 12 (located in Cincinnati, Ohio) was charged in an information with one count of embezzling union funds in the amount of \$38,146. The charges follow an investigation by the OLMS Cincinnati District Office.

**On July 29, 2009**, in the United States District Court for the Northern District of Iowa, a sealed indictment was opened charging Thomas Jon Witham, former Secretary Treasurer of International Brotherhood of Boilermakers Local 106-D (located in Mason City, Iowa) with one count of embezzlement of union funds in the amount of \$52,037.19. The charge follows an investigation by the OLMS St. Louis District Office.

**On July 23, 2009**, in the Superior Court for Clark County, Indiana, Joseph E. Clegg, former President of American Postal Workers Local 753 (located in Jeffersonville, Ind.) was charged in a one count information of Theft totaling \$1,560. The charges follow an investigation by the OLMS Cincinnati District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

On April 10, 2009, in the United States District Court for the Southern District of Georgia, **Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was indicted on sixteen counts of embezzling union funds in the amount of approximately \$17,900.** The charge follows an investigation by the OLMS Miami Resident Investigator Office.

- →  [dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

an investigation by the OLMS Detroit District Office. Rectangular Snip

**On April 10, 2009**, in the United States District Court for the Southern District of Georgia, Dianne Drawdy, former Financial Secretary of Security Police Fire Professionals Local 576 (located in Baxley, Ga.), was indicted on sixteen counts of embezzling union funds in the amount of approximately \$17,900. The charge follows an investigation by the OLMS Miami Resident Investigator Office.

**On April 10, 2009**, in the Montgomery County (Ohio) Court of Common Pleas, Monica Smalls, former Treasurer of AFGE Local 2209 (located in Dayton, Ohio), was charged with theft of \$500 or more. The charge follows an investigation by the OLMS Cincinnati District Office.

**On April 9, 2009**, in the United States District Court for the Western District of Wisconsin, Carl W. White, former Treasurer of IATSE Local 251 (located in Madison, Wis.), was sentenced to twelve months and one day imprisonment plus three years supervised release, and ordered to pay restitution in the amount of \$96,088 and a \$100 criminal assessment penalty. On January 29, 2009, White pled guilty to embezzling union funds in the amount of \$85,963.31. The sentencing follows an investigation by the OLMS Milwaukee District Office.

**On April 9, 2009**, in the United States District Court for the Eastern District of California, Robert L. Carr, Business Manager of Plumbers Local 228 (located in Yuba City, Calif.), and his wife Theresa A. Carr, were charged with conspiracy, aiding and abetting, and the embezzlement of over \$45,000 in union funds, from at least January 2000 through March 2007. The charges follow an investigation by the OLMS San Francisco District Office and the Department of Labor's Office of Inspector General.

**On April 7, 2009**, in the United States District Court for the District of Maryland, LaRose Elsezy, former administrative assistant and bookkeeper of AFGE Local 1923, was indicted on one count of theft within a special maritime and territorial jurisdiction of the United States and one count of aiding and abetting. An OLMS investigation concluded that Elsezy created and cashed checks, drawn from the union's bank account, for personal use, affixed the signature stamps of the President and Treasurer, altered the name of the payees in the union's accounting system, and removed checks from the union's records to conceal the true beneficiary of the funds. The indictment follows an investigation by the OLMS Washington District Office.

[https://www.dol.gov/olms/regs/compliance/enforce\\_2009.htm](https://www.dol.gov/olms/regs/compliance/enforce_2009.htm)

# **Union bosses ignore National Right to Work Foundation-won Supreme Court precedent as they demand worker pay up or be terminated**

San Francisco, CA (April 26, 2017) – With free legal assistance from National Right to Work Foundation staff attorneys, a Eureka-area worker has filed **federal unfair labor practice charges against the International Union of Security Police and Fire Professionals of America (SPFPA) Local 247 for illegally demanding the security guard be terminated.**

The worker, Jeffrey Nyquist, works as a security guard at Inter-Con Security Systems, Inc. In January 2014, Nyquist sent the union a “Beck letter” stating his request to object to paying anything more than can be required by law and requested an independent financial audit of the union’s expenditures. Under the Foundation-won Communications Workers v. Beck Supreme Court decision, workers have the right to opt out of paying full union dues that include union political lobbying and spending and have the right to see an independent financial audit of the union’s expenditures.

Union officials ignored Nyquist’s letter requesting more financial information and made no further efforts to contact him. Suddenly, more than three years later, on April 10, 2017, union officials sent Nyquist and his employer a letter demanding that he be terminated after 14 days unless he paid full union dues or fees for February through March 2017. The letter came despite the fact that union officials ignored their legal

obligations to Nyquist regarding his Beck objections, which supersedes his obligation to pay the union dues or fees.

**This isn't the first time an SPFPA union has been caught violating workers' rights when it comes to illegal union dues seizures.**

Just weeks ago, an **SPFPA local was ordered to pay back approximately \$20,000 in illegally seized dues from Washington D.C.** – area workers despite a majority of workers having voted to end the forced unionism clause in their contract through an NLRB deauthorization election.

“It is outrageous that union bosses think they can pick and choose what parts of the law they want to follow on any given day,” commented National Right to Work Foundation President Mark Mix. “No worker should be threatened with termination for simply exercising his rights under the law. This case highlights why California workers need Right to Work protections that would ensure that union membership and dues payment is strictly voluntary.”

<https://www.nrtw.org/news/security-guard-union-hit-with-federal-charges04262017/>

# **Federal Settlement Forces Union Officials to Refund \$20,000 After Illegally Seizing Union Dues from Workers**

**SPFPA union officials continued to collect dues over workers' objections despite majority vote by employees that ended mandatory payments**

Washington, DC (April 3, 2017) – With free legal assistance from National Right to Work Foundation staff attorneys, **two Washington D.C. area workers have won a federal settlement from International Union of Security, Police and Fire Professionals of America (SPFPA) union officials. The settlement dictates that union officials pay back approximately \$20,000 in illegally seized dues, with interest.**

The two workers, Troy Golson and Yasir Maatoug, work as security guards in the Ronald Reagan Building in downtown Washington, D.C. In November 2015, employees in their company, Coastal International Security, won a deauthorization election **against the SPFPA union.** A deauthorization election can be called by employees to negate the forced-unionism clause that allows union bosses to have a worker fired for refusing to pay the union dues or fees.

After the successful deauthorization vote, more than 30 Coastal employees sent union officials a dues check-off revocation letter, which legally stops the collection of forced union dues from their paychecks. However, union officials ignored some of the letters and continued seizing dues from many employees' paychecks, erroneously claiming

workers could not stop payment except in a union-determined “window period.”

Under current National Labor Relations Board law, workers who win a deauthorization election have the right to halt automatic deductions from their paychecks immediately simply by sending the union a revocation letter.

The settlement also allows for other workers to receive refunds for illegally seized dues if they can show that they revoked their dues check-off following the deauthorization election in November of 2015.

Furthermore, union officials must post and e-mail a notice stating that they “will not collect dues from bargaining unit employees who have revoked their authorizations for payroll deduction of union dues or fees following the deauthorization of the union security clause.” “This case epitomizes the lengths to which union officials will go to collect every last cent of forced dues they can, even in violation of longstanding law,” said Mark Mix, President of the National Right to Work Foundation.

“Even after a majority of the very workers the union claims to ‘represent’ voted to strip union officials of their forced dues powers, SPFPA union officials continued to illegally seize thousands of dollars in forced dues from them. This case shows why every worker in America should have Right to Work protections that ensure that union membership and payment of union fees are strictly voluntary.”

<https://www.nrtw.org/news/washington-dc-workers-win-federal-settlement04032017/>

# **Workers Hit Unions with Federal Charges for Illegal Union Dues Seizures Despite Worker Vote to End the Compulsion**

**Union bosses continue to seize forced dues from over 50 workers**

Washington, D.C. (December 6, 2016) – With free legal assistance from National Right to Work Foundation staff attorneys, **two local workers have filed unfair labor practice charges against the International Union of Security, Police and Fire Professionals of America (SPFPA) and its Local 247.**

The charges state that union officials continue to seize union dues from their and other employees' paychecks despite a deauthorization election that eliminated the forced dues clause from the workplace bargaining agreement. Dues check off revocation letters sent to the union by the two workers and many others were ignored.

Troy Golson and Yasir Maatoug work as security guards in the **Ronald Reagan Building in downtown Washington, D.C.** In November 2015 employees in their company, Coastal International Security, successfully won a deauthorization election against the SPFPA union. A deauthorization election can be called by employees to remove the forced-unionism clause that allows union bosses to have a worker fired for refusing to pay the union dues or fees.

After the vote, nearly 100 Coastal employees sent union officials a dues check off revocation letter, which legally stops the collection of forced dues by the union from their paychecks. However, union officials ignored some of the letters and continued seizing dues from at least 50

employees' paychecks, erroneously claiming workers could not stop payment except in a union-determined "window period."

Under current National Labor Relations Board law, workers who win a deauthorization election have the right to halt automatic deductions from their paychecks immediately simply by sending the union a revocation letter.

"This is yet another example of union bosses trying to get every last penny in forced dues they can from the workers they claim to 'represent,'" observed National Right to Work Foundation President Mark Mix. "No worker should have to jump through all these hoops just to exercise their legal right. The District of Columbia needs to adopt a Right to Work law to ensure that the right to refrain from union membership or fees is guaranteed for all workers.

<https://www.nrtw.org/news/workers-hit-unions-with-federal-charges-for-illegal-union-dues-seizures-despite-worker-vote-to-end-the-compulsion120616/>



**Juan sitting beside union officials “termination request” against him for refusing to pay union fees**

Juan Vielma, 58, was a security guard of 17 years in El Paso, Texas. That is, until he dared to oppose a union. When union officials persuaded his employer to suspend him without pay for exercising his legal rights, he struggled to make ends meet.

His employer, AKAL Security, is a joint-venture of Minnesota-based Deco Security Services and New Mexico-based AKAL Security.

**At the order of officials from the International Union of Security, Police and Fire Professionals of America (SPFPA), AKAL suspended Juan without pay for over a year** because he had exercised

his right under Texas' Right to Work law to refuse to pay union dues. Texas is one of 24 Right to Work states that prohibit compulsory dues.

Juan sought free legal assistance from attorneys at the National Right to Work Foundation. In federal charges filed with the National Labor Relations Board (NLRB), Foundation attorneys sought Juan's reinstatement and back pay, in addition to a notice to all AKAL Security employees about their rights to refrain from forced union membership and dues payment. Eventually, the NLRB issued a formal complaint and conducted a hearing to prosecute the union in late March 2007.

After the hearing, a federal Administrative Law Judge ruled that Juan be reinstated and be fully reimbursed his back wages and benefits lost. However, Texas Attorney General Greg Abbott's office has inexplicably failed to take **formal legal action to prosecute the SPFPA union** for violating the Right to Work law. Foundation attorneys have also uncovered an apparent statewide union fraud to dupe potentially thousands of Texans into paying compulsory dues.

### **Juan in His Own Words**

"I can't collect unemployment because I'm suspended until I pay the union fees. I've got all my bills. I'm two payments behind on my house (mortgage)." –Juan Vielma, speaking to a reporter for the El Paso Times

"For me, I don't think we need a union." –Juan Vielma, commenting on union membership for the El Paso Times



“I work to get paid; I don’t pay to work.” –Juan Vielma, asserting his right under Texas’ highly-popular Right to Work law

News Releases

**July 24, 2007: Employee Rights Group Reacts to Attorney General Abbott’s Long-Sought Legal Action to Enforce Texas’ Right to Work Law**

<https://www.nrtw.org/news/employee-rights-group-reacts-to-attorney-general-abbott-s-long-sought-legal-action-to-enforce-texas-right-to-work-law>

**June 25, 2007: Employee Rights Group Wins Security Guard's Reinstatement After Year-Long Suspension for Refusal to Pay Union Dues**

<https://www.nrtw.org/news/employee-rights-group-wins-security-guard-s-reinstatement-after-year-long-suspension-for-refusal-to-pay-union-dues>

**June 21, 2007: Employee Rights Advocate Urges Attorney General to Prosecute Pattern of Apparent Union Fraud and Violations of Texas Right to Work Law**

<https://www.nrtw.org/news/employee-rights-advocate-urges-attorney-general-to-prosecute-pattern-of-apparent-union-fraud-and-violations-of-texas-right-to-work/>

**February 5, 2007: Federal Labor Board to Prosecute Union for Retaliation Against Security Guard for Asserting Legal Rights**

<https://www.nrtw.org/news/federal-labor-board-to-prosecute-union-for-retaliation-against-security-guard-for-asserting-legal-rights>

Foundation Action Features

**September/October 2007: Big Labor Bosses Scheme to Trump Right to Work Laws**

<https://www.nrtw.org/foundation-action/sepoct07.pdf>

**March/April 2007: Foundation Defends Security Guard from Union Attack on Job**

<https://www.nrtw.org/pdfs/profiles/Vielma/08-08-2007%20-%20San%20Antonio%20Express%20News.pdf>

Related News

**August 9, 2007: “Mark Mix: Unions need to back off,” The Dallas Morning News**

<https://www.nrtw.org/pdfs/profiles/Vielma/08-09-2007%20-%20The%20Dallas%20Morning%20News.pdf>

**August 8, 2007: “Abbott enters right-to-work fights with double-barreled gun blazing,” San Antonio Express-News**

<https://www.nrtw.org/pdfs/profiles/Vielma/08-08-2007%20-%20San%20Antonio%20Express%20News.pdf>

**August 1, 2007: “EP security guard receives \$25,000 in back wages,” El Paso Times**

<https://www.nrtw.org/pdfs/profiles/Vielma/08-01-2007%20-%20El%20Paso%20Times.pdf>

**July 27, 2007: “Abbott files suits to enforce Texas’ right to work law,” The Lone Star Report**

<https://www.nrtw.org/pdfs/profiles/Vielma/07-27-2007%20-%20The%20Lone%20Star%20Report.pdf>

**July 25, 2007:** “State sues security companies, union,” El Paso Times

<https://www.nrtw.org/pdfs/profiles/Vielma/07-25-2007%20-%20El%20Paso%20Times.pdf>

**July 25, 2007:** “Texas AG files lawsuit against accused employer, Man says he was forced to pay dues,” Corpus Christi Caller Times

<https://www.nrtw.org/pdfs/profiles/Vielma/07-25-2007%20-%20Corpus%20Christi%20Caller%20Times.pdf>

**July 23, 2007:** “El Paso guard returns to work after spurning union,” El Paso Times

<https://www.nrtw.org/pdfs/profiles/Vielma/7-23-2007%20-%20El%20Paso%20Times.pdf>

**July 17, 2007:** “Non-Association Right Under Fire By Unions,” The Tyler Morning Telegraph

<https://www.nrtw.org/pdfs/profiles/Vielma/07-17-2007%20-%20The%20Tyler%20Morning%20Telegraph.pdf>

**July 11, 2007:** “Attorney general accused of inaction as labor bosses ‘trample’ on Texans,” San Antonio Express-News

<https://www.nrtw.org/pdfs/profiles/Vielma/07-12-2007%20-%20San%20Antonio%20Express%20News.pdf>

**July 4, 2007: Guard offered job back in union case,” El Paso Times**

<https://www.nrtw.org/pdfs/profiles/Vielma/07-04-2007%20-%20El%20Paso%20Times.pdf>

**June 29, 2007: Right to Work group scores one against unions,” The Lone Star Report**

<https://www.nrtw.org/pdfs/profiles/Vielma/06-29-07%20-%20The%20Lone%20Star%20Report--TX%20RTW.pdf>

**June 27, 2007: General Abbott” wasn’t “AWOL,” his communications director says,” San Antonio Express-News**

<https://www.nrtw.org/pdfs/profiles/Vielma/06-27-2007%20-%20San%20Antonio%20Express%20News.pdf>

**June 23, 2007: Big Labor Punishes Little Texan while indifferent Abbott “AWOL,?” San Antonio Express-News**

<https://www.nrtw.org/pdfs/profiles/Vielma/06-23-2007%20-%20San%20Antonio%20Express%20News.pdf>

**June 20, 2007: Judge sides with guard in right-to-work case,” El Paso Times**

<https://www.nrtw.org/pdfs/profiles/Vielma/06-21-2007%20-%20El%20Paso%20Times.pdf>

**February 14, 2007:** “Man fights suspension for shunning union,” El Paso Times

<https://www.nrtw.org/pdfs/profiles/Vielma/El%20Paso%20Times%20-%202002-14-2007.pdf>

Additional Resources

**Quoted excerpt of union lawyer John Ferguson’s testimony before the National Labor Relations Board**

<https://www.nrtw.org/pdfs/news-release-docs/TX-RTW-testimony.pdf>

## **MGM Casino, Local Union Face Federal Charges for Playing Fast and Loose with Worker’s Rights**

**Case underscores importance of Right to Work protections for Michigan workers**

Detroit, MI (January 6, 2015) – An area **MGM Grand Detroit casino employee has filed federal charges against a local security guard union** and the casino for blocking her from exercising her rights guaranteed under Michigan’s Right to Work law.

With free legal assistance from the National Right to Work Foundation, Johnnie Cullens of Detroit filed the unfair labor practice charges with the National Labor Relations Board (NLRB).

On November 18, Cullens, an MGM Grand Detroit employee since 2001, delivered a letter to her employer and the **Security, Police, and**

**Fire Professionals of America (SPFPA) Local 1111 union** notifying them that she was resigning her union membership and revoking her union dues deduction authorization – a document used by union officials to collect dues from workers’ paychecks. She also sent the letters by certified mail to the union on November 21.

<https://www.nrtw.org/news/mgm-casino-local-union-face-federal-charges-for-playing-fast-and-loose-with-worker-s-rights/>

## **MGM Casino, Local Union Face Federal Charges for Playing Fast and Loose with Worker's Rights**

Detroit, MI (January 6, 2015) – An area MGM Grand Detroit casino employee has filed federal charges against a local security guard union and the casino for blocking her from exercising her rights guaranteed under Michigan’s Right to Work law.

With free legal assistance from the National Right to Work Foundation, Johnnie Cullens of Detroit filed the unfair labor practice charges with the National Labor Relations Board (NLRB).

On November 18, Cullens, an MGM Grand Detroit employee since 2001, delivered a letter to her employer and the **Security, Police, and Fire Professionals of America (SPFPA) Local 1111 union** notifying them that she was resigning her union membership and revoking her union dues deduction authorization – a document used by union officials to collect dues from workers’ paychecks. She also sent the letters by certified mail to the union on November 21.

Because the contract between the **SPFPA Local 1111 union and MGM Grand Detroit** has expired, Michigan's 2012 Right to Work law now applies to Cullens and her coworkers. Under Michigan's private-sector Right to Work law, no worker can be required to join or pay money to a union. Under federal labor law, employees can revoke their dues deduction authorizations once a contract ends.

Even though the company acknowledged Cullens' union membership resignation, MGM Grand Detroit has begun to confiscate a so-called "security fee" from her paychecks, apparently at **SPFPA Local 1111 union officials' behest. Cullens' charge against the union alleges that the union has accepted the unlawfully deducted fee.**

Since Michigan passed Right to Work protections for workers in 2012, National Right to Work Foundation staff attorneys have assisted numerous public and private sector workers in exercising their rights under the state laws.

"Forced-dues hungry union officials are stonewalling workers' attempts to exercise their statutory rights under Michigan's Right to Work laws," said Mark Mix, president of the National Right to Work Foundation. "This latest case underscores once again how making union affiliation and dues payments completely voluntary empowers workers whose rights are violated by forced unionism."

<https://www.nrtw.org/news/mgm-casino-local-union-face-federal-charges-for-playing-fast-and-loose-with-worker-s-rights-0/>

# Security Union Officials Hit With Federal Labor Board Charges for Forcing Employees into Union

**Stealth union organizing campaign springs union boss control over employees without even a vote**

Flint, MI (November 9, 2010) – A group of eight Securitas Security Services employees filed federal charges against a local union and their employer earlier this week for illegally forcing union monopoly representation and mandatory union fees on the employees without a showing of majority support for the union.

With free legal aid from the National Right to Work Foundation, the employees – who are employed by Securitas in Grand Blanc – recently learned that their employer has recognized the **Security, Police, and Fire Professionals of America (SPFPA) union hierarchy** as their monopoly bargaining agent. The employees were unaware of any union organizing campaign occurring in their workplace and a vote never took place.

Federal labor law requires that union officials must show majority support within a workplace before company officials can recognize the union.

The employees were forced to sign union dues deduction authorizations – used by union officials to automatically withhold dues from employee paychecks – and are currently paying dues to the union in order to keep their jobs.

<https://www.nrtw.org/news/security-union-officials-hit-with-federal-labor-board-charges-for-forcing-employees-into-union/>

# **Fort Jackson Security Guard Takes Courageous Stand Against Repeated Union Boss Threats and Abuses**

**National Labor Relations Board agents investigate charges after Right to Work Foundation attorneys join worker's efforts**

Columbia, South Carolina (October 30, 2009) – A local employee of Wackenhut Services, Inc, a security service provider contracted with Fort Jackson, is fighting back against compulsory unionism after union officials illegally attempted to have him fired from his job for refusing to pay forced union dues.

In September 2008, Ronald I. Paul filed unfair labor practice charges with the National Labor Relations Board (NLRB) challenging Wackenhut and **International Union, Security, Police and Fire Professionals of America (SPFPA) and its affiliated Local 339 union bosses** after Wackenhut fired him in August 2008 for refraining from formal, dues paying union membership. The charges were eventually settled in December of 2008 and Paul continued his employment.

Starting in May 2009, in violation of the settlement, the employer and SPFPA union officials issued new threats against Paul's job.

<https://www.nrtw.org/blog/fort-jackson-security-guard-takes-courageous-stand-against-repeated-union-boss-threats-and-abuses/>



## Juan Vielma - “I work for pay. I don't pay for work. ”

Juan Vielma, 58, was a security guard for 17 years in El Paso, Texas. This is until he dared to oppose a union. When union officials convinced his employer to suspend him without pay for exercising his legal rights, he struggled to get ahead financially.

Your employer, AKAL Security, is a joint venture of Deco Security Services, located in Minnesota, and AKAL Security, located in New Mexico.

By order of the officials of the **International Union of Security, Police and Fire Professionals of America or SPFPA (International Union of Security Guards, Police, and Professional Firefighters of the USA)**.

AKAL suspended Juan without pay for more than a year for exercising

his right to refuse to pay union dues in accordance with Texas Law on the Right to Work. Texas is one of 25 states with the Right to Work that prohibit forced quotas.

Juan requested free legal help from the lawyers of the National Foundation for the Right to Work. In federal charges filed with the National Labor Relations Board (NLRB), the Foundation's lawyers tried to reinstate Juan and give him back wages, as well as notice to all AKAL Security employees about their legal rights to refrain from union membership and the payment of forced fees. Finally, the NLRB issued a formal lawsuit and held a hearing to bring the union to trial at the end of March 2007.

After the hearing, a federal administrative law judge ruled that Juan should be reinstated and that he should be paid in full back wages and lost benefits. However, the office of the Attorney General of Texas of Greg Abbott inexplicably did not take formal legal measures to **prosecute the SPFPA union for violating the Right to Work law**. The Foundation's lawyers have also discovered an **apparent fraud of the union throughout the state to scam** possibly thousands of Texans to pay forced union dues.

Juan in his own words

"I cannot receive unemployment because I am suspended until I pay the union dues. I have all my bills. I am behind two payments in my house (mortgage)." - Juan Vielma, talking to an El Paso Times reporter

"" For me we don't need a union. " - Juan Vielma, commenting on union membership to the El Paso Times

"I work for pay. I don't pay for work." - Juan Vielma, reaffirming his rights under the very popular Texas law of Right to Work.

<https://www.nrtw.org/juan-vielma-yo-trabajo-por-la-paga-no-pago-por-el-trabajo/>

# **Union Officials Balk at Election to Get Employees' Names and Home Addresses**

Leaders of the Saginaw Chippewa Indian Tribe are up in arms because **Security, Police, and Fire Professionals of America union officials** filed a petition with the National Labor Relations Board for a representation election of their casino security personnel only to pull the plug at the last minute.

Meanwhile, **SPFPA officials told The Morning Sun that they never had any intention of going through with the election:**

"...the union simply wanted to get the list of names and addresses of the casino security and surveillance personnel the union hopes to organize."

Tribe representatives called the move a "manipulation" of the system, point out that two previous organizing attempts have failed, and question the NLRB's jurisdiction over their employees in the first place.

Most likely, collecting employees' personal information is geared at pressuring them individually to support unionization through a potential "card check" drive. Sadly, this situation shows that many times, when employees reject unionization, it's just the beginning.

<https://www.nrtw.org/blog/union-officials-balk-at-election-to-get-employees-names-and-home-addresses/>

# **Another Corpus Christi Security Guard Files Charges After Illegal ‘Pay Union Dues or Be Fired’ Threat**

**\*\*Corpus Christi, TX (September 5, 2007)\*\*** – For the second time in six months, National Right to Work Legal Defense Foundation attorneys have helped a security guard employed by Asset Protection and Security Services file unfair labor practice charges after union officials threatened workers with termination if they failed to pay union dues.

Under Texas’ Right to Work law, on the books since 1947, no employee can be required to pay dues or fees to a union as a condition of employment.

Ramona Trevino joined fellow employee Carlos Banuelos in filing charges with help from Foundation attorneys challenging the enforcement of the illegal forced dues clause in the employment contract between **Security, Police and Fire Professionals of America (SPFPA)** union officials and their employer. Trevino also filed charges against Asset for enforcing the unlawful forced dues clause.

Banuelos’ earlier charges have already triggered a prosecution by the National Labor Relations Board. **SPFPA union officials claim, with no basis whatsoever,** that Banuelos, Trevino, and their coworkers work on an “exclusive federal enclave” that is not protected by the Right to Work law – and therefore can be forced to pay union fees as a condition of employment.

Under similar circumstances, Foundation attorneys successfully secured the reinstatement of Juan Vielma, a security guard for AKAL Security in El Paso, whom union officials had illegally suspended without pay for over a year for refusal to pay dues. Agreeing with Foundation attorneys,

**a federal Administrative Law Judge ruled that SPFPA union officials had no legal authority to compel Vielma to pay dues.**

Trevino's charge further emphasizes what is likely a widespread violation of Texas' Right to Work law. In oral argument in Vielma's case, an attorney for another security company with a contract with the **SPFPA union even boasted that they require employees to pay dues "across the country in Right to Work states."** Evidence shows that union officials have established these forced dues requirements at multiple worksites under apparently fraudulent agreements.

Responding to demands of Texas citizens, Texas Attorney General Greg Abbott took long-awaited legal action in July to enforce the Right to Work law in the Vielma and Banuelos cases. However, Texans await further action by the Attorney General to address the statewide pattern of Right to Work law violations.

"Union officials are trampling Texas' long standing freedom to earn a living without paying money to union bosses for the privilege," said Stefan Gleason, vice president of the National Right to Work Foundation. "Union officials need to learn that the Lone Star state takes its Right to Work law very seriously."

<https://www.nrtw.org/news/another-corpus-christi-security-guard-files-charges-after-illegal-pay-union-dues-or-be-fired-threat/>

# **Security Guard Forces Employer to Settle After Unlawfully Threatening Firings for Refusal to Pay Union Dues**

**\*\*Corpus Christi, TX (August 1, 2007)\*\*** – A security guard helped by attorneys at the National Right to Work Foundation has forced Asset Protection and Security Services (Asset) to settle federal charges he filed in April after company and union officials required him to pay union dues in violation of Texas’ Right to Work law.

Carlos Banuelos, a Corpus Christi-based Asset employee, filed **federal charges against the Security, Police and Fire Professionals of America (SPFPA) union** and his employer, a federal contractor at a detention facility at Port Isabel.

The settlement requires Asset to reimburse Banuelos for dues paid and post a notice informing all security guards at the Corpus Christi facility about their rights. Specifically, Asset agreed not to “threaten” employees with termination for refusal to pay dues as well as make whole Banuelos “for any monies, plus interest, lost as a result of the discrimination against him.”

**Banuelos’ charge detailed how the SPFPA union hierarchy maintains an illegal monopoly bargaining agreement with his employer that makes financial support for the union a mandatory condition of employment.** Earlier this month, the National Labor Relations Board agreed to issue a complaint and **prosecute the SPFPA union for threatening to have workers fired** for refusal to pay dues. While Asset has settled, the defiant SPFPA union refuses and is scheduled to appear at trial before an Administrative Law Judge in October.

**SPFPA union officials falsely claim without proof** that Banuelos and his coworkers work on an “exclusive federal enclave” that is not protected by the Right to Work law – and thus can be forced to pay union dues as a condition of employment. Meanwhile, evidence shows that union officials have established these forced dues requirements at multiple worksites across Texas under apparently fraudulent agreements.

**“Evidence indicates that union bosses have duped potentially thousands of Texans into paying compulsory union dues in violation of the law,”** said Stefan Gleason, vice president of the National Right to Work Foundation. “They must refund every dollar seized – no one should be forced to pay union dues just to get or keep a job.”

After the National Right to Work Foundation called on Texas Attorney General Greg Abbott’s office for over eight months, his office followed up on two Foundation-led cases by initiating legal proceedings to enforce the state’s Right to Work law. Filed on July 24, **the state’s lawsuits seek permanent injunctions against the collection of forced dues by the SPFPA union**, as well as Asset in Corpus Christi and AKAL Security in El Paso.

In a parallel case, Foundation attorneys successfully secured reinstatement and back pay for Juan Vielma, a security guard for AKAL Security in El Paso, whom union officials had had illegally suspended without pay for over a year for refusal to pay dues. Agreeing with Foundation attorneys, a federal Administrative Law Judge ruled that **SPFPA union officials had no legal authority to compel Vielma to pay dues.**

<https://www.nrtw.org/news/security-guard-forces-employer-to-settle-after-unlawfully-threatening-firings-for-refusal-to-pay-union-dues/>

# **Employee Rights Group Reacts to Attorney General Abbott's Long-sought Legal Action to Enforce Texas' Right to Work Law**

**\*\*Corpus Christi & El Paso, TX\*\*** (July 24, 2007) – National Right to Work Legal Defense Foundation Vice President Stefan Gleason made the following statement regarding Texas Attorney General Greg Abbott's long-sought legal action this afternoon to initiate the state's enforcement of the highly popular Right to Work law:

“The National Right to Work Foundation welcomes the Attorney General to our ongoing battle to prevent the erosion of Texans' Right to Work. No employee should be forced to pay union dues just to get or keep a job. But the violations Foundation attorneys uncovered in Corpus Christi and El Paso may only be the tip of the iceberg.

“Evidence obtained several months ago by Foundation attorneys during a federal labor board trial suggests that Big Labor's phony ‘exclusive federal enclave’ scheme to violate the Right to Work law is widespread. Foundation attorneys are pressing ahead to protect all employees who are victim to this compulsory unionism scheme, and we urge the Attorney General to do the same.

“Union officials must be put on notice that a Texan's Right to Work is sacred. Every violation must be prosecuted to the fullest extent of the law, or union officials will only be emboldened.”

**\*\*Background\*\***: National Right to Work Foundation attorneys are currently representing two Texas security guards in cases before the National Labor Relations Board and have convinced **federal officials to prosecute the Security, Police and Fire Professionals of America**

**(SPFPA) union for unlawfully threatening the security guards' jobs.**

Foundation attorneys first brought Texas Right to Work law violations to the attention of the Office of the Attorney General in November 2006. Today's action is the first formal legal action taken by the State.

In April, Foundation attorneys filed federal charges for Carlos Banuelos, an Asset Protection and Security Services guard in Corpus Christi, **against the SPFPA union and his employer after union officials unlawfully threatened to have him (and other employees) fired** for asserting their legal right to refrain from formal union membership and payment of union dues.

Meanwhile, in recent days, Foundation attorneys successfully secured the reinstatement of Juan Vielma, a security guard for AKAL Security in El Paso, whom union officials had illegally suspended without pay for over a year for refusal to pay dues. Agreeing with charges filed by Foundation attorneys last November, **a federal Administrative Law Judge ruled in June that SPFPA union officials had no legal authority to compel Vielma to pay dues.**

<https://www.nrtw.org/news/employee-rights-group-reacts-to-attorney-general-abbott-s-long-sought-legal-action-to-enforce-texas-right-to-work-law/>

## **Federal Labor Board to Prosecute Union for Threatening to Have Security Guards Fired for Refusal to Pay Union Dues**

**\*\*Corpus Christi, TX (July 9, 2007)\*\*** – Spearheading an effort to prevent erosion of Texas' highly popular Right to Work law, National

Right to Work Legal Defense Foundation attorneys have persuaded National Labor Relations Board (NLRB) officials to prosecute a union for unlawfully threatening local security guards' jobs. But the state's own prosecutors have yet to take formal legal action to enforce multiple violations of Texas law.

Carlos Banuelos, a local Asset Protection and Security Services guard, filed **federal charges in April against the Security, Police and Fire Professionals of America (SPFPA) union** and his employer after union officials unlawfully threatened to have him (and other employees) fired for asserting their legal right to refrain from formal union membership and payment of union dues.

Banuelos' **charge details how the SPFPA union hierarchy maintains an illegal monopoly** bargaining agreement with his employer that makes financial support for the union a mandatory condition of employment. Union officials enforced that illegal requirement and ordered Banuelos and his coworkers to pay a fee to the union or face termination. Texas is one of 22 states that have a Right to Work law, ensuring that union membership and dues payment are strictly voluntary.

This is the second complaint issued within months in Texas where Foundation attorneys have helped employees fight back against **unlawful dues demands from the SPFPA union hierarchy**. SPFPA union officials falsely claim that Banuelos and his coworkers work on an "exclusive federal enclave" that is not protected by the Right to Work law – and thus can be forced to pay union fees as a condition of employment.

Foundation president Mark Mix reiterated his earlier requests to Texas Attorney General Greg Abbott to investigate and aggressively prosecute widespread violations of the Right to Work law. In oral argument in a parallel case, an attorney for another company with a contract with the SPFPA union even boasted that they require employees to pay dues “across the country in Right to Work states.” Evidence shows union officials have established these forced dues requirements at multiple worksites under apparently fraudulent agreements.

“Union officials are trampling the employee freedoms provided under Texas law,” said Mark Mix, president of the National Right to Work Foundation. “The time has come for Attorney General Greg Abbott to take aggressive action to stop union officials from thumbing their noses at his state’s Right to Work law.”

In the parallel case in El Paso, Foundation attorneys successfully secured a reinstatement offer for Juan Vielma, a security guard for AKAL Security whom union officials had illegally suspended without pay for over a year for refusal to pay dues. Agreeing with Foundation attorneys, **a federal Administrative Law Judge ruled that SPFPA union officials had no legal authority to compel Vielma to pay dues.**

<https://www.nrtw.org/news/federal-labor-board-to-prosecute-union-for-threatening-to-have-security-guards-fired-for-refusal-to-pay-union-dues/>

# **Employee Rights Group Wins Security Guard's Reinstatement After Year-Long Suspension for Refusal to Pay Union Dues**

El Paso, TX (June 28, 2007) – After a year-long ordeal, El Paso security guard Juan Vielma received an offer of full reinstatement to his job yesterday after he was **illegally suspended in 2006 without pay** – in violation of Texas' Right to Work law. But a national employee rights organization pressed the state's top prosecutor to aggressively pursue numerous other violations of the Texas Right to Work law still occurring.

Immediately after **Vielma** contacted National Right to Work Foundation attorneys for help, they filed unfair labor practice charges at the National Labor Relations Board in early November 2006 against the **Security, Police and Fire Professionals of America (SPFPA) union**. Union officials and AKAL Security suspended Vielma indefinitely without pay over a year ago in **retaliation** for asserting his protected right not to pay union dues.

AKAL Security and union officials had claimed, with no basis whatsoever, that Vielma and his coworkers work on an “exclusive federal enclave” not protected by Texas' Right to Work law prohibiting forced union dues.

The reinstatement offer comes after a federal Administrative Law Judge agreed with arguments presented by Foundation attorneys and ruled unequivocally earlier this month that the Texas Right to Work law applies to the Immigration and Customs Enforcement (ICE) facility where Vielma worked. The judge also ordered the payment of full back pay and benefits. Testimony at trial in March revealed that AKAL and union bosses had no basis for claims that the Right to Work law did not apply to the El Paso ICE facility. The trial also revealed the existence of an illegal union scheme to violate the law across Texas and in other Right to Work states.

Foundation president Mark Mix today reiterated his earlier request of Texas Attorney General Greg Abbott to investigate and aggressively prosecute widespread violations of the Right to Work law. Foundation attorneys first brought these violations to the attention of the Attorney General's office on November 21, 2006.

“Although we are pleased that Mr. Vielma will finally be allowed to return to work, there is much more work to be done. Not only should the Attorney General prosecute existing violations and obtain monetary penalties available under the law, but he should also take aggressive action that puts all Texas union bosses on notice that violations of the Texas Right to Work law will no longer be tolerated,” said Mix.

Foundation **attorneys have uncovered evidence that SPFPA union officials have been engaging in a willfully fraudulent scheme to force potentially thousands of employees to pay union dues in violation of the state's Right to Work law.**

The Texas Attorney General has been asked to prosecute these criminal violations of the Right to Work law as well as enforce the state's fraud and other applicable criminal statutes.

In addition to Vielma's case, Foundation attorneys are helping Carlos Banuelos, a Corpus Christi security guard who filed federal charges against the same union. **SPFPA union officials unlawfully threatened** to have Banuelos and other employees fired for refusing to pay union dues.

<https://www.nrtw.org/news/employee-rights-group-wins-security-guard-s-reinstatement-after-year-long-suspension-for-refusal-to-pay-union-dues/>

## **Employee Rights Advocate Urges Attorney General to Prosecute Pattern of Apparent Union Fraud and Violations of Texas Right to Work Law**

\*\*Springfield, VA (June 21, 2007)\*\* – While defending several employees' legal rights, attorneys from the National Right to Work Foundation have uncovered evidence that **Security, Police and Fire Professionals of America (SPFPA) union officials in Texas have apparently been engaging in a fraudulent scheme** to force potentially thousands of employees to pay union dues in violation of the state's Right to Work law.

Today, Foundation President Mark Mix wrote a letter to Texas Attorney General Greg Abbott asking for enforcement of the state law that prohibits forced unionism.

The National Right to Work Foundation's investigation indicates that union officials and certain contractors at federal government facilities within the State of Texas are willfully signing monopoly bargaining agreements illegally requiring employees to pay union dues that also appear to contain fraudulent statements.

In November 2006, Foundation attorneys first asked the Texas Attorney General Greg Abbott to prosecute criminal violations of the Texas Right to Work law. No formal action has yet been taken by the Attorney General's office to prosecute the documented abuses of employees in multiple local Texas jurisdictions, particularly Corpus Christi and El Paso. <https://www.nrtw.org/news/employee-rights-advocate-urges-attorney-general-to-prosecute-pattern-of-apparent-union-fraud-and-violations-of-texas-right-to-work/>

## **Federal Labor Board Finds Union Officials Guilty of Forcing Firing of Security Guard Who Didn't Pay Dues**

**\*\*El Paso, TX (June 18, 2007)\*\*** – After attorneys from the National Right to Work Legal Defense Foundation helped Juan Vielma file federal charges at the National Labor Relations Board (NLRB), an administrative law judge ordered the local security guard's reinstatement and back pay for his unlawful firing for exercising his right to cutoff payment of all union dues, a right protected by Texas' Right to Work law.

But Foundation attorneys anticipate another attempt by union officials to stall the security guard from reclaiming his job by appealing the decision to the NLRB in Washington, DC. Vielma has yet to receive any back pay for wages he would have earned over the past year if he was still employed.

The Texas Attorney General has so far failed to prosecute these violations of the state's Right to Work law, a criminal statute.

Vielma, an AKAL Security employee, prompted the NLRB to issue a complaint and prosecute the **Security, Police and Fire Professionals of America (SPFPA) union and his employer after he was unlawfully suspended without pay in retaliation for asserting his legal right** not to pay union dues. AKAL and **SPFPA union officials falsely claimed** Vielma worked on federal property that is not protected by Texas' Right to Work law, and thus could be forced to pay union dues or be fired.

After a hearing before the NLRB, Administrative Law Judge Gregory Z. Meyerson ruled that the SPFPA union hierarchy must submit a written request to AKAL requiring Vielma's reinstatement, as well as reimburse all his lost earnings and benefits since his termination. Additionally, union officials must cease and desist from enforcing contract clauses that make payment of union dues a requirement of employment — and union officials must post notices at the El Paso facility and **SPFPA union** headquarters informing employees of their right to resign from union membership and cut off all dues payment.

“Because the Texas Attorney General's office is so far AWOL, Vielma is stuck with the slow moving processes of the NLRB,” said Stefan Gleason, vice president of the National Right to Work Foundation.

**“Union officials are trying to destroy Mr. Vielma for standing up for his rights.”**

The ruling described union lawyers' last-ditch attempt to keep Vielma out of work as "a final effort in what appeared to be the inevitable" when they argued that the National Labor Relations "Act be ignored in any matters involving national security." The ALJ referenced another Board decision to show that "this same Union argued that the NLRB has jurisdiction over airport screeners...whose work is obviously regulated by Homeland Security."

Parallel to Vielma's case, Foundation attorneys are helping Carlos Banuelos, **a Corpus Christi security guard who filed federal charges against the SPFPA union.** SPFPA union officials there are similarly attempting to enforce a forced dues contract clause in violation of Texas' Right to Work law, which prohibits forced dues.

<https://www.nrtw.org/news/federal-labor-board-finds-union-officials-guilty-of-forcing-firing-of-security-guard-who-didn-t-pay-dues/>

## **Security Guard Hits Union with Federal Charges for Threatening Jobs for Refraining from Union Membership**

\*\*Corpus Christi, TX (April 3, 2007)\*\* – With free legal assistance from the National Right to Work Foundation, a local Asset Protection and Security Services guard filed federal charges against the **Security, Police and Fire Professionals of America (SPFPA) union** and his employer today after **union officials unlawfully threatened** to have him fired for asserting his legal right to refrain from formal union membership and payment of union dues.

Carlos Banuelos' charge, filed at the National Labor Relations Board (NLRB), details how the **SPFPA union hierarchy holds an illegal monopoly** bargaining agreement with his employer that makes financial support for the union a mandatory condition of employment.

Asset Protection and Security Services (ASSET), an international security provider of armed and unarmed security personnel, enforced its illegal requirement and ordered Banuelos to pay a fee to the union or face termination. However, Texas is one of 22 states that has passed a Right to Work law, ensuring that union membership and dues payment are strictly voluntary.

“Union officials are trampling Texas’ long standing freedom provided under the state’s Right to Work law that makes union membership and dues payment strictly voluntary, ” said Stefan Gleason, vice president of the National Right to Work Foundation. “The public needs the State’s Attorney General to step in here, because union officials are repeatedly thumbing their noses at Texas’ popular Right to Work law.”

This is the second charge filed within months in Texas where the Foundation has helped an employee fight back against unlawful dues demands from the **SPFPA union hierarchy**. Juan Vielma, a security guard for AKAL Security in El Paso, prompted the NLRB to issue a formal complaint against the same union for unlawfully suspending him without pay in retaliation for asserting his legal right to refrain from union membership. The NLRB held a related hearing last month, and Vielma and Foundation attorneys are currently awaiting a ruling.

**SPFPA union officials are falsely claiming** that Vielma, Banuelos, and their colleagues work on federal property that is not protected by the Right to Work law – and thus can be forced to pay union fees as a condition of employment. In the El Paso case, NLRB investigators determined that the union had no proof of these claims, just as they are expected to do in Corpus Christi. Accordingly, the NLRB Regional Director found that the union hierarchy violated federal law by restraining and coercing employees exercising their limited rights under the National Labor Relations Act to refrain from union participation.

<https://www.nrtw.org/news/security-guard-hits-union-with-federal-charges-for-threatening-jobs-for-refraining-from-union-membership/>

## **Federal Labor Board to Prosecute Union for Retaliation Against Security Guard for Asserting Legal Rights**

**\*\*El Paso, TX (February 5, 2007)\*\*** – National Labor Relations Board (NLRB) officials have issued a formal complaint and agreed to prosecute a local security guard union and employer for unlawfully suspending a local guard without pay in retaliation for asserting his legal right to refrain from union membership.

The complaint stems from charges Juan Vielma, a local AKAL Security employee, filed against the **Security, Police and Fire Professionals of America (SPFPA) union** and his employer with free legal assistance from the National Right to Work Foundation.

Vielma's charge details how the **SPFPA union** hierarchy holds a monopoly bargaining agreement with his employer that illegally makes financial support for the union a mandatory condition of employment.

AKAL Security, a national contract security provider, capitulated to the union hierarchy's illegal demands when they indefinitely suspended Vielma without pay in June 2006 for failure to formally join union ranks and pay money to the union. Under protections afforded by Texas' highly-popular Right to Work law, union membership and dues payment are strictly voluntary. While **Texas state prosecutors are yet to take action to enforce these clear violations of Texas criminal law,** Foundation attorneys persuaded federal officials to pursue the matter to the extent possible under federal law.

AKAL Security and **SPFPA union officials are falsely claiming** that Vielma and his colleagues work on federal property that is not protected by the Right to Work law – and thus can be forced to pay union fees as a condition of employment. NLRB investigators disagreed, and found that the union hierarchy violated federal law by restraining and coercing employees exercising their limited rights under the National Labor Relations Act to refrain from union participation.

“Such blatant violations of the freedom of association are unbecoming of the State of Texas’ long tradition of defending employees’ Right to Work,” said Stefan Gleason, vice president of the National Right to Work Foundation. “The union hierarchy wants Mr. Vielma and his coworkers to just shut up and pay up.”

Foundation attorneys seek reinstatement and back pay for Vielma, as well as a notice to all AKAL Security employees about their rights to

refrain from union membership and dues payment. The NLRB has scheduled a hearing for March 13, 2007, before an administrative law judge.

<https://www.nrtw.org/news/federal-labor-board-to-prosecute-union-for-retaliation-against-security-guard-for-asserting-legal-rights/>

## **Federal Labor Board Authorizes Forced Unionization of Airport Security Screeners**

**\*\*Washington, DC (June 29, 2006)\*\*** – The National Labor Relations Board (NLRB) ruled that airport security screeners employed by private government contractors fall under the agency’s jurisdiction, and therefore can be subjected to forced unionization. The ruling resulted from the Transportation Security Administration’s (TSA) refusal to back previous Bush Administration policy against granting monopoly bargaining privileges to union officials over airport security screeners, citing national security concerns.

The National Right to Work Foundation filed an amicus curiae brief in the controversial NLRB case at issue, known as Firstline Transportation Security, in which union lawyers sought to unionize screeners employed by private firms working under the direction of the TSA. The Foundation’s brief asked the Board to reconsider a lower decision to apply the National Labor Relations Act to private airport screeners working at the Kansas City International Airport.

A 2003 directive from TSA head Admiral James Loy made the Bush Administration's position clear, stating union officials may not obtain monopoly bargaining privileges over federal screeners employed by TSA due to national security concerns. And yet, TSA would not take a clear position in the NLRB case opposing the forced unionization of screeners employed by private companies, even though such screeners are trained and supervised by the TSA, and serve exactly the same function as federal screeners.

“Aside from violating workers’ freedom of association, history tells us that interjecting forced unionism into such sensitive areas could have severe ramifications for Americans,” stated National Right to Work Foundation Vice President Stefan Gleason. “The TSA bureaucracy’s refusal to uphold Bush Administration policy left the door open for the NLRB to put the interests of union officials above national security.”

Foundation attorneys argued that granting **Security, Police and Firefighters Professionals of America (SPFPA) union officials** the special privilege to force airport screeners into union collectives and, ultimately, to collect compulsory union dues, would both undermine national security by destabilizing security screeners’ work environment and infringe on workers’ freedoms.

The Foundation also chronicled **threats to national security** from illegal strikes, work slowdowns, or even terrorist infiltration of a union to allow a bomb or hijacker to be sneaked aboard a plane. Writing in dissent to the NLRB decision, Board member Peter Kirsanow agreed with Foundation attorneys’ arguments stating that, “National security is the trump card, and it has been played; the Board should fold its hand.”

In August 2005, Foundation President Mark Mix wrote to President Bush expressing “deep concern” over the bureaucratic reversal of

Administration policy regarding the forced unionization of airport screeners under TSA oversight. Mix urged President Bush to correct the TSA bureaucracy's sudden change in policy, explaining that it contradicted TSA's earlier directives. Responding to public criticism, the TSA filed a "clarification" of its position in the case, but the NLRB majority felt it fell short of a reversal.

<https://www.nrtw.org/news/federal-labor-board-authorizes-forced-unionization-of-airport-security-screeners/>

## **TSA Bureaucrats Reverse Bush Administration Policy On National Security Implications Of Airport Screener Unionization**

Washington, DC (August 17, 2005) – National Right to Work Legal Defense Foundation President Mark Mix today wrote to President Bush expressing "deep concern" over the bureaucratic reversal of Administration policy regarding the forced unionization of airport screeners under Department of Homeland Security and Transportation Security Administration (TSA) oversight.

Until recent days, the Bush Administration had long been on the record against granting monopoly bargaining privileges to union officials over airport security screeners, citing national security concerns. Mix's letter to President Bush questions the new position taken by TSA in a leading National Labor Relations Board (NLRB) case considering whether privately employed security screeners under a pilot TSA program may be forcibly unionized under the National Labor Relations Act (NLRA).

The Chief Counsel of TSA pointedly wrote that the Aviation Transportation Security Act “does not prohibit privately employed screeners from engaging in collective bargaining” and wrote that “TSA does not take any position” as to whether union officials should be granted monopoly bargaining power under the NLRA. Mix urged President Bush to correct the TSA bureaucracy’s sudden change in policy, explaining that it not only opens the door to violations of employee freedom of association, illegal strikes, and even the possibility of terrorist infiltration of unions, but it also contradicts TSA’s earlier directives.

A 2003 directive from TSA head Admiral J.M Loy made the administration’s position clear, stating that he would not allow union officials to engage in monopoly bargaining over screeners employed by TSA due to national security concerns. And yet TSA pointedly refuses to take a position as to whether screeners employed by private companies, but supervised by TSA, may be subjected to the monopoly bargaining of union officials.

The National Right to Work Foundation filed an amicus curiae brief this month in the controversial NLRB case at issue, known as Firstline Transportation Security, in which union lawyers are attempting to persuade the Board to allow the forced unionization of screeners. The Foundation’s brief responded to a June order by the NLRB to reconsider a decision by one of the agency’s Regional Directors to apply the National Labor Relations Act to private airport screeners working at the Kansas City International Airport.

Foundation attorneys argue that granting **Security, Police and Firefighters Professionals of America (SPFPA) union officials** the special privilege to force airport screeners into union collectives and, ultimately, to collect compulsory union dues, would both undermine national security by destabilizing security screeners’ work environment and infringe on workers’ freedoms. The Foundation points out in its

brief that, because wages, training, supervision, and working conditions of private screeners are overseen by TSA officials, no traditional “collective bargaining” could take place.

The Foundation also chronicled threats to national security from illegal strikes, work slowdowns, or even terrorist infiltration of a union to allow a bomb or hijacker to be sneaked aboard a plane.

<https://www.nrtw.org/tsa-bureaucrats-reverse-bush-administration-policy-on-national-security-implications-of-airport-screener-unionization/>

## **Federal Labor Board Urged Not to Jeopardize National Security by Imposing Unionization on Airport Screeners**

Washington, DC (August 10, 2005) – The National Right to Work Legal Defense Foundation recently joined the battle to keep private airport security screeners free from compulsory unionism by filing an amicus curiae (friend of the court) brief with the National Labor Relations Board (NLRB). Union lawyers are attempting to persuade the federal labor board into taking the controversial step of allowing the forced unionization of screeners. The brief responded to a June ruling by the NLRB to reconsider a decision by one of the agency’s Regional Directors to apply the National Labor Relations Act to private airport screeners working for a firm called Firstline Transportation Security operating at the Kansas City International Airport. In creating the Transportation Security Administration (TSA) in response to the September 11th terrorist attacks, the federal government also created a pilot program involving private airport security screeners at five airports throughout the country. All other airport screeners are federal

employees, and TSA officials have, citing national security concerns, exercised their discretion not to grant union officials monopoly bargaining power over any of these federal employees. “This new union scheme is really about raising more forced union dues revenues,” said Foundation Vice President Stefan Gleason. “Aside from violating workers’ freedom of association, history tells us that interjecting forced unionism into such sensitive areas could have severe ramifications for Americans.” Foundation attorneys argue that granting the **Security, Police and Firefighters Professionals of America (SPFPA) union** officials the special privilege to force the airport screeners into union collectives and, ultimately, to collect compulsory union dues, would both undermine national security by destabilizing security screeners’ work environment and infringe on workers’ freedoms. The Foundation points out in its brief that since wages, training, supervision, and working conditions of private screeners are overseen by TSA officials, no traditional “collective bargaining” could take place. Additionally, the brief lays out the heightened possibility of national security breaches, such as illegal strikes and the potential for terrorist infiltration of the union. Sixty years ago, the courts and Congress learned that Communist operatives had infiltrated numerous unions and manipulated those organizations for subversive purposes – including orchestrating strikes against defense-related plants at the behest of the Communist Party. More recently, Senator John Kyl (R-AZ) cited concerns about “an increasing number of instances” where American institutions are being infiltrated by radical Islamic forces. The brief also documents that government union officials have a long history of ignoring strike prohibitions and engaging in illegal strikes with tragic consequences. For instance, firefighter union strikes have resulted in dozens of deaths, strikes ordered by teacher union officials have led to hundreds of thousands of students being forced out of classes, and illegal so-called “blue flu” job actions (where employees simultaneously call in sick) orchestrated by police union officials have endangered lives.

<https://www.nrtw.org/federal-labor-board-urged-not-to-jeopardize-national-security-by-imposing-unionization-on-airport-screeners/>

## **Federal Labor Board to Prosecute Local Union for Unlawful Threats to Have Dissenting Worker Fired**

Port Jervis, NY (December 16, 2004) – The National Labor Relations Board (NLRB) in New York has issued a **formal complaint against the Security Police Fire Professionals of America (SPFPA) union** for unlawfully refusing to adequately detail the union’s expenditures, and subsequently threatening to have a local worker fired for refusing to pay full union dues. The NLRB Region 2 Director scheduled a hearing to prosecute the union after union officials failed to live up to an earlier promise to end related unfair labor practices.

With the help of National Right to Work Legal Defense Foundation attorneys, Richard Grogan, a local security guard, alleges that **SPFPA** union officials failed to provide him with an independent audit of union expenditures as required by law, and that a union official illegally threatened him with termination for failure to allow the seizure of full union dues from his paycheck.

Richard Grogan originally filed unfair labor practice charges with the NLRB **against the SPFPA** union in April 2004. While the charges were initially dropped by NLRB Region 2, they have now been re-instituted

due to SPFPA officials' refusal to honor the promise they made to NLRB Region 2.

An employee of Orange Regional Medical Center, Grogan notified union officials that he wished to resign his membership and objected to paying any dues or fees for nonrepresentational activities in December 2003. Since then, union officials have denied Grogan his right not to subsidize union politics by failing to provide a legally mandated independent audit of union expenditures.

“Union officials want workers like these to simply shut up and pay up,” said Stefan Gleason, Vice President of the National Right to Work Foundation. “Rather than respect the rights of workers they claim to represent, union officials are bullying workers to pay for their political electioneering.”

The actions of the union hierarchy violated employee rights recognized under the Foundation-won U.S. Supreme Court Communications Workers v. Beck decision. Under Beck and subsequent NLRB rulings, union officials must inform employees of their right to refrain from formal union membership and their right not to be forced to pay for costs unrelated to collective bargaining, such as union political activity.

NLRB Region 2 has now scheduled a February 22, 2005, hearing date to **prosecute the SPFPA union for its unlawful practices.**

<https://www.nrtw.org/news/federal-labor-board-to-prosecute-local-union-for-unlawful-threats-to-have-dissenting-worker-fired-0/>

## Feds pursued over 160 cases of union corruption in 2014

JANUARY 6, 2015

BY LABORUNIONREPORT

Share Tweet Reddit +1 Share 1

SHARES

WASHINGTON, D.C. – With a union-friendly administration, 2014 was not as busy as in [previous years](#) for the union-corruption police at the U.S. Department of Labor, the following is a listing of Department of Labor actions taken in 2014 to combat union corruption:

On December 10, 2014, in the United States District Court for the Western District of Texas, Paul Florez, former President of American Federation of Government Employees (AFGE) Local 3922 (located in El Paso, Tex.), was charged in a one-count indictment for taking away with the intent to steal property of another within special maritime and territorial jurisdiction of the United States, in violation of 18 U.S.C. 661, in the amount of \$59,709. The charge follows an investigation by the OLMS Dallas-New Orleans District Office.

On November 25, 2014, in the United States District Court for the District of Columbia, Milton Hilliard, former Secretary-Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 287 (located in Washington, D.C.), was sentenced to 180 days of home confinement with electronic monitoring, three years of probation, and was ordered to pay restitution of \$34,612 and a fine of \$4,000. On August 28, 2014, Hilliard pled guilty to embezzlement of union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.

On November 24, 2014, in the Eastern District of New York, Warren Joseph Annunziata pled guilty to violating 29 U.S.C. 1111 (persons prohibited from holding certain positions related to an employee benefit fund). In 2011, Annunziata was sentenced to prison for his participation in an extortion scheme, in violation of 18 U.S.C. 1951, following a DOL investigation of his activities while the fund administrator for the plans of the United Craft and Industrial Workers Local Union 91, an independent union located in Williston Park, N.Y., that represents primarily school bus drivers and matrons. The current plea follows a joint investigation by the OLMS New York District Office, the Employee Benefits Security Administration, and the Department of Labor's Office of Inspector General.

On November 25, 2014, in the United States District Court for the District of Columbia, **Milton Hilliard, former Secretary-Treasurer of Security, Police, and Fire Professionals of America (SPFPA) Local 287 (located in Washington, D.C.), was sentenced** to 180 days of home confinement with electronic monitoring, three years of probation, and was ordered to pay restitution of \$34,612 and a fine of \$4,000. On August 28, 2014, Hilliard pled guilty to embezzlement of union funds, in violation of 29 U.S.C. 501(c). The sentencing follows an investigation by the OLMS Washington District Office.

<http://eagnews.org/feds-pursued-over-160-cases-of-union-corruption-in-2014/>

justice.gov/usao-nj/pr/union-president-ocean-county-new-jersey-convicted-embezzling-over-350000-union-funds

United States Department of Justice Offices of the United States Attorneys

THE UNITED STATES ATTORNEY'S OFFICE  
DISTRICT of NEW JERSEY

HOME ABOUT NEWS U.S. ATTORNEY DIVISIONS PROGRAMS FAQ CONTACT US

U.S. Attorneys » District of New Jersey » News

Department of Justice U.S. Attorney's Office District of New Jersey

FOR IMMEDIATE RELEASE Tuesday, May 10, 2016

**Union President From Ocean County, New Jersey, Convicted Of Embezzling Over \$350,000 In Union Funds**

TRENTON, N.J. – The founder of the United Security and Police Officers of America (USPOA) was convicted today by a federal jury of embezzling hundreds of thousands of dollars in union funds for his personal use, U.S. Attorney Paul J. Fishman announced.

Assane Faye, 61, of Toms River, New Jersey, was convicted of all counts of an indictment charging him with two counts of embezzling union funds and seven counts of mail fraud arising from unemployment insurance fraud. Faye was convicted following a three-week trial before U.S. District Judge Peter G. Sheridan in Trenton federal court. The jury deliberated for five hours before returning the guilty verdict.

According to the documents filed in this case and the evidence presented at trial:

As the founder, national president, and director of the USPOA, as well as a signatory on the USPOA checking account, Faye was obligated to hold and disperse funds of the USPOA solely for the benefit of the

Info on DOJ's Consent Decree with the Newark Police Division

Project SAFE Neighborhoods

<https://www.justice.gov/usao-nj/pr/union-president-ocean-county-new-jersey-convicted-embezzling-over-350000-union-funds>

U.S. Attorneys » District of New Jersey » News

SHARE

Department of Justice

U.S. Attorney's Office

District of New Jersey

FOR IMMEDIATE RELEASE

Tuesday, May 10, 2016

**Union President From Ocean County, New Jersey, Convicted Of Embezzling Over \$350,000 In Union Funds**

TRENTON, N.J. – The founder of the United Security and Police Officers of America (USPOA) was convicted today by a federal jury of embezzling hundreds of thousands of dollars in union funds for his personal use, U.S. Attorney Paul J. Fishman announced.

Assane Faye, 61, of Toms River, New Jersey, was convicted of all counts of an indictment charging him with two counts of embezzling union funds and seven counts of mail fraud arising from unemployment insurance fraud. Faye was convicted following a three-week trial before U.S. District Judge Peter G. Sheridan in Trenton federal court. The jury deliberated for five hours before returning the guilty verdict.

According to the documents filed in this case and the evidence presented at trial:

As the founder, national president, and director of the USPOA, as well as a signatory on the USPOA checking account, Faye was obligated to hold and disperse funds of the USPOA solely for the benefit of the union and its members.

Yet in Feb. 2010, without approval of the USPOA Executive Board, Faye put a woman identified in the indictment as “Individual 1,” with whom he had a prior romantic relationship, on the USPOA payroll for \$800 a week, purportedly to act as a USPOA organizer in New York. She received additional allowances of \$1500 for monthly medical coverage, as well as disbursements for mileage, tolls, parking and vehicle tune-ups. Individual 1 had limited ability to communicate in English, lacked labor organizing experience, and did not own a personal vehicle. As such, Faye’s representations to the Executive Board of her

organizing successes were fictional. In addition, Faye had access to both Individual 1's personal data and bank accounts.

For three and one half years, the union dispersed over \$244,000 to Individual 1 while she performed no services for the union. Individual 1 testified that, for at least six months of every year she was on the payroll, she resided in her home country of Senegal. During that time, Faye withdrew approximately \$180,000 of her union salary and expense payments for his personal use.

In addition, Faye submitted to the USPOA inflated reimbursement vouchers purportedly for mileage and wear and tear on his personal car, even though he was using rental vehicles. Faye even submitted false vouchers when he traveled outside the United States to Paris, Dubai, China and Milan.

Lastly, despite controlling and collecting disbursements from the USPOA operating account, between April 5, 2010 and June 30, 2010, Faye also committed seven counts of mail fraud by misrepresenting his employment status and fraudulently collecting over \$7,000 in unemployment payments from New Jersey's Unemployment Insurance Division.

Each count of embezzlement carries a maximum potential penalty of five years in prison and a \$250,000 fine. Each count of mail fraud arising from Faye's unemployment insurance fraud carries a maximum potential penalty of twenty years in prison and a \$250,000 fine. Sentencing is set for Aug. 22, 2016.

U.S. Attorney Fishman credited the Department of Labor, Office of Inspector General (OIG), under the supervision of Acting Supervisory Agent in Charge Jonathan Mellone, and the Office of Labor Management Standard (OLMS) under the supervision of District Director Andriana Vamvakas for the investigation and trial support leading to today's verdict.

The government is represented by Senior Litigation Counsel V. Grady O'Malley and Assistant U.S. Attorney Josh Hafetz of the U.S. Attorney's Office's Organized Crime and Gang Unit in Newark.

Defense counsel: Andrea Bergman and Lisa Van Hoeck, Federal Public Defenders

Component(s):

USAO - New Jersey

Press Release Number:

16-139

Updated May 10, 2016

<https://www.justice.gov/usao-nj/pr/union-president-ocean-county-new-jersey-convicted-embezzling-over-350000-union-funds>



justice.gov/opa/pr/founder-and-president-labor-union-convicted-washington-stealing-union-s-treasury-and-pension



THE UNITED STATES  
DEPARTMENT OF JUSTICE

Search this site

ABOUT OUR AGENCY PRIORITIES NEWS RESOURCES CAREERS CONTACT

Home » Office of Public Affairs » News

SHARE

## JUSTICE NEWS

Department of Justice  
Office of Public Affairs

### RELATED LINKS

Speeches and Press Releases  
Videos  
Photos

FOR IMMEDIATE RELEASE

Wednesday, December 5, 2012

### Founder and President of Labor Union Convicted in Washington for Stealing from Union's Treasury and Pension Fund, Related Crimes

WASHINGTON – The founder and president of the National Association of Special Police and Security Officers (NASPSO) – which represents private security guards assigned to protect federal buildings in the metropolitan Washington area – was convicted yesterday in Washington federal court, following a jury trial, of 18 counts related to his theft of union treasury and pension funds, announced Assistant Attorney General Lanny A. Breuer of the Justice Department's Criminal Division.

Caleb Gray-Burriss, 62, of Washington, was convicted on six counts of mail fraud, seven counts of theft from a labor organization, one count each of obstruction of justice and criminal contempt, and three counts of union recordkeeping offenses. Joining in the announcement of the verdict were Marc I. Machiz, Director of the Philadelphia Regional Office of the Employee Benefits Security Administration of the Department of Labor; Michael S. Barcus, Special Agent in Charge of the Washington Regional Office of the Department of Labor, Office of the Inspector General, Office of Labor Racketeering and Fraud Investigations; and District Director Mark Wheeler, of the Department of Labor's Washington District Office of the Office of Labor-Management Standards.

<https://www.justice.gov/opa/pr/founder-and-president-labor-union-convicted-washington-stealing-union-s-treasury-and-pension>

Home » Office of Public Affairs » News

SHARE

JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Wednesday, December 5, 2012

**Founder and President of Labor Union Convicted in Washington for Stealing from Union's Treasury and Pension Fund, Related Crimes**

WASHINGTON – The founder and president of the National Association of Special Police and Security Officers (NASPSO) – which represents private security guards assigned to protect federal buildings in the metropolitan Washington area – was convicted yesterday in Washington federal court, following a jury trial, of 18 counts related to his theft of union treasury and pension funds, announced Assistant Attorney General Lanny A. Breuer of the Justice Department's Criminal Division.

Caleb Gray-Burriss, 62, of Washington, was convicted on six counts of mail fraud, seven counts of theft from a labor organization, one count each of obstruction of justice and criminal contempt, and three counts of union recordkeeping offenses. Joining in the announcement of the verdict were Marc I. Machiz, Director of the Philadelphia Regional Office of the Employee Benefits Security Administration of the Department of Labor; Michael S. Barcus, Special Agent in Charge of the Washington Regional Office of the Department of Labor, Office of the Inspector General, Office of Labor Racketeering and Fraud

Investigations; and District Director Mark Wheeler, of the Department of Labor's Washington District Office of the Office of Labor-Management Standards.

In June 2010, Mr. Gray-Burriss was charged with four counts of mail fraud in connection with his operation of a pension plan for members of NASPSO. A grand jury returned two superseding indictments in April 2011 and August 2012, which also charged offenses committed by Gray-Burriss while he was released on bail.

According to the evidence at trial, from approximately June 2004 through February 2011, Gray-Burriss wrote numerous checks to himself or to other third parties from the NASPSO pension plan checking account. The evidence also showed that Gray-Burriss spent more than \$100,000 of the pension plan funds in this way, while falsely maintaining it was an operational fund that he was properly administering and that was providing benefits to the beneficiaries. The evidence further showed that Gray-Burriss committed criminal contempt of a court order addressing his prior misappropriation of pension and health plan funds after Gray-Burriss resumed his scheme in 2009 to defraud employers and NASPSO members of pension funds.

In addition, the evidence presented at trial showed that **Gray-Burriss, while an officer and employee of NASPSO, stole over \$150,000 in NASPSO funds consisting of cash withdrawals to himself, unauthorized salary increases and bonuses to himself and another person, fraudulently drawn checks to himself** – purportedly for employment taxes on behalf of NASPSO – and unlawfully used NASPSO funds to pay his personal fines in a civil lawsuit.

The jury also found that Gray-Burriss committed obstruction of justice by destroying or concealing NASPSO financial records during a grand jury investigation; failing to file required annual reports on behalf of NASPSO, falsifying those reports, and failing to maintain properly the records of NASPSO.

At sentencing, which is currently scheduled for Feb. 28, 2013, Gray-Burriss faces a maximum potential penalty of 20 years in prison and a \$250,000 fine on each of the mail fraud counts, five years in prison and a \$10,000 fine on each of the theft from a labor organization and conspiracy counts; five years in prison and a \$250,000 fine on the criminal contempt count; 20 years in prison and a \$250,000 fine on the obstruction count, and a year in prison and a \$10,000 fine for the recordkeeping offenses.

The investigation was conducted by agents and investigators of the U.S. Department of Labor. Trial Attorney Vincent J. Falvo of the Criminal Division's Organized Crime and Gang Section and Trial Attorney Tracee Plowell, of the Criminal Division's Public Integrity Section prosecuted the case.

Component(s):

Criminal Division

Press Release Number:

12-1450

Updated September 15, 2014

<https://www.justice.gov/opa/pr/founder-and-president-labor-union-convicted-washington-stealing-union-s-treasury-and-pension>

← → C courtlistener.com/opinion/4608068/united-states-v-caleb-gray-burriss/ ☆

**COURT LISTENER**  
From Free Law Project, a 501(c)(3) non-profit.

About FAQ Tour Sign in / Register  
Rectangular Snip

Opinions ▾ RECAP Archive Oral Arguments Judges Visualizations ▾ [♥ Donate](#)

**Authorities (3)**

This opinion cites:  
[Strickland v. Washington, 466 U.S. 668](#)  
[United States v. DeFries, Clayton E., 129 F.3d 1293 \(D.C. Cir. 1997\)](#)  
[United States v. Eli, Alfred, 379 F.3d 1016 \(D.C. Cir. 2004\)](#)

[View All Authorities](#)

**Share**

✉ [f](#) [t](#) [https://www.courtlist](#)

**Support FLP** ♥

CourtListener is a project of [Free Law Project](#), a federally-recognized 501(c)(3) non-profit. We rely on donations for our financial security.  
Please support our work with a donation.

☆ **United States v. Caleb Gray-Burriss, 17-3031 (D.C. Cir. 2019)**

Court of Appeals for the D.C. Circuit

Filed: April 9th, 2019  
**Precedential Status:** Precedential  
**Citations:** None known  
**Docket Number:** 17-3031

[Download Original ▾](#)

United States Court of Appeals  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Submitted November 13, 2018      Decided April 9, 2019

No. 17-3031

UNITED STATES OF AMERICA,  
APPELLEE

v.

<https://www.courtlistener.com/opinion/4608068/united-states-v-caleb-gray-burriss/>

United States v. Caleb Gray-Burriss, 17-3031 (D.C. Cir. 2019)

Court of Appeals for the D.C. Circuit

Filed: April 9th, 2019

Precedential Status: Precedential

Citations: None known

Docket Number: 17-3031

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

Submitted November 13, 2018

Decided April 9, 2019

No. 17-3031

UNITED STATES OF AMERICA,

APPELLEE

v.

CALEB GRAY-BURRISS,  
APPELLANT

Appeal from the United States District Court  
for the District of Columbia  
(No. 1:10-cr-00178-1)

Eric H. Kirchman, appointed by the court, was on the brief for appellant.

David Rybicki, Deputy Assistant Attorney General, and Vincent J. Falvo, Jr., Attorney, U.S. Department of Justice, were on the brief for appellee. Elizabeth Trosman, Assistant U.S. Attorney, entered an appearance.

Before: GARLAND, Chief Judge, and GRIFFITH and WILKINS, Circuit Judges.

Opinion for the Court filed by Chief Judge GARLAND.

GARLAND, Chief Judge: A jury convicted Caleb Gray-Burriss of fraud and embezzlement stemming from his management of the National Association of Special Police and Security Officers. We previously affirmed the convictions in most respects. In accordance with this circuit's practice, however, we remanded Gray-Burriss' ineffective-assistance-of-counsel claims because he had not previously raised them in the district court. That court conducted the remand proceedings in an exemplary fashion, leaving little for us to do other than recount its conclusions and express our agreement that Gray-Burriss' claims lack merit.<sup>1</sup>

## I

In 1993, Caleb Gray-Burriss founded the National Association of Special Police and Security Officers (NASPSO), a union for private security officers working in federal buildings. Gray-Burriss held various high-ranking positions in the union, including executive director, secretary-treasurer, and president.

By the early 2000s, Gray-Burriss' financial management of the union began to draw legal scrutiny. In 2007, he entered into a consent decree with the Department of Labor to pay more than \$100,000 in restitution for funds siphoned from NASPSO's pension and health plans. In June 2010, a grand jury indicted Gray-Burriss for again misappropriating funds intended for the pension plan. The grand jury returned a second superseding indictment in August 2012.

1

This case was considered on the record from the United States District Court for the District of Columbia and on the briefs filed by the parties. See FED. R. APP. P. 34(a)(2); D.C. CIR. R. 34(j).

The second superseding indictment alleged two schemes. In the first, Gray-Burriss deposited employer contributions to a NASPSO-sponsored pension plan into an ordinary checking account, from which he “would expend the funds of the NASPSO Pension Plan for himself, for NASPSO, and for third parties not entitled to those funds.” Second Superseding Indictment ¶ 9 (J.A. 88). In the second scheme, Gray-Burriss embezzled more than \$200,000 in union funds by, inter alia, directing the union’s payroll company to increase his salary and bonus payments without authorization. For those actions, Gray-Burriss faced charges of mail fraud (counts 1-6), embezzlement (counts 7-12), and other related offenses.<sup>2</sup>

The district court set the case for trial in November 2012. Two attorneys represented Gray-Burriss at trial. Heather Shaner was appointed by the district court as Gray-Burriss’ Criminal Justice Act (CJA) attorney in early July 2010, shortly after the first grand jury indictment. Patrick Christmas was retained by Gray-Burriss as primary trial counsel in July 2012.

The defense’s principal strategy was to argue that Gray-

Burriss had acted in good faith and that he was the victim of vindictive prosecution. During the trial, Shaner attempted to introduce testimony from David Levinson, a NASPSO attorney. According to her proffer, Levinson would have testified that he heard NASPSO general counsel Bruce Goodman tell a Department of Labor investigator that he had advised Gray-Burriss that it was permissible to use money from the union's

2

The other counts charged Gray-Burriss with conspiracy to embezzle (count 13), destruction of subpoenaed documents (count 15), witness tampering (count 16), and Labor-Management Reporting and Disclosure Act violations (counts 17-19). He was also charged with criminal contempt for failing to comply with the 2007 consent decree (count 14).

pension fund to pay for union operating expenses. The district court excluded the proposed testimony as hearsay.

On December 4, 2012, the jury convicted Gray-Burriss on eighteen of the nineteen counts of the indictment, acquitting him only of a witness-tampering charge. Material submitted to the jury included evidence and testimony that Gray-Burriss illegally wrote checks to himself from the pension fund, invested pension-fund monies in Brazilian junk bonds, and used union funds to make an initial payment of \$1,399 on a Las Vegas condominium in his own name. In April 2013, the court sentenced him to serve 76 months in prison and to pay restitution and forfeiture in the amount of approximately \$250,000 each, subtracting from the restitution obligation any money paid pursuant to the 2007 consent decree with the Department of Labor.

In Gray-Burriss' first appeal to this court, we affirmed the district court's judgment with only one exception. *United States v. Gray-Burriss*, 791 F.3d 50, 65 (D.C. Cir. 2015).<sup>3</sup> Following this circuit's usual practice, we remanded Gray-Burriss' newly

raised claims of ineffective assistance by his trial counsel for initial consideration by the district court. *Id.* at 64.4

3

We found error only in the court's decision to exclude from evidence the defendant's 2009 employment contract. 791 F.3d at 56. Although we held that error was harmless with respect to Gray-Burriss' convictions, we remanded for the court to determine whether consideration of the document would reduce the defendant's sentence or restitution and forfeiture obligations. *Id.* at 58-59. On remand, the district court determined that the same sentence was warranted, and Gray-Burriss has not raised that issue on this appeal.

4

In so doing, we rejected Gray-Burriss' claim that his attorneys had a conflict of interest, recharacterized it as an ineffective-assistance claim, and included it in the remand. 791 F.3d at 64.

On remand, represented by new counsel, Gray-Burriss moved for a new trial and resentencing based on his claims of ineffective assistance. Those claims principally relate to counts 1-6, involving Gray-Burriss' conduct with respect to the pension fund. In August 2016, the district court conducted a two-day evidentiary hearing, in which it heard testimony by all of the relevant witnesses: Gray-Burriss, attorneys Shaner and Christmas, and former union general counsel Goodman. Thereafter, it denied Gray-Burriss' motions, rejecting all of his arguments. *United States v. Gray-Burriss*, 251 F. Supp. 3d 13(D.D.C. 2017). Gray-Burriss now appeals, raising what amounts to three claims of ineffective assistance.

## II

As we explained in our previous opinion in this case, when an ineffective-assistance claim is first raised on appeal, this circuit's practice in most instances is to remand the claim to the district court:

Due to the fact-intensive nature of the [ineffective-

assistance] inquiry and the likelihood, when a defendant asserts his sixth amendment claim for the first time on direct appeal, that the relevant facts will not be part of the trial record, . . . this court's general practice is to remand the claim for an evidentiary hearing unless the trial record alone conclusively shows that the defendant either is or is not entitled to relief.

United States v. Gray-Burriss, 791 F.3d at 60 (quoting United States v. Rashad, 331 F.3d 908, 909-10 (D.C. Cir. 2003)). The bar to obtain a remand is relatively low: “[A]ll that is required for a remand is ‘a colorable and previously unexplored claim of

ineffective assistance.” United States v. Murray, 897 F.3d 298, 310 (D.C. Cir. 2018) (quoting Rashad, 331 F.3d at 908).

In order to establish a claim of ineffective assistance on remand, however, a defendant must show (1) “that counsel’s performance was deficient,” and (2) “that the deficient performance prejudiced the defense.” Strickland v. Washington, 466 U.S. 668, 687 (1984). The first, “deficiency” prong of Strickland requires a showing that the lawyer’s performance “fell below an objective standard of reasonableness.” Id. at 688. The second, “prejudice” prong “requires the defendant to demonstrate that ‘there is a reasonable probability that, but for counsel’s unprofessional errors, the result of the proceeding would have been different.’” United States v. Eli, 379 F.3d 1016, 1019 (D.C. Cir. 2004) (quoting Strickland, 466 U.S. at 694).

On appeal after a remand, “[w]e review de novo the District Court’s denial of [the defendant’s] claim of ineffective assistance of counsel, including the question whether [he] was prejudiced by [his] counsel’s allegedly deficient performance.”

United States v. Nwoye, 824 F.3d 1129, 1134-35 (D.C. Cir. 2016) (citing United States v. Abney, 812 F.3d 1079, 1086-87 (D.C. Cir. 2016)). We “review for clear error any findings of historical fact embedded in the District Court’s conclusions on deficient performance and prejudice.” Id. at 1135 n.4. We address the defendant’s three allegations of ineffective assistance below.

## A

Gray-Burriss’ first contention is that his trial counsel rendered ineffective assistance by failing to lay a proper foundation for an advice-of-counsel defense at trial. Gray-Burriss explains that his counsel had “contemplated advancing”

the argument that he “lack[ed] criminal intent and acted in good faith in handling Union funds.” Gray-Burriss Br. 12. “Part of this included the defense that [Gray-Burriss] had been acting pursuant to advice of counsel in his dealing with the Union Pension funds.” Id.

According to Gray-Burriss, former union general counsel Goodman would have testified that Goodman “had given [him] legal advice that the Union could borrow pension funds.” Id. at 10. Although trial counsel did not call Goodman to testify at trial, Shaner sought to introduce Goodman’s advice through David Levinson, another union attorney who heard Goodman tell a Department of Labor investigator about this alleged advice. The court excluded the proffered Levinson testimony as hearsay, not subject to an exception because there was no showing that Goodman was himself unavailable to testify. See FED. R. EVID. 804(a). Thereafter, trial counsel did not request an advice-of-counsel jury instruction.

Gray-Burriss maintains that his attorneys’ conduct represented a triple failure of effective assistance: they failed to

take reasonable steps to procure Goodman as a witness, failed to lay a foundation for a hearsay exception to cover Levinson's testimony, and failed to request an advice-of-counsel instruction. For a number of reasons, the district court correctly found that those "failures" did not constitute deficient performance by the attorneys. See 251 F. Supp. 3d at 21-22.5

5

The court found, for example, that "[d]eclining to locate and call Goodman would have been a perfectly competent tactical decision under the circumstances, even if no other avenues existed for the admission of his testimony." 251 F. Supp. 3d at 21. This was because

[s]ubjecting Goodman to cross-examination would have been a treacherous proposition: Soon before Gray-Burriss's trial, he had

But Gray-Burriss' bigger Strickland problem, also set out in the district court's opinion, is the test's "prejudice" prong. Gray-Burriss maintains that, if Goodman had testified or if his statement had come in through a hearsay exception, the court would have granted a request for an advice-of-counsel instruction. Moreover, he insists, "[h]ad the jury been given the advice of counsel instruction there is . . . a reasonable probability that the result would have been different" -- in the form of a not-guilty verdict on some or all of the counts. Gray-Burriss Br. 42-43.

As the court explained, the flaw in this theory is that "there would have been no evidentiary basis for issuing an advice-of-counsel instruction even with Goodman's testimony." 251 F. Supp. 3d at 21. A defendant is not entitled to a jury instruction on that defense unless he introduces evidence that (1) "he relied in good faith on the counsel's advice that his course of conduct was legal," and (2) "he made full disclosure of all material facts to his attorney before receiving the advice at issue." *United States v. DeFries*, 129 F.3d 1293, 1308 (D.C. Cir. 1997). Goodman's testimony would not have satisfied

either requirement.

lost his Maryland law license for placing client funds in his personal account, failing to pay clients' medical bills from settlement proceeds that he held in trust, failing to maintain a client trust account, and failing to keep required financial records. These actions clearly bear on Goodman's trustworthiness; Ms. Shaner may have understandably wanted to deemphasize any association between him, NASPSO, and Gray-Burriss.

Id. (citation omitted). The court also noted that Shaner's investigator had been unable to locate Goodman during the "critical months of 2012," and that "halting these efforts when she did was a perfectly reasonable decision under the circumstances and in light of her limited resources." Id. at 22.

When he testified at the evidentiary hearing on remand, “Goodman recounted his specific legal advice to Gray-Burriss as follows: ‘I advised him that I saw no impediment for the union to borrow the monies [from the pension fund] for [a particular Valentine’s Day] dance.’” 251 F. Supp. 3d at 21 (quoting Evid. Hr’g Tr. 141 (J.A. 321)); see also Evid. Hr’g Tr. 137 (J.A. 317) (Goodman’s testimony that “my only real foray into [ERISA matters] was my discussion with Mr. Burriss with respect to the borrowing of monies by the union to hold that Valentine’s Day dance”). Of course, Gray-Burriss took more than just the \$1,200 needed for the Valentine’s Day dance from the pension fund. He also took substantial amounts for other operational purposes, as well as for personal and third-party use.<sup>6</sup> Nor did Gray-Burriss identify any “effort he made to return a dime of the ‘borrowed’ funds -- with or without interest -- before he agreed to do so in a 2007 consent decree with the union.” 251 F. Supp. 3d at 21. Thus, even if Goodman had testified, Gray-Burriss could not have shown that “he relied

See Evid. Hr'g Tr. 196-98, 210-12 (J.A. 376-78, 390-92) (Gray-Burriss' testimony admitting cash withdrawals from the pension fund, the use of pension fund monies for a "bad investment" in Brazilian junk bonds, and the use of "union money" for a Las Vegas apartment payment); *id.* at 94-95 (J.A. 274-75) (Shaner's testimony acknowledging cash payments from the pension fund to Gray-Burriss without loan documentation); *id.* at 333 (J.A. 513) (acknowledgment by Gray-Burriss' new counsel on remand that there was evidence Gray-Burriss spent pension funds for his "personal use"); see also, e.g., 11/19/12 Trial Tr. 57-58 (J.A. 696-97) (prosecution witness' testimony estimating \$25,000 in withdrawals from the pension fund to cash or to Gray-Burriss); 6/22/06 Interview with Dep't of Labor ¶ 55 (J.A. 1644) (Gray-Burriss' admission that he withdrew "approximately \$30,000 total in fees" from the pension plan).

in good faith on the counsel's advice." DeFries, 129 F.3d at 1308.7

Moreover, Gray-Burriss "also failed to show that he disclosed all material facts to Goodman before the advice was rendered." 251 F. Supp. 3d at 21. As the court recounted, "Goodman testified that at the time he gave the advice, Gray-Burriss had failed to inform him that he had already withdrawn substantial sums of money from the pension account." *Id.*; see Evid. Hr'g Tr. 146 (J.A. 326). And if a statement by Goodman had come in only through Levinson, the latter would have been wholly unable to testify as to whether Gray-Burriss had disclosed all material facts to Goodman. (There was no proffer that Levinson knew anything about that issue.) Thus, for this reason, too, there would have been "[no] foundation in the evidence sufficient to bring the [advice-of-counsel defense] into the case." DeFries, 129 F.3d at 1308 (internal quotation marks omitted). Accordingly, there is no "reasonable probability that, but for counsel's [allegedly] unprofessional errors, the result of the proceeding would have been different." *Strickland*, 466 U.S. at 694.

7

The district court acknowledged that “Gray-Burriss remembers [Goodman’s] advice more expansively; he testified that Goodman told him ‘that it was okay to use the pension fund’ for union expenses generally -- ‘that as long as we returned the money with interest, it wouldn’t be a problem.’” 251 F. Supp. 3d at 21 (quoting Evid. Hr’g Tr. 160 (J.A. 340)). But the court held that it “cannot conclude that the defense would have been able to introduce evidence that Gray-Burriss relied in good faith on whichever version of the legal advice Goodman might have given.” *Id.* In any event, Gray-Burriss’ recollection of Goodman’s advice is not at issue with respect to this claim; what matters is what Goodman would have said had counsel been able to obtain his testimony.

## B

Gray-Burriss' second contention is that counsel was ineffective by "fail[ing] to secure the testimony of an expert witness on account[ing] to review the books and records to support the defense that [he] acted in good faith in dealing with the Union fund." Gray-Burriss Br. 11. As the court recounted:

Shaner had retained an accountant, who contacted the government in September 2011 seeking to review NASPSO's financial records. The accountant declined to continue indefinitely in the case without satisfactory compensation. In the months before trial, the Court denied Gray-Burriss's request for payment of an expert accountant at public expense, and also granted the government's motion to preclude the defense's use of experts, because the deadline for disclosing expert witnesses had passed.

251 F. Supp. 3d at 22 (citation omitted). With respect to this claim, the deficient-performance prong of Strickland poses the

bigger problem for the defendant.

The district court concluded that it was not objectively unreasonable for trial counsel to fail to secure the testimony of an accountant because that failure was largely the result of Gray-Burriss' own choices. Gray-Burriss was present in court when the trial judge declined to authorize the use of public funds until he filed an affidavit showing financial necessity.<sup>8</sup> 9/6/12 Status Hr'g Tr. 3, 10-14 (J.A. 623, 630-34). At the same hearing, Shaner stated -- in Gray-Burriss' presence -- that she would "ask

8

Gray-Burriss' ability to pay for retained counsel (Christmas) was part of the reason the trial court required him to demonstrate financial need.

that Mr. Burriss . . . go back to the Office of the Federal Defender and fill out another affidavit” so that the funds could be authorized. *Id.* at 13 (J.A. 633). Gray-Burriss further “admitted at the evidentiary hearing that Shaner informed him that he could file an affidavit in support of his claimed financial need for use of CJA funds to hire a forensic accountant. He never did.” 251 F. Supp. 3d at 23. Likewise, Christmas testified at the evidentiary hearing that he “talk[ed] to [Gray-Burriss] about him having to pay.” *Evid. Hr’g Tr.* 278 (J.A. 458). Nonetheless, Gray-Burriss failed to take any further action. Under these circumstances, the court correctly concluded that, “[w]hile his counsel perhaps could have done more to assist Gray-Burriss in retaining an expert forensic accountant, their performance was hardly deficient because Gray-Burriss knew what needed to be done but did not take the necessary steps to obtain one.” 251 F. Supp. 3d at 23; see *Strickland*, 466 U.S. at 681 (noting that “[l]imitations of time and money . . . may force early strategic choices, often based solely on conversations with the defendant and a review of the prosecution’s evidence”).

Moreover, given the potential for seriously damaging cross-

examination, the district court further concluded that a “decision not to call such an expert then -- even if Gray-Burriss had qualified for CJA funding -- would have been a perfectly reasonable trial strategy, considering how severely it might have backfired.” 251 F. Supp. 3d at 23; see Strickland, 466 U.S. at 681 (holding that “[a]mong the factors relevant to deciding whether particular strategic choices are reasonable are . . . the potential for prejudice from taking an unpursued line of defense”). As the court explained:

[G]overnment counsel demonstrated at the evidentiary hearing [that] any expert accountant testifying on Gray-Burriss’s behalf would have endured a blistering cross-examination about the details of specific

questionable transactions. [The] government would have asked the expert accountant if he or she believed an individual could have a “good-faith” basis for destroying records, failing to file tax returns, or purchasing an apartment in Las Vegas, all of which the evidence revealed Gray-Burriss had done.

Id. at 23 (citation omitted).

In short, because the failure to secure funds for an accountant was Gray-Burriss’ fault rather than that of his attorneys, and given the damaging cross-examination that an accountant would have endured, the court correctly found that trial counsel did not render deficient performance. Because Gray-Burriss cannot satisfy Strickland’s first prong, we need not consider the prejudice prong before rejecting this claim of ineffective assistance.

## C

Finally, Gray-Burriss contends that trial counsel “failed to

properly prepare [him] to testify on his own behalf at trial,” and, as a result, that his “waiver of his right to testify was not fully informed.” Gray-Burriss Br. 11. In particular, he argues that trial counsel should have “subject[ed] him to mock cross-examination so that they could have determined how he would hold up and [he] could determine if he could respond effectively.” Id. at 48. The district court found that this claim failed both prongs of Strickland. 251 F. Supp. 3d at 24. Once again, Strickland’s first prong poses the more difficult hurdle.

“For starters, the Court deem[ed] credible the independent testimony of both Shaner and Christmas that they did discuss with Gray-Burriss the advantages and disadvantages of testifying on his own behalf,” including anticipated cross-

examination. 251 F. Supp. 3d at 24 (citing Evid. Hr'g Tr. 61, 118 (J.A. 241, 298) (Shaner); id. at 297 (J.A. 477) (Christmas)). Indeed, "Gray-Burriss acknowledged as much at the evidentiary hearing." Id. (citing Evid. Hr'g Tr. 177 (J.A. 357)). We agree with the district court that, "in these circumstances, trial counsel acted 'reasonabl[y] under prevailing professional norms' in declining to expend time and resources on mock examinations that they believed would be fruitless." Id. (quoting Strickland, 466 U.S. at 688).

With respect to Strickland's second prong, the district court found "it highly unlikely that testimony from Gray-Burriss would have made an acquittal on one or more counts substantially more likely." Id. The court noted that Shaner testified she had "advised Gray-Burriss to accept a plea because of the 'overwhelming evidence' against him," and that "Christmas independently determined that certain evidence was particularly 'damning.'" Id. "Based on the magnitude of the evidence against Gray-Burriss, and having witnessed his recent cross-examination by the same government counsel who tried the case," the district court concluded that there was no

reasonable probability that the defendant's testimony would have led to a different outcome at the trial. Id.

Of course, even this assumes there was a reasonable probability that a mock examination would have led Gray-Burriss to take the stand. But this is a claim he does not expressly make and that the preceding discussion suggests would have been unlikely. Indeed, Gray-Burriss acknowledged that Christmas had advised him that "the government was going to just rake me over the coals" on cross-examination. Evid. Hr'g Tr. 177 (J.A. 357). Hence, because neither Strickland prong is satisfied, we reject Gray-Burriss' final claim of ineffective assistance.

14

### III

For the foregoing reasons, we conclude that Gray-Burriss' claims of ineffective assistance lack merit and affirm the district court's denial of his motion for a new trial.

So ordered.

