

WEST VIRGINIA LEGISLATURE'S COMMISSION ON SPECIAL INVESTIGATIONS

JULY 1, 2019 - JUNE 30, 2020

40TH ANNUAL REPORT



MITCH CARMICHAEL - SENATE PRESIDENT

LIEUTENANT GOVERNOR

ROGER HANSHAW - SPEAKER OF THE HOUSE

CHARLES R. BEDWELL - DIRECTOR

**West Virginia Legislature's
Commission on Special Investigations
301 Eagle Mountain Road
Room 218
Charleston, WV 25311-1061
Telephone: (304) 347-4120
Email: CSI@wvcsi.gov**

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Mission Overview

The Mission of the Commission on Special Investigations is broadly outlined under Chapter 4, Article 5 of the West Virginia State Code and includes investigation into the purchasing practices and procedures of the State, conflicts of interest, bribery of State officials, malfeasance, misfeasance or nonfeasance in office by any employee or officer of the State, and to conduct investigations to determine if any criminal or civil statutes have been violated at any level of State government. The Commission has conducted hundreds of investigations into fraud and public corruption in which the State of West Virginia was the victim. Commission Investigators work in conjunction with the United States Attorney's offices in West Virginia, the 55 County prosecuting attorneys, local, county and State law enforcement, as well as the FBI, IRS and other Federal law enforcement, regulatory and investigative agencies.

The Commission Staff is currently comprised of a Director, Deputy Director, six Investigators and an Administrative Assistant. The law enforcement and investigative experience of individual Investigators ranges from 25 to 43 years. At any one time the Commission may have a dozen or more active investigations.

The Commission was originally formed as a result of a Federal corruption investigation of Governor W. W. Barron and several members of his Administration conducted in the late 1960s by the Internal Revenue Service. The six-year investigation revealed a need for an independent investigative agency within State government empowered to investigate public corruption unimpeded by politics or other traditional barriers.

In September 1968, Governor Hulett Smith convened a special legislative session and then Senator William T. Brotherton proposed the creation of a special commission to investigate the purchasing practices of the State. The result was the creation of the Purchasing Practices and Procedures Commission (PPPC), which was in 1980 renamed the Commission on Special Investigations, or as it is more commonly known, CSI.

The Commission is comprised of ten members of the Legislature, with the President of the Senate and Speaker of the House of Delegates serving as its Co-Chairmen. The remaining eight members (four from the Senate and four from the House) represent both political parties. Meetings are conducted during interim sessions of the Legislature and are generally held in executive session. By statute, all of CSI's records are exempt from the Freedom of Information Act (FOIA).

Today CSI is responsible for the investigation and prosecution of any crimes involving public corruption at any level of State government. Commission Investigators have investigated and successfully prosecuted cases involving embezzlement, larceny, forgery, bribery, extortion, falsifying accounts, obtaining money by false pretenses, and mail and wire fraud, among other criminal violations. CSI Investigators have been actively involved in prosecuting cases in both State and Federal court.

Investigations may involve "any level of State government," i.e., any level where there is an involvement or infusion of State money, resources or personnel. CSI has investigated not only State agencies, officers, elected officials and employees, but also county and municipal entities which receive or use State or Federal funds passed through the State. While some investigations are completed in short order, it is not unusual for CSI matters to remain open for weeks, months and, at times, years.

Many investigations begin with a call from a concerned citizen who has become aware of something "that just doesn't seem right" or which is obviously a violation of law. Investigators work closely with many people within and outside of State government and our reputation for professionalism is second to no other investigative agency, State or Federal.

CSI is an active participant in the **Public Integrity Special Investigations Unit** established by Michael B. Stuart, United States Attorney for the Southern District of West Virginia and a similar joint investigative unit created by former US Attorney William Ihlenfeld II in the Northern District.



Commission Members

§4-5-1

The Commission shall be composed of the President of the Senate and four members of the Senate, to be appointed by the President of the Senate, no more than two of whom shall be from the same political party; and the Speaker of the House of Delegates and four members of the House of Delegates, to be appointed by the Speaker of the House of Delegates, no more than two of whom shall be appointed from the same political party: Provided, That in the event the membership of a political party is less than 15 percent in the House of Delegates or Senate, then the membership of that political party from the legislative house with less than 15 percent membership may be one from that house. The commission shall be chaired by the President of the Senate and the Speaker of the House of Delegates. All members appointed to the commission by the commission chairs serve until their successors are appointed as provided herein.

These Legislators are responsible for overseeing the investigative activities of the Commission Staff, which are reviewed in executive session during Legislative interim meetings. A quorum, consisting of the majority of the total authorized membership, is required to open or close an investigation or refer a matter to the appropriate Legislative Committee, if the subject falls outside the Commission's purview.

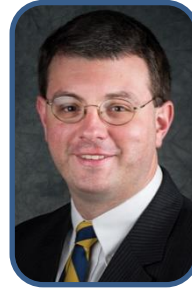


West Virginia Legislature Commission on Special Investigations

Mitch Carmichael (R)
Senate President
Lt. Governor
Co-Chairman
Joined CSI 2016



Roger Hanshaw (R)
House Speaker
Co-Chairman
Joined CSI 2018
Rejoined CSI 2015



Charles S. Trump IV (R)
Senate Judiciary Chair
CSI Member 1993-2007
Rejoined CSI 2015



John Shott (R)
House Judiciary
Chair
Joined CSI 2015



July 1, 2019 - June 30, 2020

Corey Palumbo (D)
Senate Minority Whip
Joined CSI 2011



Tim Miley (D)
House
Minority Leader
Joined CSI 2013



Mike Woelfel (D)
Senator
Joined CSI 2015



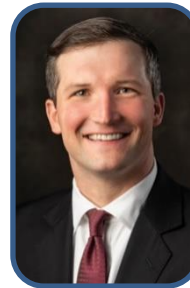
Joe Canestraro (D)
Delegate
Joined CSI 2019



Ryan Weld (R)
Senator
Joined CSI 2019



Moore Capito (R)
Delegate
Joined CSI 2019



Commission Staff

§4-5-2(b)(3)

The Commission is empowered to: *“Employ necessary legal, technical, investigative, clerical, stenographic, advisory and other personnel and, within the appropriation specified in §4-5-4 of this code, fix reasonable compensation of any persons and firms that are employed. The commission’s investigative staff may consist of a director, deputy director, senior investigators, and investigators as approved by the co-chairs: Provided, That the commission may authorize certain employees of the commission to administer oaths and take affidavits and deposition anywhere in the state.”*

The current investigative staff has previously distinguished themselves with successful law enforcement careers, ranging from first line to senior supervisors and senior administrators in both large municipal police departments, the State Police and Federal agencies.



Commission Staff designated as “Investigator” are issued special identification credentials including photo identification and Commission badges. Investigators are also authorized to carry firearms in the performance of their duties.

Staff Investigators are responsible for conducting comprehensive and detailed investigations on behalf of the West Virginia Legislature into the purchasing practices and procedures of the State and matters of public corruption. To that end, Investigators work with their counterparts in local, State and Federal law enforcement agencies as well as other State entities and local and Federal prosecutors.

Charles R. Bedwell, Director

Joined CSI – 2003

37 years law enforcement experience

Professional Experience:

**WV State Police
Major - Deputy Chief of Staff
Chief of Criminal Identification Bureau &
Traffic Services
Director - Planning & Research**

Education:

**WV State University, Marshall University,
Northwestern University, WV State Police
Academy**



James S. Powers, Deputy Director

Joined CSI – 2002

44 years law enforcement experience

Professional Experience:

**WV State Police
Lieutenant Colonel - Chief of Staff
Chief of Administrative Services
Director – Procurement
BCI Grant Forfeiture Officer**

Education:

**Radford University, Virginia Polytechnic
Institute, FLETC – Glynco, WV State Police
Academy**



Rick D. Eplin, Senior Investigator

Joined CSI – 2015

34 years law enforcement experience

Professional Experience:

**Huntington, WV Police Department
Captain – O.I.C. Criminal
Investigation Division**

Education:

**WV State University, FBI National
Academy, WV State Police Academy**



Michael Robinson, Senior Investigator

Joined CSI – 2015

30 years law enforcement experience

Professional Experience:

**WV State Police
First Sergeant - BCI Regional Coordinator
Multi-jurisdictional Task Force Coordinator
Detachment Commander**

Education:

**Marshall University, Glenville State College,
WV State Police Academy**



Jeff Shriner, Senior Investigator

Joined CSI – 2017

**30 years law enforcement
experience**

Professional Experience:

**Investigative Specialist – FBI
Master Corporal – New Castle
County DE**

Education:

**St. Joseph’s University
West Liberty University
New Castle County Police
Academy**



G. E. McCabe Jr., Investigator

Joined CSI – 2018

30 years law enforcement experience

Professional Experience:

**WV State Police
Captain - Deputy Chief of Staff
Chief of Professional & Technical
Services**

**Director Communications/Information
Services**

**Director Planning & Research
Detachment Commander**

Education:

**Marshall University
Mount Vernon Nazarene College
WV State Police Academy**



Ken McCord, Investigator

Joined CSI – 2019

26 years law enforcement experience

Professional Experience:

**WV State Police
Sergeant – Quincy, Clay & South
Charleston Detachments
Supervisor – Southern Crime Scene
Response Team**

Education:

**Milligan College
Marshall University
WV State Police Academy**



Barry Parsons, Investigator

Joined CSI – 2019

29 years law enforcement experience

Professional Experience:

**Special Agent – Drug Enforcement
Administration (DEA)
DEA Technical Operations
Coordinator for WV**

Education:

**Eastern Kentucky University
Kentucky Department of Criminal
Justice Training Center
FLETC - Glynco**



Michael LaFauci, Investigator

Joined CSI – 2020

25 years law enforcement experience

Professional Experience:

**WV State Police
Captain – Troop 5 Commander - Logan**

Education:

**Marshall University
WV State Police Academy
FBI National Academy**



Sherry Lawson, Administrative Assistant

Joined CSI – 2018

31 years Professional Experience

WV State Police Administrative Assistant

WV Supreme Court Certified Court Reporter

COMMISSION STAFF

New Investigator

Michael LaFauci - Employed April 25, 2020

Investigator LaFauci joined CSI upon his retirement from the West Virginia State Police. Mike joined the State Police in 1994. During Mike's law enforcement career with the State Police he served in several capacities including: Trooper, Detachment Commander, Drug Diversion Coordinator, and Troop Commander.

1995 – Trooper in the Hamlin Detachment

2004 – Executive Protection Detail at the Governor's Mansion

2005 – Sergeant in the Hamlin Detachment

2007 – Sergeant in the Madison Detachment

2008 – State Police Drug Diversion Coordinator

2012 – First Sergeant - Winfield District Commander

2014 – First Lieutenant - Deputy Director of Professional Standards

2018 – Captain – Troop 5 Commander Logan

Prior to his law enforcement career Mike served honorably in the United States Navy for four years. Mike is a graduate of the WV State Police Academy, Marshall University and the FBI National Academy in Quantico Virginia.

ACTIVITIES OF THE COMMISSION

July 1, 2019 - June 30, 2020

The 2019 fiscal year presented unique challenges throughout State Government. The Commission on Special Investigations has taken necessary steps to ensure continuity of service during the ongoing COVID-19 pandemic. The Commission staff modified how they conducted business and took steps to protect the staff and the general public from possible exposure to the virus. These steps included the issuance of personal protective gear, limiting travel, health screening questionnaires, and liberal use of cleaning and disinfecting agents. Thus far no staff members have tested positive for the COVID-19 virus.



The Commission on Special Investigations met in executive session on four occasions during the fiscal year. The Commission authorized the opening of 25 new investigations and closed 25 previous investigations. During Commission meetings Investigators made individual presentations to update members regarding the status of ongoing investigations. The closed investigations may have resulted in criminal prosecution, corrective or disciplinary action involving government employees, or the investigation may not have established relevant facts or evidence to support further investigation. A case may not be suitable for criminal prosecution but may result in restitution to a government entity, changes in the policies and procedures of an agency or additional training for employees.

The Commission on Special Investigations, through its members, may also target certain statutes or legislative rules which may need amended. The decision to do so may be based on facts and issues identified during an investigation at any level of government. The investigations conducted by the staff are just one element in identifying and understanding where additional legislative oversight may be needed or changes to existing statutes are to be considered.

The following are representative of the investigative activities conducted by the Commission Staff during the fiscal year.

Lewis and Gilmer County Magistrates – Bribery of a Public Official

The case came to the Commission through a request from the U.S. Attorney's Office for the Northern District of West Virginia. The complaint alleged that Gilmer County Magistrate Alton Skinner II opened a bonding company operating under the name E-Z Out Bonding. The company was only authorized to write bonds in Lewis County. It was further alleged that Lewis County Magistrate Roger Clem Jr. was directing bonds directly to E-Z Out Bonding to the exclusion of other bonding companies in the area.



The investigation conducted by CSI began as a joint investigation involving the Criminal Investigation Division of the Internal Revenue Service. The Internal Revenue Service found the case did not meet their criteria and removed their Investigators from the case in 2018. CSI continued the investigation working in partnership with the U.S. Attorney's Office. The investigation revealed that Magistrate Clem was directing bonds to E-Z Out Bonding without providing arrestees with a list of alternative bonding companies as required by law. There were also instances in which Magistrate Clem set unnecessary bonds in furtherance of the scheme in which he directed bonds to E-Z Out Bonding. Evidence gathered during the investigation resulted in both Skinner and Clem being indicted.

On May 7, 2019 Lewis County Magistrate Roger Clem Jr. was indicted by a federal grand jury on the following charges: One count of Conspiracy to Commit Mail and Wire Fraud, two counts of Wire Fraud, two counts of Mail Fraud, and one count of Obstruction of Justice.



On the same day Gilmer County Magistrate Alton Skinner II was also indicted by the federal grand jury. He was charged with the following: One count of Conspiracy to Commit Mail and Wire Fraud, two counts Wire Fraud, two counts of Mail Fraud, one count of Obstruction of Justice, and one count of False Statement to a Federal Agent.

On October 25, 2019 Alton Skinner II and Roger Clem Jr. entered into a non-prosecution agreement with the U.S. Attorney's Office for the Northern District of West Virginia. The agreement provided both would resign their positions as Magistrates, pay a fine, and admit to their violations of judicial conduct. In addition, they may not seek nor accept any political office or appointed position in the future. Compliance with this agreement and no further violations on the part of the Magistrates would result in dismissal of the indictments against them after one year.

On October 25, 2019 Alton Skinner II and Roger Clem Jr. resigned their positions as Magistrates in Gilmer and Lewis Counties.

Ohio County Magistrate – Fraudulent Scheme

In 2017 CSI was contacted by the U.S. Attorney's Office in the Northern District of West Virginia requesting assistance in this investigation. The matter was a joint investigation between the criminal investigative division of the Internal Revenue Service, CSI, FBI, WV State Police and the U. S. Attorney's Office. The complaint alleged that Ohio County Magistrate Harry Radcliffe was directing bonds to a certain bonding company to the exclusion of others. The bonding company was identified as ABC Bonding which is owned by William Seelbach. It was further alleged that Magistrate Radcliffe was formerly involved in a romantic relationship with a female bonding agent employed by ABC Bonding Company named Jolynn Gilchrist.



The 14-month investigation was able to establish through interviews and documentary evidence certain facts relative to this ongoing scheme. The investigation generated 65 grand jury subpoenas, 25 grand jury witnesses, and 125 interviews. The findings of the investigation were provided to the U.S. Attorney's Office and resulted in three individuals being criminally charged and later entering into plea agreements with the federal court.

On June 5, 2018 the following individuals were indicted or charged in connection to this investigation:

- Ohio County Magistrate Harry Radcliffe was indicted on one count of conspiracy to commit wire fraud, one count of federal program bribery, one count of travel bribery, and three counts of filing a false individual tax return.
- ABC Bond Company owner William Seelbach was indicted on one count of conspiracy to defraud the United States Government-impeding the IRS and one count of failure to file an individual tax return.
- Bonding Agent Jolynn Gilchrist was charged in an information with one count of filing a false tax return.

The individuals entered plea agreements and were sentenced as follows:

- On May 21, 2019 Jolynn Gilchrist was sentenced to two years' probation for tax fraud and ordered to pay restitution of \$2,028.00.
- On August 2, 2019 William Seelbach pled guilty to conspiracy to defraud the United States Government-impeding the IRS, and one count of failing to file an individual tax return. He was ordered to pay \$83,607.00 in restitution.
- On August 2, 2019 Ohio County Magistrate Harry Radcliffe admitted to receiving \$22,000.00 in cash as part of this scheme. He was sentenced to four months of incarceration followed by 60 days of home confinement. He was placed on three years of supervised probation and ordered to pay \$5,500.00 in restitution.

FEMA Fraudulent Claim / False Receipts



On April 19, 2019 CSI was contacted by a Special Agent from the Office of Inspector General (OIG) for the Department of Homeland Security. The agent requested assistance from CSI with a fraud investigation stemming from the flooding event in 2016. It was alleged that an individual who had been displaced by the flood had submitted fraudulent receipts to FEMA.

The investigation was able to determine that Randall Butler had submitted false receipts for payments he claimed to have made for rent. The fraudulent receipts resulted in Butler being reimbursed by FEMA for \$8,614.00. Mr. Butler admitted to investigators his role in the scheme while being interviewed.

On July 8, 2020 Randall Butler pled guilty to one count of fraud in connection with a major disaster or emergency benefits. He was sentenced to 24 months in prison and ordered to pay restitution in the amount of \$8,614.00.





**PRESS
RELEASES**



THE UNITED STATES ATTORNEY'S OFFICE

NORTHERN DISTRICT *of* WEST VIRGINIA

Department of Justice
U.S. Attorney's Office
Northern District of West Virginia

FOR IMMEDIATE RELEASE

Tuesday, May 7, 2019

Lewis County Magistrate and Gilmer County Magistrate indicted on wire fraud, mail fraud, and obstruction charges

CLARKSBURG, WEST VIRGINIA – Lewis County Magistrate Roger D. Clem, Jr. and Gilmer County Magistrate Alton L. Skinner, II were indicted today by a federal grand jury on charges involving wire fraud, mail fraud, and obstruction charges, United States Attorney Bill Powell announced.

Clem, age 47, of Weston, West Virginia, and Skinner, age 57, of Sand Fork, West Virginia, were each indicted on one count of “Conspiracy to Commit Mail Fraud and Wire Fraud,” two counts of “Wire Fraud,” two counts of “Mail Fraud,” and one count of “Obstruction of Justice.” Skinner was also charged with one count of “False Statement to a Federal Agent.”

E-Z Out, LLC, based in Sand Fork, West Virginia, is an authorized bonding company in Lewis County. According to company records, E-Z Out is operated solely by Alton Skinner’s spouse, and employs Skinner’s son as an authorized bonding agent. Clem is accused of taking favorable actions in the courtroom for E-Z Out, including setting unnecessary surety bonds. Clem is accused of calling Skinner to arrange the bond of a detainee without presenting a list of authorized bonding companies to the detainee. Skinner would allegedly arrange for his spouse or son, as agents of E-Z Out, to be present at the arraignment of the detainee without the detainee’s informed choice of E-Z Out amongst other authorized bonding companies.

Clem and Skinner are accused of causing payments via electronic transmission which traveled outside of West Virginia. The two are also accused of mailing a contract and

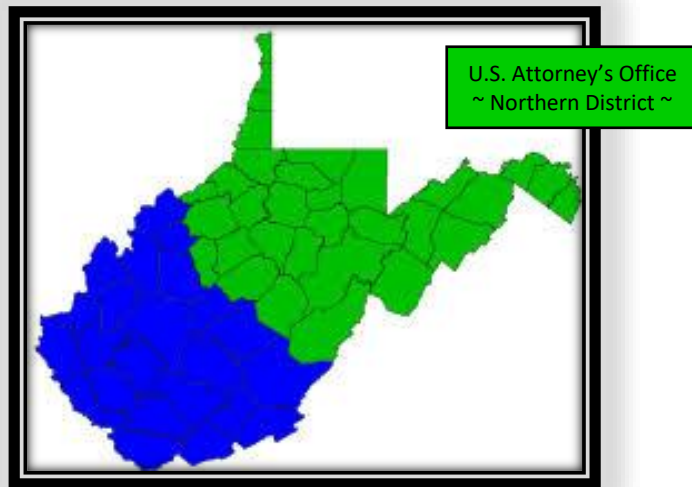
checks between Skinner's spouse and Dave Bourne Bail Bonds, Inc. in Virginia, the general agent of the underwriter for E-Z Out.

Both men allegedly attempted to obstruct or impede the grand jury investigation. Skinner also allegedly made false statements to a special agent from the Internal Revenue Service Special Investigation Unit.

The United States is also seeking a money judgement in the amount of \$18,900.

Clem and Skinner each face up to 20 years' incarceration and a fine of up to \$250,000 for each of the conspiracy, wire fraud and mail fraud, and obstruction counts. Skinner also faces up to five years' incarceration and a fine of up to \$250,000 for the false statement count. Under the Federal Sentencing Guidelines, the actual sentence imposed will be based upon the seriousness of the offenses and the prior criminal history, if any, of the defendant.

Assistant U.S. Attorney Jarod J. Douglas is prosecuting the cases on behalf of the government. The Internal Revenue Service-Criminal Investigation and the West Virginia Commission on Special Investigations investigated.





THE UNITED STATES ATTORNEY'S OFFICE

NORTHERN DISTRICT *of* WEST VIRGINIA

Department of Justice
U.S. Attorney's Office
Northern District of West Virginia

FOR IMMEDIATE RELEASE

Friday, August 2, 2019

Former Ohio County Magistrate sentenced to prison for tax fraud

WHEELING, WEST VIRGINIA - Former Ohio County Magistrate Harry A. Radcliffe, III, was sentenced today to four months incarceration to be followed by two months of home confinement for tax fraud, United States Attorney Bill Powell announced.

"Defendants are not treated differently because they are elected officials. In fact, elected officials know better than most people about the rule of law. We have done our duty and the court has now imposed its sentence. We will continue to investigate violations of the public trust," said Powell.

Radcliffe, age 61, pled guilty to one count of "Conspiracy to Impede the Internal Revenue Service" in April 2019. In tax years 2013, 2014, and 2015, Radcliffe accepted a total of approximately \$22,000 in cash payments from William W. Seelbach, then owner of W&S Bail Bonding d/b/a A Bail Bonding by ABC ("ABC"), which payments were offered by Mr. Seelbach as bribes. These payments were made and received in cash, at least in part, in an effort to impede the Internal Revenue Service in the collection of income taxes. Radcliffe willfully failed to report this income to the Internal Revenue Service, resulting in a total tax loss of \$5,500.00. He also failed to report this extra-judicial income to the Supreme Court of Appeals of West Virginia.

Radcliffe was ordered to pay \$5,500 in restitution to the Internal Revenue Service. Assistant U.S. Attorneys Jarod J. Douglas and Shawn M. Adkins prosecuted the case on behalf of the government. The Federal Bureau of Investigation, the Internal Revenue Service, the West Virginia Commission on Special Investigations, and the West Virginia State Police investigated. Senior U.S. District Judge Frederick P. Stamp, Jr. presided.

 United States Department of Justice



Department of Justice
U.S. Attorney's Office
Northern District of West Virginia

FOR IMMEDIATE RELEASE

Friday, August 2, 2019

Owner of bail bonding company sentenced for tax fraud

WHEELING, WEST VIRGINIA -William W. Seelbach, of Fort Meyers, Florida, was sentenced today to three years' probation for tax fraud, United States Attorney Bill Powell announced.

Seelbach, age 69, owner of W&S Bail Bonding, doing business as A Bail Bonding by ABC of Wheeling, West Virginia, pled guilty to one count of "Conspiracy to Defraud the United States-Impede the Internal Revenue Service," and one count of "Failure to File Individual Income Tax Return for Tax Year 2012" in June 2018. Seelbach admitted to impeding the IRS in its collection of taxes, and failing to file a federal income tax return for 2012 to report \$144,030 in income to the IRS.

Seelbach also was ordered to pay \$83,607 in restitution, which was paid in full.

Assistant U.S. Attorneys Jarod J. Douglas and Shawn M. Adkins prosecuted the case on behalf of the government. The Federal Bureau of Investigation, the Internal Revenue Service, the West Virginia Commission on Special Investigations, and the West Virginia State Police investigated.

U.S. District Judge John Preston Bailey presided.



THE UNITED STATES ATTORNEY'S OFFICE

NORTHERN DISTRICT *of* WEST VIRGINIA

Department of Justice
U.S. Attorney's Office
Northern District of West Virginia

FOR IMMEDIATE RELEASE

Tuesday, May 21, 2019

Former employee of bail bonding company sentenced for tax fraud

WHEELING, WEST VIRGINIA-Jolynn Gilchrist, of Wheeling, West Virginia, was sentenced today to two years' probation for tax fraud, United States Attorney Bill Powell announced.

Gilchrist, age 50, former employee W&S Bail Bonding, doing business as A Bail Bonding by ABC of Wheeling, West Virginia, pled guilty to one count of "False Tax Return" in June 2018. Gilchrist admitted to filing an inaccurate federal tax return for the 2015 tax year.

Gilchrist was also ordered to pay \$2,028 in restitution to the Internal Revenue Service. Assistant U.S. Attorneys Jarod J. Douglas and Shawn M. Adkins prosecuted the case on behalf of the government. The Federal Bureau of Investigation, the Internal Revenue Service, the West Virginia Commission on Special Investigations, and the West Virginia State Police investigated.

U.S. District Judge John Preston Bailey presided.



THE UNITED STATES ATTORNEY'S OFFICE

SOUTHERN DISTRICT *of* WEST VIRGINIA

Department of Justice
U.S. Attorney's Office
Southern District of West Virginia

FOR IMMEDIATE RELEASE

October 6, 2020

Kanawha County Man Sentenced for Defrauding FEMA of 2016 Disaster Relief Funds

CHARLESTON, W.Va. - Mike Stuart, United States Attorney for the Southern District of West Virginia, announced that a Kanawha County man was sentenced today for defrauding the Federal Emergency Management Agency (FEMA) of 2016 disaster relief funds. Randall Butler, 46, of Charleston, was sentenced to 24 months in federal prison for fraud in connection with major disaster or emergency benefits.

Butler pled guilty to the charge in July 2020 and pursuant to his plea agreement, he also agreed to pay \$8,614 in restitution.

"As taxpayers, we all suffer when federal assistance programs are defrauded," said United States Attorney Mike Stuart. "We will not tolerate fraud when our state is struck by natural disaster and West Virginians need critical relief funds to recover and rebuild. We will work with our law enforcement partners to ensure that fraudsters are prosecuted and federal assistance reaches those who are truly in need and eligible to receive federal dollars."

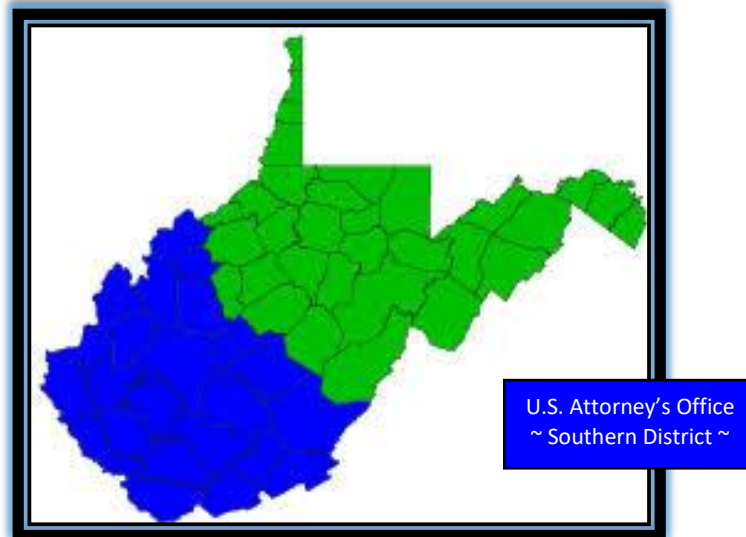
"DHS OIG remains committed to investigating fraud that affects the Federal Emergency Management Agency's disaster relief programs," said Homeland Security Inspector General Joseph V. Cuffari. "Furthermore, we are thankful to our colleagues at the West Virginia Commission on Special Investigations for their assistance in this investigation."

At the time of the historic 2016 floods, Butler was living in an apartment in Clendenin, an area where FEMA was authorized to provide assistance to affected residents, including rental assistance. After the flood and a brief stay in a rescue shelter, Butler and his family

moved to an apartment in Charleston. Butler admitted that he applied for FEMA relief funds for displaced housing even though he knew he was not allowed to receive the FEMA monies, because the U.S. Department of Housing and Urban Development had submitted rental payments on his behalf. Butler further admitted that he had received approximately \$8,600 from FEMA for rental assistance, even though he had not been paying the rent himself.

The Department of Homeland Security- Office of Inspector General (DHS OIG) and the West Virginia Commission on Special Investigations conducted the investigation.

Senior United States District Judge John T. Copenhaver, Jr. imposed the sentence. Assistant United States Attorney Kathleen Robeson handled the prosecution.





ACKNOWLEDGEMENTS

The Commission on Special Investigations receives information from a variety of sources, both public and private. CSI solicits and accepts information of potential wrongdoing from individual citizens, governmental employees and governmental agencies, many of whom do so at substantial personal risk. Absent this assistance, it would be difficult for the Commission to perform its duties.

While we recognize the contributions to CSI efforts made by various County Prosecuting Attorneys, United States Attorneys and Assistant United States Attorneys, Federal Special Agents, State Troopers, Sheriffs and their Deputies and local police agencies, there have been some who have provided extraordinary assistance to us over the past year that significantly aided in the successful investigation and prosecution of important matters. Due to the ongoing nature of some investigations, and the need to protect the confidentiality of some who have worked closely with CSI, we cannot acknowledge every individual by name; however, we would like to acknowledge the contributions of those listed on the following page.



INDIVIDUAL ACKNOWLEDGEMENTS

William J. Powell, US Attorney WVND

Michael B. Stuart, US Attorney WVSD

Jarod J. Douglas, Assistant US Attorney, WVND

Andrew R. Cogar, Assistant US Attorney WVND

Andrew J. Tessman, Assistant US Attorney WVSD

Robert W. Schulenberg, III, Assistant Prosecuting Attorney – Kanawha County

Eric Cantrell, Assistant Prosecuting Attorney - Kanawha County

S/A Jim Lafferty, FBI – Charleston

S/A Jeff Goode, IRS CID – Charleston

S/A Joe Harrilla, Office of Inspector General, Department of Labor

S/A Dave Malloy, Office of Inspector General, FEMA

