

WEST VIRGINIA LEGISLATURE'S COMMISSION ON SPECIAL INVESTIGATIONS

41ST ANNUAL REPORT



JULY 1, 2020 - JUNE 30, 2021

**CRAIG BLAIR - SENATE PRESIDENT
LIEUTENANT GOVERNOR**

**ROGER HANSHAW - SPEAKER OF THE
HOUSE**

RICK EPLIN - DIRECTOR

**West Virginia Legislature's
Commission on Special Investigations
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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 45 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, during his tenure as United States Attorney for the Southern District of West Virginia, and a similar joint investigative unit created by William Ihlenfeld II during his initial term as United States Attorney 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
JULY 2020 - DECEMBER 2020

Mitch Carmichael (R)
Senate President
Lt. Governor
Co-Chairman CSI
2016 - 2020



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



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



John Shott (R)
House Judiciary Chair
CSI Member 2015-
2020



Corey Palumbo (D)
Senate Minority
Whip
CSI Member 2011-
2015, 2017-2020



Tim Miley (D)
House
Minority Leader
CSI Member
2013-2020



Mike Woelfel (D)
Senator
Joined CSI 2015



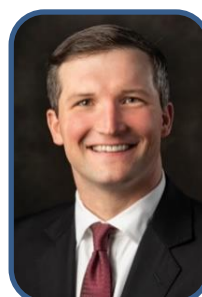
Joe Canestraro (D)
Delegate
CSI Member 2019-
2020



Ryan Weld (R)
Senator
Joined CSI 2019



Moore Capito (R)
Delegate
Joined CSI 2019



West Virginia Legislature Commission on Special Investigations *January 2021 - June 2021*

Craig Blair (R)
Senate President
Lieutenant Governor
Co-Chairman CSI
Joined CSI 2021



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



Charles Trump IV (R)
CSI Member 1993-
2007
Reappointed 2015



Moore Capito (R)
Joined CSI 2019



Michael Woelfel (D)
Minority Whip
Joined CSI 2015



Shawn Fluharty (D)
Minority Whip
Joined CSI - 2021



Ryan Weld (R)
Majority Whip
Joined CSI 2019



Doug Skaff (D)
Minority Leader
Joined CSI 2021



William Ihlenfeld II (D)
CSI Member 2021



Brandon Steele (R)
Joined CSI 2021



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.



Rick D. Eplin, Director

Joined CSI – 2015

35 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**



James S. Powers, Deputy Director

Joined CSI – 2002

45 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**



Michael Robinson, Senior Investigator

Joined CSI – 2015

31 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, Investigator

Joined CSI – 2017

31 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

Ken McCord, Investigator

Joined CSI – 2019

**27 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

30 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**



Jesse Bailes, Investigator

Joined CSI – 2021

35 years law enforcement experience

Professional Experience:

Captain - Kanawha County Sheriff's Office

Chief of Police - City of Dunbar

Kanawha County Magistrate

Education:

West Virginia State University

West Virginia State Police Academy



Sherry Lawson, Administrative Assistant

Joined CSI – 2018

32 years Professional Experience

WV State Police Administrative Assistant

**WV Supreme Court Certified Court
Reporter**

Commission Staff

New Investigator

Jesse Bailes - Employed February 1, 2021

Investigator Bailes joined CSI after serving as a Kanawha County Magistrate. Prior to being elected Magistrate in 2018 he served as Police Chief for the City of Dunbar from January 2014 to May 2018. Before becoming Chief of Police, Investigator Bailes was a Deputy Sheriff for the Kanawha County Sheriff's Office retiring with the rank of Captain after 28 years of service. Investigator Bailes's law enforcement career began as a patrolman with the Dunbar Police Department in 1983.

With a diverse background in law enforcement Investigator Bailes has experience including criminal investigations, community relations, police administration and supervision of an investigative unit. Prior to his retirement with the Kanawha County Sheriff's Office, he was the Commander of the Sheriff's Tactical Operations Patrol which specialized in street level drug interdiction and investigation.

Investigator Bailes is a graduate of West Virginia State University and the West Virginia State Police Academy.



ACTIVITIES OF THE COMMISSION

July 1, 2020 - June 30, 2021

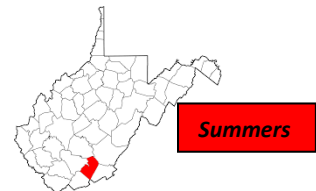
The Commission on Special Investigations met in Executive Session on four occasions during the 2020 fiscal year. The Commission authorized the opening of forty-nine (49) new cases. In addition, the Commission authorized the closure of twenty-five (25) previous investigations.

The 2020 fiscal year saw a gradual return to regular business hours by the investigative staff of CSI. The closures and altered business practices initiated in response to the COVID-19 pandemic made advancing existing criminal investigations more challenging. The limited access to government buildings, the Courts and Prosecutors' Offices during the previous fiscal year had served to delay many pending cases through the court system.

With the return to some level of normal business hours and practices CSI staff were successful in ensuring the resolution of many cases statewide. The following are representative of the investigative activities conducted by the Commission Staff during the fiscal year.

Jumping Branch/Nimitz Volunteer Fire Department- Embezzlement

The Commission on Special Investigations was contacted by the WV Legislature Post Audit Division in 2018 who provided bank statements from the Jumping Branch/Nimitz Volunteer Fire Department for further evaluation by CSI Investigators. The preliminary review of these records determined between February and December of 2016 there were 97 ATM transactions which totaled \$17,500. The ATM transactions occurred primarily in locations where West Virginia Limited Video Lottery terminals were located.



Investigators determined that the ATM card was in possession of the Chief of the Jumping Branch/Nimitz VFD, James Jeffries. When interviewed by CSI Investigators Chief Jeffries admitted that he had developed a gambling problem and was responsible for the ATM withdrawals. He also admitted to falsifying ledgers to conceal the missing funds. Jeffries told Investigators that he initially believed an ATM transaction may go unnoticed, but the ongoing gambling addiction resulted in the culmination of \$17,000 having been withdrawn from the Fire Department account.

Jeffries obtained a personal loan and repaid \$17,000 to the VFD. To prevent scrutiny the payments were structured into two deposits to avoid generation of a Suspicious Activity Report by the banking institution. Jeffries was arrested by the West Virginia State Police from the Hinton Detachment in February 2019. CSI Investigators subsequently secured an indictment from the Summers County Grand Jury in July of 2019.

Jeffries entered a guilty plea to One Count of Embezzlement in February 2020. He was sentenced in Summers County Circuit Court in August of 2020 to not less than one nor more than ten years for his felony conviction of Embezzlement. Incarceration was suspended and Mr. Jeffries was placed on 120 days of home confinement followed by seven years of probation. The Court further ordered restitution in the amount of \$69,861.75.



Another firefighter in Summers County charged with embezzlement

By:

[Riley Phillips](#)

Posted: Feb 20, 2019 05:42 PM EST

JUMPING BRANCH, WV (WVNS) - A firefighter in Summers County was charged with embezzling more than \$80,000 from a local fire department.

According to court documents, James Eric Jeffries, the Fire Chief and Secretary/Treasurer of the Jumping Branch-Nimitz Volunteer Fire Department, was the sole signatory for the fire department's two checking accounts and was also in possession of the department's debit cards and online banking activities.

The investigation revealed Jeffries made ATM withdrawals from the fire department's accounts starting in October 2015 through December 2018. Court documents state Jeffries made more than 300 ATM transactions within local video lottery establishments, totaling to more than \$60,000.

Investigators also discovered Jeffries transferred more than \$11,000 from the Jumping Branch Nimitz Volunteer Fire Department's bank account to his personal account. He allegedly made fake accounting ledgers to the West Virginia State Legislature's Post Audit Division relating to some of the ATM withdrawals.

In total, Jeffries reportedly embezzled around \$86,000.

Federal Emergency Management Agency - FEMA Fraud

The Commission on Special Investigations received a request for assistance from the Office of the Inspector General with the Department of Homeland Security in 2019. The Agent from the Office of the Inspector General was conducting an inquiry into possible fraud related to the 2016 flood event. The investigation determined that Randall Butler, a resident of Charleston, was submitting false claims for rental assistance to FEMA. Butler admitted that after he was displaced by the flood, he claimed and received \$8,600 in rental reimbursement which he had not paid but was instead paid by the U.S. Department of Housing and Urban Development.



Butler pled guilty to Fraud in Connection with a Major Disaster or Emergency Benefits in the U.S. District Court for the Southern District of WV in July of 2020. Mr. Butler was subsequently sentenced in October of 2020 to 24 months in federal prison and ordered to pay \$8,614 in restitution.

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

FOR IMMEDIATE RELEASE
Tuesday, 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.”

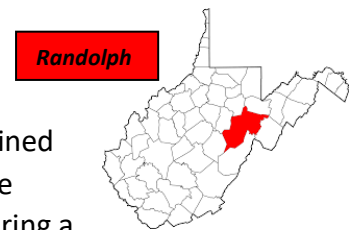
“DHS OIG remains committed to investigating fraud that affects the Federal Emergency Management Agency’s disaster relief programs,” said Homeland Security Inspector General Joseph V. Cuffari. “Furthermore, we are thankful to our colleagues at the West Virginia Commission on Special Investigations for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

Department of Health and Human Services - Purchasing Card Fraud

The WV State Auditor's Office was notified of potential fraudulent purchases by a State employee utilizing a State Purchasing Card. The complaint was referred to CSI for further investigation. The employee, Emily Currence, made reservations at a hotel in Morgantown, WV which exceeded \$500. She also requested reimbursement of meals associated with the trip. A review of these purchases by the Purchasing Card Coordinator at DHHR led to the conclusion that they were most likely fraudulent purchases. CSI Investigators determined that per agency policy the overnight accommodations would not have been approved unless the employee was attending a conference. During a meeting between Ms. Currence and DHHR Supervisors she admitted the reservations were made in connection to her attendance at a WVU football game.



CSI Investigators determined the reservation was made by a direct call to the hotel. This would have required the caller read the credit card number to the clerk to secure the reservation. This fact would negate the possibility that the employee had simply made a mistake by using the wrong credit card. WV State Purchasing Cards are bright orange in color for the purpose of preventing such mistakes.

Investigation of social media corroborated that Ms. Currence attended the football game on the weekend of the reservation. Further inspection of timesheets completed by Ms. Currence confirmed she was not working in any official capacity while attending the football game. CSI referred the investigation to the Randolph County Prosecuting Attorney's Office. WV State Police from the Elkins detachment signed a criminal complaint based upon the information garnered during the investigation.

Emily Currence accepted a plea agreement in Randolph County Magistrate Court in December of 2020 and pled guilty to Obtaining Money, Property, and Services by False Pretenses. The Court assessed a fine of \$270.25 and ordered restitution in the amount of \$513.

Public Defender Services - Fraudulent Billing

William “Bill” Lester served as a panel attorney providing court appointed legal counsel. Mr. Lester worked in Kanawha, Clay, Braxton, Raleigh and Wyoming Counties most frequently. It is a common practice for panel attorneys to enter contracts with third-party companies which provide operational capital to attorneys in exchange for a percentage of their future billings to Public Defender Services (PDS). Mr. Lester entered into such an agreement with Creed Capital in Texas.



In 2014 PDS implemented new computer software which enabled them to better track invoices being submitted for legal services. A part of this program also identified billing anomalies. PDS observed that between January and August of 2014 Mr. Lester billed in excess of 24 hours a day for legal services on 40 days. Public Defender Services made several attempts to meet with Mr. Lester to discuss these billing anomalies, but he declined to meet with them. It was later determined that Mr. Lester had relocated to Costa Rica. Public Defender Services requested CSI conduct an in-depth investigation into the billing practices of Mr. Lester.

CSI examined billing records submitted by Mr. Lester between 2007 and 2014. The records revealed that Mr. Lester billed in excess of 23 hours a day on 20 occasions. The largest number of hours claimed for a day was 45 hours. The investigation determined that Mr. Lester was engaged in a pattern of submitting invoices to Public Defender Services which contained false information. The billing also showed a progression with the number of hours billed steadily increasing over time.

William Lester also defrauded Creed Capital by accepting payment for vouchers he knew were going to be declined by Public Defender Services. Once Public Defender Services identified the pattern of fraudulent billing, they advised Mr. Lester that pending invoices would not be paid until Mr. Lester provided some justification or explanation for his billing practices. Knowing this Mr. Lester continued to receive payment from Creed Capital without notifying them of the payment status of his pending invoices.

William Lester was indicted by a Kanawha County Grand Jury in 2016 for Computer Fraud and Fraudulent Schemes. Mr. Lester was determined to still be out of the country at the time of indictment. CSI worked with the United States Marshal's Service to ensure that Mr. Lester was placed as a fugitive into their international database. When Lester became aware that he was subject to arrest in Costa Rica he promptly fled to Nicaragua. He remained a fugitive from justice until his arrest by U.S. Marshals in Nicaragua in January of 2020.

Lester entered a guilty plea in Kanawha County Circuit Court in March 2021 to Attempt to Commit a Fraudulent Scheme. The Court sentenced Mr. Lester to the penitentiary for an indeterminate term of 1 to 3 years. The Court determined that Mr. Lester was entitled to credit for 396 days spent in jail with the balance to be served on home confinement.

The Court further assessed fines totaling \$94,720.82. Mr. Lester also surrendered his license to practice law.

MetroNews

THE VOICE OF WEST VIRGINIA

Charleston lawyer who ran away to Nicaragua sentenced for fraud crime

[Facebook](#)[Twitter](#) [mail](#)[SMS](#)

By [Jeff Jenkins](#)

March 12, 2021 - 3:09 pm

CHARLESTON, W.Va. - A former lawyer will spend a 1-3 year prison term on homeconfinement after pleading guilty to fraud.

William "Bill" Lester, 69, of Charleston, was sentenced Friday by Kanawha County Circuit Judge Duke Bloom following an earlier guilty plea. He was originally indicted on three criminal counts in 2016.

Lester, who surrendered his law license when he pleaded guilty, overcharged the state thousands of dollars while working as a court-appointed attorney. He then ran off to Nicaragua where he was arrested by U.S. Marshals.



Lester apologized during Friday's hearing.

"I accept responsibility for my actions and apologize to the court, the people of West Virginia and the people affected by my crime," Lester said. "I especially apologize to the other lawyers and the discredit I have brought to the profession."

Lester told Bloom he was prepared to make amends for his crime.

Bloom said instead of keeping Lester in jail where he would be immediately eligible for parole, he chose home confinement as an alternative sentence. Because the court can keep jurisdiction over him over a longer period of time on home confinement," Bloom said. "I will serve as the parole board at the appropriate time."

Bloom ordered restitution of nearly \$100,000. Lester will have to pay \$500 a month and perform one day of community service a week.



Duke Bloom

"I'll look to see if there's some agency where your legal skills might be put to use," Bloom said.

West Virginia University – Purchasing Card Fraud

James Ray Johnson was employed by West Virginia University from August 2018 to January 2019. He was employed to facilitate activities and events associated with the Multicultural Program at the University. Mr. Johnson was issued a State Purchasing card to enable him to purchase food and supplies needed for these programs and was permitted to use vans assigned to the Mountain Lair when necessary and authorized by his supervisors.



A review of Mr. Johnson's purchasing card statements revealed to University officials that he had been routinely obtaining rental vehicles from the Enterprise Rent-A-Car Division in Morgantown, WV. Investigators met with Mr. Johnson's supervisors and determined that he had never sought nor been granted permission to rent vehicles in such a manner. In addition, Mr. Johnson's job duties regarding the Multicultural Program would not have necessitated him having to rent a car on behalf of the University.

An in-depth review of rental records from Enterprise Rent-A-Car revealed that Mr. Johnson had executed eight (8) rental contracts between August 2018 and January 2019. The length of the rentals was between five (5) days and thirty-six (36) days and encompassed a total of 128 days. Mr. Johnson not only utilized the WV State purchasing card to cover the rental fees, but he received contractual discounts reserved for the University. These discounts on the daily rental rate, damage coverage, and sales tax exemption garnered approximately \$3,954 in additional fees that would have been included had he rented the vehicles personally. The total of the fraudulent purchases was approximately \$7,977.

James Ray Johnson was interviewed at his home by CSI Investigators. Mr. Johnson readily admitted that he had been renting the vehicles from Enterprise without authorization from the University. He went on to explain that the rental vehicles were used for personal business only and included trips out of state to visit family. The rental vehicles were never used to conduct business on behalf of the University.

The results of the investigation were forwarded to the Monongalia County Prosecutor's Office. At the request of the Prosecutor's Office Troopers at the WV State Police Detachment in Morgantown signed a criminal complaint on Mr. Johnson based upon the findings of the CSI investigation. Mr. Johnson was subsequently arrested by the WV State Police.

James Ray Johnson appeared in Monongalia Circuit Court in March of 2021 and entered a plea of guilty to Felony Fraudulent Scheme. The Court subsequently placed Mr. Johnson into a Deferred Adjudication Agreement under the supervision of the Monongalia County Probation Office.



Boggs Run Volunteer Fire Department-Embezzlement

CSI was contacted by Legislative Post Audit in 2018 regarding questionable expenditures within the Boggs Run Volunteer Fire Department. The information had also been given to the Marshall County Sheriff's Department. The Sheriff's Department had subpoenaed bank records for the Volunteer Fire Department which they provided to CSI for analysis. A review of these records clearly indicated there were many questionable financial transactions which warranted further investigation.

CSI Investigators determined that the finances of the Boggs Run Volunteer Fire Department were under the control of two individuals; Amy Williamson and Kevin Crow. Amy Williamson was elected Treasurer of the Boggs Run VFD in 2015. During this same time period Williamson's boyfriend, Kevin Crow, was appointed as Chief. Their elevation to these positions of trust were the result of the past Treasurer and Chief being indicted for embezzling funds from the Fire Department. In her capacity as Treasurer Williamson had sole control of the Department's checking account. As Chief, Kevin Crow had control and use of a Department purchasing card which was intended for incidental expenditures of the Fire Department.

Investigators determined through analysis of the bank records that there were many fuel purchases which appeared to be for personal use. Records submitted by the Fire Department to the Legislative Post Audit Division indicated that in 2018 the Department purchased 314.3 gallons of gasoline and 645.2 gallons of diesel fuel at a cost of \$2,832.97. A review of the Super Fleet Mastercard records, however, revealed \$4,982.06 in fuel purchases in 2018, which was the only year fuel records were available.

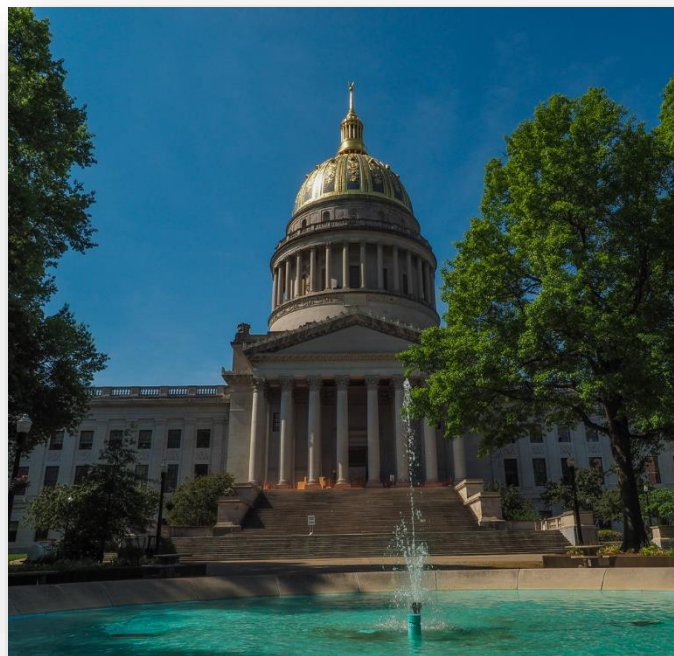
Examination of the personal banking account of Williamson led to the discovery of eleven (11) checks written to herself in 2018 and 2019 totaling \$5,187.93. The checks were written from the Fire Department checking account to Amy Williamson claiming reimbursement for expenses. These checks were deposited into her personal checking account. In subsequent interviews with CSI Investigators Williamson admitted that all but two of the checks issued to her were fraudulent. She further admitted to forging the authorizing signatures on the checks to make them appear legitimate. In addition Williamson admitted using the Super Fleet Mastercard to purchase gasoline for her personal vehicle and to writing checks at Walmart and Sam's Club for personal purchases. Williamson estimated that 50% of all purchases were for personal use. She also estimated that approximately 200 gallons of the fuel purchased went into her vehicle for personal use.

Chief Kevin Crow admitted during an interview with investigators that he routinely used the Fire Department credit card to purchase gasoline for his personal truck. He estimated that he did this at least once a month for an average cost of \$80.00. Crow advised he had done this since becoming Chief of the Department in 2015. Crow also admitted that he and Amy Williamson had a personal relationship and shared a residence.

The findings of the investigation were forwarded to the Marshall County Prosecutor's Office. In February of 2021 Amy Williamson pled guilty to the Felony Offense of Embezzlement in Marshall County Circuit Court. The Court gave Williamson a suspended sentence of not less than one (1) nor more than ten (10) years and placed her on Supervised Probation. She was further ordered to pay \$100.00 a month during the term of probation to end in 24 months upon her successful completion.

In May of 2021 Chief Kevin Crow entered a guilty plea to Felony Offense of Unauthorized Use of an Access Device. The Court sentenced Crow to one year of Supervised Probation and was placed on home confinement. Crow paid restitution of \$7,200.00.

The WV State Fire Marshal's Office determined that the Boggs Run Volunteer Fire Department failed to meet equipment maintenance and training standards. As a result of this investigation and the ongoing financial and maintenance issues a decision was made to close the Boggs Run Volunteer Fire Department permanently.



2020 United States Attorney Award

On October 8, 2020 William J. Powell, United States Attorney for the Northern District of West Virginia, awarded CSI Investigator Jeff Shriner the *Outstanding Investigative Effort Award* for his work on the case of U.S. v. Harry Radcliffe, et al. Investigator Shriner was part of a four-agency investigation involving the relationship between Ohio County Magistrate Harry A. Radcliffe and W&S Bail Bonding d/b/a A Bail Bonding by ABC, owned by William W. Seelbach. Investigator Shriner worked diligently with FBI and IRS Special Agents and the West Virginia State Police over a period of 14 months. This investigation included 65 Grand Jury subpoenas, 25 Grand Jury witnesses, and 125 interviews.

The result was the identification of a three-year bribery/kickback scheme involving approximately \$22,000 of cash payments from Seelbach to Magistrate Radcliffe, which income was not reported to the IRS. Radcliffe and Seelbach both entered guilty pleas to Klein conspiracy offenses arising from these payments. Seelbach was sentenced to a term of probation. Radcliffe was sentenced to four months in prison and also resigned.



The awards ceremony was held at the Wheeling Federal Courthouse and included remarks from U.S. Attorney Bill Powell and the presence of many local, state and federal law enforcement leaders from throughout West Virginia.

Left to Right-US Attorney Powell, S/A Tami Devericks, Investigator Jeff Shriner, Sgt. J. W. Smith

Retirement of Director Charles R. Bedwell

CSI Director Charles Bedwell retired on July 31, 2020 after 17 years of service to the WV Commission on Special Investigations. Director Bedwell began his law enforcement career with the West Virginia State Police in 1983. Upon graduation from the WV State Police Academy, Trooper Bedwell was assigned to the Glasgow Detachment in eastern Kanawha County. Trooper Bedwell served in this capacity until he was reassigned to the Criminal Investigations Section at State Police Headquarters. During this time, he was recognized for his efforts on behalf of the citizens and excellent performance by being named “Trooper of the Year” in 1987. The following year he was again recognized as “Outstanding Law Enforcement Officer of the Year for Kanawha County.”



Director Bedwell continued to advance in his career and was appointed to the Command Staff of the WV State Police under three different Superintendents. In this capacity Director Bedwell developed and implemented Department Policies and Training, refined the Cadet selection process and developed a career progression system. Director Bedwell attained the rank of Major and served as the Director of Planning and Research and the Deputy Chief of Staff. Director Bedwell retired from the WV State Police in 2003.



Director Bedwell joined the staff of the Commission on Special Investigations as an investigator following his retirement. In 2014 he was appointed as the Director of the Commission Investigative staff. In his capacity as Director, he updated case tracking methods and implemented more comprehensive case investigation methods. In support of the staff Director Bedwell implemented a progressive salary scale for investigators and established advancement procedures. Director

Bedwell was also influential and played a significant role in updating the WV Code as it relates to the duties of the Commission. Upon his retirement Governor Jim Justice recognized Director Bedwell with a certificate designating him as a *Distinguished West Virginian*.

Director Bedwell has now concluded his honorable 37-year law enforcement career. The members of the Commission and staff wish Charlie the very best in his retirement. In his roles as husband, father, grandfather, and cattle farmer he will no doubt have many busy days ahead.





IN MEMORIAM

Roy Madison Hutchison II

8/21/1951 - 4/12/2021

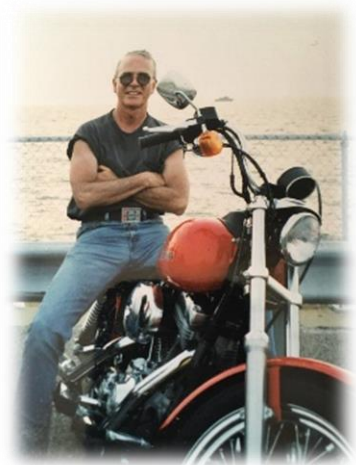
Roy Hutchison passed away at home on April 12, 2021 after a prolonged and courageous fight with illness.

Roy served as an Investigator for the WV Commission on Special Investigations from 2001 to 2015 when his declining health necessitated his retirement. Prior to serving the Commission he proudly served in the United States Army. Roy was assigned to the 57th Military Police Unit at the United States Military Academy at West Point. Following his honorable discharge from the military Roy continued his education and obtained a bachelor's and master's degree.

Roy joined the South Charleston Police Department in 1976 and continued to serve there until his retirement in 2001. During his time with the South Charleston Police Department, he excelled in many specialty areas within the organization. He was a Senior Firearms Instructor and was instrumental in the development of the SCPD SWAT Team. He also contributed to the organization and development of the Charleston Police Department's regional SWAT Academy in 1996. In recognition of his dedication to the mentoring and training of young police officers Roy was called upon to serve as a trainer at the WV State Police Academy frequently. During his career Roy worked as a patrol officer, detective, hostage negotiator, shift supervisor and ultimately retired as a shift commander with the rank of Lieutenant.

Upon his retirement in 2001 Roy joined the staff of the Commission on Special Investigations as an investigator. Roy's professional and sincere demeanor made him a perfect fit and set a measure and tone for those who would follow him. CSI staff greatly benefitted from Roy's years of experience and knowledge, and he was always a pleasure to work with. We often marveled at his positive attitude in the face of adversity. It is not uncommon for others in the law enforcement community to say, "He's the toughest man I know." In reference to Roy, it was a true statement.

Roy had many interests outside of law enforcement. Time with his beloved dogs and motorcycle riding were two of his greatest joys. He would often share stories of his many adventures while on a long-distance ride with friends. He was also the author of several published short stories.



Roy is survived by his wife Susan, daughter Megan, brother David, sister Margaret, stepdaughter Elizabeth and stepson Christopher. The staff of the Commission on Special Investigations will be forever grateful for the professionalism, sincerity, focus, and dedication he demonstrated daily. He made all of us aspire to be better.



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.



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