

INTRODUCTION

We, the members of the 27th County Investigating Grand Jury, having received and reviewed evidence regarding allegations of violations of the Pennsylvania Crimes Code and related laws occurring in Dauphin County and Philadelphia County, Pennsylvania, pursuant to Notice of Submission of Investigation No. 21, do hereby make the following findings of fact and recommendations of charges. We issue this Presentment in furtherance of our ongoing investigation.

FINDINGS OF FACT

This is the third Presentment owing to the undercover investigation spearheaded by the Pennsylvania Office of Attorney General (“OAG”) between 2010 and 2012. Presentment No. 1 recommended charges against Thomasine Tynes, the former President Judge of the Philadelphia Traffic Court, while Presentment No. 5 recommended charges against current Pennsylvania State Representatives Ronald Waters and Vanessa Lowery Brown.

The OAG investigation utilized a Confidential Informant (“CI”) who ultimately recorded 113 separate meetings or conversations with various Pennsylvania state legislators, public officials and other related individuals. Fourteen of those recordings featured Pennsylvania State Representative Louise Williams Bishop, who accepted three cash payments from the CI totaling \$1,500. Nine recordings featured Pennsylvania State Representative Michelle Brownlee, who accepted one cash payment totaling \$2,000. In addition, four recordings featured former Pennsylvania State Representative Harold James, who accepted one payment totaling \$750. The evidence clearly demonstrates that those payments were made because of the representatives’ official positions and their promises to perform official acts on behalf of the CI. Rep. Brownlee

and Mr. James testified before this Grand Jury and forthrightly admitted what they had done. Rep. Bishop appeared before the Grand Jury pursuant to a subpoena, but declined an opportunity to answer questions relating to her relationship with the CI and the allegations contained in this presentment.

REP. LOUISE WILLIAMS BISHOP: THREE PAYMENTS TOTALING \$1,500

Rep. Bishop was first elected to the Pennsylvania House of Representatives in 1988 to represent the 192nd legislative district, which covers West Philadelphia. After being sworn into office in 1989, she has been re-elected thirteen times. Rep. Bishop currently serves as the Democratic chair of the House Children and Youth Committee. Her base salary as a representative currently is \$85,338.65 per year – plus a per diem allowance of \$159 per day.¹

Payment #1: October 25, 2010 - \$500

The CI had long been acquainted with Rep. Bishop and was friends with two of the Representatives' sons, Tabb and Todd. Their first interaction with respect to the undercover investigation came on October 25, 2010, when the CI attended a fundraiser at the Sheet Metal Workers Union in Philadelphia. The two spoke for only two minutes at the fundraiser but agreed to meet the next day at Rep. Bishop's district office in West Philadelphia. At that follow-up meeting, the CI told the Representative that he was representing two New York-based banks and was looking to do a project in her legislative district. He then pledged his support to her because he considered her to be a "friend" and someone he could "talk to" directly. Just three minutes later, the discussion turned to Rep. Bishop's ability to fend off a challenger. She was quite confident: "I'm not bragging, but I'm revered in this area....In my area, I'm the queen." She then added, "I could run city-wide without any difficulty" and that "nobody will ever be able to

¹ Rep. Bishop was identified as "Elected Official C" in the Presentment made against Rep. Ronald Waters and Rep. Vanessa Brown.

beat me.” Nonetheless, when the CI asked her about raising money, Rep. Bishop quickly changed her tone: she might have some difficulty raising money.² The CI asked her what he could do to help her, and Rep. Bishop told him “what is needed and what would secure” her: bringing in a business, such as one of the banks he claimed to represent, to the Lancaster Avenue Redevelopment Corporation (“LARC”) property in which she was involved.³ The CI was not ready to make such a commitment, so he diverted the conversation. Later, the conversation returned to campaign fundraising, and the Representative admitted that she raised nearly \$100,000 in her last campaign but “I spent it as fast as it came in.” The CI told Rep. Bishop that he wanted to make a contribution to her so that she would know that he supported her. He gave \$500 to Rep. Bishop, and promised to increase the “donation” to \$2,000 in the future. In response to being handed this money, Rep. Bishop told the CI, “you tell us how we can, what we can do, and we’ll sit down with you.”

The CI’s next meeting with Rep. Bishop occurred one month later, on November 24, 2010. The CI told Rep. Bishop that one of his fictitious clients was interested in opening a sports bar, and therefore it would be helpful to know representatives on the House Liquor Control Committee regarding the issue of liquor store privatization. Without missing a beat, Rep. Bishop responded, “I don’t serve on it, but there’s nothing that prevents me from getting on it.” The CI asked if she thought that she could do so; Rep. Bishop answered, “All I got to do is ask him for it.” The CI stressed that “it would be helpful to have a friend there” on the Liquor Control Committee. Picking up on this cue, Rep. Bishop replied that she would also see if Elected

² Rep. Bishop explained that her difficulty was only because other politicians were jealous of her and saw her as a threat to run against them.

³ In a later conversation, after the CI mentioned that he represented a client interested in opening a sports bar in Philadelphia, Rep. Bishop again suggested that the client open up such an establishment in the LARC property.

Official F, who was running in a special election to the House, would also want to serve on the Liquor Control Committee. The CI offered to provide assistance to the Representative to get her on the LCC, but Rep. Bishop said that she was confident she could do it herself, but would let the CI know if she needed him to leverage his connections to get her the appointment. The CI was explicit about what he wanted from Rep. Bishop: “What I’m looking to you for is support and guidance to – and be assured of a spot on that committee, so that if we need some help, we’ll have it.” Rep. Bishop agreed and then promised that she “will certainly call” or email Elected Official G that very day about getting on the Liquor Control Committee.

Rep. Bishop then began to strategize about other representatives that they could get to work with the CI. When the conversation turned to Elected Official H, the CI said that he had “no problem helping him, but he’s got to be helpful to us,” and Rep. Bishop agreed. She then provided some inside information on Elected Official H based on her experiences as the chair of a committee on which he served. She then advised the CI that, to gain influence over Elected Official H, the CI should try to develop a relationship with his “Siamese twin,” Elected Official I, who exerted control over Elected Official H and could bring him to the table:

LOUISE BISHOP: So he might be loyal to you based on the fact that –

CI: We have her. Right. I understand.

LOUISE BISHOP: Understand?

CI: Yes.

Rep. Bishop then returned to Elected Official F and said that she would call her the next day to see “[i]f I can entice her to ask for the Liquor Control Committee...and we would be able to deal with her.” The CI reminded Rep. Bishop to tell Elected Official F that they could “help” her and do so “quietly.” Rep. Bishop continued to talk to the CI as if they were a team, using the

pronoun “we” over and over. Indeed, the tables appeared to have turned: Rep. Bishop was the counselor advising the CI on how to secure favorable appointments to the Liquor Control Committee in order to benefit the CI and his fictitious clients. This was precisely the kind of help and support he was paying her to provide.

On November 29, 2010, the CI called Rep. Bishop to check on her progress. The Representative stated that she had “targeted” Elected Official I to talk about the Liquor Control Committee. Rep. Bishop also said that she had been “very lightly” talking “to some of the others telling them that the Liquor Control Committee is gonna be a good committee to look at.” When the CI asked about Elected Official F, the Representative admitted that she had not talked to her yet but “I have her on my list for tomorrow morning.” Rep. Bishop then told the CI that she planned to have a private, face-to-face conversation with Elected Official G in Harrisburg about getting herself on the Liquor Control Committee. She added, “I’ve already had a long talk with him.”

The CI and Rep. Bishop spoke again the next morning, less than 20 hours after their last conversation. Rep. Bishop reported the conversations she had had to advance the CI’s interests. She first told the CI that she had, as promised, spoken with Elected Official F. “She’s definitely going for it and she’s going to move to sit on that committee.” The Representative also mentioned that Elected Official F was going “to be looking to me to help her a great deal.” Rep. Bishop told the CI that she would be meeting with Elected Official F “very soon” to talk about getting on the Liquor Control Committee. She then added that “we” are going to have to give her some information because Elected Official F asked Rep. Bishop details about liquor store privatization. She asked the CI to give her talking points in writing so that she could memorize them to “drive home” on Elected Official F. The CI promised that he would deliver those talking

points in writing the next day. Rep. Bishop next reported to the CI that she had spoken with Elected Official I and “I tried to push her in the direction of Liquor Control.” Finally, the Representative repeated to the CI that she preferred to “cut my deal” with Elected Official G in person and would wait to talk to him in Harrisburg. At the end of their conversation, the CI told Rep. Bishop that “I’ll bring something for you when I come” the next day, a reward for all the work that the Representative had done and promised to do for the CI.

Payment #2: December 1, 2010 - \$500

The very next day, the CI met again with Rep. Bishop at her Philadelphia district office. The CI handed her the written talking points about liquor privatization that the Representative requested so that she could memorize in order to use in discussions with her colleagues. Rep. Bishop also told the CI that, in addition to her chairmanship of the Children & Youth Committee, she had requested to be assigned to only one other committee, the Liquor Control Committee, thereby increasing her odds of getting that assignment, just as the CI had hoped. The CI was pleased: “well that’s going to be helpful.” The two then discussed other representatives already on the Liquor Control Committee and their positions on the privatization issue. The conversation then turned to Elected Official I, and Rep. Bishop said that she told Elected Official I to request the Liquor Control Committee. The Representative then explained to the CI how she would lobby Elected Official I and take her time to convince Elected Official I to get on that committee, which Rep. Bishop called a “money committee.” The Representative then advised the CI that “it would be good for you to talk to her” too. Rep. Bishop also advised the CI on how to deal with – and “neutralize” – the unions who might oppose privatization: “I know how they think.” The CI reminded Rep. Bishop that this plan – stacking the Liquor Control Committee to benefit the CI and his fictitious clients – “will be good for everybody involved.” He then handed

her an envelope with \$500 in it, saying “[t]his is for you in appreciation. Thank you so much for your time.” Rep. Bishop immediately responded by repeating her promise to talk to both Elected Official I and Elected Official F to get them to also request an assignment on the Liquor Control Committee.

The CI and Rep. Bishop next met on December 28, 2010, at a restaurant in Philadelphia. At this fourth meeting, the two had a general discussion, emphasizing the importance of relationships in politics and business. At their fifth meeting, on February 3, 2011, the CI and Rep. Bishop again strategized about the CI’s need to get legislators on the Liquor Control Committee. This discussion was necessary because the committee assignments for the 2011-12 legislative term were out, and Rep. Bishop’s intense lobbying effort for herself and other “like-minded” colleagues (Elected Official H or Elected Official I) to get on the Liquor Control Committee had failed. Rep. Bishop, however, was undeterred. She focused on Elected Official F who was running in the special election. Rep. Bishop promised to talk to Elected Official G to get Elected Official F on the Liquor Control Committee. The CI asked if a donation to Elected Official G would help to make that happen; Rep. Bishop not only said that it would, but that she would personally deliver any donation to Elected Official G.

Shortly after Rep. Bishop told the CI that “you always have such good ideas” and referred to him as a partner, she confided that Rep. Michelle Brownlee had asked who the CI was. Rep. Bishop said that she had told her colleague that the CI was “a friend of mine and I was anticipating doing some business with you. Cause I was really gonna try to set her up. And I said, ‘I told him to talk with you.’” Rep. Brownlee responded by telling Rep. Bishop that she thought the CI was an informer. The CI explained why he thought Rep. Brownlee might say that about him, but denied that he became an informant after his arrest:

LOUISE BISHOP: And I'm glad that I asked you because at least I know there's nothing there.

CI: Louise, you know I have nothing to hide from you. I mean Jesus Christ. You know.

LOUISE BISHOP: I didn't think so, I didn't think so, but I have to be myself.

CI: Of course. Of course.

LOUISE BISHOP: I actually had to put her where I didn't want to put her. But I had no choice.

CI: What happened?

LOUISE BISHOP: When you tell me what you tell me –

CI: Oh well.

LOUISE BISHOP: I have to put her in the place of a liar because she told me something different.

Rep. Bishop commented further on her colleague's reluctance to deal with the CI: "If that's her attitude, she won't raise any money. She won't be there." Rep. Bishop added, "she'll learn."

Toward the end of the meeting, the CI made clear the nature of their relationship – that he will "help anyone who helps us" – and Rep. Bishop agreed. The Representative then recommended that the CI work with Elected Official I because Elected Official I "will be something like me: when she can help you, she'll help you." Rep. Bishop and the CI then agreed to keep "our little group" "together."

On February 3, 2010, the CI called Rep. Bishop to convey the news that Elected Official F had won the special election to the House. Rep. Bishop was obviously happy to hear this news – "Oh great!" – and agreed once again to talk to Elected Official F about requesting to be on the Liquor Control Committee for the CI.

In another meeting on March 17, 2011, the CI and Rep. Bishop again discussed the pending legislation to privatize the state liquor stores. Rep. Bishop shared with the CI that she

thought that “it’s going to be a tight vote,” and therefore he should still try to get as much support as he could. Rep. Bishop specifically pointed to Elected Official I, who Rep. Bishop said “would be good to have” – “if you need it, you got a vote.” As they continued to discuss liquor privatization, the CI told Rep. Bishop that his strength is recognizing where he “can help” on an issue – and, without missing a beat, Rep. Bishop interjected, “and how.” At the end of their meeting, the CI told the Representative that he wanted to see if she would be interested in sitting on the board of a non-profit that he was thinking of setting up. He thought of Rep. Bishop because “I’m going to take care of the folks who take care of me, you see?” Rep. Bishop answered in the affirmative.

Payment #3: March 24, 2011 - \$500

In their eighth and final face-to-face meeting, the CI and Rep. Bishop met at a restaurant in Philadelphia. Mere minutes into the meeting, the CI handed \$500 to Rep. Bishop:

CI: That’s five hundred for you, okay? Right there.

LOUISE BISHOP: That’s a great help.

CI: You’re welcome.

LOUISE BISHOP: That’s a biggie.

CI: You’re welcome, dear.

LOUISE BISHOP: Huh?

CI: You’re welcome.

LOUISE BISHOP: I really appreciate that.

CI: Sure. Anything you need, you know I will always support it.

LOUISE BISHOP: Well, I am delighted that I have you as a friend.

Seconds after taking the third \$500 payment, Rep. Bishop told the CI that he would be fine with Rep. Michelle Brownlee, despite her earlier belief that the CI might have been an informant.⁴ Rep. Bishop then said that “[y]ou’re going to be all right with Brown, with Lowery, too. That’s, ah, Vanessa Lowery Brown.” The Representative then counseled the CI to reach out to Elected Official I because, like Rep. Bishop, Elected Official I also was a committee chair: “What we do for you sometimes has to be under the table cause they’ll take our committees away.” Rep. Bishop added that Elected Official I, “pretty much like me,” may not “commit to you, but she will work for you.” The CI then told Rep. Bishop that he was looking at the House calendar and already saw a couple of things that were going to be important to him:

CI: So I’ll let you know.

LOUISE BISHOP: Okay.

CI: I’ll let you know.

LOUISE BISHOP: Okay.

One minute later, the CI told Rep. Bishop that he believed that he would be able to have more of an impact by the end of the year. The Representative remarked, “[b]y the end of this year, you will have built your stable.” She then expressly included herself within that group.

At the end of the meeting, the CI and Rep. Bishop discussed the Representative’s non-profit, Operation Hope, and the CI told her that “if you need something to put in there, that you have control over it so that you can get it, I’ll take care of it for you.” Rep. Bishop was appreciative of the offer: “Okay. That’s good to know.”

⁴ Later in the meeting, Rep. Bishop again told the CI that “I think Brownlee will be all right with you. She was hesitant at first, but I think Brownlee’s going to be okay.” In her testimony to the Grand Jury, Rep. Brownlee denied directly telling this to Rep. Bishop, but acknowledged that one of her closest political advisors, who had a long history with Rep. Bishop, may have made such statements to Rep. Bishop.

The CI's final contact with Rep. Bishop in the course of the 2010-2012 OAG undercover investigation was a telephone call on June 22, 2011. After Rep. Bishop told the CI that the voter identification bill would be passed because the votes in favor were there, the CI said that he just needed to be "able to count on my friends" to oppose the bill. Moreover, he told Rep. Bishop, "as long as you continue to support us, you know I am there for you." Rep. Bishop responded, "all right." She then confirmed that he wanted a no vote on the bill. After he answered "absolutely, absolutely," Rep. Bishop parroted her benefactor's words: "Okay. Absolutely. Absolutely." She then said it would be "no problem" to vote as he wanted on the voter identification bill.

On March 16, 2014, the Philadelphia *Inquirer* published an article regarding the OAG investigation and Rep. Bishop's receipt of three payments totaling \$1,500. When interviewed by the *Inquirer* reporters, Rep. Bishop denied ever meeting or taking money from the CI. According to the *Inquirer* report of the interview, Bishop said, "I wish I could help you. Never met him. Never had any dealings with him at all." She added, "I really don't know who he is." The evidence presented to the Grand Jury makes it abundantly clear that Rep. Bishop was trying to cover up her true relationship with the CI.

In addition, the Grand Jury heard testimony from a credible witness regarding Rep. Bishop's conduct and comments after the *Inquirer* article was published. This witness – a colleague of Rep. Bishop in the Pennsylvania General Assembly – testified that Rep. Bishop called the colleague and invited the colleague to meet with the Representative in her Harrisburg office. When the colleague arrived for the meeting, Rep. Bishop began pulling out various documents, and told the colleague that she was doing so in an effort to concoct a cover story for

the Representative's numerous meetings with the CI and the three payments she took from the CI. Rep. Bishop then advised her colleague to come up with a cover story as well.

Rep. Bishop Was Offered the Opportunity to Speak Before The Grand Jury

Rep. Louise Bishop was subpoenaed to appear and testify before this Grand Jury. She was asked about her relationship with the CI and her acceptance of three cash payments of \$500 each, totaling \$1,500, as well as her performance of official actions in return for his payments. These official actions included contacting her colleagues – and party leaders – in an effort to help the CI put friendly legislators on the House Liquor Control Committee. She was also asked about her failure to record any of the three payments either on her statements of financial interests or in her campaign finance reports. Unlike Judge Thomasine Tynes, Rep. Ronald Waters, Rep. Vanessa Brown, and, as detailed below, Rep. Michelle Brownlee and former Rep. Harold James, State Representative Louise Bishop declined to answer these questions.

REP. MICHELLE BROWNLEE: ONE PAYMENT TOTALING \$2,000

Rep. Brownlee was first elected to the Pennsylvania House of Representatives in 2010 to represent the 195th legislative district in Philadelphia. Before her election, she had worked for her predecessor for 35 years, becoming his Chief of Staff in the mid 1990s. After being elected to the seat and sworn into office in January 2011, Rep. Brownlee has been re-elected two times. Her base salary as a representative currently is \$85,338.65 per year – plus a per diem allowance of \$159 per day.

During an early proffer session with attorneys and agents from the OAG in 2010, the CI mentioned that he thought he could get access to Michelle Brownlee, who was then the Chief of Staff for Elected Official J and campaigning for the House seat she currently holds, through a

Philadelphia political operative with whom he was friends. The CI knew that the operative was friends with Rep. Brownlee's brother and also knew the Representative herself. Rep. Brownlee, in fact, testified that the operative had even attended a cookout at her house during the Summer of 2010. The CI also had heard that Rep. Brownlee was seeking funds for her campaign. Thus, the plan was to have the CI contact the operative and, through him, Rep. Brownlee.

On October 14, 2010, the CI met with the operative and an individual who ultimately became a senior staffer for Rep. Brownlee. During the meeting, the operative told the CI that Rep. Brownlee expressed concern about the CI because of his theft arrest by the OAG. The staffer, however, agreed to work with the CI regardless of his status, and promised that the CI's financial support of Rep. Brownlee would not go without rewards. The CI ultimately spoke directly with Rep. Brownlee, who again expressed reservations about his status. It soon became clear that the Representative was reluctant to take money from the CI. Consequently, the CI did not have any contact with Rep. Brownlee – until one of her closest political advisors encouraged her to meet with the CI.

That meeting occurred at a restaurant in Philadelphia on March 17, 2011, two months after she had been sworn in as a representative. Initially, the CI was with only the advisor, and told the advisor that he just wanted “a fair shot at an audience” with Rep. Brownlee if a vote came up on which the CI needed help. The advisor then told the CI that “the way she put it to me, you just got off on the wrong foot” but “it's not about you.” Rep. Brownlee testified that she was initially reluctant to deal with the CI because she was told by a member of Elected Official J's office that the CI was acting as an informant after his arrest. However, her advisor strongly encouraged her to meet with the CI. The advisor told Rep. Brownlee that the CI was a legitimate lobbyist, had his picture on the wall at the Palm restaurant in Philadelphia, and could help either

her campaign with money or her district with development projects. Due to the advisor's persuasion, she agreed to meet with the CI.

During the meeting, the CI told Rep. Brownlee that he was a lobbyist and wanted to be able to at least call the Representative if something came up in which his clients had a vested interest – he just wanted a “fair shake.” Rep. Brownlee asked what his clients had a vested interest in, and the CI told her. One of the issues involved the Public Utility Commission, and the CI said that once he learned what his client wanted to do, he would like to sit down with the Representative, to which she responded, “no problem.” Later in the conversation, the CI remarked that he was glad that they were meeting because he wanted to build a relationship with people he could count on, and Rep. Brownlee agreed. While discussing another of his issues – liquor privatization – the CI stressed his intent to build a relationship with the Representative so that he could “pick up the phone and get your ideas” so he could then “prepare a plan that works.” He then mentioned that he was working on the top three priority programs for Pennsylvania in terms of economic development, and that her district had economic challenges. Rep. Brownlee replied that he brought that challenge up at the right time and commented to her advisor, “he knows what he’s doing.” The CI then told Rep. Brownlee, “just like we’re asking for your ear when we have a concern – we just ask you to listen. I have an ear too,” and encouraged her to tell him what she needed or wanted. Toward the end of the meeting, the CI brought up the Marcellus Shale issue, and Rep. Brownlee initially disagreed with his position. But when he asked if she would be willing to listen a bit closer to what he said about the issue at some later point, she said yes.

On March 24, 2011, one week after the CI's meeting with Rep. Brownlee, the CI met with Rep. Bishop. This meeting is detailed above, but it bears repeating that, in her conversation

with the CI, Rep. Bishop told him that she believed that “Brownlee’s going to be okay.” Rep. Brownlee testified that she believes that her advisor – the same one who set up the meeting with the CI – also told Rep. Bishop that Rep. Brownlee would be willing to meet and work with the CI. Rep. Brownlee also testified that, after her breakfast meeting with the CI, she researched him in the lobbyist database to which House members have access. After seeing his name and picture included there, she also found him on the Pennsylvania Department of State website for lobbyists. Additionally, she occasionally saw him in the Pennsylvania Capitol complex wearing a lobbyist badge. Rep. Brownlee’s research and observations corroborated her advisor’s recommendation of the CI and bolstered her opinion of the CI and his legitimacy.

At the same time that Rep. Brownlee was checking into the CI’s legitimacy as a lobbyist, Rep. Vanessa Brown asked Rep. Brownlee to dinner at the Golden Sheaf restaurant in Harrisburg. When Rep. Brownlee arrived, she saw that Rep. Brown was sitting with the CI. Rep. Brown came over and greeted Rep. Brownlee, and said that they would be dining with the CI, who Rep. Brown said was “a good guy” and a lobbyist. This dinner with Rep. Brown lent further credibility to the CI in Rep. Brownlee’s mind, and led her to the decision to take an illegal payment from him.

Payment #1: June 15, 2011 - \$2,000

On the night of June 15, 2011, the CI ran into Rep. Brownlee in Harrisburg while they were both out. During their conversation, the CI asked the Representative if she needed anything. Rep. Brownlee responded that she did not have much money in her campaign account, and therefore she could use some money. They agreed on an amount that she would take from the CI: \$2,000. The CI then left to notify the OAG agent with whom he worked so that he could

obtain funds. The CI then called Rep. Brownlee to see where she was so he could meet her and deliver the money:

CI: I got the two for you, is that enough?

MICHELLE BROWNLEE: Yeah, for right now. Yeah.

CI: Okay.

MICHELLE BROWNLEE: Yeah.

CI: Uh –

MICHELLE BROWNLEE: That's good.

Ten minutes later, the CI met with Rep. Brownlee in front of a restaurant. The CI asked the Representative to take a walk with him, and immediately told her that he “brought your money for you.” Rep. Brownlee responded, “okay.” As they walked down the street to obtain privacy, Rep. Brownlee mentioned to the CI that one of her House committees needed to move an unemployment compensation bill the next day. Immediately thereafter, the CI handed \$2,000 wrapped in a napkin to Rep. Brownlee, saying, “[t]here's \$2,000 in there.” Rep. Brownlee again responded, “okay.” On their walk back to the restaurant, where they would be meeting up with Elected Official F, the CI asked Rep. Brownlee if he could help her raise \$10,000 for her campaign, and the Representative agreed that that amount of money would be helpful to her. The CI then joined Rep. Brownlee and Elected Official F for dinner. Thirty minutes after she was paid \$2,000, Rep. Brownlee asked the CI if he or his clients would have any interest in the unemployment compensation bill she had referenced earlier that her committee would be passing the next day. The CI said that he might have in the past, but right then his main three issues were Marcellus Shale, liquor privatization, and House Bill 934, the voter identification bill.

One week after the payment, on June 22, 2011, the CI called Rep. Brownlee and asked how they made out with H.B. 934 that day. Rep. Brownlee informed the CI that “they didn’t bring it” and that the House was done for the day. The CI responded, “I just wanted to call and tell you thanks so much for your support.”

On July 22, 2011, the CI and Rep. Brownlee had their final meeting, which occurred at Rep. Brownlee’s district office in Philadelphia. Shortly after their meeting began, Rep. Brownlee offered to give the CI a copy of a draft legislation in which he expressed interest. The CI told her that it “would be very helpful to us.” Ten minutes later, they were discussing another politician when Rep. Brownlee said that she had to focus on raising her own money. The CI asked how much she raised for her last campaign, and the Representative responded that she had raised \$60,000. She then said that her goal for her next campaign was to raise \$100,000. The CI asked Rep. Brownlee what “level of commitment” she would want from him:

MICHELLE BROWNLEE: What I’m looking at is you can help me raise about 25 to 30 percent of that.

CI: 25 to 30 grand?

MICHELLE BROWNLEE: Um-hmm.

A few minutes later, the CI asked Rep. Brownlee how she saw his group benefiting from their relationship. The Representative responded that there were some things that they could come together on when their interests were in common. She then stated that, while she knew she had to raise money, she had to vote according to her district’s interests. She then added, “I could vote any freaking way I want to vote” if it was an issue that did not directly affect her constituents. The CI then said that he wanted to be in a position with Rep. Brownlee where he could have input on legislation, and the Representative repeated that she was giving him a draft of the legislation in which he expressed interest. She stated that she was giving the draft to only

one other group who had given her money – “I’m going to people who support me” – but she would not give it to groups that did not give her money.

Rep. Brownlee then invited the CI into the position that he wanted – to have input on legislation: “I’m giving it to you...to look at, do what you all do, amendments, suggestions, however it’s going to work.” She then said that she would go to the bill sponsor with any suggestions that the CI gave her – and that if the sponsor did not incorporate those suggestions, she would put up an amendment to the bill. Thus, in their first face-to-face meeting after the CI gave her \$2,000, Rep. Brownlee offered him the kind of special treatment he had paid for: to take any suggestions the CI gave her and to put them into the bill or propose an amendment.

At the end of the meeting, the CI asked Rep. Brownlee, “where do we go from here?” Rep. Brownlee told him, “take a look at that” draft legislation and “get back to me.” As Rep. Brownlee admitted in her Grand Jury testimony, her relationship with the CI obviously had changed due to her acceptance of money from the CI and the strings that everyone knew were attached to that money.

Rep. Brownlee Admitted She Broke The Law

Rep. Michelle Brownlee appeared before the Grand Jury and testified about her relationship with the CI. She admitted that she accepted one payment from the CI totaling \$2,000. She also admitted that, at the very least, she promised to take official action on his behalf (*i.e.*, incorporate his suggestions into legislation or propose an amendment) because he had paid her money, with the hope that her promise would lead to future offers of money by the CI. She further admitted that she knew what she was doing was wrong, and that she knew that there would be strings attached to the money she accepted. Thus, Rep. Brownlee corroborated the evidence contained on the recordings. Finally, Rep. Brownlee admitted that she failed to

disclose the \$2,000 payment she accepted from the CI in any statement of financial interests or campaign finance reports.

FORMER STATE REP. HAROLD JAMES: ONE PAYMENT TOTALING \$750

Harold James had previously been the State Representative for the 186th legislative district from 1989 until 2008, when he lost in the Democratic primary. After his successor then gave up the seat to run for Philadelphia City Council, Rep. James ran in a special election to hold the seat for the duration of the legislative term, until the winner of the general election was sworn into office in January 2013. The special election was scheduled for April 24, 2012.

The CI knew Rep. James and had prior contacts and interactions with him before the OAG investigation began. In fact, during initial proffer sessions conducted by OAG attorneys and agents following the CI's arrest, he identified Rep. James as being one of the individuals he believed to be involved in illegal political corruption activities. Over the course of the OAG's two-year investigation, the CI had limited contact with Rep. James when they would encounter each other at various fundraisers and other political events that the CI attended.

On April 20, 2012, the CI ran into Rep. James in Philadelphia. Rep. James informed the CI that he was running in the special election, and therefore was looking to raise some money in the days leading up to the election. That evening, the CI called Rep. James and asked him how much money Rep. James would need. The Representative answered, "whatever I can get. I'm just like scrounging around now, but if somebody can give me a few, I'd appreciate it." The CI asked if \$500 would help; Rep. James responded, "Yes indeed it would help." He explained that, with \$500, he could pay five workers for the special election. After agreeing to meet two days later, the CI asked Rep. James who the money was for – him or another candidate running in the

primary. The Representative replied that “all of it” was for him. The CI then made clear that there were strings attached to the payment:

CI: So you’re going to be the rep up there for the next six months, right?

HAROLD JAMES: That’s right.

CI: All right. Well, you know, brother, we might be needing your help.

HAROLD JAMES: That’s right.

CI: You know? Can we count on you?

HAROLD JAMES: Yes.

CI: All right. All right. I’ll let my folks know.

HAROLD JAMES: Okay.

CI: Thank you very much, Harold.

When the CI met with Rep. James on April 22, 2012, as scheduled, the CI attempted to pass \$500 cash to the Representative. Rep. James declined the cash, but told the CI to bring him a money order instead, which the CI agreed to do. After leaving the restaurant, the CI called Rep. James and asked how much he wanted the money order for; Rep. James asked for either \$700 or \$750. The CI again made clear that he was giving Rep. James the money only “because I’m going to need you later” and “because, you know, we work together.” Rep. James did not object in any way to these conditions. In fact, he suggested that the two meet the following week once Rep. James had won the election.

The two then set up another meeting that afternoon for the delivery of the money orders at a parking lot on Delaware Avenue in Philadelphia. When the CI walked up to Rep. James’ car, he leaned in and handed the money orders to the Representative:

CI: Here’s two of them. One’s for six hundred, one’s for one fifty.

HAROLD JAMES: Oh, great.

CI: You can make it out however you need to.⁵

HAROLD JAMES: Okay.

CI: All right?

HAROLD JAMES: Thank you. I appreciate it, man.

CI: I'll be in touch.

HAROLD JAMES: You're on the ball man.

After Rep. James won the special election, he called the CI on May 2, 2012, to personally invite him to attend the Representative's swearing-in ceremony. Rep. James also called the CI on June 2, 2012, to invite him to a fundraising party that evening. Rep. James told the CI that the Representative was looking to raise \$5,000.

Then, on October 15, 2012, Rep. James called the CI again. By this point, the CI was no longer using the same phone number that he had given Rep. James six months earlier, so Rep. James had to call another individual to obtain the CI's personal cell phone number. In this conversation, Rep. James told the CI that he had been trying to get in touch with him because he only had six more weeks in office, and actually asked the CI if there was anything that the CI needed while Rep. James was still in a position of power. Clearly, Rep. James knew that there were strings attached to the money he was given, and intended to maintain the corrupt relationship by performing official acts while still the state representative for the 186th legislative district. In fact, he was asking for "the ask."

⁵ The CI and OAG agent left the payee line blank so that Rep. James would be free to make out the money order to whomever he wanted – himself or anyone else.

Rep. James Admitted He Broke The Law

Rep. Harold James appeared before the Grand Jury and testified about his relationship with the CI. He admitted that he accepted one payment from the CI totaling \$750. He also admitted he not only agreed to “work together” with the CI, but that he had contacted the CI toward the end of his term to see if the CI wanted him to take any official action on the CI’s behalf. Rep. James further admitted that he did not make a similar phone call to other persons who donated to his special election campaign and with whom he did not have a quid pro quo relationship. Thus, Rep. James corroborated the evidence contained on the recordings. Finally, Rep. James admitted that, although he disclosed the \$750 payment he accepted from the CI in his campaign finance report for 2012, such disclosure did not mean that he did not agree to tie that donation to official action he would perform for the CI.