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Strategies for Increasing and Improving Public Corruption Prosecutions: The Task Force Model

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Strategies for Increasing and Improving Public Corruption Prosecutions

The Task Force Model

No. 6: August, 2016

Without a doubt, public corruption is the sort of crime that prosecutors and investigators everywhere would like to vigorously pursue. With the limited resources available to most of these offices and competing mandates to fight many other sorts of crime, however, how can offices expand their ability to do more corruption cases? One solution can be found in banding together as a task force. This brief provides examples of task forces around the country that could serve as models for an office or a jurisdiction looking to improve their capabilities to fight corruption effectively and efficiently.

Original CAPI Publication:

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CAPI would like to thank Mary Prager, Columbia University J.D./M.B.A Candidate, Class of 2017, for her assistance in researching this brief.

Benefits (and Drawbacks) to the Task Force Model

Generally speaking, task forces are a way to more efficiently use resources and expertise toward a common goal. Most are formed in the wake of some sort of scandal, when the need for a better law enforcement response to corruption captures the attention of both the public and government officials. Task forces result in a more coordinated response from what might otherwise be disconnected offices, and leads to greater expertise in doing these cases than would otherwise develop. There may be improvements in responsiveness to complaints, and greater deterrence to those officials who see the activities of the task force and think twice about engaging in questionable conduct.

On the other hand, it is sometimes the case that the greater the number of involved entities, the less nimble a law enforcement response can be. There is also the issue of who, in a task force setting, has the ultimate say in setting strategy and making the final calls about the direction of investigations and charging decisions.

Categories of Task Forces

Public Corruption Task Forces fall into three general categories based on their composition. The following task forces are discussed in this brief.

Federal Agencies Only:

Connecticut Public Corruption Task Force

State and Federal Partnership:

Rockland County, New York Public Corruption Task Force | Detroit Public Corruption Task Force
| San Francisco Public Corruption Task Force | Philadelphia Corruption Prosecution Task Force

State Agencies Only:

New York State Joint Task Force on Public Integrity | Miami-Dade, Florida Public Corruption Task Force

Federal Agencies Only

Connecticut Public Corruption Task Force

Composition: Started in February 2015, participants in this effort include the U.S. Attorney's Office for the District of Connecticut, the Federal Bureau of Investigation, the U.S. Department of Housing and Urban Development, the U.S. Department of Health and Human Services, the Internal Revenue Service's Criminal Investigations Division, and the U.S. Postal Inspection Service. Each office provides dedicated members to pursue leads and bring cases as a team.

Focus: After many high-profile corruption cases in Connecticut involving elected officials, the task force decided to focus its initial energies on lower-level officials and employees, looking for any fraud or theft related to public funds or government officials or employees.

Unique Attributes: The unique aspects of this task force are the federal-only scope, and the inclusion of agencies not often thought of as being at the forefront of anticorruption work – HUD, HHS, and Postal. State and local agencies are brought in on an as-needed basis, but given that Connecticut's lack of a standing grand jury at the state level (and thus the lack of subpoena power) makes it very difficult to bring corruption cases in the state system, it was believed that state and local offices would not want to devote ongoing resources to the project.

The inclusion of HUD, HHS and Postal adds expertise in important areas not typically covered by FBI and the U.S. Attorney's Office. Because the agents from these agencies sit in their own offices and not a separate task force office, they are able to work seamlessly on non-task force matters when task force work does not require them, which eases the resource burden on their agencies. The integration of these agents into the task force has also improved communications among the agencies in non-corruption cases, which can be an unexpected and welcome benefit.

State and Federal Partnership

Four task forces doing meaningful corruption work that fall into this category are those in San Francisco, Rockland County, New York, Detroit, and Philadelphia.

San Francisco Public Corruption Task Force

Composition: The San Francisco Public Corruption Task Force is a partnership between the FBI and the San Francisco District Attorney's Office that was formed in 2016 following a series of bribery charges against political insiders tied to the mayor.

Activities: The task force already has been active, [investigating](#) Alameda County deputies in relation to an incident where two deputies beat a man at the end of a high-speed car chase, and [charging](#) sheriff's deputies for allegedly running a prison fight club.

Unique Attribute: It is uncommon for a task force to include the FBI but not federal prosecutors. This might mean that the San Francisco effort is less about consolidating resources among numerous offices and more about the San Francisco DA enlisting a more powerful investigatory body to do these cases than he previously had at his disposal. Either way, it is a positive sign to see local prosecutors bringing corruption cases in state court as they are doing in San Francisco

Rockland County, New York Public Corruption Task Force

Composition: This task force, formed in 2015, includes the Rockland County District Attorney's Office, the FBI, and the U.S. Attorney's Office of the Southern District of New York.

Focus: The task force has been active, making cases against elected officials in the Rockland area. For example, [charges were brought](#) against Christopher St. Lawrence, an elected town supervisor, and another individual, over a massive securities fraud scheme tied to municipal bonds issued based on false financial information, believed to be the first case of its kind in the nation.

Unique Attribute: This task force focuses specifically on one, relatively small, area – Rockland County – where the District Attorney, Tom Zugibe, showed a willingness to do corruption cases and to partner with federal authorities to bring them.

Detroit Public Corruption Task Force

Composition: Formed in 2012, the Detroit model includes the FBI, the U.S. Attorney's Office for the Eastern District of Michigan, the Michigan Attorney General, the Criminal Investigative Divisions of the IRS and the Environmental Protection Agency, the Offices of Inspector General of HUD and the Department of Transportation, and the Detroit Police Department.

Activities: The task force has brought a number of corruption cases, including cases against [police](#) officers, [court personnel](#), and [school board](#) members.

Unique Attributes: This is a large task force in terms of the number of offices involved, and a large group sometimes can be unwieldy. To the credit of the participants, however, the task force has brought cases in both federal court and state court and not just in federal court, which while typically part of the plan with respect to federal/state enterprises, is not as common in practice.

Philadelphia Corruption Prosecution Task Force

Composition: Philadelphia's task force was created in 2011 and includes the U.S. Attorney's Office for the Eastern District of Pennsylvania, the Attorney General of the Commonwealth of Pennsylvania, the Philadelphia District Attorney, the Philadelphia Police Department, and the Philadelphia Office of Inspector General.

Focus: The Philadelphia task force has brought a wide range of matters, all focusing on government employees or elected officials who are stealing or otherwise diminishing public funds. Some of the successes have included [charges against a state representative](#) and his sister for hiring ghost employees in order to funnel money to the sister, [charges](#) of bribing a health inspector, [charges](#) against a Department of Human Services social worker services manager for submitting fraudulent overtime expenses and stealing transit fare tokens, and [charges](#) against a former court supervisor for stealing thousands of dollars in bail funds from the city prison system.

Unique Attributes: The Philadelphia task force is the only model to incorporate its Inspector General's Office, which is a boon for the task force as that office's entire focus is on identifying, preventing, and investigating corruption in the city. Other cities with Inspectors General who are considering participating in a corruption task force would be well served to follow Philadelphia's lead and include the Inspector General in the effort.

State Agencies Only

[New York State Joint Task Force on Public Integrity](#)

Composition: A [public corruption task force](#) in New York between the New York State Attorney General's Office and the New York State Comptroller's Office specifically looks to leverage leads gained from audits to bring cases. It was formed by [Executive Order](#).

Unique Attributes: This task force is unique in that it has routinely gone outside of its membership to partner with other investigative entities – such as the New York City Department of Investigation, the New York State Department of Financial Services, and the New York State Department of Taxation and Finance – in particular cases. Cases of note have involved a [\\$9 million theft and kickback scheme](#) involving the head of a major nonprofit organization and others, and a [theft](#) of NY state pension benefits.

[Miami-Dade County, Florida Public Corruption Task Force](#)

Composition: This group includes the Miami-Dade State Attorney's Office, Miami-Dade Police Department, Miami-Dade Schools Police, and detectives from Miami and Miami Beach, and was created a year after the police anti-corruption unit of Miami-Dade police was gutted due to a budget crunch. The task force has also [collaborated](#) with the local ethics commission in a failed state corruption probe into the Opa-Locka Commissioner and Miami Lakes mayor, and [helped the U.S. attorney](#) for the Southern District of Florida investigate and convict a former police officer for wire fraud.

Activities: In addition to the above, the task force was involved in arresting a [Miami buildings inspector](#) for bribery and unlawful compensation in the form of payoffs in exchange for help with permits.

Key Takeaways

If you are considering forming a public corruption task force, here are a few things to keep in mind.

Composition: Think about what entities you want to participate, and whether you want to formalize the group through a MOU or have a less formal arrangement, understanding that less formal arrangements may lack teeth if offices want to pull back resources later on. Some possible agencies worth considering are a local or state Inspector General's Office, the state Attorney General, the local District Attorney, the FBI, the U.S. Attorney's Office, and more specialized agencies, depending on what kind of work you want the task force to do.

Establish a Focus: It makes sense to think about what kinds of cases the task force will tackle at the outset. For example, do you want to seek out the big fish, like corrupt elected officials? Do you want to cast a wider net for lower level employees? Do you want to focus on a particular area, like health care fraud, or procurement fraud? To do this, you should consider the particular corruption problems your area is having and the expertise that will be available to your task force. Then you should develop an area of emphasis that you publicize when launching the task force. This will help to make a greater impact in the public's mind – which of course helps with general deterrence – and will help to justify the existence and continuation of the task force, as you are able to point to successes with the identified mission down the road. Once a focus is decided upon, you should compose your task force in part according to what specialized help you need. For example, if health care fraud is a desired focus, the inclusion of any relevant bodies that handle Medicare/Medicaid fraud will be extremely helpful.

Launch with Purpose: As mentioned above, a dedicated focus will help with measuring success and making a splash when you announce the task force. Consider utilizing some common tools that can be announced at the launch to increase impact, such as the creation of a hotline for citizen complaints. Also consider using the opportunity of the task force launch to propose related legislation or other ethics/anticorruption reforms that will aid your law enforcement-related efforts.

Conclusion

If you are looking for ways to leverage resources to better attack public corruption, you should consider some sort of Task Force approach to collaboration with your fellow anti-corruption practitioners.



This publication is part of an ongoing series of contributions from practitioners, policymakers, and civil society leaders in the public integrity community. If you have expertise you would like to share, please contact us at CAPI@law.columbia.edu.

The series is made possible thanks to the generous support of the Laura and John Arnold Foundation. The views expressed here are solely those of the author and do not necessarily represent the views of the author's organization or affiliations, the Center for the Advancement of Public Integrity, Columbia Law School, or the Laura and John Arnold Foundation.

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