

Columbia Law School

## Scholarship Archive

---

Center for the Advancement of Public Integrity  
(Inactive)

Research Centers & Programs

---

2015

### Profile in Public Integrity: John Hyland, Jr.

Center for the Advancement of Public Integrity

Follow this and additional works at: [https://scholarship.law.columbia.edu/public\\_integrity](https://scholarship.law.columbia.edu/public_integrity)



Part of the Law Commons

---

## Profiles in Public Integrity: John Hyland, Jr.

*John Hyland has been a Senior Legal Advisor with the Asset Forfeiture and Money Laundering Section (AFMLS) of the U.S. Department of Justice since 1992. His duties include reviewing money laundering prosecution memoranda and indictments, consulting with attorneys and special agents about asset forfeiture and money laundering cases investigations and indictments, representing the Criminal Division at agency undercover case reviews, helping analyze evidence of financial crimes, and lecturing on asset forfeiture and money laundering topics. Previously, Mr. Hyland worked in private practice in the Washington area for 12 years. He also served as an assistant U.S. attorney for the District of Maryland and as a prosecutor for the DOJ Tax Division. Mr. Hyland is a graduate of Harvard College and the Georgetown University Law Center. He is licensed to practice in the District of Columbia and Maryland.*



COLUMBIA LAW SCHOOL  
JEROME GREENE HALL  
435 WEST 116TH STREET  
NEW YORK, NEW YORK 10027  
(212) 854-6186  
[WWW.LAW.COLUMBIA.EDU/CAPI](http://WWW.LAW.COLUMBIA.EDU/CAPI)

**You began your career at Department of Justice’s Tax Division and as an Assistant United States Attorney for the District of Maryland. How did this work prepare you for your position at the Department of Justice Asset Forfeiture and Money Laundering Section (AFMLS)?**

Starting in 1974, in my first two positions in the U.S. Department of Justice—trial attorney in the Criminal Section, Tax Division and Assistant U.S. Attorney for the District of Maryland—I was assigned a number of federal criminal tax investigations/prosecutions. Over the years, I was fortunate to work with IRS Special and Revenue Agents who excelled at document analysis at a time when computers had not yet become important in criminal financial work.

In the middle of my career, I went into private practice for a dozen years and continued to do criminal tax and financial work from the defense perspective. I also worked on a lengthy federal criminal antitrust investigation.

After my time in the private sector, I had the opportunity in July, 1992 to join the new Money Laundering Section of the Criminal Division of the USDOJ. Again, I had a full load of federal criminal financial work. The chief at that time viewed that my criminal tax background would match up with the demands of this new section. Since I had previously prosecuted cases around the country and been an AUSA, I was comfortable communicating with prosecutors about their money laundering cases. I helped prosecutors troubleshoot problems in their cases and did a weekly summary of recently indicted money laundering cases.

After a few years, the Money Laundering Section evolved into the Asset Forfeiture and Money Laundering Section (AFMLS), where I continue today as a Senior Legal Advisor in the Financial Intelligence Unit. In that capacity, I also work with the federal law enforcement agencies on their undercover review process. About a dozen years ago, I also became a member of a law enforcement faculty which teaches a Financial Investigations Seminar to prosecutors, agents and analysts.

**In recent years, DOJ AFMLS has ramped up enforcement through programs like the Kleptocracy Asset Recovery Initiative. How has your work evolved as your department has targeted more high-profile forfeitures?**

The international problem of corruption by leaders of foreign countries has been around for a long time. Until recently, the United States did not have laws aimed directly at foreign corruption. Over time, Congress did pass a number of new laws which enabled USDOJ to effectively work these cases. When USDOJ is successful now, in doing forfeiture cases involving assets looted from foreign countries, those assets are ultimately returned to the victim countries. A number of AFMLS attorneys in the International Unit of AFMLS work tirelessly on this Kleptocracy initiative under the direction of Assistant Deputy Chief Dan Claman.

**Money laundering schemes are becoming increasingly sophisticated as new technologies and globalizing markets create new channels to conceal misconduct. How are you and your colleagues adapting to these new realities?**

Criminals are among the very first people to recognize the value of new and emerging technologies: pagers, cellular phones, smart phones, computers with ever more sophisticated software, and new payment methods, such as stored value cards and Bitcoins. When I started out, it frequently took a team of experienced agents more than six months to analyze financial documents after they had been obtained from banks, for example. Now, with the use of specialized software, some of which was developed for the private sector, one young agent who knows how to use that software can complete that same analysis by himself in a matter of several days.

Criminal organizations today frequently span multiple countries when they commit their financial crimes. Due to ever increasing use of advanced technology and ever-increasing international law enforcement cooperation, U.S. law enforcement is trying to level the playing field with those criminals. Now there is a great deal of international cooperation, unlike when I first became a federal prosecutor and would have to close out part of an investigation when the money moved offshore.

**You often teach at financial investigation training workshops—most recently here at CAPI. What is the most common misunderstanding you encounter from trainees about money laundering or the investigative techniques used to identify and trace assets?**

The target audience I like to work with often has very little financial investigation experience. Members of this group frequently have serious doubts about their ability to do competent financial investigations. When I ask them if they have a bank account, file a tax return, own a car, own/rent a home, the students uniformly answer yes. I then point out the obvious to the students that criminals have and do the same things, but with a few more zeroes. I can see the light bulbs go off. The practical exercises which the students do after each block of instruction reinforce the reality that the students can in fact do a competent financial investigation.

**Your CAPI workshop involved practitioners from federal, state, and local levels. Do practitioners at each of these levels face substantially different challenges or legal environments?**

The Financial Investigations Seminar assumes students/participants have different skills and experiences. Each task force at a round table is put together by the course manager in advance to replicate what occurs in a real federal criminal financial investigation. Members of the task force require enthusiasm, common sense, and a willingness to work hard with the other members of the task force. Presently many of the federal criminal financial investigations are worked by a task force composed of federal, state and local law enforcement; each of the task force members brings something unique to the table.