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Feds: Ambitious lawyer became 'patient zero' in perjury scheme

 WRITTEN BY JON SEIDEL POSTED: 08/27/2015, 02:31PM

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Beau Brindley is accused of perjury and obstruction of justice. | Sun-Times file photo

Beau Brindley's ambition led him from Iowa to Chicago, where he built a career as a successful criminal defense attorney who fought for his clients with colorful arguments while refusing to cut deals with government lawyers.

But he would eventually become "patient zero" in a years-long conspiracy to parade witnesses into federal courtrooms who lied under oath, a federal prosecutor said Thursday.

"It all starts with Mr. Brindley," Assistant U.S. Attorney Michael Chmelar told U.S. District Judge Harry Leinenweber. "Their clients actually committed new federal offenses at the advice of Mr. Brindley and his law firm."

Dressed in a dark suit with a white shirt and a purple tie and socks, the 37-year-old Brindley appeared to listen intently as closing arguments in his perjury and obstruction of justice trial began. He rocked in his chair, rolled his eyes, muttered to his attorneys and glanced at the ceiling.

Brindley's associate, Michael Thompson, is also on trial. Closing arguments lasted all day Thursday, and the judge said he would announce his verdict Monday morning.

Federal prosecutors from Milwaukee are handling the case. They've accused both men of coaching witnesses to lie under oath, to give false information to the courts and also to the U.S. attorney's office. Prosecutors have also said witnesses were given scripted testimony by Brindley's law firm to memorize.

Brindley's own defense attorney, Cynthia Giacchetti, called the case against Brindley the "biggest double-standard case I think I have ever seen." That's because she said Brindley's clients changed their stories in the midst of preparing for trial — as they also often do for the U.S. attorney's office.

"They flip people 180 degrees every day," Giacchetti said, referring to federal prosecutors.

After a July 2014 raid on Brindley's office at the historic Monadnock building downtown, the feds said they found four conflicting versions of a direct examination of one of Brindley's clients.

"Those scripts were nothing but a vehicle to commit fraud on the court," Chmelar said, telling the judge Brindley changed the direct examinations and "shoved it all back in the meat grinder" to create another.

Brindley took the stand in his own defense this week, telling the judge it was “standard practice” at his law firm to develop question-and-answer forms, or “Q & A’s,” as his associates prepared witnesses for trial. They would be reviewed for accuracy and revised as different associates spoke to the witnesses.

“The only direction I give them is that they have to tell the absolute truth,” Brindley said of his clients.

Giacchetti tried to debunk the notion that the “Q & A’s” are somehow “instruments of the crime.” Noting that heroin dealers flush their drugs down the toilet when they see the cops coming, Giacchetti said Brindley knew he was under investigation, but the “Q & A’s” were still in his offices to find.

“They couldn’t buy a shredder?” Giacchetti said.

ARTICLE 1 OF 5 IN PROGRESS. UP NEXT: HASTERT EXPECTED TO PLEAD GUILTY OCT. 28

Early & Often

Hastert expected to plead guilty Oct. 28

WRITTEN BY JON SEIDEL POSTED: 10/15/2015, 08:12AM

Dennis Hastert, the Yorkville wrestling coach who rose to become Speaker of the U.S. House of Representatives, is expected to plead guilty to criminal wrongdoing Oct. 28.

That hearing promises to go down as one of the more sensational moments in the colorful history of the Dirksen Federal Courthouse. Once second in line to the presidency, Hastert, 73, is believed to be the highest-ranking Illinois politician ever criminally charged.

But it’s still not clear what Hastert will plead guilty to, if he’ll face prison time, or whether the identity of the person known only as “Individual A” will ever be revealed. Legal experts predict prosecutors will try to put Hastert behind bars after charging him with skirting banking laws and lying to the FBI, counts that each carry a maximum prison sentence of five years.

“I can’t picture the government not asking for it,” said Michael Ettinger, a veteran Chicago defense attorney.

U.S. District Judge Thomas Durkin on Thursday scheduled the hearing at the request of Hastert’s lawyers, who let a crucial filing deadline pass earlier this week in a sign that a plea deal was in the works. However, Hastert’s intentions were only truly revealed by lawyer John Gallo during a hearing in Durkin’s courtroom.

Prosecutors said they expect to have a written plea agreement with Hastert in time for the hearing. A draft is to be delivered to the judge Monday, but it is not expected to become public until the day of Hastert’s plea.

Hastert has not shown his face in court since he pleaded not guilty to his indictment June 9. The former speaker looked haggard, fended off a media mob and fidgeted in Durkin’s courtroom.

He barely spoke above a whisper when he finally faced the judge.

The bombshell indictment announced May 28 against Hastert accused the Republican of a \$3.5 million hush-money scheme.

The case became even more sensational when sources told media outlets, including the Chicago Sun-Times, that Hastert paid millions of dollars to a longtime male acquaintance to cover up alleged sexual misconduct.

Hastert lawyer Thomas Green has said those leaks were “unconscionable.” He told Durkin in July the leakers “effectively amended” Hastert’s indictment in an “impermissible” way, and he said “there’s now an 800-pound gorilla in this case.”

However, the indictment only hints at potential past wrongdoing by Hastert. And by pleading guilty, Hastert might prevent more embarrassing details from spilling out. The case has triggered a search for Hastert’s alleged hush-money recipient, known only as “Individual A,” which has so far been unsuccessful. That person is described in the indictment simply as “a resident of Yorkville” who has known Hastert “most of Individual A’s life.”

Hastert allegedly withdrew \$1.7 million from his bank accounts between 2010 and 2014, handing it over to “Individual A” to keep quiet about past misconduct, according to the indictment. Hastert had ultimately agreed to pay that person \$3.5 million, the indictment alleged.

Hastert illegally split up the withdrawal of \$952,000 to evade bank reporting requirements, according to the feds. Then, when the FBI got suspicious and asked Hastert if he made withdrawals as large as \$50,000 because he didn’t trust the banks, he allegedly lied and said, “Yeah ... I kept the cash. That’s what I’m doing.”

The former speaker has largely gone into hiding since his indictment. He must return to Chicago’s federal courthouse to plead guilty, but that won’t be his last visit. Hastert will likely be forced to return later for a sentencing hearing that could turn into a delicate dance, depending on the deal he reaches with the feds.

While Hastert might want to avoid prison time by pointing out his good works over the course of his political career, that might give prosecutors an opportunity to present damaging details Hastert wants to keep hidden.

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Chicago

Byrd-Bennett: Top educator now high-profile felon

WRITTEN BY SUN-TIMES STAFF POSTED: 10/13/2015, 04:48PM

Once Chicago’s top educator, Barbara Byrd-Bennett is now a convicted felon.

And after pleading guilty to a brazen kickback scheme only five days after her indictment by a grand jury, the former CEO offered a tearful

apology at the Dirksen Federal Courthouse to the children and families of Chicago's troubled school district.

"My message is for the children and the families of the children of Chicago Public Schools and the incredible, dedicated educators we have," the former CEO said after six months of silence. "I am terribly sorry."

"And I apologize to them," she continued, clearing her throat. "They deserved much more, much more than I gave to them."

Three years almost to the day after Mayor Rahm Emanuel introduced her as his second permanent head of CPS, Byrd-Bennett pleaded guilty to a single count of wire fraud, admitting to her role in steering some \$23 million in contracts to a former employer in exchange for a 10 percent kickback she wanted, in part, to go into a college fund for her twin grandsons.

In doing so, she joined Chicago's infamous club of politicians who admit to federal crimes but defiantly insist they've done good works. Byrd-Bennett added in a written statement that she had "devoted my entire professional life to public education and, while there is no excusing or downplaying my misconduct, I believe I have done a lot of good, including in Chicago."

Byrd-Bennett pleads guilty: 'I am terribly sorry'
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Feds: Byrd-Bennett said 'tuition to pay and casinos to visit' led to kickbacks

She entered her plea less than a week after a 43-page indictment revealed details of damning emails she and codefendants Gary Solomon and Thomas Vranas exchanged, beginning in 2012 before she even took the helm at the country's third largest school district.

Byrd-Bennett's family and friends filled an entire row of U.S. District Judge Edmond Chang's courtroom, including her daughter, the sitting clerk of courts of Cuyahoga County, Ohio, and the mother of the young twins who were to benefit from the scheme.

Standing between her attorneys, Byrd-Bennett did not speak much during the 40-minute-long hearing, except to answer the judge's questions. When asked how she wanted to plead, she said quietly, "I plead guilty."

Afterward, Byrd-Bennett kissed her daughter.

Solomon, 47, of Wilmette, and Vranas, 34, of Glenview, also face counts of bribery and conspiracy to defraud the United States, and are due in court Wednesday afternoon.

Prosecutors said they would recommend a prison sentence for Byrd-Bennett of roughly seven and a half years — on the condition that she fulfills her promise to "fully and truthfully cooperate" with them, presumably at least against Solomon and Vranas. The judge won't be bound by that recommendation at Byrd-Bennett's sentencing hearing, though, and that day will not come until her cooperation is finished.

The wire fraud count Byrd-Bennett pleaded guilty to carries a maximum sentence of 20 years. Her punishment is likely to be lower than that. She was permitted to return home to suburban Cleveland, where she has been staying since stepping down from her \$250,000-a-year job at CPS in April.

Byrd-Bennett statement



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Crime

Feds: Man was get-away driver in Carpentersville bank robbery

WRITTEN BY MITCHELL ARMENTROUT POSTED: 10/08/2015, 09:05PM

A man has been charged with acting as the get-away driver in a northwest suburban bank robbery last month, but the two men who held up the Carpentersville bank remain at large.

Terry James was arrested Tuesday and charged with the robbery that happened about 1 p.m. on Sept. 11, according to a criminal complaint filed in U.S. District Court in Chicago.

James, whose exact age wasn't available, was paid between \$300 and \$400 to drive two men to the BMO Harris bank branch at 94 W. Kennedy Dr. in Carpentersville, prosecutors allege.

The other two men showed a handgun while making off with \$2,247 after handing a teller a threatening note, prosecutors said.

A witness who saw them take off in a waiting tan Toyota Corolla recorded its license plate number, which was registered to a foster home in southwest suburban Bolingbrook where James previously lived, prosecutors said.

Authorities tracked him down earlier this week, and he admitted to driving the robbers to the Carpentersville bank as well as to a Joliet bank for a heist in late August, prosecutors said.

James was ordered held at the downtown Metropolitan Correctional Center, and he is due back in court Oct. 19.

The two robbers are still wanted and were identified in the criminal complaint as Danquel Brown, a 6-foot-5, 187-pound, 19-year-old black man; and Myshawn Bonds, a 5-foot-7, 156-pound, 23-year-old black man.

Anyone with information is asked to call the FBI at (312) 412-6700.

There have been 108 bank robberies in the Chicago area in 2015, according to the FBI. In 2014, there were 192 total bank robberies in the area.

Chicago

Fed judge tosses rooftop owners' lawsuit against the Cubs

WRITTEN BY JON SEIDEL POSTED: 09/30/2015, 07:33PM

The playoff-bound Chicago Cubs won another big victory Wednesday, but it won't help them in October.

U.S. District Judge Virginia M. Kendall dismissed a federal lawsuit filed against the Cubs earlier this year by Wrigleyville rooftop owners who accused the Cubs of monopolization, defamation and breach of contract for erecting a new video board above the right-field bleachers at Wrigley Field that threatened to block the rooftops' lucrative views.

The same judge dashed the hopes of those rooftop owners six months ago when she originally refused to ban the Cubs from installing the outfield signs. That earlier decision allowing work to commence might have been the decisive twist in the bitter public battle of the \$575 million redevelopment of Wrigley, but Wednesday's order aimed to bring it to a close.

Cubs president of business operations Crane Kenney said in a statement that the North Siders were pleased with the ruling.

"Judge Kendall's opinion confirms the bleacher expansion does not violate our rooftop agreements, as we have maintained from the outset," Kenney said. "We also appreciate that with this chapter closed, everyone's focus can continue to be on the field, where it belongs."

Lawyers for Right Field Rooftops LLC could not immediately be reached for comment.

In her ruling late Wednesday, the judge made note of the "embattled relationship" between the rooftop owners and the Cubs, who she said "continually clash over the rooftops' patrons viewing live Cubs games."

She rejected Right Field Rooftops' argument that the construction of the video board violated an agreement between the Cubs and the rooftop owners. The contract allows for "any expansion of Wrigley Field approved by governmental authorities," but the owners argued that "any expansion" refers only to increased seating.

She also found that Cubs chairman Tom Ricketts merely expressed an opinion, and didn't allege criminal activity by the rooftop owners, when he made a comment at a Cubs Convention comparing the rooftops to "your neighbor looking through your window watching your television."

Finally, Kendall shot down the argument that the Cubs had attempted to monopolize their own baseball games.

"The product at issue is the Cubs presentation of live baseball games, which is the product of the Cubs alone that thus cannot be monopolized by the Cubs," Kendall wrote.

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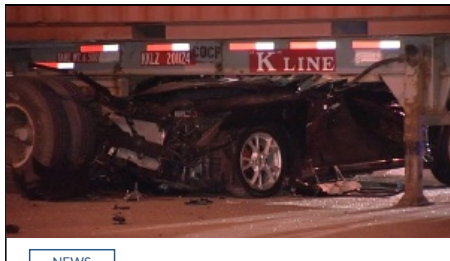
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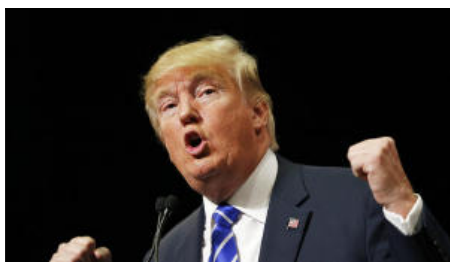
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