



32ND
ANNUAL

**EMPOWERMENT
CONGRESS SUMMIT**

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

UNITED STATES OF AMERICA V. MARK RIDLEY-THOMAS

A CASE STUDY OVERVIEW

Pursuing Justice Through Participatory Democracy

BY VINCENT HARRIS

EDUCATE, ENGAGE, EMPOWER



32ND
ANNUAL

**EMPOWERMENT
CONGRESS SUMMIT**

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

Four Overview Elements Present Context, Conclusion and Evidence for:

THE INVESTIGATION

THE INDICTMENT

THE TRIAL and VERDICT

THE SENTENCE



32ND
ANNUAL

**EMPOWERMENT
CONGRESS SUMMIT**

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

THE INVESTIGATION

EDUCATE, ENGAGE, EMPOWER



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONTEXT

- “Varsity Blue” admission scandal
- High profile and costly misconduct scandals
- USC’s entrepreneurial fundraising culture
- Mayoral aspirant Rick Caruso’s emergence as Board Chair



32ND
ANNUAL

**EMPOWERMENT
CONGRESS SUMMIT**

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONCLUSION

The Investigation was terribly flawed.



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

- Superficial — failed to interview key County or USC employees or review all evidence
- Unusual deference to USC — mayoral ambition, reputation and academic politics
- Illustrative of confirmation bias — no presumption of innocence



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- No one from MRT's office, other Board offices or Supervisors, County contract administration staff, County Counsel, Board Secretary or County CEO's office interviewed)
- No County documents subpoenaed
- No specific understanding of budget or contracting process by key prosecution witness



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Information from internal campus investigation presented to USAO
- USC allowed to publicize investigation
- Caruso was acting as campus executive — USC's motives suspect



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org

   #ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Absence of presumption of innocence for both MRT and SRT
- No consideration of MRT's record of service or constituent representation
- Prejudicial interpretation of evidence
- Propagation of inaccurate public narrative



32ND
ANNUAL

**EMPOWERMENT
CONGRESS SUMMIT**

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

THE INDICTMENT

EDUCATE, ENGAGE, EMPOWER



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONTEXT

- City Hall corruption cases (Englander, Huizar, Feuer and DWP)
- MRT's unparalleled record of servant leadership
- "Me too" Movement
- Trump Era weaponized USDOJ
- 2022 mayoral election



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONCLUSION

The Indictment was based on exaggerated claims of corruption.



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

- Public narrative reinforces stereotypes
- Overcharges defendant
- Uses complex, novel and unique interpretation honest services fraud statutes
- Timed for maximum adverse media exposure and reputational damage



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Characterized as a powerful, self-interested career politician
- Uses position to exploit USC
- Causes public to question MRT's integrity



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Twenty counts (ultimately reduced to 19) including conspiracy, bribery, honest services mail fraud, honest service wire fraud
- Alleges exchange of official acts (i.e., “steering contracts worth millions of dollars”) for USC benefits (i.e., SRT’s “admission, free tuition, paid professorship and \$100k contribution to non-profit”)
- “Bribery” and “Conspiracy” counts not severable (i.e., guilty on 1 count, guilty on all counts)



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Minimizes capacity of MRT to respond
- Prompts LA Times editorial board to call for MRT's resignation
- Motivates political adversaries to deny due process, presumption of innocence, revoke pay and disenfranchise constituents
- Hampers MRT's ability to finance defense



32ND
ANNUAL

**EMPOWERMENT
CONGRESS SUMMIT**

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

THE TRIAL

EDUCATE, ENGAGE, EMPOWER



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org

f @ X #ECSummit32

#EmpowermentCongress

CONTEXT

- Novel application and interpretation of honest services fraud law
- City Council action generates public interest Public interest in the trial and scrutiny
- Public ignorance of governmental or university operations
- Nature and extent of alleged corruption heightens expectations
- Widespread and sustained public support for MRT



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONCLUSION

The Trial revealed substantial shortcomings
in the evidence.



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

- Peremptory challenge of African American female jurors
- Unable to demonstrate receipt of personal benefits
- One contract examined and one vote scrutinized
- Failure to call any County witnesses
- Resort to confusing, boring and repetitive examination of evidence
- Prosecutorial misconduct



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Impartiality of two potential African American female jurors challenged based on answers to more extensive questioning



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Dismissive of SRT's accomplishments and qualifications
- Dismissive of MRT's record of service as an elected and alumnus
- Unable to illustrate application by USC of a differential pattern and practice



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- One contract (i.e., extension, no new appropriation, unanimously passed on consent)
- Not valued in “millions of dollars”



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- No County witnesses for the prosecution
- Only County witnesses called by defense
- Key prosecution witness admitted that knowledge of County contract and process gleaned from MRT's emails and texts without context



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Prosecution resorted to confusing, boring and repetitive examination of evidence (e.g., 6 prosecution witnesses in 4 days of testimony in contrast to 9 defense witness in 2 days)
- Focused on SRT (i.e., allegation of unsubstantiated claims of sexual harassment as motive for corrupt intent, qualifications and dismissive of serious health condition)
- Appeal to implicit bias and “qualifications”
- Misapplication/misinterpretation of conflict of interest law regarding legal contribution to non-profit



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Prosecutorial misconduct (i.e., jury instruction regarding FBI Special agent testimony regarding review of evidence and vouching)



32ND
ANNUAL

**EMPOWERMENT
CONGRESS SUMMIT**

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

THE VERDICT

EDUCATE, ENGAGE, EMPOWER



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONTEXT

- Confusing case based on complicated interpretations of statutory law and evidence
- Public perception of politicians as corrupt actors who operate a rigged system that benefits only the well connected
- City Hall scandals
- Rigged system that benefits only the well connected
- Stereotypes of Black politicians
- Resources available to and coercive power of federal prosecutors



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONCLUSION

The Verdict was split and the foreperson's post-verdict comments, illustrate the complexity of "honest services fraud" cases, and undercut the prosecution's exaggerated claim of corruption.



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

- Split decision; acquitted on 12 of 19 charges
- 12 counts pertained to direct benefits for financial gain required to prove “conspiracy” and “bribery”
- “Conspiracy” and “bribery” counts not severable and included all four “benefits” — “guilt” on one meant “guilt” on all.



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Jury had to convict him of something
- Jury could not believe he possessed no criminal intent (i.e, Telehealth contract beneficiaries and empowerment thrust of non-profit think tank)



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- MRT is an innovative servant leader
- No evidence that either MRT or SRT personally benefited
- No evidence introduced of multiple contracts worth “millions of dollars”
- Implicit bias reflected in treatment of prospective jurors, SRT’s qualifications, health challenges, MRT’s alumnus status and record as innovative policy maker



32ND
ANNUAL

**EMPOWERMENT
CONGRESS SUMMIT**

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

THE SENTENCE

EDUCATE, ENGAGE, EMPOWER



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONTEXT

- Prosecution persists in propagating disinformation about verdict
- Widespread public and legal experts' skepticism about prosecution
- Shifting post-verdict narrative of USAO regarding role of dean ("shakedown" MRT as "mastermind" of "corrupt scheme", "self-serving", "undermines public trust in judicial process")



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSuing JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONTEXT

(continued)

- City Council action and secret meeting recordings
- Sustained public attendance at trial
- Media narrative at odds with trial testimony
- Letters of support



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

CONCLUSION

The prosecution's retributive tone and judge's disparate punishment underscore public skepticism and suspicion regarding justice of case and prosecution's motive.



32ND
ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

- Continued media disinformation
- Dismissive of acquitted conduct in sentencing recommendation of 62 months (aka "Trial Tax")
- Federal Probation office recommendation of 18 months
- Separate filing of Bernard Parks' letter



32ND ANNUAL

EMPOWERMENT
CONGRESS SUMMIT

PURSUING JUSTICE THROUGH PARTICIPATORY DEMOCRACY

EmpowermentCongress.org



#ECSummit32

#EmpowermentCongress

EVIDENCE

(continued)

- Disparate sentence compared to Huizar and DWP's Paradis
- Attribution to MRT that he was a victim in prosecution's sentencing filing
- Downplaying independent, spontaneous expressions of support for MRT
- Laphonza Butler appointment as U.S. Senator