

What happens when "We the People" get fed up with "We the Government's Broken Trust."

In this edition of the MGNA Community Advocacy Report, we examine the issue of *what "Influenced Corrupt Organized White-Collar Crime" in government looks like.*

"The greatest praise government can win is that its citizens know their rights and dare to maintain them. The best use of good laws is to teach men to trample bad laws under their feet." Wendell Phillips

This MGNA Advocacy Report was written by Bill Clark: Bill has been a resident of the Mission Grove community for over 30 years and serves as a Board Member with the Mission Grove Neighborhood Alliance (MGNA) as a Community Advocate/Legislative Analyst. He is a retired deputy sheriff-investigator, where he served in the three constitutionally mandated functions of the Sheriff's Department, where he gained expertise in Training and Education, Superior Court Civil Process, and Special Investigations. He has experience working with numerous city, county, state, and federal regulatory and enforcement agencies in Civil Process, Major Narcotics, and White Collar-Influenced Organized Crime investigations. He employs a systems advocacy approach in his volunteer work and is focused on community health, welfare, and safety issues. He uses government, academic, and industry-sourced public information in his research and reports with the specific intent to impact local government accountability by educating an involved community.

This MGNA Community Advocacy Report is informative and educational and does not constitute legal advice. It is not intended, does not, and may not be relied upon to create any rights, substantive or procedural, enforceable at law by any party in any matter, civil or criminal. Always report wrongdoing to the appropriate regulatory or enforcement agencies or consult with an attorney to protect your rights.

The reason Community Advocacy (CCA) organizations form is due to continued, actual, or perceived wrongdoing executed by government officials. In recent years, Public Trust has been significantly damaged due to Influenced Corrupt Organized White-Collar Crimes committed by government officials under the color of authority. The most effective CCA organizations are laser-focused and advocate for the community by organizing, providing public education, lobbying, and engaging government officials in a tactful and respectful manner. CCA's can focus on pressing issues such as

- * Misuse of official authority, public funds or public assets
- * Unethical or unlawful official actions
- * Failure to act on, or not act on official duties
- * Failure to uphold fiduciary duties and honest services
- * Take or offer bribes
- * Commit fraud, theft or embezzlement, skimming and money laundering *
- Misuse of government data, documents and information for personal benefit *
- Conspire with, encourage or force others to commit wrongful acts
- * Unlawfully intimidate, threaten, coerce, dissuade or influence people *
- Unlawfully access police or other government databases to harm others or gain an unlawful advantage for personal benefit

The following United States Attorney's Office, Central District of California, Press Release, details many of the above bulleted unethical and criminal activities. As you read this press release, pay close attention to the unethical and unlawful acts that were investigated and prosecuted. Even though this is a cannabis business matter, one could also include commercial real estate, logistic/e-commerce, apartment developments, or other commercial enterprises or agricultural activities where zoning, permitting, and licensing could be influenced and or leveraged to the disadvantage of the community.

PRESS RELEASE Friday, January 13, 2023,

For Immediate Release

U.S. Attorney's Office, Central District of California

SANTA ANA, California – The former mayor of Adelanto has agreed to plead guilty to a federal criminal charge for accepting more than \$57,000 in bribes and kickbacks in exchange for approving ordinances authorizing commercial marijuana activity within the city, and ensuring his co-schemers obtained city licenses or permits for their commercial marijuana activities, the Justice Department announced today.

Richard Allen Kerr, 65, of Adelanto, has agreed to plead guilty to one count of honest services wire fraud, a crime that carries a statutory maximum sentence of 20 years in federal prison.

United States District Judge John W. Holcomb scheduled a February 17 change of plea hearing for Kerr.

According to his plea agreement filed on Thursday afternoon in United States District Court, Kerr served as Adelanto mayor from 2015 to 2018. Based on his employment and duties, Kerr owed a duty of honest service to the city and its residents. Among other things, Kerr voted on ordinances governing zoning regulations in the city and served on the city's Cannabis Dispensary Permit Committee, which determined the number of dispensary permits that would be issued and determined which applicants would receive a dispensary permit.

From at least November 2015 to June 2018, Kerr executed a scheme to deprive the city of the honest performance of his duties as mayor. Kerr secretly used his official position to enrich himself and his co-schemers by passing ordinances authorizing various types of commercial marijuana activities, including marijuana cultivation, marijuana distribution and transportation, and retail sales of marijuana via a dispensary.

Kerr also drafted zones for commercial marijuana activities to include locations used by his supporters and ensured his supporters obtained the licenses or permits they sought, all in violation of conflict-of-interest prohibitions applying to Kerr, in exchange for bribes, kickbacks, gifts, payments, and other things of value.

Kerr's co-schemers were a lawyer who specialized in plaintiffs' tort litigation – identified in court documents as "Person A" – and an individual labeled "Person C" who had business interests in the city, including those involving marijuana cultivation.

The bribes and kickbacks were disguised by Kerr and his co-schemers as gifts,

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donations to a charitable fund, donations to Kerr's election campaign, or advance payments for the proceeds of planned litigation associated with a motorcycle accident.

In exchange for the bribes and kickbacks, Kerr provided favorable official action on behalf of the city to Person A, Person C, and other co-schemers with business interests in the city by authorizing various types of commercial marijuana activities, ensuring his supporters obtained the licenses or permits they sought, and interfering with enforcement activities by city officials.

From December 2016 to April 2018, Kerr – who did not publicly disclose his financial relationship with his co-schemers while he was mayor – accepted multiple payments totaling at least \$57,500, in bribes and kickbacks from Person A, Person C, and other co-schemers.

The FBI investigated this matter.

Assistant United States Attorneys Sean D. Peterson, Chief of the Riverside Branch Office, and Julius J. Nam of the Public Corruption and Civil Rights Section, are prosecuting this case.

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The Mission Grove Neighborhood Alliance is actively working on behalf of the community regarding government accountability and a broad scope of other, at issue matters in the MGNA area.

Future MGNA Community Advocate Reports may examine topics such as potential logistic and e-commerce, apartment, and retail developments that could impact the health, welfare, and safety of our alliance communities. Further, MGNA will monitor local issues and report suspicious activities as they're discovered to the community and the appropriate regulatory and enforcement agencies. The Mission Grove Neighborhood Alliance Board and its Committees invite and encourage you, our neighbors, to be informed and get involved because;

"By the people, for the people and of the people" "We the People" must be vigilant. The Government is the responsible guardian for the peoples' rights and liberty, expressed by recognizing public interest while building public trust.