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ABDICATION OF PUBLIC CORRUPTION ENFORCEMENT THREATENS DEMOCRATIC HEALTH

J.P. Cooney, Senior Fellow
Molly Gaston, Senior Fellow
Edley Center on Law & Democracy

Executive Summary

In the decades following Watergate, the U.S. Department of Justice prioritized fighting public corruption, including at the state and local level. In doing so, federal prosecutors served an important role in ensuring accountability and deterring officials' abuse of public trust for personal and political benefit throughout all levels of government. In this white paper, we discuss the Justice Department's historic role in prosecuting bribery cases on the state and local level and its unfortunate deprioritization of that work in the current administration. The white paper details the kinds of cases that federal prosecutors used to pursue in states and their positive impact on the community; the Justice Department's cessation of such work in the last year and a half; and the need, in the federal government's absence, for state prosecutors to take up the important mantle of ensuring honest services for their communities.

The Justice Department's Traditional State and Local Corruption Work

In the aftermath of the Watergate scandal, the Justice Department's efforts to combat public corruption included the formation of the Public Integrity Section (referred to as "PIN"), launched in 1976 to centralize prosecutions of crimes by government officials.¹ For more than 40 years, PIN attorneys traveled the country prosecuting public corruption cases and partnered with or advised U.S. Attorney's Offices doing the same work.

¹ U.S. Dep't of Justice, About the Public Integrity Section, justice.gov [<https://perma.cc/H5Q3-BASC>].

Many federal prosecutions concerned state or local government officials, ranging from cases in counties to those exposing corruption throughout state legislatures. In turn, state prosecutors generally appear to have directed resources elsewhere, leaving criminal corruption enforcement to federal prosecutors.²

There are multiple benefits to the federal enforcement of anti-corruption statutes against state and local officials who violate them. Federal enforcement allows state and local governments to conserve resources. More significantly, however, it prevents a conflict of interest or perceived conflict—one that might result, for instance, from a state or local prosecutor’s investigation into the legislator who funds his office or officials at the state prison that houses his defendants. Unlike federal prosecutors, many state and local prosecutors are elected or appointed officials with direct lines of political and official accountability to the potential subjects of corruption investigations; federal prosecutors, on the other hand, are independent of state and local governments. That independence can promote, and historically has promoted, confidence that prosecutorial decisions are based strictly on the factual and legal merits. Lastly, one of the intentions behind the creation of PIN was to ensure experience and consistency in investigations and prosecutions across the country.³

These benefits are clear from a review of some of the state and local cases that PIN prosecuted in recent years. PIN pursued local officials stealing public funds, like a 2024 matter in which PIN, working with the U.S. Attorney’s Office in Arizona, obtained a conviction of a Santa Cruz County, Arizona, Treasurer who had embezzled more than \$38 million over the course of 12 years.⁴ PIN prosecuted schemes affecting the integrity of contracting in small cities, like when it worked with the U.S. Attorney’s Office for the Southern District of Texas to expose a seven-year scheme in which multiple Weslaco City officials accepted bribes to take actions favorable to engineering companies seeking contracts with the city—millions of dollars’ worth of bribes in exchange for contracts of

² One review of Justice Department data on public corruption prosecutions, conducted by the Cato Institute, indicates that between 80 and 90 percent of all corruption convictions in the post-Watergate era result from federal prosecutions. See Chris Edwards, *Public Corruption and Federalism*, CATO INSTITUTE BLOG (July 28, 2025), [cato.org \[https://perma.cc/P5VN-YMRT\]](https://perma.cc/P5VN-YMRT).

³ See *supra* note 1; Justice Manual § 9-85.100 (delegating PIN “supervisory jurisdiction” over the Department’s investigation of “crimes which affect government integrity, including bribery of public officials . . . and other related offenses”), [justice.gov \[https://perma.cc/XW6U-NQ3Z\]](https://perma.cc/XW6U-NQ3Z).

⁴ Press Release, U.S. Dep’t of Justice, Former Santa Cruz County Treasurer Sentenced to 10 Years in Prison for Stealing Over \$38 Million in County Funds (June 24, 2025), [justice.gov \[https://perma.cc/65BA-23L6\]](https://perma.cc/65BA-23L6).

more than \$38 million.⁵ PIN focused on vulnerable victims when obtaining convictions of North Carolina state prison officials who took bribes to smuggle dangerous drugs to desperate inmates.⁶ And PIN, with multiple U.S. Attorney's Offices, took on a sophisticated network of corrupt elected officials when it investigated and prosecuted Arkansas legislators for their bribery and kickback scheme.⁷

We witnessed firsthand the differences that these kinds of cases can make in local communities. After serving as prosecutors in PIN, we led the public corruption practice in the D.C. U.S. Attorney's Office, through which work we confirmed that thorough investigations of local corruption are essential to guarding the public fisc. For example, from a single investigation, we discovered and prosecuted a bribery scheme resulting in a loss of more than \$3 million to the city. The case involved a corrupt official at the D.C. Office of Tax and Revenue who, working with a middleman, helped two District bar owners evade more than \$3 million worth of taxes in exchange for bribes.⁸ With our law enforcement partners, we discovered similarly costly corruption schemes targeting public funds for D.C. public schools,⁹ human services,¹⁰ fire and emergency services,¹¹ and

⁵ Press Release, U.S. Dep't of Justice, Former City Commissioner Sentenced for Role in Bribery Conspiracy (Nov. 30, 2023), justice.gov [<https://perma.cc/378S-VQ5W>].

⁶ Press Release, Former Prison Case Manager Sentenced and Former Correctional Officer Pleads Guilty in Bribery Schemes to Smuggle Contraband to Inmates (Mar. 18, 2022), justice.gov [<https://perma.cc/ETV9-Y6FC>]; Press Release, U.S. Dep't of Justice, Former Correctional Officer Pleads Guilty to Role in Bribery and Drug Smuggling Conspiracy (Mar. 19, 2021), justice.gov [<https://perma.cc/9M8V-2G5Z>].

⁷ Press Release, U.S. Dep't of Justice, Former Arkansas State Senator Jeremy Hutchinson Pleads Guilty to Bribery and Tax Fraud Charges in Multi-District Investigation (June 25, 2019), justice.gov [<https://perma.cc/XG2P-5FU9>]; Press Release, U.S. Dep't of Justice, Former Arkansas State Representative, President of College and Consultant Sentenced for Bribery Scheme (Sept. 13, 2018), justice.gov [<https://perma.cc/H592-7M6H>]; Press Release, U.S. Dep't of Justice, Former Arkansas State Senator Sentenced to More Than 18 Years in Prison for Bribery Scheme (Sept. 5, 2018), justice.gov [<https://perma.cc/7G3Z-JSZ9>]; Press Release, U.S. Dep't of Justice, Arkansas State Senator Jeremy Hutchinson Indicted on Wire and Tax Fraud Charges (Aug. 31, 2018), justice.gov [<https://perma.cc/ME69-DP6Q>].

⁸ Press Release, U.S. Dep't of Justice, Former D.C. Tax Official Pleads Guilty to Accepting Bribes to Erase Millions in Tax Liability (June 25, 2020), justice.gov [<https://perma.cc/68Z7-J93H>].

⁹ Press Release, U.S. Dep't of Justice, Former D.C. Schools Official Sentenced to Prison (Nov. 13, 2025), justice.gov [<https://perma.cc/H5NF-HR4V>].

¹⁰ Press Release, U.S. Dep't of Justice, Former District Government Employee Pleads Guilty to Scheme Involving Over \$1.4 Million in Fraudulently Issued Benefits (Mar. 14, 2019), justice.gov [<https://perma.cc/2HBU-LYJ3>].

¹¹ Press Release, U.S. Dep't of Justice, Former District of Columbia Fire/EMS Employee Sentenced in Bribery Scheme Involving Undelivered Goods (Sept. 29, 2023), justice.gov [<https://perma.cc/868E-A6BC>].

contracting and transportation oversight,¹² as well as schemes in which officials in the police department¹³ and housing office¹⁴ leveraged their access to sensitive city-controlled information to enrich themselves. Holding public officials who engage in such conduct accountable is necessary to restore the public's trust in government institutions.¹⁵

Our experience additionally confirms that investigations and prosecutions of government corruption can uncover and redress systemic issues. The case ending the D.C. Office of Tax and Revenue bribery scheme, for instance, began when an auditor noticed suspicious activity in one taxpayer's account; the investigation ultimately grew to encompass multiple taxpayers. And another case that began with a simple tip that D.C. firehouses were experiencing a supply shortage despite an ample budget exposed a kickback scheme in the fire department's warehouse—and led in turn to the revelation of other kickback schemes involving a common contractor but other D.C. agencies.¹⁶ These investigations and their resolutions put an end to serious harms to D.C. residents at the hands of their government officials, ensuring that the government of the people is responsive to its people and thereby shoring up the healthy democracy on which this nation depends.

The Justice Department's Recent Deprioritization of Anti-Corruption Work

Unfortunately, the current federal Justice Department has made clear its intent to deprioritize its public corruption agenda and has carried it out through action.¹⁷ During just

¹² Press Release, U.S. Dep't of Justice, Former Public Official Pleads Guilty to Conspiracy to Commit Wire and Honest Services Fraud (June 6, 2024), [justice.gov \[https://perma.cc/9SP9-J6TV\]](https://perma.cc/9SP9-J6TV).

¹³ Press Release, U.S. Dep't of Justice, Former MPD Officer Sentenced to 20 Months in Prison for Scheme that Sold Personal Data of Traffic Crash Victims (Aug. 28, 2024), [justice.gov \[https://perma.cc/E4MV-N5NT\]](https://perma.cc/E4MV-N5NT).

¹⁴ Press Release, U.S. Dep't of Justice, Former FBI Special Agent and D.C. Real Estate Developer Sentenced for Role in Bribery Schemes (June 25, 2020), [justice.gov \[https://perma.cc/6ABH-DZEU\]](https://perma.cc/6ABH-DZEU).

¹⁵ See, e.g., *United States v. Andre de Moya, et al.*, No. 19-cr-158, Dkt. No. 265 at 21 (D.D.C. Dec. 8, 2023) (victim impact statement of D.C. Office of Tax and Revenue noting that the scheme “led to a significant erosion of public trust in our agency”).

¹⁶ See *supra* notes 9 & 11.

¹⁷ See, e.g., Glenn Thrush and Alan Feuer, Justice Dept. Moving to Downsize Units Investigating Fraud and Corruption, *THE NEW YORK TIMES* (Mar. 12, 2025), <https://www.nytimes.com/2025/03/12/us/politics/justice-dept-fraud-corruption.html>.

the first eighteen months of the second Trump administration, it has shuttered PIN; what was recently a section of more than 30 attorneys now consists of only two.¹⁸ And it has eliminated the FBI's flagship public corruption squad, an elite team of investigators based in Washington who worked hand-in-glove with PIN to handle particularly sensitive corruption cases.¹⁹ A review of Department press releases since the beginning of this Trump administration shows no newly charged bribery cases, whether federal, state, or local. It is possible, though not in evidence through news reports or public filings, that U.S. Attorney's Offices have increased their corruption caseloads as PIN has closed, but the Justice Department has not reported corruption statistics as required by law. Although the Ethics in Government Act requires that the Justice Department make an annual report to Congress regarding PIN's activities and nationwide corruption,²⁰ it appears no report has been made since 2023.²¹

The void left by the Justice Department's vanishing role in prosecuting corruption today renders communities newly vulnerable to the financial self-dealing that deprives communities of reliable, effective, and sufficient public services. And it destroys public trust in government, which risks dangerously weakening democratic health.²²

State Capacity for Effective Anti-Corruption Work

State and local governments can fill this void, and in so doing minimize the dangerous impact of the federal government's non-responsiveness to the harm of public corruption for the first time in nearly six decades. In a time when the nation can no longer rely on the federal government to investigate and redress those corrupt public activities that will

¹⁸ Jose Pagilery, The Justice Department Had 36 Lawyers Fighting Corruption Full-Time. Under Trump, It's Down to Two, NOTUS (Sept. 22, 2025), notus.org [https://perma.cc/7JXN-XEUC].

¹⁹ Alan Goldman, Glenn Thrush, and Devlin Barrett, F.B.I. Dismantles Elite Public Corruption Squad, THE NEW YORK TIMES (May 15, 2025), https://www.nytimes.com/2025/05/15/us/politics/fbi-public-corruption-squad-trump.html.

²⁰ Ethics in Government Act of 1978 § 603, Pub. L. No. 95-521, 92 Stat. 1874 (1978), codified at 28 U.S.C. § 529.

²¹ See U.S. Dep't of Justice, Public Integrity Section Annual Reports, justice.gov [https://perma.cc/SX4C-FSLZ].

²² See, e.g., Melissa Hooper, Degrees of Freedom: Measuring Democracy in the World and the United States, (UC Berkeley Edley Center on Law & Democracy Feb. 2026) (describing factors leading to Americans' diminishing confidence in democracy), law.berkeley.edu [https://perma.cc/N8J9-TH4V].

inevitably persist in an absence of meaningful enforcement, communities have greater need than ever for their local entities to take up the work.

To accomplish this, states and localities must dedicate expertise and resources to public corruption enforcement, which poses unique legal and investigative challenges. For example, corruption allegations often prompt internal agency investigations in parallel to law enforcement probes, during which agency supervisors might conduct searches of employee offices and computers or compel statements from subject employees over threat of termination. While agency officials may be authorized by public employee contracts or state law to take those steps without a court order, the use of that material in a criminal prosecution may be barred under the Fourth Amendment²³ or Fifth Amendment.²⁴ Some state and local agencies or law enforcement may need to develop protocols for parallel agency and law enforcement investigations to prevent agency action that hinders criminal enforcement; some may also need to take steps to promote reporting of corruption, such as ensuring whistleblower protections and incentives.²⁵ And some state or local governments may need to implement measures to mitigate actual or perceived conflicting interests between prosecutors and law enforcement and agencies under investigation, such as transferring prosecutorial authority to another office or appointing a special prosecutor.

Some state entities already have the resources, experience, and legal authority to address these challenges, which are more familiar to federal authorities, and engage in sustainable public corruption enforcement. Attorneys General in California,²⁶ New Jersey,²⁷ and New

²³ See *O'Connor v. Ortega*, 480 U.S. 709 (1987) (searches and seizures by government employers or supervisors of private property of employees is subject to Fourth Amendment restraints, assessed on a case-by-case basis).

²⁴ See *Garrity v. New Jersey*, 385 U.S. 493 (1967) (the threat of removal from public office to induce statements violates constitutional privilege against self-incrimination).

²⁵ Most federal civil servants, for example, are protected from adverse personnel action in response to reports of fraud, waste, and abuse under the Whistleblower Protection Act, see Jimmy Balser, *The Whistleblower Protection Act (WPA): A Legal Overview* (Congressional Research Service Dec. 30, 2024), <https://www.congress.gov/crs-product/R48318>, and the False Claims Act offers whistleblowers financial incentives, see, e.g., 31 U.S.C. § 3730. The scope and strength of state laws vary.

²⁶ Office of the California Attorney General, Special Investigations Team (SIT) Program, oag.ca.gov [<https://perma.cc/47F9-P7ZU>].

²⁷ Office of the New Jersey Attorney General, Office of Public Integrity and Accountability, <https://www.njoag.gov/about/divisions-and-offices/office-of-public-integrity-and-accountability-home/>.

York,²⁸ for example, have well-established anti-corruption bureaus, and their efforts are strengthened by robust city-based enforcement.²⁹ In other states, Attorneys General may not have jurisdiction over matters in their state's localities unless invited into a case,³⁰ or local prosecutors may not have resources to tackle public corruption in addition to myriad other worthy priorities.³¹

Accordingly, depending on the state or locality, the challenges to launching or maintaining a public corruption practice may include need for new legislation, resource deployment, or the practicalities of enforcement (including training). We encourage state and local governments to view fostering public corruption practices as an investment that pays dividends in terms of protected public funds and improved public trust. And because of the federal government's retreat from anti-corruption enforcement and other complex legal enforcement areas, states are uniquely positioned to recruit and develop the expertise necessary to do so.³²

Conclusion

Now that the federal government has abdicated its longstanding role in enforcing public corruption laws, we are all more susceptible to the costs that self-dealing exacts on our communities—including depleted government budgets, diminished public services, and weakened public trust. But by building anti-corruption enforcement capacity and expertise, state and local governments can step into the breach and fill this vital role for sustaining a healthy democracy.

²⁸ Office of the New York Attorney General, Public Integrity Bureau, ag.ny.gov [https://perma.cc/L4QK-UUM6].

²⁹ E.g., San Francisco Attorney General, Our Work-Public Integrity, sf.gov [https://perma.cc/L2UX-Z5SC]; Manhattan District Attorney, Our Work-White Collar Crime, manhattanda.org [https://perma.cc/H9GT-UWT5].

³⁰ Attorneys General in Virginia and North Carolina, for example, are authorized to conduct criminal investigations in limited circumstances, including invitation by the governor and/or local authorities. See VA Code § 2.2-511; N.C. G.S. § 114-11.6; see also Nat'l Assoc. of Attorneys General, Criminal Law, <https://www.naag.org/issues/criminal-law/>.

³¹ E.g., Kristine Hamann, Antonia Merzon, and Elaine Borakove, Prosecutorial Workload: The Hidden Crisis in Criminal Justice, ABA CRIMINAL JUSTICE MAGAZINE (Apr. 15, 2025), https://www.americanbar.org/groups/criminal_justice/resources/magazine/2025-spring/prosecutorial-workload-hidden-crisis-criminal-justice/.

³² See Eileen Sullivan and Andrea Fuller, Trump Administration Sees Striking Exodus of Legal Talent, THE NEW YORK TIMES (May 31, 2026), <https://www.nytimes.com/2026/05/31/us/politics/trump-administration-exodus-of-lawyers.html>.