

PFE/GAM/CLC: June 2023

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs)	
)	
FRED LEE PLUMP, JR.)	

INFORMATION

The United States Attorney charges:

INTRODUCTION

At all times material to this Information:

1. Alabama Act No. 2015-226 (the “Act”), passed by the Alabama Legislature in 2015, authorized the Jefferson County Commission to levy and distribute a one percent sales tax and a one percent use tax to benefit the public welfare and enhance the education of the children of Jefferson County. According to the Legislature, these new taxes were necessary because Jefferson County was experiencing financial difficulties as it concluded bankruptcy proceedings and faced the invalidation of its occupational tax.

2. The Jefferson County Commission adopted resolutions levying the new taxes authorized by the Act beginning August 1, 2017. The Act required the County to distribute the tax revenue according to certain specified priorities, including

paying debt incurred during school construction, increasing the County's general fund, giving funds to each board of education serving students in the County, and for certain other purposes set forth in the Act.

3. The Act created the Jefferson County Community Service Fund (the "Fund"), which was subsidized by approximately \$3.6 million annually from the new taxes. The Fund was allocated equally between the Jefferson County House Delegation and the Jefferson County Senate Delegation. Further, the Fund was allocated equally among the members of the Jefferson County House delegation and the Jefferson County Senate delegation.

4. The Act also created the Jefferson County Community Service Committee (the "Committee"), the four members of which were elected by members of the Jefferson County House and Senate delegations. The Committee was responsible for ensuring that the Fund was used only for the purposes set forth in the Act, which included to support public schools, public roads, public libraries, public museums, public parks, public zoos, neighborhood associations, public athletic facilities, public youth sports associations, public sidewalks, public trails, public greenways, the performing arts, police departments, the sheriff's office, fire departments, and certain nonprofit entities. Each Representative and Senator representing Jefferson County could make recommendations to the Committee of

expenditures from their allotted amount of the Fund. These recommendations were made on a form created by the Committee that required certain certifications by the legislator. Additionally, the organization receiving the funds was required to submit information about the organization and confirm that it intended to use the money for a public purpose. The recommendation form and additional information were often submitted by email that caused wire communications in interstate commerce.

5. The Committee began reviewing recommended expenditures and distributing Fund money in September 2018. During each fiscal year from 2018 to 2022, each Representative was allocated approximately \$100,000 and each Senator was allocated approximately \$240,000 from the Fund.

6. Legislator #1 was a long-serving member of the Alabama House of Representatives. Beginning in fiscal year 2018, when the Fund was first implemented, Legislator #1 received an allocation of approximately \$100,000 per fiscal year from the Fund to distribute for the benefit of Jefferson County.

7. Defendant **FRED LEE PLUMP, JR.** served as the Executive Director of the Piper Davis Youth Baseball League (“Piper Davis”). Piper Davis is a nonprofit organization that claimed to provide a positive sporting experience for inner-city youth in Jefferson County.

8. Individual #1 was Legislator #1's assistant and defendant **FRED LEE PLUMP, JR.**'S mistress.

9. Between fiscal year 2018 and fiscal year 2022, Legislator #1 was allocated approximately \$500,000 by the Fund. Legislator #1 directed approximately \$400,000 of those discretionary funds to Piper Davis. In turn, defendant **FRED LEE PLUMP, JR.** gave approximately \$200,000 to Individual #1.

Count One
Conspiracy to Commit Wire Fraud
Title 18, United States Code, Section 1349

10. The factual allegations of paragraphs 1 through 9 of this Information are re-alleged as though fully set forth herein.

THE CONSPIRACY

11. From in or about March 2019, and continuing to in or about April 2023, the exact dates being unknown, within Jefferson County, in the Northern District of Alabama, and elsewhere, defendant

FRED LEE PLUMP, JR.

did knowingly and willfully combine, conspire, and agree with others known and unknown to devise and intend to devise a scheme and artifice to defraud, and for obtaining money and property by means of materially false and fraudulent pretenses, representations, and promises, and to transmit or cause to be transmitted by wire

communication any writing, sign, picture, signal or sound in interstate commerce for the purpose of executing the scheme or artifice, in violation of Title 18, United States Code, Section 1343.

MANNER AND MEANS

12. It was a part of the conspiracy that Legislator #1 would and did recommend during each fiscal year that most of his allotment of Fund money be paid to Piper Davis.

13. Further, defendant **FRED LEE PLUMP, JR.** would and did agree to pay kickbacks to Individual #1 from Fund money directed to Piper Davis by Legislator #1.

14. Further, defendant **FRED LEE PLUMP, JR.** would and did submit false and fraudulent information to the Committee about Piper Davis's intended use of Fund money.

15. Further, upon receipt and deposit of Fund checks, defendant **FRED LEE PLUMP, JR.** would and did give Piper Davis checks to Individual #1 for approximately one-half of the amount of Fund money received by Piper Davis. Defendant **FRED LEE PLUMP, JR.** would and did falsely write on some checks that the money was for dance team or cheerleading.

16. Further, Individual #1 would and did deposit the Piper Davis checks into personal bank accounts and then spend the money on personal expenditures such as cash withdrawals and mortgage and credit card payments.

All in violation of Title 18, United States Code, Section 1349.

Count Two
Obstruction of Justice
Title 18, United States Code, Section 1512(c)(2)

17. The factual allegations of paragraphs 1 through 16 of this Information are re-alleged as though fully set forth herein.

18. On or about March 4, 2023, the exact date being unknown, within Jefferson County, in the Northern District of Alabama, and elsewhere, defendant

FRED LEE PLUMP, JR.

did corruptly attempt to obstruct, influence, and impede an official proceeding, the grand jury investigation of kickbacks paid by him to Individual #1, by sending Individual #1 a text stating “Red Alert” and meeting with Individual #1 to warn her about the investigation and to tell her to “get your shit in order” and that she needed to find a dance team if she didn’t have one.

All in violation of Title 18, United States Code, Section 1512(c)(2).

PRIM F. ESCALONA
United States Attorney

/s/ Electronic Signature
George A. Martin, Jr.
Assistant United States Attorney

/s/ Electronic Signature
Catherine L. Crosby
Assistant United States Attorney