
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

v.

CASE NUMBER:

THOMAS HAWKINS and
JOHN RACASI

UNDER SEAL

I, the undersigned complainant, being duly sworn on oath, state that the following is true and correct to the best of my knowledge and belief: From no later than July 2008, continuing to at least September 17, 2008, at Chicago, in the Northern District of Illinois, Eastern Division THOMAS HAWKINS and JOHN RACASI defendants herein:

being agents of Cook County, which, during a one-year period, beginning October 1, 2007, and continuing to September 30, 2008, received federal benefits in excess of \$10,000, corruptly solicited, demanded, accepted and agreed to accept a thing of value, namely, \$1,500, intending to be influenced and rewarded in connection with business and transactions of the Cook County Board of Review involving a thing of value of \$5,000 or more, namely property tax reductions totaling at least approximately \$14,209;

in violation of Title 18, United States Code, Section 666(a)(1)(B). I further state that I am a Special Agent with the Federal Bureau of Investigation, and that this complaint is based on the facts contained in the Affidavit which is attached hereto and incorporated herein.

Signature of Complainant
RAYMOND HART
Special Agent, Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

July 17, 2012 at Chicago, Illinois
Date City and State

Jeffrey Cole, U.S. Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

UNITED STATES DISTRICT COURT)
) ss
NORTHERN DISTRICT OF ILLINOIS)

AFFIDAVIT

I, RAYMOND HART, being duly sworn, state as follows:

I. BACKGROUND

1. I am a Special Agent with the Federal Bureau of Investigation (“FBI”), and have been so employed for three years. My current responsibilities include the investigation of public corruption offenses.

2. This affidavit is based on my personal knowledge, including, but not limited to, my own personal observations, witness interviews, analysis and review of recorded phone calls and in-person meetings, and discussions with other law enforcement officials, including other FBI special agents.

3. This affidavit is submitted in support of a criminal complaint alleging that: beginning no later than July 2008, and continuing to at least September 17, 2008, at Chicago, in the Northern District of Illinois, defendants THOMAS HAWKINS and JOHN RACASI, being agents of Cook County, which, during a one-year period, beginning October 1, 2007, and continuing to September 30, 2008, received federal benefits in excess of \$10,000, corruptly solicited, demanded, accepted and agreed to accept a thing of value, namely, \$1,500, intending to be influenced and rewarded in connection with business and transactions of the Cook County Board of Review involving a thing of value of \$5,000 or more, namely property tax reductions totaling at least approximately \$14,209; in violation of Title 18,

United States Code, Section 666(a)(1)(B).

4. Because of the limited purpose of this affidavit, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe that the defendants committed the offense alleged in the complaint.

II. FACTS SUPPORTING PROBABLE CAUSE

A. The Cook County Board of Review

5. According to public records, the Cook County Board of Review (“Board of Review”) is the entity in Cook County that reviews appeals of the Cook County Assessor’s property tax assessments. According to the website www.USASpending.gov, from October 1, 2007 through September 30, 2008 (federal fiscal year 2008), Cook County received over \$10,000 in federal funds.

6. The Board of Review is made up of three commissioners. As detailed below, the commissioners have staff members, including analysts, who provide recommendations to the commissioners as to how they should vote on each appeal.

7. In 2008, HAWKINS and RACASI were both on the staff of Commissioner A and accepted a bribe payment in exchange for facilitating the reduction of property tax assessments on three residential properties identified by a confidential source who was cooperating with the FBI.

B. Thomas Hawkins and John Racasi

8. THOMAS HAWKINS has been employed by the Cook County Board of Review as an analyst since December 6, 2004.

9. JOHN RACASI has been employed by the Cook County Board of Review as an analyst since March 7, 2006.

C. Information from CS1

10. Cooperating Source 1 (“CS1”) is a Chicago Police officer. In July 2008, CS1 was arrested in the course of an investigation of public corruption and gun trafficking occurring in the Chicago area. CS1 is not currently facing any criminal charges, but will likely be charged in the future with attempted extortion and firearms-related offenses. CS1 has been cooperating with the government since July 2008 in the hopes of a recommendation for a reduced sentence in connection with these potential charges.

11. According to CS1, he has known Individual A for more than 20 years. According to CS1, he and Individual A attempted to pay a bribe to a former public official in exchange for CS1 receiving a promotion within the Chicago Police Department. According to CS1 and the former public official, neither the payment nor the promotion ever occurred. According to CS1, at that time, Individual A mentioned to CS1 that Individual A had the ability to help CS1 get his/her property taxes reduced.

12. At that time, CS1 did not follow up on the property tax issue. However, when CS1 began working with the FBI, CS1 raised the property tax issue with Individual A. Individual A subsequently introduced CS1 to HAWKINS, who introduced CS1 to RACASI.

As described below, CS1 subsequently recorded numerous meetings and phone conversations with RACASI and HAWKINS, in which RACASI and HAWKINS discussed facilitating property tax assessment reductions in exchange for bribe payments. On September 17, 2008, CS1 paid a \$1,500 bribe to HAWKINS and RACASI in exchange for promised property tax assessment reductions on three residential properties.¹

D. Information from CS2 Regarding Internal Procedures at the Board of Review

13. In approximately May 2009, the FBI began receiving information from a second cooperating source (“CS2”) regarding the Board of Review.² At the time, CS2 was employed at the Board of Review and provided information about the internal procedures used at the Board of Review for handling property tax appeals.

14. According to CS2, each of the three commissioners has a staff of analysts who review tax appeals.

15. According to CS2, the following procedure is generally followed when a tax appeal is submitted to the Board of Review:

a. The file is first randomly assigned by the chief clerk to one of the three commissioners’ staffs on a rotating basis. The file is then assigned to an analyst on that staff, who conducts the initial analysis on the file. This process includes locating comparable properties (“comparables”) and reviewing various factors like square footage and the age of

¹ HAWKINS and RACASI were not charged at the time of the bribe payment because of ongoing investigations involving CS1.

² CS2 is not facing any criminal charges and has no criminal history.

the property to determine whether the property is assessed at a higher value than the comparables.

b. The analyst ultimately arrives at what he or she believes is a fair assessment and then completes an “evidence sheet,” which summarizes the analysis that he or she has done. This sheet is then provided to the computer room, where it is then assigned to an analyst on the staff of one of the other two commissioners. The second analyst checks the information provided by the first analyst and either agrees or disagrees with the first analyst’s proposed assessed value.

c. The file is then, again, returned to the computer room, where it is assigned to an analyst on the third commissioner’s staff. If the first two analysts did not agree on the appropriate assessed value, the third analyst is the “tie-breaker” who decides which analysis is correct and documents and returns the file to the computer room, where the final assessed value is entered. If the first two analysts were already in agreement, then the opinion of the third analyst is moot, and the file is returned to the computer room where the final assessed value is documented.

16. According to CS2, there is also a process by which taxpayers can appeal their tax assessment by way of a hearing. This process involves the taxpayer meeting with an analyst, at which time the taxpayer can call to the analyst’s attention facts that the taxpayer believes merit a lower assessment. The analyst then collects comparables and performs the same type of analysis that is done for initial appeals. The file is then forwarded to analysts

from each of the two remaining commissioners' staffs in the same way as initial appeals are handled before a final assessed value is placed on the property.

17. Also, according to CS2, there is a another review process called "re-review" that a taxpayer can request if the taxpayer is not satisfied with the initial review. After a decision letter is sent to a taxpayer, there is a short window of time in which the taxpayer can request a re-review. Once the Board of Review receives a request for a re-review, an analyst on each commissioner's staff reviews the file, in the same way that initial appeals are handled. According to CS2, the Board of Review only had a short period of time to conduct a re-review. Because of the short deadline, a lot of weight is given to the assessed value determined by the first analyst who reviews the file in the re-review process.

E. The Property Tax Reduction Scheme

18. Based on recorded conversations, the property tax assessment reduction scheme worked as follows: (a) HAWKINS, RACASI, and others identified owners of residential or commercial properties who were willing to appeal their property tax assessment to the Board of Review; (b) the property owner agreed to pay a bribe for any tax assessment reduction obtained; (c) the property owner filed the standard paperwork for appealing to the Board of Review, and the property owner, HAWKINS, RACASI, or others assisting them obtained the Property Index Number ("PIN") for the property; (d) HAWKINS and RACASI ensured that at least two of the three commissioners, or their staff, voted in favor of a reduction for the property tax assessment corresponding to that PIN; (e) either before or after the assessment reduction was granted, the person who made the agreement with the property

owner received the bribe agreed to by the property owner; and (f) the Board of Review employees involved in obtaining the property tax assessment reduction shared the bribe payment.

1. CS1 Discusses Property Tax Reductions in Exchange for Bribe Payments with Individual A, HAWKINS, and RACASI.

19. As noted above, CS1 was first introduced to the possibility of paying bribes in exchange for property tax reductions by Individual A. On July 24, 2008, at approximately 4:10 p.m., CS1 called Individual A. During this recorded conversation, CS1 and Individual A discussed getting CS1's real estate taxes lowered once CS1 provided his PINs to Individual A. Individual A told CS1, "Oh we got the, we got the, the well, I'll tell you in person . . . we can get them knocked down."³

20. On July 28, 2008, at approximately 11:52 a.m., CS1 placed a recorded call to Individual A. During this conversation, CS1 and Individual A again discussed property tax reductions. Individual A stated, "They have certain time periods when certain townships come up so, uh, it may not be right now, but when it comes up the very next time we'll be,

³ At various points in the Affidavit, I will offer my interpretations of certain recorded conversations in brackets and otherwise. My interpretations of these conversations are based on my knowledge of the investigation to date, including, but not limited to, interviews of CS1 and CS2 and my review of multiple recorded conversations involving CS1, Individual A, HAWKINS, RACASI, and others, obtained during this investigation. My understanding is also based on conversations with other agents involved in this investigation and my training and experience in public corruption investigations. Quoted sections of recordings are based on FBI's preliminary analysis of the recordings and are not final transcripts. Some of these summaries do not include references to all the topics covered during the course of the conversation. In addition, the summaries do not necessarily include references to all statements made by the speakers on the topics that are mentioned.

we'll be in place and I'll have um, I'll see if I can bring some blanks [meaning blank forms to appeal the property taxes] too so you can fill 'em out."⁴ CS1 responded, "OK." Individual A then stated, "You know these are Board of Appeals um you know applications to change the tax. . . . Alright, but again the the you know certain townships are up at certain times, you know what I mean, then they have a window where they're in and then it closes and then you got to wait 'til the next year, so I'm not sure what, you know what you're bringing me I don't know when the next, you know the next time they're up." CS1 responded that his house was in Chicago, and that he could also seek a reduction on a home in Burbank, and a condominium in Tinley Park. Individual A responded, "OK, condos, condos are difficult unless you get the whole building."⁵ CS1 responded, "Ok, then let's just do mine and [the Burbank home]. . . . We'll do just the two that I have now which is the easier ones because uh one's in Burbank down the street from me and then one's, then they're both in Cook County." Later in the conversation, Individual A told CS1, "Well they you know let, let me, let me tell you, lawyers, lawyers usually charge like thirty-three percent [of the amount of reduction obtained] You know of, of the first year's stuff [the first year's taxes], my guys are like twenty, twenty five tops, you know Depending on how

⁴ According to the website for the Board of Review, www.cookcountyboardofreview.com, the Board of Review publishes official township filing periods for each township within Cook County. The filing period is a thirty-day window during which taxpayers must file appeals with the Board of Review in order to be considered for a reduction for that tax year.

⁵ According to CS2, with condominiums, the tax assessment requires an assessment of the entire building, and then each individual unit is assessed based on its percentage of the entire building. I believe that this rule is what Individual A is referring to in this statement.

much they get ya, but, uh, they're inside. you know what I mean and what happens is even if you get rejected and they say no change then you have what you call re-review and then three guys sit down in a room which is even better." CS1 stated, "And we got those guys." Individual A responded, "Yeah."

21. On July 28, 2008, at approximately 6:15 p.m., Individual A and CS1 met in person. This meeting was recorded by CS1. During the meeting, Individual A and CS1 further discussed Individual A's ability to use his influence with the Board of Review to get property taxes lowered for CS1 and about their plans to recruit business owners to apply for property tax reductions. CS1, at the direction of FBI, brought to the meeting PINs for his house and a property in Burbank that he owned, but in which a relative lived, to provide to Individual A. During the conversation regarding their plans to recruit additional property owners, CS1 stated, "let's, let's hypothetical say a number [the amount that they will charge property owners for getting a reduction] then we know what to tell the guy [the property owner], you know." Individual A responded, "We'll tell him you know, I know it's going to be twenty five percent is what they're going to want, you know, and, and if we do big numbers and we do it on a regular basis, we'll cut it out of that, either that or we'll go up to thirty, you know but then they might as well go to a lawyer, you got to give them a better break than a lawyer." Individual A went on to say, "you got to give them a better guarantee because you know, they may even get a rejection letter. . . .Which is actually better." Individual A noted that "if you get a rejection letter, then you ask for a re-review and say I'm still not happy with what you did, you didn't make a change or the change is too small . . .

. Then they put it in the committee of three guys and they sit in a room, and then they, they decide whatever the fuck they want, which is better.” CS1 responded, “and then we have those three guys.” Individual A then clarified, “I’m not talking about the three commissioners, there’s three commissioners, ok. . . . so those are the three actual commissioners, but the staff is three guys, so one guy from each one of those offices sits in a, in a room you know what I mean, the, the commissioners themselves don’t sit and look at every piece of paper, you know what I mean, they don’t, they don’t do that.

22. On August 10, 2008, at approximately 11:30 a.m., CS1 recorded a meeting with Individual A. During this meeting, Individual A and CS1 again discussed Individual A’s connections with the Board of Review and his ability to get tax assessments lowered on properties identified by CS1. During the meeting, Individual A brought CS1 to HAWKINS’ residence and explained to CS1 that HAWKINS is one of the people with whom he has a connection at the Board of Review. HAWKINS was not home and Individual A left a note asking HAWKINS to call him. The conversation between Individual A and CS1 later continued with CS1 asking, “So he’s [meaning HAWKINS] the tax guy, the thin guy?” Individual A responded, “Well, he’s one of them, yes, you know.”

23. On August 11, 2008, at approximately 7:50 p.m., CS1 recorded a meeting with Individual A. HAWKINS was present at this meeting and was introduced to CS1 by Individual A. During the meeting, Individual A stated, “I need application [application for tax appeal], I’m going to need um, you know the, the list [of dates when particular townships are eligible to appeal tax assessments]. . . . And, so we’re going, we’re going do some very

serious five [“fives”are how the Board of Review refers to commercial real estate] work.” HAWKINS responded, “I need uh, I need uh, a proposal though I mean not a proposal um, survey. . . . because I got to put a survey in the fives, because each, each, each, class five got to have a survey⁶ You know and then the survey goes in there and we write our numbers in [meaning the survey is part of the file and the staffers put in the amount that the staffers believe should be the tax assessment].” After discussing the need for a survey for commercial properties (“fives”), HAWKINS stated, “I mean if there’s no change [if the taxes are not reduced on the first review by the Board of Review] that’s even better because then I get that one five [inaudible] and I say, man, give me a favor, man.” Individual A responded, “You got people in the meeting,” and HAWKINS replied, “I’m learning [Individual A], I’m learning.”

24. Later during the same meeting on August 11, 2008, HAWKINS’s wife showed up and provided CS1 with her husband’s business card, which stated his position as an Analyst with the Board of Review.⁷ HAWKINS, Individual A and CS1 then continued their conversation about HAWKINS’ ability to assist Individual A and CS1 in getting property tax assessments reduced. HAWKINS stated, “We open up in September . . . and then, uh, the list comes out and everything is good, and then, uh, I’ll do what I can do you know. . . . If I can’t do something, I’ll be straight up honest and say, it ain’t going to work whatever it is

⁶ According to the rules posted on the Board of Review’s website, for commercial properties (“fives”), applications to the Board of Review to reduce the assessed value for a commercial property must include a current appraisal, among other things.

⁷ CS1 provided this business card to the FBI after the meeting.

but nine out of tenAlright.” Later in the conversation, CS1 stated, “We’ll, uh, we’ll, uh, have a nice little pow wow and, uh, I just want to keep things you know . . . under the radar.” During that statement by CS1, HAWKINS interjected, “Right, right, me too.” HAWKINS then stated, “Me too, me too, my wife said, ‘[Individual A] I don’t want to meet nobody you know,’ you know I’ll deal with that just don’t give me no names, no nothing, just give me a PIN number.” CS1 responded, “No, no, no, no, no, I’m going, uh, no, no I’m going, uh, I’m going handle that one.” HAWKINS then stated, “Yeah ok, all it takes is one jerk . . . and then uh we have, then we have a problem, damn.”

25. On August 13, 2008, CS1 recorded a meeting with Individual A, HAWKINS, Restaurant Employee, and Restaurant Owner at Restaurant A. During the meeting, the group discussed the possibility of Restaurant Owner obtaining property tax reductions through Individual A and HAWKINS. Specifically, Individual A told Restaurant Owner, “My friend Tom [HAWKINS] . . . we know you have this property here [Restaurant A] and other properties, um, Tom works at the Board of Appeals and I think we can assist you with, with, um, real estate tax situations.” Restaurant Owner responded, “Right now we have a lawyer who does that [assists them with property tax issues].” Individual A then stated, “He [HAWKINS] can’t, uh, let me just say this because he’s inside He can’t directly make contact with you, you know what I’m saying, you’ll kind of have to go through me, Tom, you know.” Restaurant Owner later responded, “I’ll, uh, get you the paperworkWe can have a lawyer just for fun.” Individual A reminded Restaurant Owner, “We need uh PIN numbers.” Later in the conversation Individual A told Restaurant Owner, “Well, let’s see

what's in the file [the file that the lawyer started] and how far he's down, how far he's down and then we'll take it from there. Maybe we'll even work with him you never know it might be, but the people who make the decisions are the inside, to the typically, well Tommy [HAWKINS] can explain it to you better because he works there." HAWKINS then stated, "Right, because it's just three signatures, we only need, it's three commissioners, we only need two, two of the three, we only, each commissioner has a staff and we're analysts so we handle all the property taxes and go through the files, find out if the assessor is, is just enough because see most of them always come in high anyway until we knock it down."

26. On August 18, 2008, at approximately 7:00 p.m., CS1 recorded a meeting with Individual A and HAWKINS at an office. CS1 told HAWKINS that CS1 would send him some PINs soon. Later in the conversation, Individual A stated that two of the three guys in the room [meaning the three analysts] need to "be careful" and that they should use "code" when talking about being paid. HAWKINS suggested that they should say, "Let's go to lunch, bring some lettuce" when they want to refer to cash payments. Individual A, HAWKINS, and CS1 then agreed to keep a "lettuce fund" that they would use to pay HAWKINS. Later, after HAWKINS left the meeting, Individual A and CS1 talked about how they would have to work out the percentages of what they will pay to HAWKINS and his people at the Board of Review. Individual A also advised CS1 that they always pay "after [after the Board of Review grants a reduction in taxes]" and that they have to make sure to keep everyone happy to avoid having people who are "pissed off" and might "rat" them out to the "feds" or the "newspapers."

27. On August 20, 2008, CS1 recorded a meeting with HAWKINS, RACASI, and Restaurant Employee. At the beginning of the meeting, HAWKINS introduced RACASI as his “brother” and explained that he was bringing RACASI in because RACASI had experience handling “fives (meaning commercial properties)” at the Board of Review. During this meeting, Restaurant Employee provided PINs for properties owned by Restaurant Owner. During the meeting, RACASI provided to CS1 detailed information about the amount of money he makes for obtaining property tax assessment reductions for single-family residences. When dealing with a taxpayer who RACASI knows, RACASI stated, “I charge \$150 a PIN up front and then he gives me the other \$150” when the tax reduction is completed. For individuals RACASI does not know, “it’s double.” RACASI also stated that the “fees” have to be split three ways among the three staffers voting on a particular property tax assessment reduction. RACASI explained that if he asks for \$150 for a reduction, “That 50 go to three people, 50, 50, 50, because there’s three board members.” RACASI explained further that if one of the three analysts does not want to participate in the scheme, “he miss out and we’ll still override him, so you’ll get 75 and I’ll get 75. That’s how it goes. Cut him out, but sometimes he’ll play because they [Board of Review analysts] all know about the game.”

2. HAWKINS and RACASI Give CS1 Assurances of Forthcoming Property Tax Reductions and Discuss Bribe Payment.

28. On September 10, 2008, CS1 recorded a meeting with HAWKINS, Individual A, and a third individual. During the meeting, CS1 identified two properties that he owned

for which he was seeking a property tax assessment reduction. CS1 told HAWKINS, “One’s in Chicago and one’s in Burbank.” CS1 then clarified, “One's, um, [street number] south Narragansett and the other one is [street number] south Oak Park in Burbank.” CS1 told HAWKINS that he should “pull it” and HAWKINS responded, “me, I’ll get an idea of what I can do.” Later in the meeting, CS1 received a phone call from Individual C, who owns a home in Tinley Park. During the recorded call, Individual C gave CS1 the PIN for the Tinley Park property. CS1 provided the PIN to HAWKINS and asked him to “look this one up.” HAWKINS responded, “OK, I’ll do a draft on it.” Individual A told HAWKINS to find out if “the township is open . . . you should be able to get that from the number.” HAWKINS responded, “yeah, right there on my computer, no problem.”

29. On the morning of September 11, 2008, CS1 recorded a call with HAWKINS. During the call, HAWKINS stated, “Uh, that [street number] on uh South Oak Park. . . . Uh, you don’t have the PIN number on it do you, or can you get the PIN?” CS1 responded, “actually, I do have it.” A short time later, CS1 called HAWKINS back and stated, “The only one I got is for Oak Park, you want that one? . . . The one on Narragansett I can’t find.” HAWKINS responded, “On Narragansett, no I got Narragansett, I need uh, yeah, Oak Park Street.” CS1 then provided HAWKINS with the PIN for the property on Oak Park street in Burbank. HAWKINS then stated, “Ok, I got you, give me another fifteen minutes buddy and, uh, we’ll be meeting up in another twenty minutes, ok?” CS1 responded, “OK, you going to make copies and all that?” and HAWKINS responded, “Yeah, I got it, I’m, I’m working on it now.”

30. A short time later, on September 11, 2008, CS1 recorded a meeting with HAWKINS and RACASI in which they discussed the proposed property tax assessments for the three properties identified by CS1 during the meeting on September 10, 2008. During this meeting, HAWKINS and RACASI showed CS1 printouts for the three properties.⁸ The printouts were dated September 11, 2008, and titled “Board of Review Analysis/Evidence Sheet” (“analysis sheet”). Each analysis sheet showed a reduction in the corresponding property’s assessed value, and each listed HAWKINS as the “1st Review Board of Review Analyst,” meaning that HAWKINS was the Board of Review employee who conducted the analysis and recommended the reductions.

31. During the meeting, HAWKINS stated, “as far as cash today, can I take something to, um, to my [Commissioner B] connections?” HAWKINS also said that this assessment reduction would complete the deal and that each property would receive a property tax reduction when the area in which each property is located was eligible for reductions. In this meeting, HAWKINS and RACASI also agreed to charge \$1,000 for reducing the assessment values on the three properties identified by CS1.⁹ CS1 then called Individual C to let him know that the cost would be \$1000. After the call, CS1 stated, “I told

⁸ HAWKINS and RACASI provided CS1 with two different analysis sheets for the Burbank property. One of the analysis sheets showed that the assessed value had been reduced from \$26,300 to \$20,013. The other analysis sheet showed that the assessed value had been reduced from \$26,300 to \$19,028. During the meeting, there was no discussion as to why CS1 was given two different analysis sheets for the Burbank property.

⁹ As set forth below, CS1 eventually paid \$1,500 for these assessment reductions.

him, in front of you guys, one grand, and that will cover the three houses.” As CS1 made this statement, RACASI interjected, “everything.”

32. During this conversation, they also discussed some specifics as to how HAWKINS and RACASI had arrived at the new assessed value for two of the properties. For example, with respect to the Burbank property, HAWKINS said that he could not reduce the assessed value of this property any further because other comparable properties in the area were at values close to that of the original assessed value for this property, so HAWKINS was going to “upset it” by reducing the value of CS1’s property. RACASI then stated that the next time he went into the computer, he would get CS1 “hooked up real good.” With respect to the Tinley Park property, HAWKINS said that when he was trying to find comparables for the property, HAWKINS included a property that was valued significantly lower in order to “throw them off.”

33. During this conversation, HAWKINS, RACASI, and CS1 also agreed on a \$500 charge for each residential property going forward. Specifically, as they were discussing how much to charge, CS1 said, “What do you think John [RACASI]?” Racasi responded, “What did we get in the past? . . . We was asking for a flat rate.” HAWKINS then said that “it varies” depending on the amount of reduction that a property owner received. RACASI said, “Whatever you guys, whatever you guys agree on, I don’t care. Just, just, give me a little something.” Eventually, they agreed on a \$500 fee, with HAWKINS saying, “We’re going to have a lot. Let’s do a \$500 [inaudible] fee. Alright? That’s the whole thing [inaudible] for every house because there’s going to be so many

houses. That way nobody gets hoggish, and there is room to play if you want to play.”

RACASI and CS1 agreed.

3. HAWKINS and RACASI Promise CS1 More Than \$14,000 in Property Tax Reductions in Exchange for a Bribe Payment.

34. As discussed above, in exchange for a bribe payment from CS1, HAWKINS and RACASI agreed to reduce the assessed values of three properties: the Chicago and Burbank properties owned by CS1, and the Tinley Park property owned by Individual C. According to HAWKINS and RACASI and standard Board of Review procedures, these reductions were to be in effect for three years, beginning with the 2008 tax year. During the September 11, 2008 meeting, HAWKINS and RACASI provided CS1 with the analysis sheets for these properties, which can be used to calculate the tax savings that a property owner would realize over the three-year period based on the proposed assessed values.

35. In the analysis sheet for the Chicago property, the original assessed value for the 2008 tax year was listed as \$28,386, and the revised amount was listed as \$21,489. Using these same amounts for the 2009 and 2010 tax years, and using the corresponding equalization factor, homeowner exemption, and tax rate published for each of these years to calculate the annual tax bill for the property, the total tax savings realized by CS1 over the three-year period would have been approximately \$3,187.¹⁰

¹⁰ The tax savings for each property was calculated by using the original assessed value, multiplied by the equalization factor, minus any homeowner exemption that applied. The tax rate percentage was then applied to this figure, which resulted in the original tax bill amount. This calculation was then repeated using the proposed reduced assessed value and the two tax bill amounts were compared.

36. As noted above, HAWKINS and RACASI provided CS1 with two analysis sheets for the Burbank property. In the first analysis sheet for the Burbank property, the original assessed value for the 2008 tax year was listed as \$26,300, and the revised amount was listed as \$19,028. Using these same amounts for the 2009 and 2010 tax years, and using the corresponding equalization factor, homeowner exemption, and tax rate published for each of these years to calculate the annual tax bill for the property, the total tax savings realized by the CS1 over the three-year period would have been approximately \$4,076. In the second analysis sheet for the Burbank property, the revised assessed value was listed as \$20,013. Using these same amounts for the 2009 and 2010 tax years, and using the corresponding equalization factor, homeowner exemption, and tax rate published for each of these years to calculate the annual tax bill for the property, the total tax savings realized by the CS1 over the three-year period would have been approximately \$3,385.

37. In the analysis sheet for the Tinley Park property, the original assessed value for the 2008 tax year was listed as \$37,651, and the revised amount was listed as \$26,771. Using these same amounts for the 2009 and 2010 tax years, and using the corresponding equalization factor, homeowner exemption, and tax rate published for each of these years to calculate the annual tax bill for the property, the total tax savings realized by Individual C over the three year period would have been approximately \$7,637.

38. Thus, the reductions promised by HAWKINS and RACASI in exchange for the \$1,500 bribe would have resulted in a total tax savings for the three properties over the three-year period of at least approximately \$14,209, if the lesser reduction on the Burbank

property is used. If the higher reduction on the Burbank property is used, the total tax savings for the three-year period would have been approximately \$14,900.

4. CS1 Makes \$1,500 Bribe Payment to HAWKINS and RACASI.

39. On September 15, 2008, at approximately 4:44 p.m., CS1 placed a recorded call to HAWKINS. During the call, HAWKINS said, “The three houses, uh, I got my guys ready to go, man,” and CS1 replied, “Ok, no, no, I want to bring that [money] to you.” HAWKINS added, “I done signed off on, uh, about ten of ‘em already and that’s from, uh, [Commissioner B]’s side of the, of the, the analyst, so they pulling files now, that’s why I was getting your stuff in there now.”

40. On September 16, 2008, at approximately 1:10 p.m., CS1 received a call from RACASI. The telephone call was recorded. RACASI stated that the payment to RACASI “has to be today, man, that ain’t gonna fly, it has to be today, it has to be before close of business, or they ain’t going with us on this one.” CS1 replied, “I can for sure do it tomorrow, man.” RACASI replied, “I’m sorry, man, I can’t I told you it’s not our one, one man operation down here, you know.” CS1 stated, “I guarantee it tomorrow, I’ll take you guys out to lunch and I’ll have the money for you.” RACASI replied, “They ain’t going to do it tomorrow they’re not going to do it, I’m telling you, I’m just telling you that’s just, you know, there’s deals coming in, we threw them off since Friday, we come in every day, we come in with a story, now they don’t want to hear it.” CS1 asked, “How much do they want today?” RACASI replied, “Can you come with four hundred?” CS1 said, “John, I guarantee fifteen hundred tomorrow.” RACASI responded, “They not going to do it, man

.... they got other deals you guys are not the only ones they work with, they make money and they got money coming to us, so we, money ain't no thing with us, man, we get money, that ain't no big deal, that's why I'm just trying to help you, man, the money ain't a problem."

41. On September 16, 2008, at approximately 1:48 p.m., CS1 received a call from HAWKINS. The call was recorded. During the call CS1 told HAWKINS that he would have \$1,500 for HAWKINS and RACASI the next day.

42. On September 16, 2008, at approximately 2:12 p.m., CS1 received a call from RACASI. The telephone call was recorded. RACASI stated, "We got to come pick up [collect money from CS1]." CS1 replied, "I was telling Tommy [HAWKINS], I can guarantee fifteen hundred tomorrow." RACASI said, "I'll bring it back to 'em and see what they say, I can't promise you nothing, man, I'm just telling you how hard core they playing with me you have to have something to show them that you sincere, that we stopped, we stopped the presses two times, two times we stopped, Friday and yesterday." CS1 said, "I'll take them out to lunch tomorrow and give them fifteen hundred cash." RACASI replied, "They ain't worried about that, man, they talking about money today, that's what they talking about, they moving on to the next files I'm just talking about them getting their little lettuce, so they can shut the fuck up." CS1 said, "I will guarantee tomorrow fifteen hundred." RACASI responded, "Man, don't let me downbecause I had great rapport for two years so far with these peopledon't fuck my rapport up man, please, please."

CS1 replied, "I guarantee it tomorrow morning." RACASI stated, "Man, don't let me down, man."

43. On September 17, 2008, at approximately 10:32 a.m., CS1 placed a recorded call to HAWKINS. During the call, CS1 told HAWKINS that CS1 would pick up HAWKINS and that CS1 had the \$1,500. HAWKINS replied, "Nah, stop playing," and CS1 stated, "Nah, I got all of it."

44. On September 17, 2008, CS1 recorded a meeting with HAWKINS and RACASI. Prior to the meeting, agents provided CS1 with \$1,500 in a Bank of America envelope. Agents also searched CS1 and found him to be in possession of \$750. CS1 met initially with RACASI and HAWKINS in CS1's car before they went to lunch together. While they were in the car, CS1 stated, "Hey um, I was telling Tommy [HAWKINS], that's what I wanted, I wanted, to make sure, he says you're not going to be able to do the Tinley Park yet. My buddy's Tinley Park. John [RACASI]." RACASI said, "Yeah. [Unintelligible ("UP")] can't do it 'til the [UI] opens [meaning that RACASI cannot adjust the tax assessment for the Tinley Park property until the Board of Review's filing period for Tinley Park open]." CS1 replied, "Ok but see but this is what I was talking about. When we do it the guy gets the letter and then we go pick up the money. You know what I'm saying, boom, boom, boom."

45. As CS1 parked the car, CS1 said, "I don't wanna go in there [the restaurant] yet. I just wanna make sure that um we're squared away. You know what I'm sayin'." RACASI replied, "That's understandable, yeah."

46. CS1 said, “I got tons of people [who want to lower taxes on their property], but I just wanna make sure. See I thought we were gonna collect the money after the letter.” HAWKINS said, “When the letter gets out.” CS1 said, “See what I’m sayin’.” RACASI said, “Oh, see. See we gotta piece all this together [meaning that they need to get a system in place for handling assessment reductions in the future]. We can’t be goin’ [UI] go piece by piece by piece. I didn’t understand. Now I understand that.” CS1 said, “Now if he’s not gonna do the Tinley Park. I mean what are we doin’? You know, I mean I’ll, I’ll prepay. I just wanna make sure we’re [UI].” HAWKINS then interjected, “I didn’t want to lie to you. Give you false pretensin’ that it’s gonna happen and it doesn’t happen [meaning that HAWKINS wants CS1 to understand that the Tinley Park reduction has not happened yet].” CS1 said, “Right. But my shit is done.” HAWKINS replied, “Yours gonna go through [meaning that the reductions on the two properties owned by CS1 will go through]. Yours gonna be fine. You’re gonna be fine.” CS1 replied, “See that’s the whole thing.” CS1 then asked, “So, who gets the money now?” HAWKINS replied, “The big man [referring to RACASI].” CS1 said, “The big man.” CS1 then asked, “Who buys lunch? The big man?” HAWKINS replied, “The big man.” Based on a review of the recording of the meeting,¹¹ CS1 counted out the money in front of RACASI and HAWKINS by counting out loud from one to fifteen. RACASI then said, “Naw you buyin’ lunch.” RACASI and CS1 discussed the phone call from the previous day in which CS1 suggested that RACASI meet CS1 for lunch.

¹¹ The meeting was recorded using both audio and video equipment. However, the video did not capture some portions of the meeting, including the bribe payment.

CS1 then audibly counted the money again. According to CS1, CS1 then handed the \$1,500 to RACASI.

47. After CS1, RACASI, and HAWKINS got out of CS1's vehicle and went into a restaurant, CS1 and HAWKINS spoke while RACASI was away from the table. During that portion of the conversation, CS1 asked HAWKINS, "Is he [RACASI] going to take care of you [give HAWKINS a portion of the \$1,500 bribe payment] or what?" HAWKINS replied, "John [RACASI]?" CS1 said, "Yeah," and HAWKINS replied, "Yeah, yeah, he will, he will hit me." After the meeting concluded, agents met with CS1 at a separate location and again searched CS1 and recovered the Bank of America envelope, which no longer contained the \$1,500.

III. CONCLUSION

48. Based on the foregoing, there is probable cause to believe that beginning no later than July 2008, and continuing to at least September 17, 2008, at Chicago, in the Northern District of Illinois, defendants THOMAS HAWKINS and JOHN RACASI, being agents of Cook County which, during a one-year period, beginning October 1, 2007, and continuing to September 30, 2008, received federal benefits in excess of \$10,000, corruptly solicited, demanded, accepted and agreed to accept a thing of value, namely, \$1,500, intending to be influenced and rewarded in connection with business and transactions of the Cook County Board of Review involving a thing of value of \$5,000 or more, namely property tax reductions totaling at least approximately \$14,209; in violation of Title 18, United States Code, Section 666(a)(1)(B).

FURTHER AFFIANT SAYETH NOT.

RAYMOND HART
Special Agent, Federal Bureau of Investigation

SUBSCRIBED AND SWORN to before me on July _____, 2012.

JEFFREY COLE
United States Magistrate Judge