

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

~~UNSEAL~~  
UNSEAL 4/24/09

Holding a Criminal Term

Grand Jury Sworn in on May 15, 2009

UNITED STATES OF AMERICA

v.

TED GIOVANNY LOZA,

Defendant.

CRIMINAL NO. 09-226(PLF)

GRAND JURY ORIGINAL

UNDER SEAL

VIOLATION:

18 U.S.C. § 201(b)(2)(A)

(Receipt of Bribe by a Public Official)

FRIEDMAN, J. PLF

INDICTMENT

**B**

The Grand Jury charges that:

At all times material to this Indictment:

Introduction

FILED IN OPEN COURT

SEP 17 2009

CLERK, U.S. DISTRICT COURT  
DISTRICT OF COLUMBIA

1. Defendant TED GIOVANNY LOZA ("LOZA") was employed by the District of Columbia as chief of staff for a member of the Council of the District of Columbia ("Public Official No. 1"). LOZA has worked for Public Official No. 1 since on or about May 16, 1998.

2. Public Official No. 1 was the chair of the Council of the District of Columbia's Committee on Public Works and Transportation. That committee had direct oversight and regulatory authority over the District of Columbia Taxicab Commission specifically and taxicab issues generally.

3. As part of his official duties as chief of staff for Public Official Number 1, LOZA performed the following acts among others:

**SUPERSEDING**

Case Related To 09CR226(PLF)

(a) **LOZA** was the head of Public Official Number 1's office and exercised supervisory authority over a staff of approximately eleven full- and part-time employees;

(b) **LOZA** was an advisor to Public Official Number 1 on District of Columbia legislative matters, including matters related to the regulation of the taxicab industry in Washington, D.C.;

(c) **LOZA** helped promote legislation, including legislation and policies governing the taxicab industry in Washington, D.C.;

(d) **LOZA** interacted with city officials and employees and discussed legislation with them including legislation and policies governing the taxicab industry in Washington, D.C.;

(e) **LOZA** interacted with private citizens and discussed legislation with them, including legislation and policies governing the taxicab industry in Washington, D.C.;

4. Staffer Number 1 was employed by the District of Columbia as a staff employee for Public Official Number 1. Staffer Number 1 assisted Public Official Number 1 in promoting legislation governing the taxicab industry in Washington, D.C.

#### **Taxicab Legislation in the District of Columbia**

5. In July 2008, a moratorium on the issuance of multi-car taxicab company licenses was enacted by the Council of the District of Columbia. Given this moratorium, new taxicab company licenses may not be issued, rendering taxicab company licenses a valuable commodity. An individual with financial interests in the taxicab industry ("Individual Number 1") has engaged

in repeated and longstanding corrupt efforts to limit the number of taxicab company licenses issued in the District of Columbia and to create an exemption to that limitation. Individual Number 1 first sought the enactment of the moratorium on the issuance of taxicab company licenses. Later, in cooperation with Individual Number 2, Individual Number 1 sought the adoption of an exception (under the guise of an allowance for the issuance of licenses for companies using environmentally friendly or "hybrid" vehicles) to that moratorium.

6. As part of Individual Number 1's efforts to secure advantages in the taxicab industry in the District of Columbia, Individual Number 1 provided a stream of things of value to LOZA, including, but not limited to, cash, the use of vehicles, and trips. In return for that stream of things of value, LOZA performed official acts in his capacity as Public Official Number 1's chief of staff, including, but not limited to, promoting legislation favorable to Individual Number 1's personal financial interest and the financial interests of Individual Number 1's associates.

#### COUNT ONE

7. The allegations set forth in paragraphs 1 through 6 of this Indictment are incorporated by reference as if set out in full.

8. On or about June 19, 2009, at approximately 12:00 p.m., within the District of Columbia, LOZA met with Individual Number 1 and had the following conversation:

Individual No. 1: Yeah, regarding, uh, the, you know -- I'm working with the taxicab small owners regarding the bill -- the, the legislation with the hybrid cars.

LOZA: Yes.

Individual No. 1: And [Individual Number 2] was really pushing, and he was helping us with some

fund raising. And, uh, he say [sic] that he has a lot of money to invest in D.C.

**LOZA:** [nodding]

Individual No. 1: Uh, and, uh, really we need help a lot. The legislation is almost—

**LOZA:** [nodding]

Individual No. 1: How long, how many months left now? About two months left—one month left for, uh, for the legislation to be introduced?

**LOZA:** [Public Official No. 1], what did [Public Official No. 1] say? The beginning of the next, uh, council session?

Individual No. 1: [Inaudible]

**LOZA:** Cause we go on break on Jan [sic], on July fifteenth.

Individual No. 1: Ok, there's no way—

**LOZA:** And then we don't come back until September the fifteenth.

Individual No. 1: —ok, there's no way he can [inaudible]?

**LOZA:** Move what?

Individual No. 1: Like on an emergency basis?

**LOZA:** I don't know. I would have to speak to [Public Official No. 1]. I know that, I thought you'd been talking to [Staffer No. 1], no?

Individual No. 1: Yeah, [Staffer No. 1], that's why I called. When I called [Staffer No. 1], he's, he was on vacation.

**LOZA:** He is.

Individual No. 1: His vacation. That's why I find out from you what's going on.

\* \* \*

Individual No. 1: Well, really, I, I, I wanted to buy something for you for father's day, like a tie or something.

**LOZA:** [laughing]

Individual No. 1: You know, [inaudible].

**LOZA:** Don't worry about a thing man. You know, it's just a—

Individual No. 1: I have something, I have something for you.

**LOZA:** I'm, I'm just happy to see you all the time.

Individual No. 1: Yeah, I know. It's for you. [Individual Number 1 handed an envelope containing \$1,000 in cash to **LOZA**.]

**LOZA:** What is this? Is this from [Individual Number 2]?

Individual No. 1: Yeah, [Individual Number 2] from me, yeah, mmm-mm.

**LOZA:** From both of you?

Individual No. 1: From both of us, yeah.

**LOZA:** Do I just take it, or—

Individual No. 1: Yeah.

**LOZA:** What is this for, though? Just a gift? A Father's Day gift?

Individual No. 1: Yes, sir.

**LOZA:** What do you want me to do? What do you want me, I'll talk to [Public Official No. 1]. And I can call you back later on—

Individual No. 1: Ok.

**LOZA:** —if you want—

Individual No. 1: Ok.

**LOZA:** —you know. But what, uh, what, according to the last meeting, based on the last meeting that you had, what happened? With [Public Official No. 1], not with [Staffer No. 1].

Individual No. 1: Uh, [Public Official No. 1] was suggesting—

**LOZA:** Cause I remember that, I remember I was not at that meeting.

Individual No. 1: Yeah, I know but [Public Official No. 1] suggested to talk to [Staffer No. 1], yeah.

\* \* \*

9. On or about June 19, 2009, in the District of Columbia, defendant **LOZA**, while working as a public official in the District of Columbia, corruptly demanded, sought, received, accepted, and agreed to receive something of value, that is \$1,000 from Individual Number 1 in return for and with the intent of being influenced in the performance of an official act, that is,

defendant **LOZA** agreed to promote legislation and policies related to taxicabs that were favorable to Individual Number 1's personal interests and the interests of Individual Number 1's associates.

**(Receipt of a Bribe by a Public Official, in violation of Title 18, United States Code, Section 201(b)(2)(A))**

**COUNT TWO**

10. The allegations set forth in paragraphs 1 through 6 of this Indictment are incorporated by reference as if set out in full.

11. On June 29, 2009, within the District of Columbia, Individual Number 1 met with **LOZA** and Public Official Number 1. During the meeting they discussed legislation creating an exemption to the moratorium on the issuance of taxicab company licenses that Individual Number 1 had sought. Public Official Number 1 declared that he would introduce that legislation, and, on or about June 30, 2009, he introduced that legislation.

12. On or about July 10, 2009, within the District of Columbia, Individual Number 1 met with **LOZA**. Upon meeting Individual Number 1, **LOZA** handed him a copy of the taxicab legislation that Public Official Number 1 had introduced on or about June 30, 2009. During the meeting they had the following conversation:

**LOZA:** I got you two copies here [and then hands Individual Number 1 papers].

Individual No. 1: Ok, wonderful.

**LOZA:** And here's all about medallions. You know, um, [Public Official No. 2] was a co-sponsor.

Individual No. 1: Ok.

**LOZA:** And now comes as I told you the, um, hearing that we'll try to aim for the end of September—

Individual No. 1: Ok.

**LOZA:** —after we come back—

Individual No. 1: Ok.

**LOZA:** —from recess.

Individual No. 1: Wonderful.

**LOZA:** I got you an extra copy, and I just sent you an electronic copy of this as well.

Individual No. 1: Beautiful, wow, beautiful. Really. I want to thank you very much.

**LOZA:** Yes, sir.

Individual No. 1: Thank you very much for, you know, arranging meetings with [Public Official Number 1].

**LOZA:** Yeah.

Individual No. 1: It means a lot for me, and, uh, you know the community. Uh, it's wonderful, you know, and we have a piece of—

**LOZA:** We're on our way!

Individual No. 1: OK. We have a piece of, um—the hybrid as well right here on this legislation?

**LOZA:** Yeah. That's the exception.

Individual No. 1: The exception. OK. Yeah, I really, I mean—

**LOZA:** But, but, read it, and, uh, then let me know if there's something—

Individual No. 1: I will, definitely I will—

LOZA: —that, that raises your eyebrow—

Individual No. 1: Oh, sure.

LOZA: —or concerns you.

Individual No. 1: Definitely, and I want to thank you very much for this, and, you know—

LOZA: Thank you very much.

Individual No. 1: Very helpful for us, you know. Uh, and [Individual Number 2] wanted to really thank you as well for this.

LOZA: He does? What, didn't he thank me or didn't you guys thank me already?

Individual No. 1: Here — here. This is for you. And, uh, thank you very much for him. [Individual Number 1 handed \$500 in cash to LOZA.]

LOZA: You know I need it. That's why I take it, you know.

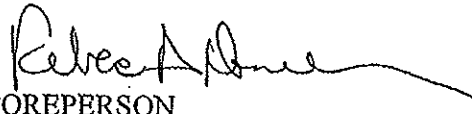
\* \* \*

13. On or about July 10, 2009, in the District of Columbia, defendant LOZA, while working as a public official in the District of Columbia, corruptly demanded, sought, received, accepted, and agreed to receive something of value, that is \$500 from Individual Number 1 in return for and with the intent of being influenced in the performance of an official act, that is, defendant

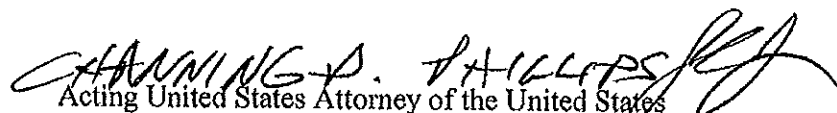
LOZA agreed to promote legislation and policies related to taxicabs that were favorable to Individual Number 1's personal interests and the interests of Individual Number 1's associates.

(Receipt of a Bribe by a Public Official, in violation of Title 18, United States Code, Section 201(b)(2)(A))

A TRUE BILL



FOREPERSON

  
Acting United States Attorney of the United States  
in and for the District of Columbia