

UNITED STATES ATTORNEY'S OFFICE Southern District of New York

U.S. ATTORNEY DAMIAN WILLIAMS

FOR IMMEDIATE RELEASE Tuesday, October 8, 2024 http://www.justice.gov/usao/nys CONTACT: U.S. ATTORNEY'S OFFICE Nicholas Biase Shelby Wratchford (212) 637-2600

<u>Former New York City Hall Official Charged</u> <u>With Witness Tampering And Destruction Of Evidence</u>

Damian Williams, the United States Attorney for the Southern District of New York, James E. Dennehy, the Assistant Director in Charge of the New York Field Office of the Federal Bureau of Investigation ("FBI"), and Jocelyn E. Strauber, the Commissioner of the New York City Department of Investigation ("DOI"), announced today the unsealing of a Complaint charging former New York City Hall official MOHAMED BAHI with witness tampering and destruction of evidence in connection with a federal investigation of unlawful contributions to a particular 2021 mayoral campaign. BAHI was arrested today and will be presented before United States Magistrate Judge Robert W. Lehrburger in Manhattan federal court.

A link to the complaint *is here*.

U.S. Attorney Damian Williams said: "As alleged, Mohamed Bahi obstructed a federal criminal investigation by instructing witnesses to lie and then destroying evidence. The charges unsealed today should leave no doubt about the seriousness of any effort to interfere with a federal investigation, particularly when undertaken by a government employee. Our commitment to uncovering the truth and following the facts wherever they may lead is unwavering."

FBI Assistant Director James E. Dennehy said: "Mohamed Bahi, a former senior New York City Hall official, allegedly interfered with an active investigation by ordering third parties to lie to federal agents and deleting potentially incriminating correspondence from his personal electronic devices. These alleged actions were a deceitful attempt to conceal unlawful activity and create unnecessary obstacles for those working to uncover the truth. The FBI will continue to apprehend all individuals, regardless of their position, for obstruction of federal investigations."

DOI Commissioner Jocelyn E. Strauber said: "As charged, this former City Hall official advised witnesses to lie and destroyed evidence in connection with the investigation of straw contributions to the 2021 Mayoral campaign. These are serious offenses, and DOI thanks our partners in the U.S. Attorney's Office for the Southern District of New York and the FBI for their commitment to maintaining integrity in investigations."

As alleged in the Complaint unsealed today:¹

From approximately 2022 through October 2024, BAHI has worked in the New York City mayoral administration of a certain public official ("Official-1"). Specifically, BAHI served as a Senior Liaison in the Community Affairs Unit of that mayoral administration.

In or about December 2020, BAHI was involved in organizing a fundraiser for Official-1's campaign to be New York City Mayor in connection with an election to be held in 2021 (the "2021 Official-1 Campaign"). The fundraiser was held at the Brooklyn offices of a construction company (the "Construction Company"). At this event, which was attended by BAHI and Official-1, among others, four employees of the Construction Company (the "Donors") made contributions in their own names to the 2021 Official-1 Campaign, but those contributions were in fact funded by the Construction Company's chief executive officer (the "Businessman"). Such contributions—that is, contributions made in the name of one donor but in fact funded by a different person—are commonly referred to as straw contributions. The knowing solicitation and acceptance of straw contributions can violate federal law when, for example, a political campaign makes false statements about straw contributions to a public entity to fraudulently obtain public matching funds based on the contributions, or when the straw contributions are used to smuggle foreign money into a campaign.

Since in or about 2021, the FBI and DOI have been investigating, among other things, the receipt of straw contributions by the 2021 Official-1 Campaign (the "Federal Investigation"). In or about 2024, BAHI took steps to obstruct the Federal Investigation by tampering with multiple witnesses and destroying evidence. In particular:

- On or about June 13, 2024, in connection with the Federal Investigation, FBI agents executed a court-authorized search warrant at the Businessman's home, and also served the Businessman and the Donors with grand jury subpoenas. After being notified by the Businessman that the FBI had executed a search warrant at the Businessman's home that morning, BAHI met privately with the Businessman. BAHI told the Businessman that he had just spoken with Official-1and advised the Businessman to lie to federal investigators. BAHI then met with the Businessman and the Donors and instructed them to lie to the FBI.
- On or about June 14, 2024, after having met with Official-1, BAHI told the Businessman that Official-1 believed that the Businessman would not cooperate with law enforcement.
- On or about July 24, 2024, in connection with the Federal Investigation, FBI agents executed a court-authorized search warrant at BAHI's home and seized BAHI's cellphone. In an effort to obstruct the Federal Investigation, upon the FBI's arrival at BAHI's home, he deleted from his cellphone the encrypted messaging application Signal, which BAHI had previously used to communicate with Official-1.

¹ As the introductory phrase signifies, the entirety of the Complaint and the descriptions of the Complaint set forth herein constitute only allegations, and every fact described should be treated as an allegation.

If you believe you have information related to bribery, fraud, or any other illegal conduct by BAHI or any other New York City employees, please contact DOI at tipline@doi.nyc.gov or (212) 825-2828. If you were involved in such conduct, please consider self-disclosing through the SDNY Whistleblower Pilot Program at USANYS.WBP@usdoj.gov.

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BAHI, 40, of Staten Island, New York, is charged with one count of witness tampering and one count of destruction of records, each of which punishable by up to 20 years in prison.

The statutory maximum penalties are prescribed by Congress and are provided here for informational purposes only, as any sentencing of the defendant will be determined by the judge.

Mr. Williams praised the outstanding work of the FBI and DOI.

The prosecution of this case is being handled by the Office's Public Corruption Unit. Assistant U.S. Attorneys Hagan Scotten, Celia V. Cohen, Andrew Rohrbach, and Derek Wikstrom are in charge of the prosecution.

The charges contained in the Complaint are merely accusations, and the defendant is presumed innocent unless and until proven guilty.

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