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**FORMER CHICAGO POLICE COMMANDER INDICTED ON NEW
FRAUD CHARGES IN ADDITION TO LYING TO FBI AGENTS
AS PART OF HIRED TRUCK PROGRAM INVESTIGATION**

CHICAGO – Former Chicago Police Cmdr. **Michael J. Acosta** allegedly pocketed at least \$3,300 from contributions he received for an annual police department luncheon, in addition to allegedly lying to FBI agents investigating alleged corruption in the city's Hired Truck Program (HTP), according to a federal grand jury indictment returned today. Acosta, who was charged publicly on Feb. 2 in a criminal complaint with making false statements to FBI agents, was indicted today on that same charge and two new counts alleging the misappropriation of funds for his own use, announced Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, and Robert D. Grant, Special Agent-in-Charge of the Chicago Office of the Federal Bureau of Investigation.

Acosta, 58, of Chicago, was released in February on a \$10,000 recognizance bond. He was the city's highest-ranking officer stationed at O'Hare and Midway airports until he resigned in February. Prior to 2004, his command included supervision of the police department's Preventive Programs and Neighborhood Relations Division.

He was charged with two counts of mail fraud and one count of making false statements. He will be arraigned in U.S. District Court on a date yet to be determined.

The new fraud counts allege that between March 2004 and January 2005, Acosta received two separate donations, totaling \$9,000, for the Police Recognition Ceremony, an annual luncheon in honor of Chicago police officers, and that he fraudulently obtained at least \$3,300 of that money for his own use.

In March 2004, Acosta accepted \$7,000 from Company A for the luncheon, falsely representing to the company that the donation was for the Police Recognition Ceremony. On or about April 19, 2004, Acosta instructed Officer A to deposit the \$7,000 check into a checking account that officers at O'Hare maintained for funds they raised for an annual golf outing and for retirement gifts. Acosta further instructed Officer A to write a \$2,000 check drawn on the Chicago Police O'Hare account to be made payable to Acosta personally and he deposited the money into his personal bank account. At the same time, Acosta allegedly concealed his use of Company A's donation by instructing Officer A to write a \$5,000 check drawn on the Chicago Police O'Hare account to be made payable to the Police Recognition Ceremony, which maintained a separate bank account.

On April 13, 2004, Acosta allegedly met with Individual A and John Boyle, then a Chicago Department of Transportation employee and convicted felon, and later a federal defendant in the Hired Truck investigation. Acosta accepted a \$2,000 check from Individual A, falsely representing that it was for the Police Recognition Ceremony. Acosta allegedly concealed his use of Individual A's donation by instructing Officer A to deposit the check into the Chicago Police O'Hare account. Acosta later instructed Officer A to write a check for \$1,300 drawn on the O'Hare account and made payable to cash, and deposited that check into his personal account.

After he was aware that he was under federal investigation, on Jan. 27, 2005, Acosta allegedly gave \$2,000 cash to a Chicago police officer assigned to O'Hare and instructed the officer to deposit the money into the Chicago Police O'Hare account.

The false statements count alleges that during the course of an FBI and federal grand jury investigation related to Boyle and the Hired Truck Program, agents learned of a relationship between Acosta and John Boyle. On Oct. 6, 2004, FBI agents interviewed Acosta, and he allegedly made the following false statements: 1) Boyle never asked him for any person's arrest record and criminal history information; 2) he would not provide Boyle or anyone else with criminal history information; and 3) he could not recall any favors requested by Boyle that related to his position in law enforcement.

The government is being represented by Assistant U.S. Attorneys Manish Shah, Barry Miller and Patrick Collins.

If convicted, each count of mail fraud carries a maximum penalty of 20 years in prison and a \$250,000 fine, and making false statements carries a maximum penalty of 5 years in prison and a \$250,000 fine. The Court, however, would determine the appropriate sentence to be imposed.

The public is reminded that an indictment contains only charges and is not evidence of guilt. The defendant is presumed innocent and is entitled to a fair trial at which the government has the burden of proving guilt beyond a reasonable doubt.

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