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Election Fraud Alleged in Cudahy; 2 Accept Plea Deal

"Ballots cast in favor of the incumbent candidates were resealed and returned to the mail to be counted. Ballots for non-incumbent candidates were discarded," according to a plea deal obtained by NBC4 News

By Olsen Ebright, Melissa Pamer and Jason Kandel • Published July 12, 2012 • Updated on July 17, 2012 at 8:34 am



2:26

Cudahy Plea Deals Reveal Allegations of Election Fraud

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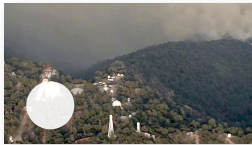
A corruption scandal in Cudahy that led to the arrest of three city officials now includes allegations of election fraud and other new allegations of bribery, according to plea agreements obtained by NBC4 News on Thursday.

The documents state that in city elections in 2007 and 2009, ballots in favor of challengers were discarded, while ballots that favored incumbents were retained.

The plea agreements -- for Cudahy Mayor David Silva, 61, and city's head of code enforcement, Angel Perales, 43 -- were released by the U.S. Attorney's Office.

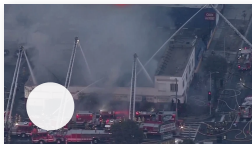
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Along with Councilman Osvaldo Conde, Silva and Perales were arrested June 22. Conde holed up in a business he owned, leading to a standoff with authorities that lasted hours.

Silva and Perales have resigned.

The three men on Feb. 28 allegedly accepted bribe payments from an FBI informant posing as a medical marijuana dispensary owner who wanted to open a shop in the small city south of downtown Los Angeles.

3:05

Cudahy Officials Accused of Bribery in Undercover FBI Investigation

The plea agreements leave Conde, who has served on the City Council for more than 20 years, to face bribery charges, according to prosecutors.

In his agreement, Perales admitted to tampering with mail-in ballots. He is described in a press release from Andre Birotte, U.S. Attorney for the Central District of California, as the "bag man" for city officials who took bribes.

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Cudahy City Officials Arrested for Corruption

Perales and another person "determined by trial and error, the best way to open the mailed absentee ballots without defacing the envelopes," according to the plea deal filed in federal court Thursday.

"He had, with other city officials, opened ballots, saw who the ballots were cast for and returned some of the ballots to the mail to be counted, and removed others so that they would not be counted," Assistant U.S. Attorney Joseph Akrotirianakis said of Perales.

"Ballots cast in favor of the incumbent candidates were resealed and returned to the mail to be counted. Ballots for non-incumbent candidates were discarded," the plea agreement stated.

The same process was allegedly used in the 2009 election, according to Perales' plea agreement.

In 2007, candidate Luis Garcia was one of two challengers to the three incumbents. He came in behind third-place Conde by just 33 votes, [results showed](#), ensuring the three councilmen remained on the panel and now newcomers were elected.

Garcia said he was always suspicious that something was wrong, and said he was followed and his property vandalized during the campaign.

In addition to outlining the details of meetings with the FBI's confidential informant, the plea agreements include Silva's and Perales' admission to engaging in corrupt behavior while acting in their official capacity.

Silva's agreement reveals that multiple business people, identified only by their initials, allegedly presented council members with cash for favors.

The most extreme example involved a developer who this year bought city land to build a sports arena.

Identified only as "S.T.," the developer was able to buy the municipal property after securing votes from Silva and Conde by paying \$50,000 to each man. The council this year approved the land sale for \$800,000 more than the city's original \$3 million purchase price, the plea document said.

"S.T." who made a regular habit of giving bottles of alcohol to city officials – gifts that were distributed by Conde, according to the deal.

"A.B.," another developer who had both residential and commercial projects before the city, gave case to Perales, who distributed \$2,000 to Conde and Silva. The councilmen voted to approve the

developer's project. "A.B." told Conde and Silva he would pay more money for future support for his commercial project.

Also described were instances of corruption related to a massage parlor, towing and other "professional" services.

Perales and Silva both agreed to plead guilty to the same two counts against each of them, according to the U.S. Attorney's Office. One count was for accepting a \$5,000 payment from the pot dispensary owner -- extortion -- and another count was for bribery related to use of the city's federal stimulus funding.

The agreement also allows prosecutors to bring charges for both men related to criminal tax violations. Silva and Perales face a maximum of 30 years in prison and a fine of \$500,000.

Silva, Perales, and Conde are scheduled to appear in court for an arraignment on July 19, according to the U.S. Attorney's Office.

The FBI's investigation is continuing, Akrotirianakis said.

Complete List of Cudahy Related Documents:

- [Plea Agreement: Angel Perales](#)
- [Plea Agreement: David Silva](#)
- [Arrest Warrants](#)
- [Complaints and Affidavit](#)
- [Exhibit A: Photos of Silva, Gurule](#)
- [Exhibit B: Photos of Barrios, Conde, Romo](#)
- [Exhibit C: Application for Federal Money](#)
- [Exhibit D: Caltrans Disbursement](#)
- [Exhibit E: Photos from El Pollo Loco](#)
- [Exhibit F: Guns in El Potrero nightclub](#)
- [Exhibit G: Conde, Woman with guns in El Potrero nightclub](#)