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Northern District of California**

FOR IMMEDIATE RELEASE
September 3, 2013
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“DIRTY DUI” COP CONVICTED OF EXTORTION AND HONEST SERVICES FRAUD

Stephen Tanabe, a former deputy with the Contra Costa County Sheriff’s Office, was convicted today by a federal jury in San Francisco, United States Attorney Melinda Haag announced. The jury found Tanabe guilty of two counts of extortion under color of official right, in violation of 18 U.S.C. § 1951; three counts of wire fraud on a deprivation of honest services theory, in violation of 18 U.S.C. §§ 1343 and 1346; and one count of conspiracy to commit honest services fraud, in violation of 18 U.S.C. § 1349. Tanabe was acquitted on one extortion count.

According to evidence presented at trial, Tanabe conspired to and engaged in a scheme to take bribes in exchange for his services as a deputy sheriff, thereby depriving the people of Contra Costa County of their right to his honest services. Specifically, the evidence showed that Christopher Butler, a former Antioch Police Officer turned private investigator, was hired by wives and ex-wives engaged in divorce and child custody proceedings to arrange “stings” against their spouses, whom they told Butler had a propensity to drive under the influence of alcohol. Butler used “decoys” to entice the sting targets to bars in downtown Danville, where Tanabe was assigned to patrol, and encourage them to drink.

For one sting, Tanabe joined Butler in a bar while off-duty, watching two attractive young women working for Butler drink with a sting target. Evidence showed that, in exchange for a promise of cocaine, Tanabe notified an on-duty Deputy that the sting target was about to drive away, having been lured by the prospect of a hot tub with the two women. For two other stings, the evidence showed that Tanabe, then on-duty, waited outside the Vine Bar in Danville and then arrested the targets in exchange for a Glock handgun.

“This conviction confirms that Stephen Tanabe did not serve his community with honor or integrity, but instead set up unsuspecting citizens and abused the public trust,” said United States Attorney, Melinda Haag. “Law enforcement officers are hard-working, honorable men and women who work selflessly every day to keep us safe. Stephen Tanabe is the exception, and he does not deserve the badge he was wearing.”

The maximum statutory penalties for honest services wire fraud under 18 U.S.C. §§ 1343 and 1346, conspiracy to commit same under 18 U.S.C. § 1349, and extortion under color of official right under 18 U.S.C. § 1951, are 20 years imprisonment; \$250,000 fine; and five years of supervised release. However, any sentence following this conviction will be imposed by the

court after consideration of the U.S. Sentencing Guidelines and the federal statute governing the imposition of a sentence, 18 U.S.C. § 3553.

Butler entered into a cooperation plea agreement with the government on May 7, 2012, and was sentenced on September 25, 2012, to 96 months in prison.

Tanabe, 50, was originally indicted on December 15, 2011. The Superseding Information on which he was tried filed June 12, 2013. Sentencing is scheduled for December 11, 2013, at 10:00 a.m., before U.S. District Judge Charles R. Breyer.

The U.S. Attorney specifically thanks Contra Costa County District Attorney Mark Peterson for his invaluable assistance and leadership into the investigation and prosecution of this case. The District Attorney and his office are vital partners in the federal efforts to address public safety in Contra Costa County.

Hartley M. K. West and Philip J. Kearney are the Assistant U.S. Attorneys who prosecuted the case with the assistance of Alycee Lane, Rosario Calderon, and Harriet Marmah. The prosecution is the result of a lengthy investigation by the Federal Bureau of Investigation and the California Department of Justice.

Further Information:

Case #: 11-0941 CRB

A copy of this press release may be found on the U.S. Attorney's Office's website at www.usdoj.gov/usao/can.

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at www.cand.uscourts.gov.

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