

FILED

JUL 06 2022

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Case No. **22CR143GKF**

Plaintiff,

v.

DANIEL THOMAS GIRALDI,
a/k/a "Vegas G,"
a/k/a "Vegas,"
a/k/a "G,"

Defendant.

INDICTMENT

[COUNT ONE: 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Possession of

Oxycodone with Intent to Distribute;

COUNT TWO: 21 U.S.C. §§ 841(a)(1) and 841(b)(2) – Possession of

Clonazepam with Intent to Distribute;

COUNTS THREE through TWELVE:

21 U.S.C. §§ 843(b) and 843(d)(1) – Use of a Communication Facility in the Commission of a Drug Trafficking Felony;

COUNT THIRTEEN: 18 U.S.C.

§ 1952(a)(3) – Interstate Travel to Aid Racketeering;

COUNTS FOURTEEN through

SEVENTEEN: 18 U.S.C. §§ 1343 and 1346 – Honest Services Fraud;

Forfeiture Allegation: 21 U.S.C. § 853,

18 U.S.C. § 981(a)(1)(c) and 28 U.S.C.

§ 2461 – Drug, Racketeering and Bribery Forfeiture]

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C)]

On or about April 19, 2022, in the Northern District of Oklahoma, the defendant,

DANIEL THOMAS GIRALDI, a/k/a "Vegas G," a/k/a "Vegas," a/k/a "G,"

knowingly and intentionally possessed with intent to distribute Oxycodone, a

Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and
841(b)(1)(C).

COUNT TWO
[21 U.S.C. §§ 841(a)(1) and 841(b)(2)]

On or about April 19, 2022, in the Northern District of Oklahoma, the defendant, **DANIEL THOMAS GIRALDI**, a/k/a “Vegas G,” a/k/a “Vegas,” a/k/a “G,” knowingly and intentionally possessed with intent to distribute Clonazepam, a Schedule IV controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(2).

COUNTS THREE through TWELVE
[21 U.S.C. §§ 843(b) and 843(d)(1)]

On or about the dates listed below, in the Northern District of Oklahoma and elsewhere the defendant, **DANIEL THOMAS GIRALDI**, a/k/a “Vegas G,” a/k/a “Vegas,” a/k/a “G,” and a cooperating witness (“C.W. 1”), a person known to the Grand Jury, knowingly and intentionally used a communication facility, that is, a telephone (cellular or otherwise), in committing, causing, and facilitating the commission of acts constituting felonies under Title 21, United States Code, Section 841, in that the defendant used a telephone to discuss various matters concerning the possession with intent to distribute and to distribute Xanax, a Schedule IV controlled substance, as set forth in the chart below:

COUNT	DATE	DEFENDANTS	DESCRIPTION OF TEXT
3	4/14/22	DANIEL THOMAS GIRALDI	C.W. 1 to GIRALDI : “Could you give me a few zan until my script comes in? You know I’m gonna fuck you good because you verified I didn’t have a warrant so thank you love bug”
4	4/14/22	DANIEL THOMAS GIRALDI	GIRALDI to C.W. 1: Are you gonna fuck me????
5	4/14/22	DANIEL THOMAS GIRALDI	GIRALDI to C.W. 1: Will I make your pussy wet?
6	4/14/22	DANIEL THOMAS GIRALDI	GIRALDI to C.W. 1: “I want you in doggie style”
7	4/14/22	DANIEL THOMAS GIRALDI	GIRALDI to C.W. 1: “Please do go down on me though.”

COUNT	DATE	DEFENDANTS	DESCRIPTION OF TEXT
8	4/14/22	DANIEL THOMAS GIRALDI	C.W. 1 to GIRALDI : “Well of course. Can you give me some Xanax until I get my script they r not Xanax but Valium so somewhat same thing.”
9	4/14/22	DANIEL THOMAS GIRALDI	GIRALDI to C.W. 1: “:)”
10	4/14/22	DANIEL THOMAS GIRALDI	C.W. 1 to GIRALDI : “Is that a yes lol”
11	4/14/22	DANIEL THOMAS GIRALDI	GIRALDI to C.W. 1: “Yes dork”
12	4/14/22	DANIEL THOMAS GIRALDI	GIRALDI to C.W. 1: “Maybe I’ll want something extra in return.”

All in violation of Title 21, United States Code, Sections 843(b) and 843(d)(1).

COUNT THIRTEEN
[18 U.S.C. § 1952(a)(3)]

On or about April 19, 2022, in the Northern District of Oklahoma and elsewhere, the defendant, **DANIEL THOMAS GIRALDI**, a/k/a “Vegas G,” a/k/a “Vegas,” a/k/a “G,” travelled in interstate commerce from the State of Missouri to the State of Oklahoma with the intent to promote, manage, establish, carry on, and facilitate the promotion, management, establishment, and carrying on of an unlawful activity, that is, possession with intent to distribute Oxycodone a Schedule II controlled substance, and Clonazepam, a Schedule IV controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and thereafter performed and attempted to perform an act to promote, manage, establish, and carry on, and to facilitate the promotion, management, establishment, and carrying of such unlawful activity.

All in violation of Title 18, United States Code, Section 1952(a)(3).

COUNTS FOURTEEN through SEVENTEEN
[18 U.S.C. §§ 1343 and 1346]

Introduction

At all times material to this indictment:

1. **DANIEL THOMAS GIRALDI**, a/k/a “Vegas G,” a/k/a “Vegas,” a/k/a “G,” (**GIRALDI**) was an Assistant District Attorney (ADA) in the Ottawa County District Attorney’s Office from February 2019 until April 20, 2022.
2. As an ADA, **GIRALDI**, took a loyalty oath to support the Constitution of the laws of the United States of America and the Constitution and the laws of the state of Oklahoma.
3. The Oklahoma Constitution disallows public officers from receiving any valuable thing, including sexual acts, for the performance or non-performance of any act or duty pertaining to that office.
4. As an ADA, **GIRALDI** had a duty to prosecute crimes arising in Ottawa County and to act in a manner befitting his position reflecting the position of public trust he held.
5. As an ADA and employee of the Ottawa County District Attorney’s Office, **GIRALDI** was not allowed to unlawfully alter, destroy, or conceal a document or other material having potential evidentiary value. Additionally, **GIRALDI** was not permitted to use his position to benefit himself in an unlawful manner, including trading sexual acts for official actions.

6. Prior to becoming an ADA, **GIRALDI** was a licensed criminal defense attorney and handled cases in Ottawa County, including the representation of Unindicted Individual 1 beginning as early as 2013.

7. There was an understanding between **GIRALDI** and Unindicted Individual 1 that **GIRALDI** would accept payment for legal services in the form of sexual acts with women, including but not limited to oral sex and sexual intercourse, that Unindicted Individual 1 introduced to **GIRALDI** at pre-arranged “lunch dates.”

8. Unindicted Individual 1 introduced **GIRALDI** to Cooperating Witness 1 (C.W. 1) in or about 2017 at a “lunch date,” for the purpose of C.W. 1 to engage in sexual acts with **GIRALDI** as payment for Unindicted Individual 1’s legal fees.

9. Beginning in or about 2017, C.W. 1 engaged in sexual acts with **GIRALDI** on numerous occasions as payment for legal services **GIRALDI** performed for Unindicted Individual 1 and others.

10. Unindicted Individual 1 introduced **GIRALDI** to Cooperating Witness 2 (C.W. 2) in or about 2013.

11. Between in or about 2013 until 2017, C.W. 2 engaged in sexual acts with **GIRALDI** as payment for legal services for C.W. 2 and others.

The Scheme

12. From in or about February 2019 through April 19, 2022, in the Northern District of Oklahoma and elsewhere, the defendant, **DANIEL THOMAS GIRALDI**, a/k/a “Vegas G,” a/k/a “Vegas,” a/k/a “G,” and others known and

unknown to the grand jury, devised and intended to devise a scheme and artifice to defraud and deprive the citizens of Oklahoma and the Ottawa County District Attorney's Office of their right to the honest and faithful services of an Assistant District Attorney through bribery and the concealment of material information.

Purpose of the Scheme

13. The purpose of the scheme and artifice was for **GIRALDI** to secretly use his official position to enrich himself by soliciting and accepting things of value, including but not limited to sexual acts, from various individuals in exchange for favorable official action, and for those same individuals to enrich themselves by secretly obtaining favorable official action through corrupt means.

Manner and Means

14. The scheme and artifice was carried out in the following manner and means, among others:

- a. **GIRALDI** solicited and accepted things of value, including sexual acts, in exchange for the misuse of his position as an ADA.
- b. In exchange for sexual acts, **GIRALDI** performed corrupt acts, including but not limited to, favorable official action related to individuals' criminal cases over which he had control.
- c. After becoming an ADA, **GIRALDI** accepted things of value provided by Unindicted Individual 1, including the continued practice of engaging in sexual acts with women provided by Unindicted Individual

1, in exchange for favorable official action on behalf of criminal defendants charged by the Ottawa County District Attorney's Office as requested and as opportunities arose, including dismissing criminal charges for defendants; reducing charges and/or offering favorable plea agreements; moving court dates; reducing bond amounts; and dismissing or reducing traffic infractions.

- d. On numerous occasions, **GIRALDI** did in fact unlawfully perform favorable official actions on behalf of criminal defendants in exchange for things of value, namely sexual acts.
- e. In some cases **GIRALDI** would receive things of value, including sexual acts, from the women he met through Unindicted Individual 1 in exchange for official actions as an ADA on their and others' cases without Unindicted Individual 1's involvement.
- f. Between in or about February 2019 and in or about April 2022, C.W. 1 performed sexual acts with **GIRALDI** on multiple occasions in exchange for reduced bond amounts on criminal charges, favorable treatment on other charges, and, in one instance, for the complete dismissal of a state driving while intoxicated charge and the destruction of related documents.
- g. While **GIRALDI** was an ADA, C.W. 2 asked **GIRALDI** at least four times between in or about March 2020 to in or about March 2022 for

him to use his position as an ADA to lower bonds for criminal defendants with no legal justification.

- h. **GIRALDI** did not disclose that he engaged in sexual acts in exchange for the performance of unlawful official actions and the nature of his relationships with C.W. 1, C.W.2, and Unindicted Individual 1, among others.
- i. **GIRALDI** took steps to hide, conceal, and cover up his activity and the nature and scope of his dealings including communicating via untraceable physical notes, using secured messaging applications on cellular telephones, communicating in coded language, and using the trappings of his office to perform official actions for his own gain.

Execution of the Scheme

15. On or about the dates listed below, in the Northern District of Oklahoma and elsewhere, **GIRALDI**, for the purpose of executing the above-described scheme and artifice to defraud and deprive, transmitted and caused to be transmitted by means of wire communication in interstate commerce, the following writings, signals, and sounds:

<u>Count</u>	<u>Date</u>	<u>Wire Transmissions</u>
FOURTEEN	4/13/22	Short Message Service text asking for help on the case of an individual in exchange for sexual acts.
FIFTEEN	4/14/22 at 12:14 P.M.	Telephone conversation between GIRALDI and C.W. 1 where C.W. 1

		asked GIRALDI for him to perform an official action in his capacity as an Assistant District Attorney in exchange for sexual acts
SIXTEEN	4/14/22 at 12:25 P.M.	Second Telephone conversation between GIRALDI and C.W. 1 where GIRALDI agreed to perform an official action in his capacity as an Assistant District Attorney in exchange for sexual acts
SEVENTEEN	4/14/22	Short Message Service text in which GIRALDI said he asked his staff to run a search for any outstanding warrants for the C.W. 1 in Kansas

All in violation of Title 18, United States Code, Sections 1343 and 1346.

FORFEITURE ALLEGATION

[21 U.S.C. § 853, 18 U.S.C. § 981(a)(1)(c) and 28 U.S.C. § 2461]

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461.

Upon conviction of the offenses alleged in this Indictment, as a part of his sentence, the defendant, **DANIEL THOMAS GIRALDI**, a/k/a “Vegas G,” a/k/a “Vegas,” a/k/a “G,” shall forfeit to the United States, any property constituting, or derived from, or traceable to, the proceeds obtained, directly or indirectly, as a result of such violations and any property, real or personal, that was used or intended to be used to commit or to facilitate the violation of federal law. The property includes, but is not limited to:

PROFESSIONAL LICENSE

Oklahoma Bar Association License Number 21192.

All pursuant to Title 21, United States Code, Section 853, Title 18, United States Code, Section 981(a)(1)(c) and Title 28, United States Code, Section 2461.

CLINTON J. JOHNSON
United States Attorney

A TRUE BILL



KYLE M. MCWATERS
Assistant United States Attorney

/s/ Grand Jury Foreperson

Grand Jury Foreperson