
City Safety Meeting 4/23/2024

3 Minute Speech

Code of Virginia, Constitution of Virginia, Richmond Municipal Code

Why would it be easy to get away with Embezzlement in the City of Richmond?

1. The Richmond Police Department does not have a Financial Crimes Unit/White-Collar Crimes Division.
2. RPD phased out their white-collar crimes division and did not replace the men with competent CPA's or forensic accountants who can investigate embezzlement.
3. RPD is training officers that embezzlement is a "civil matter" so they do not have to investigate the crime of embezzlement.
4. Currently, there is only a "process" for embezzlement if the city is involved in the embezzling. (City Auditor)
5. Currently, there is no functioning "process" to deal with embezzlement when it's a Non-Profit that does not involve the city.
6. How many criminals are taking advantage of the fact that Law Enforcement is soft when it comes to embezzlement?

SPEECH

If you wanted to embezzle in the City of Richmond and get away with it, how would you do that?

One way would be to convince the Police Department and the Commonwealth's Office to lie to victims and say that embezzlement is a "civil matter".

How would you do that?

1. Phase out the white-collar crimes division by letting senior competent detectives retire and don't replace them.
2. Deliberately train new officers incorrectly so that they *think* that Non-Profit embezzlement is a "civil matter".
3. Indoctrinate the police department with the fallacy that embezzlement is a "civil matter" so they *lie* to victims.
4. Corrupt the Commonwealth's Office so they also lie to citizens and say that Non-Profit embezzlement is a "civil matter".

Hear me now!

Embezzlement is illegal!!

Embezzlement is a *criminal matter* that you can face up to 20 years in prison for.

Richmond Law Enforcement should not be telling citizens that embezzlement, stealing cars, or arson are civil matters but nonetheless that is exactly what is happening. Victims are being turned away and denied justice.

Hear me now!

Embezzlement, stealing cars, and arson are criminal matters and when Law Enforcement refuses to enforce the law then they are helping the criminals and are thereby criminals themselves. I don't know how else to see it.

So, how can the Council Members help?

The Richmond Municipal Code says in...

Chapter 2-161. - Procedure for disclosure.

(a) City employees are responsible for reporting instances of misconduct, including fraud, waste and abuse.

**Chapter 2
ARTICLE III
Division 5
Sec. 2-161
Subsection (a)**

And in chapter..

§ 4.16. - Powers of investigation.

(a) The council, or any committee of members of the council when authorized by the council, shall have power to make such investigations relating to the municipal affairs of the city as it may deem necessary, and shall **have power to investigate any or all departments, boards, commissions, offices and agencies of the city government and any officer or employee of the city**, concerning the performance of their duties and functions and use of property of the city.

Today I am formally requesting that this Council use their powers of investigation that are granted to them under these codes to figure out why Law Enforcement is

lying to citizens and thereby helping the criminals get away with such crimes as grand larceny and arson.

So, will you obey the law and report Law Enforcements misconduct and bring honor to the citizens by launching an investigation?

Lasty, the Virginia Constitution says in Article V, Section 7 that the Governor shall enforce the execution of the laws, so if you need back up then I suggest that you give him a ring.

Thoughts...

City Council has a responsibility under the VA Municipal Code to report misconduct that they are aware of within the Police Department and the Commonwealth's Office.

This Council has been made aware that Law Enforcement is lying to citizens by saying that crimes are a "civil matter". Citizens have also been told by Law Enforcement when they have their cars stolen that "it's just kids"; implying that the victim won't get justice for the crime of grand larceny.

Richmond Virginia Municipal Code

Sec. 2-161. - Procedure for disclosure.

(a) City employees are responsible for reporting instances of misconduct, including fraud, waste and abuse. An employee shall disclose all relevant information regarding evidenced misconduct to the Inspector General or the designee thereof within one month of the day on which he knew or reasonably should have known of the misconduct. He may contact the Office of the Inspector General by way of the hot line, through the Inspector General's website, in writing or in person. The Inspector General shall publicize the means by which employees may disclose information pursuant to this section.

(b) The Inspector General or the designee thereof shall consider the disclosure and take whatever action he determines to be appropriate under the law and circumstances of the disclosure.

(c) In the case of disclosure of misconduct involving:

- (1) State funds;
- (2) The Mayor;
- (3) The Chief Administrative Officer;
- (4) Any City Council member; or
- (5) Any constitutional officer; (The Commonwealth's Attorney is a constitutional officer).

the Inspector General shall refer the disclosure to the Auditor of Public Accounts and the Virginia State Police as required by State law.

Thoughts...

If this council is aware of any misconduct, then they must go to the Inspector General and he shall refer the issue to the Auditor of Public Accounts and the VA State Police as required by law.

Example.

Embezzlement is a Criminal Matter!

Everyone understands that murder is a **crime** that you can go to prison for.

When Nichole Simpson was murdered, the police did not lie to the family and say that murder is a “Civil Matter”. What happened was O.J. Simpson was arrested by the police, indicted, and tried in *criminal* court for the crime of murder.

Then, after O.J. Simpson was acquitted in criminal court, Nichole’s family sued O.J. in civil court.

Law Enforcement would never say to its citizens that murder is a “civil matter”, for they could never get away with such a ridiculous statement.

However, the same cannot be said when it comes to Embezzlement.

When it comes to embezzlement, the Richmond Law Enforcement is lying to its citizens by telling them that embezzlement is simply a “civil matter”.

Hear me now!

Embezzlement is a criminal matter!

Just like murder, those who commit embezzlement can be arrested by the police, indicted, and prosecuted in criminal court by a Commonwealth’s Attorney.

And just like murder, the citizen can choose to take the case to civil court which is typically done *after* the accused had been tried in criminal court.

To be clear, murder is a criminal matter that you can go to prison for just like embezzlement is criminal matter that you can go to prison for.

So, if embezzlement is a criminal matter that you can go to prison for then why are so many in the Richmond Law Enforcement saying that Embezzlement is a civil matter?

Sometimes Law Enforcement lie and say that something is a “civil matter” simply because they do not wish to deal with the crime.

Hear me now!

Embezzlement is a criminal matter and this can be proven by reading the **VA. Code § 18.2-111. Embezzlement deemed larceny** where you will see that one can face prison time and be labeled as a felon.

So, the next time someone in Law Enforcement tells you that embezzlement is a “civil matter” remember § 18.2 – 111 and ask Law Enforcement why they are lying to you. Is it because they are brainwashed, confused, or is something more sinister going on here in Richmond?

I implore you to please use a little common sense. A citizen cannot take someone to civil court and have them charged, prosecuted, convicted of a felony, and sentenced to prison for the CRIME of embezzlement; only the police, prosecutor, and judge have the power to do this in criminal court, not me in civil court.

Telling someone that larceny or arson is simply a civil matter is not only wrong but also very bad legal advice.

Code of Virginia

Title 18.2. Crimes and Offenses Generally

Chapter 5. Crimes Against Property

Article 4. Embezzlement and Fraudulent Conversions

§ 18.2-111. Embezzlement deemed larceny; indictment

If any person wrongfully and fraudulently use, dispose of, conceal or embezzle any money, bill, note, check, order, draft, bond, receipt, bill of lading or any other personal property, tangible or intangible, which he shall have received for another or for his employer, principal or bailor, or by virtue of his office, trust, or employment, or which shall have been entrusted or delivered to him

by another or by any court, corporation or company, he shall be guilty of embezzlement. Proof of embezzlement shall be sufficient to sustain the charge of larceny. Any person convicted hereunder shall be deemed guilty of larceny and may be indicted as for larceny and upon conviction shall be punished as provided in § 18.2-95 or § 18.2-96.

§ 18.2-95. Grand larceny defined; how punished.

Any person who (i) commits larceny from the person of another of money or other thing of value of \$5 or more, (ii) commits simple larceny not from the person of another of goods and chattels of the value of \$1,000 or more, or (iii) commits simple larceny not from the person of another of any firearm, regardless of the firearm's value, shall be guilty of grand larceny, punishable by imprisonment in a state correctional facility for not less than one nor more than 20 years or, in the discretion of the jury or court trying the case without a jury, be confined in jail for a period not exceeding 12 months or fined not more than \$2,500, either or both.

Thoughts...

Embezzlement is illegal.

It does not matter if the embezzler is a poor woman from a gas station such as 7-11, or a stock guy from a grocery store such as Wegmans, or a powerful employee from Dominion Power, or a preacher from a Non-Profit Church, or a CFO from a Non-Profit Social Club, or an elderly woman


from a Non-Profit Homeless Shelter, or a businessman from a Non-Profit such as the EnRichmond Foundation.

Embezzlement is illegal, and it is a crime that Virginia Prosecutors have a duty to prosecute. The Virginia code does not say that embezzling is a criminal matter when the criminal is a poor cashier from 7-11 but a civil matter when the criminal is a well-dressed man who sat on the board of a Non-Profit. Embezzlement is illegal no matter what. The Virginia code does not give immunity to Non-Profits.

Code of Virginia (State Law)

§ 15.2-1627. Duties of attorneys for the Commonwealth and their assistants.

A. No attorney for the Commonwealth, or assistant attorney for the Commonwealth, shall be required to carry out any duties as a part of his office in civil matters of advising the governing body and all boards, departments, agencies, officials and employees of his county or city; of drafting or preparing county or city ordinances; of defending or bringing actions in which the county or city, or any of its boards, departments or agencies, or officials and employees thereof, shall be a party; or in any other manner of advising or representing the county or city, its boards, departments, agencies, officials and employees, except in matters involving the enforcement of the criminal law within the county or city.

 B. The attorney for the Commonwealth and assistant attorney for the Commonwealth shall be a part of the department of law enforcement of the county or city in which he is elected or appointed, and shall have the duties and powers imposed upon him by general law, including the duty of prosecuting all warrants, indictments or informations charging a felony, and he may in his discretion, prosecute Class 1, 2 and 3 misdemeanors, or any other violation, the conviction of which carries a penalty of confinement in jail, or a fine of \$500 or more, or both such confinement and fine. He shall enforce all forfeitures, and carry out all duties imposed upon him by § 2.2-3126. He may enforce the provisions of § 18.2-268.3, 29.1-738.2, 46.2-341.20:7, or 46.2-341.26:3. He may, in his discretion, file a petition for appeal pursuant to Chapter 25 (§ 19.2-398 et seq.) of Title 19.2 and he shall continue to represent the Commonwealth in any such appeal before the Court of Appeals or the Supreme Court for which he was the prosecuting attorney, unless and until the Court of Appeals grants the petition, except that he shall remain counsel of record in an appeal regarding bail, bond, or recognizance

pursuant to Article 1 (§ [19.2-119](#) et seq.) of Chapter 9 of Title 19.2 or subsection B of § [19.2-398](#).

He shall also represent the Commonwealth in an appeal of a civil matter related to the enforcement of a criminal law or a criminal case for which he was the prosecuting attorney, including a petition for expungement of a defendant's criminal record, an action of forfeiture filed in accordance with the provisions of Chapter 22.1 (§ [19.2-386.1](#) et seq.) of Title 19.2, or any matter which he may enforce pursuant to this section.

Thoughts.. The Attorneys has a duty to prosecute Non-Profit embezzlers according to this law.

Constitution of Virginia

Article V - Executive

Section 7. Executive and administrative powers.

The **Governor** shall be commander-in-chief of the armed forces of the Commonwealth and shall have power to embody such forces to repel invasion, suppress insurrection, and **enforce the execution of the laws.**

Thoughts...

I encourage you to put pressure on the Virginia Governor to have the Embezzlement Laws enforced as well as the laws relating to Grand Larceny (car thefts) and even the laws surrounding arson. These are serious crimes that Law Enforcement should be dealing with in an appropriate way.

Virginia Law

What is the difference between criminal law and civil law?

“Criminal law defines behavior that is considered to be **illegal**, such as stealing, and the punishments that may be imposed. Criminal law provides a set of rules for peaceful, safe, and orderly living. Because it is concerned with protecting the community as a whole, the government is empowered to enforce it. **A person who breaks these laws may be prosecuted and, if found guilty, may be fined or sent to prison.**”

(https://virginiarules.org/varules_topics/introduction-to-laws-in-virginia/)

Embezzlement is illegal. Someone who embezzled is a criminal. Embezzlers can go to prison.

The Richmond Municipal Code

§ 2-161. - Procedure for disclosure.

(a) City employees are responsible for reporting instances of **misconduct**, including fraud, waste and abuse.

§ 4.16. - Powers of investigation.

The council, or any committee of members of the council when authorized by the council, shall have power to make such investigations relating to the municipal affairs of the city as it may deem necessary, and shall **have power to investigate any or all departments, boards, commissions, offices and agencies of the city government and any officer or employee of the city**, concerning the performance of their duties and functions and use of property of the city.

Richmond Police Department should have a financial crimes unit like the examples here...

Arlington VA
Financial Crimes Information
<https://www.arlingtonva.us/Government/Departments/Police-Department/Financial-Crimes-Information>

What is EMBEZZLEMENT?

A person commits embezzlement when they wrongfully take, steal, or use property belonging to another by virtue of one's office, trust, or employment.

- Examples:
 - A corporate admin adds company funds to their own bank account that were supposed to be sent to a **not-for-profit organization**.
 - A grocery cashier takes small amounts of money out of his/her cash drawer for personal use.
 - A supervisor is given a company credit card to purchase supplies for a company event. The supervisor uses the card for personal use instead of its intended purpose.

Who can investigate embezzlement?

The Arlington County Police Department can investigate crimes that occur within the jurisdiction of Arlington. If the crime occurred outside of Arlington County, you should contact that jurisdiction for prosecution.

File an online report with the Arlington County Police Department.

Fairfax County

<https://www.fairfaxcounty.gov/police/HowDoI/FinancialCrimes/Embezzlement>

A person commits embezzlement when they wrongfully take, steal, or use property belonging to another by virtue of one's office, trust, or employment.

- Examples of Embezzlement
 - A corporate accountant pays off his/her personal credit card with company money, without permission.
 - A grocery cashier takes small amounts of money out of his/her cash drawer for personal use.
 - A janitor hired to clean a building steals two cases of paper towels, soap, toilet paper, etc.

Who can investigate Embezzlement?

The Fairfax County Police Department can investigate the crime of embezzlement if it occurs within the jurisdictional boundaries of Fairfax County. If the crime occurred outside of Fairfax County, you should contact that jurisdiction.

Loudoun County

<https://www.loudoun.gov/FAQ.aspx?TID=196>

1. What is embezzlement?

Closely related to larceny, Embezzlement occurs when someone is placed in a position of trust and wrongfully takes, steals or uses property belonging to another. Should this be the case, they may be committing an offense of Embezzlement. Positions of trust include, but are not limited to, an office being held or simply your employment.

Examples of Embezzlement include:

- A cashier takes a portion of the sales for themselves
- The treasurer of an organization takes a portion of proceeds received at an event
- An employee uses a company credit card without permission to purchase gifts

2. [What is not embezzlement?](#)

If the person taking money or property did not have control of such items by virtue of their employment or trust, then they are committing a larceny, not Embezzlement.

3. [What should I do if I am a victim of embezzlement?](#)

1. You should file a police report with the jurisdiction in which the offense occurred.
2. If it occurred in Loudoun County, then you may choose to file an [online report](#).
3. Review any policies and make any necessary changes using the information you have learned about the incident.

The person suspected of the crime should have limited and monitored access to any records or documents.

4. [What are some tips that I can use to avoid becoming the victim of embezzlement?](#)

1. You can complete background checks before hiring an employee.
2. Keep track and monitor every company check.
3. Conduct regular audits of cash and property to assure accuracy.
4. Make nightly bank deposits, cash is very tempting and easy to steal.
5. You should understand your accounting books.
6. Separate duties; One of the most common ways for someone to embezzle is to take a little bit of cash that comes in and then adjust the records to hide it.
7. Consider requiring employees to take vacations; Even complex schemes require maintenance to assure they remain hidden. When employees are on vacation, you can see what happens when they are not around.

Arson

Grand Larceny

Embezzlement

Is a Criminal Matter!