

# Senate Special Committee on Investigations



March 23, 2024– Election Integrity Update

## Initial Hearing – March 6, 2024

Garland Favorito



# Michael Roman



- ❖ Ashleigh and John Merchant represent Michael Roman
- ❖ Roman was not investigated by grand jury but was added to indictment
- ❖ Roman charged with RICO conspiracy acts of free speech
- ❖ Acts listed include receiving an Email, sending a text requesting an Elections Director to attend GA House hearing, sending Emails about alternative electors
- ❖ Roman was offered \$5K fine and misdemeanor by Wade

# Fani Willis as D.A.



- ❖ Elected in November 2020 General Election and took office January 2021
- ❖ She said she was broke prior to her election and still had a \$4600 tax lien on her home in 2022
- ❖ Her D.A. Salary is roughly \$200,000 per year
- ❖ Her oath requires her to take only her normal compensation
- ❖ Fulton Co. prohibits her from taking more than \$100 from “prohibited sources”



# What Fulton Commission Approved



Sep. 15, 2021

Fani Willis gets Fulton commission to approve 55 new hires an extra \$780,000 for 2021 and \$5 million extra from 2022 on to reduce backlog of 224 unindicted murder cases and other serious crimes

Nov. 1, 2021

Willis hires Nathan Wade her boyfriend since 2019 (per court evidence)

Jan 20, 2022

Willis requests Chief Fulton Co. Judge Chris Brasher to open election case that incurs massive expenses for “novel” RICO indictment of 18 political adversaries

2023

Willis attempts to indict Lt. Gov. Burt Jones after she held a fundraiser for his political opponent Charlie Bailey

# Prosecuting Attorneys Law



## O.C.G.A. 15-18-20 - Additional assistants and staff; compensation

**Universal Citation:** GA Code § 15-18-20 (2018)

(a) The district attorney in each judicial circuit may employ such additional assistant district attorneys, deputy district attorneys, or other attorneys, investigators, paraprofessionals, clerical assistants, victim and witness assistance personnel, and other employees or independent contractors as may be provided for by local law or as may be authorized by the governing authority of the county or counties comprising the judicial circuit. The district attorney shall define the duties and fix the title of any attorney or other employee of the district attorney's office.

(b) Personnel employed by the district attorney pursuant to this Code section shall serve at the pleasure of the district attorney and shall be compensated by the county or counties comprising the judicial circuit, the manner and amount of compensation to be paid to be fixed either by local Act or by the district attorney with the approval of the county or counties comprising the judicial circuit.

# Hiring of Nathan Wade



- ❖ Special prosecutor contract began Nov. 1, 2021 – Oct 31, 2022
- ❖ Willis could not have hired Wade as employee because of relationship rules
- ❖ Wade has never prosecuted a felony case (only defended)
- ❖ Wade took over anti-corruption unit from Sonya Allen
- ❖ Special prosecutors have been hired only by three jurisdictions
- ❖ Other two counties spent <\$2,000 each



# Wade's Salary

- ❖ Wade was paid over \$700,000 over last two years
- ❖ John Floyd RICO expert made < \$100,000
- ❖ Anna Cross who litigated case made < \$100,000
- ❖ John Floyd RICO expert made < \$100,000
- ❖ Wade billed at \$250 per hour but Floyd made \$150 per hour
- ❖ Wade's total earning potential for RICO case is \$3-4 million



# Wade's Billing

- ❖ Private lawyers typically bill in 6 minute increments
- ❖ Public lawyers typically bill in 10 minute increments
- ❖ Wade billed hourly or daily non-itemized block billing
- ❖ Wade's bills were approved by Willis or Dexter Bond
- ❖ None of Wade's bills were ever reduced

**LAW OFFICES OF NATHAN J WADE**  
 VENDOR ID# VS0000076036  
 ATTENTION: Fulton County District Attorney's Office  
 136 Pryor Street  
 Atlanta, GA 30303

Project Title: Anti-Corruption Special Prosecutor

INVOICE #19

Description	DATE COMPLETED	HOURS BILLED	Cost
Meeting with Team, Research	4/3/23	8 hrs @ \$250	\$2,000.00
Meetings with OA	4/4/23	8 hrs @ \$250	\$2,000.00
Team investigation meeting; Drafting	4/5/23 - 4/7/23	28 hrs @ \$250	\$7,000.00
Travel to interview witnesses; conduct interviews; document requests	4/10/23-4/14/23	40 hr @ \$250	\$10,000.00
Conf. With OA; travel	4/17/23	8 hrs @ \$250	\$2,000.00
Review and file motion	4/18/23	8 hrs @ \$250	\$2,000.00
Interviews with witnesses; conf with OA	4/19/23-4/21/23	24 hrs @ \$250	\$6,000.00
Team meeting and argument prep	4/24/23	8 hrs @ \$250	\$2,000.00
Zoom conf with investigators in other jurisdictions	4/25/23	8 hrs @ \$250	\$2,000.00
Meeting with team; power point review	4/26/23-4/27/23	16 hrs @ \$250	\$4,000.00
		Total	\$35,000.00

**OK to PAY**



# Travel

- ❖ Wade paid > \$17,000 in expenses for travel with Willis
- ❖ They took two Bahamas cruises and trips to Aruba, Belize, and Napa Valley
- ❖ There is no evidence that Fani Willis reimbursed Wade for that travel
- ❖ Wade and Willis claim she reimbursed him with cash
- ❖ No evidence she withdrew large amounts of cash



# Potential Perjury



- ❖ Wade is in divorce proceedings with his wife
- ❖ Wade and Willis testified their affair started around March of 2022
- ❖ They claim affair ended in summer of 2023
- ❖ Testimony, texts from his law partner and cell phone data records between Wade & Willis show it started in 2019 after they met at a judicial conference

# Robin Yeartie



- ❖ Hired as media liaison for Fulton Co. after knowing Willis for 30 years
- ❖ Rented her Hapeville condo to Willis who took it for security reasons
- ❖ Best friends with Wade's wife, Joycelyn
- ❖ Testified Willis / Wade affair started in 2019
- ❖ Yeartie left and Jeff DiSantis took over media relations
- ❖ DiSantis issued \$10K media monitoring contract for Willis with Critical Mention



# Terrance Bradley



- ❖ Wade's law partners were Terrance Bradley and Chris Edwards
- ❖ Wade got them "taint" contracts to review case evidence before public release
- ❖ The partners split revenue into thirds before dissolving partnership
- ❖ Bradley sent Merchant many texts positively confirming that Wade and Willis had affair since they met at a Municipal Court conference in 2019
- ❖ Bradley then attempted to falsely claim privilege and after it was denied he testified he was only speculating

# Cell Phone Data



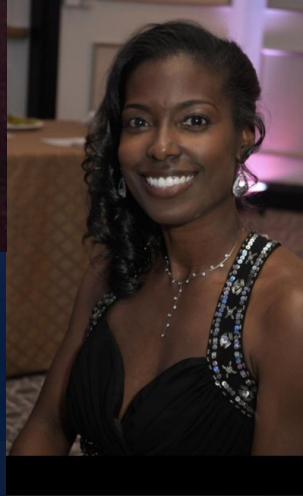
Cellebrite

Digital intelligence  
for a safer world



- ❖ Cell Hawk tracks GEO location while Cell Bright provides text meta data inch
- ❖ Willis and Wade claimed their affair started after he was hired in Nov 2021
- ❖ Cell phone data shows Wade going to Willis' house before Nov 2021
- ❖ 1-1-21 to 11-30-21 cellphone data shows 2073 voice calls, 9792 text messages
- ❖ Fulton D.A.s claimed cell phone data is not reliable but use it for prosecutions

# Wade Withholds Funds

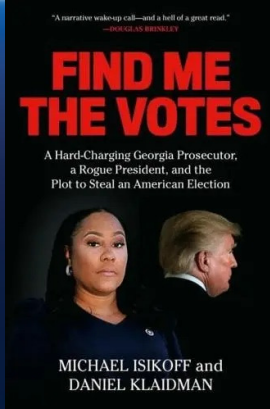


- ❖ Wade had money in undisclosed Interest On Lawyers' Trust Account (IOLTA)
- ❖ Wade withheld part of salary from law partnership causing a breakup
- ❖ Wade did not disclose most of his salary in divorce case with Joycelyn Wade
- ❖ Willis filed a motion in divorce case stating Ms. Wade was trying to embarrass and harass her, and interfere and obstruct in the conduct of the [D.A.] election.



# Willis's Inappropriate Book Deal

- ❖ Willis consents to a book deal about the case while it is in progress for personal and political gain
- ❖ Book is released in 2024 in Jan. 2024 during the trial
- ❖ Authors state Willis gave them "*exclusive access to thousands of secret documents, emails, text messages, and audio recordings*" about the case



# Willis' Inappropriate Church Speech



- ❖ Willis made televised speech about case at Atlanta's Mount Bethel AME church on Jan. 14, 2024 tainting future Fulton Co. jury pool
- ❖ Willis implied Defendants were racists at Mount Bethel AME church speech
- ❖ Willis falsely told church she had right to hire special prosecutors, paid all three the same
- ❖ Willis said she doesn't care about political parties and loves people of all political parties despite indicting 18 political adversaries
- ❖ Willis stated she has impeccable credentials

# Political Connections to Biden, Harris DOJ

- ❖ Wade met with the Dept. of Justice on 11/18/22
- ❖ Willis met with V.P. Kamala Harris on 2-28-23
- ❖ Atlanta Mayor Andre Dickens accompanied Willis





# Harry MacDougal on Fani Willis Conflicts



- ❖ Financial Conflict: Took county prohibited gifts > \$100 from Wade
- ❖ Personal Conflict: Provided “exclusive access” of case material to book authors
- ❖ Duty Conflict: Failed to get approval to hire special prosecutor [O.C.G.A. 15-18-20]
- ❖ Professional Conflict: Made highly publicized church speech that prejudiced the Fulton Co. jury pool against the Defendants
- ❖ Integrity Conflict: Threatened criminal prosecution of Mrs. Wade to gain advantage for herself and Wade in civil case [RPC 3.4(h)]
- ❖ Political Conflict: Indicted 18 of her political adversaries on dubious charges

# Improper D.A. Office Actions



- ❖ Dexter Bond refused to fulfill Open Records requests from Ashleigh Merchant resulting in ORR lawsuit against county
- ❖ Wade called mutual friend who reminded Terrance Bradley to use privilege
- ❖ Gabe Banks whose wife works for Willis called Bradley before he testified
- ❖ 10 attorneys falsely replied to Disqualification Motion *“No evidence D.A. Willis derived any financial benefit from Mr. Wade”*

# Improper Actions By Adam Abatte



Argued Ashleigh Merchant made false claims about her communications with Bradley and should be sanctioned although her claims proved true to the court

Lied to court 18 times in 8 minutes, 24 times in first hour of hearing

Objected to Merchant's questions of Bradley using attorney client privilege grounds to protect Willis even though the state has no such privilege



# A Remedy for Attorneys Who Lie in Court

## **2010 Georgia Code**

### **TITLE 15 - COURTS**

#### **CHAPTER 18 - PROSECUTING ATTORNEYS**

##### **ARTICLE 1 - GENERAL PROVISIONS**

##### **§ 15-18-27 - Allegation of indictable offense committed by district attorney or staff member; appointment of substitute; procedure if true bill found**

O.C.G.A. 15-18-27 (2010)

15-18-27. Allegation of indictable offense committed by district attorney or staff member; appointment of substitute; procedure if true bill found

(a) When any person makes an affidavit before a judge of the superior court which alleges that the district attorney or a member of the staff of the district attorney has committed an indictable offense and the court finds that there is probable cause to believe that the accused has committed the alleged offense or the grand jury files a sealed report with the presiding judge that the grand jury has found reasonable grounds to believe that the district attorney or a member of the staff of the district attorney has committed such an offense and intends to proceed as provided in Code Sections 45-11-4 and 45-15-11, it shall be the duty of the court to notify the Attorney General as provided in Code Section 15-18-5.

(b) If a true bill is found, the case shall proceed as other criminal cases and upon conviction shall proceed as provided by Code Section 45-5-6.1.