

WI
United States District Court

EASTERN

DISTRICT OF

MICHIGAN

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

CASE NUMBER:

HARVEY LAMONT McDOUGLE JR

(2901 Avondale, Toledo, Ohio)

07-30182

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. In or about Fall 2003 and continuing through in or about Winter 2006 in Wayne County, in the Eastern District of Michigan, and elsewhere, defendant did,

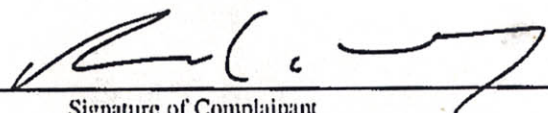
knowingly carry into effect, attempt to carry into effect, and unlawfully, knowingly, and willfully combine, conspire, confederate, and agree with others both known and unknown to carry into effect a scheme in commerce to influence, in any way, by bribery sporting contests, with knowledge that the purpose of the scheme was to influence by bribery those contests,

in violation of Title Title 18, United States Code, Sections 224(a) and 2.

I further state that I am a Special Agent of the Federal Bureau of Investigation and that this complaint is based on the following facts:

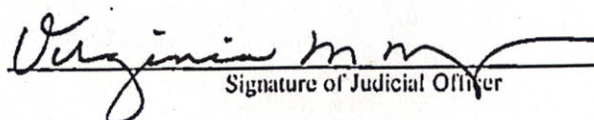
(SEE ATTACHED AFFIDAVIT)

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ NoFILED
MAR 29 2007CLERK'S OFFICE
DETROITSignature of Complainant
BRIAN C. MAX

Special Agent, Federal Bureau of Investigation

Sworn to before me and subscribed in my presence,

March 29, 2007
Dateat Detroit, Michigan
City and StateVirginia M. Morgan
United States Magistrate Judge
Name & Title of Judicial Officer
Signature of Judicial Officer

AFFIDAVIT
IN SUPPORT OF CRIMINAL COMPLAINT

BRIAN C. MAX being duly sworn deposes and states:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI). I have been employed by the FBI since May 2002. I am presently assigned to the Detroit Division, and work primarily on cases involving organized crime activities in violation of Federal criminal law.

2. As a result of my personal participation in this investigation since December 2006, through analysis of reports of other Special Agents of the FBI, and on the basis of other reliable information I have received, I allege the facts contained in the following paragraphs to show that there is probable cause to believe that HARVEY LAMONT MCDOUGLE JUNIOR, and others known and unknown, have committed violations of Federal law, namely, offenses involving carrying into effect, attempting to carry into effect, and conspiracy to carry into effect a scheme in commerce to influence, in any way, by bribery a sporting contest, with knowledge that the purpose of such scheme is to influence by bribery that contest, in violation of Title 18, United States Code, sections 224(a) and 2.

3. The statements contained in this affidavit are based in part on information provided by other FBI Special Agents, witnesses, and my observations, experience and background. Since this affidavit is being submitted for the limited purpose of seeking a criminal complaint and arrest warrant for HARVEY LAMONT MCDOUGLE JUNIOR, I have not set forth each and every fact learned during the course of the investigation nor have I summarized each and every intercepted conversation deemed to be pertinent. Facts not set forth herein are not being relied upon in reaching my conclusion that an arrest warrant should be issued. Nor do I request that this Court rely upon any facts not set forth herein in reviewing this affidavit in support of an arrest warrant.

4. The affiant believes that there is probable cause to find that HARVEY LAMONT MCDOUGLE JUNIOR (also known as "Scooter"), was involved in a conspiracy with a known individual who went by the name of "Gary" and "G", and others known and unknown, to influence the outcome of University of Toledo men's basketball and football contests through bribery. The University of Toledo is an National Collegiate Athletic Association (NCAA) participant located in Toledo, Ohio. The men's varsity football and basketball teams compete in the Mid-American Conference (MAC). MCDOUGLE has been a student athlete at the school playing on the men's football team in the position of running back since 2003. MCDOUGLE is currently in his senior year at the University of Toledo. Between 2003 and the present MCDOUGLE has resided in the State of Ohio.

5. The person who identified himself as "Gary" or "G" is a male of Iraqi descent living in Sterling Heights, Michigan. He is known through this investigation to be involved in betting on a

variety of sporting contests, including contests involving the University of Toledo.

6. In November 2005, the Detroit FBI began conducting court authorized interception of wire communications to and from the telephone subscribed to at the residence of "Gary". The electronic surveillance was authorized in an attempt to obtain information regarding illegal gambling and sports bribery offenses committed by "Gary" and other persons known and unknown. The court authorized electronic surveillance was terminated in December 2006. Since the termination of the electronic surveillance interviews of witnesses and possible co-conspirators have been conducted by FBI Special Agents.

7. During the course of conducting the electronic surveillance it was discovered that "Gary," MCDOUGLE, and other co-conspirators were participating in a scheme involving the payment of money and other things of value to University of Toledo athletes in order to influence, or attempt to influence, the final score of particular games. "Gary" and others would then place bets on these games with illegal sports bookmaking businesses.

8. The conspiracy is believed to have begun in or about Fall 2003. The investigation showed that during that time an associate of "Gary" was operating a cellular telephone store in Toledo, Ohio. University of Toledo athletes shopped at the store, and "Gary" was eventually introduced to a University of Toledo men's football player at the store. That player introduced "Gary" to several other University of Toledo athletes. "Gary" would generally invite the players to travel to Detroit, Michigan to visit him and "Gary" would then treat them to dinner and pay for them to gamble at local casinos. Once "Gary" evaluated the players he would solicit their participation in a point shaving scheme in return for money and other things of value.

9. On December 2, 2005, MCDOUGLE was observed by FBI Special Agents as he and other University of Toledo football players met with "Gary" in Detroit, Michigan. The players met at a downtown restaurant and then went to the VIP area of the Greektown Casino.

10. Players such as MCDOUGLE, whom "Gary" trusted, would also be asked to recruit other players to join the scheme. These players would then be pitched by "Gary" to see if they were interested. In payment for their efforts in the point shaving scheme the players would be paid by cash, merchandise, groceries and other things of value by "Gary." "Gary" would also place wagers with his own money for the players, and if they won the players received the profits from these wagers. MCDOUGLE, although a football player, was also involved with "Gary" in recruiting and attempting to influence basketball games with University of Toledo men's basketball players.

11. If a player agreed to participate "Gary" would inform them of the betting "line" before the game. The betting line represents the point spread in an athletic competition. The purpose of the line is to encourage betting on both participants in a sporting contest. For example in a game between the Lions and Bears, where the Bears are a three point favorite, a bettor wagering on the Bears would win only if the Bears actually won by four points or more.

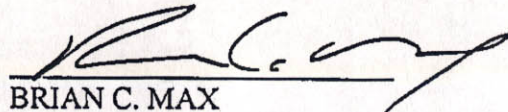
Conversely, the bettor on the Lions could still win if the Lions lost by three points or less. This is called "covering the spread," that is, a team actually loses the game, but the bettors on them win. Once "Gary" and the players knew the line they would decide if they could beat the spread or not. For example, if they were picked as an underdog by ten points they would decide if they could beat the ten point spread or not. Also, if they were picked as a favorite by a certain amount the players would decide if they would most likely win by that much. Once "Gary" consulted the players he would decide how he wanted them to play the game to affect the outcome. For example, if they were picked to lose by two points "Gary" would tell the players to lose by three or more points and he would bet accordingly. If they were picked to win by ten points, "Gary" would tell the players to win by only nine or less points. Again, "Gary" would bet accordingly. This is commonly called point shaving.

12. The electronic surveillance on "Gary's" phone in part showed that he and MCDOUGLE participated in the sports bribery scheme. In November 2005, "Gary" was intercepted telling a then University of Toledo basketball player that "Scooter" (MCDOUGLE) had taken care of certain players on the team who would be helping "Gary" to influence a game that day; in December 2005, MCDOUGLE was intercepted telling "Gary" that he would contact other football players to see whether he and "Gary" could make some money off a football game to be played by the University of Toledo football team against the University of Texas - El Paso; in another telephone call that month, MCDOUGLE asked "Gary" to place a bet for him on the El Paso game in the amount of \$2000, at which time "Gary" informed MCDOUGLE that another player would also be helping out.


13. On December 14, 2006, MCDOUGLE was interviewed by FBI Special Agents. MCDOUGLE identified a picture of a certain individual as being the person he knew as "Gary." MCDOUGLE admitted that he knew "Gary" gambled regularly on University of Toledo football and basketball games. MCDOUGLE said he was introduced to "Gary" by another University of Toledo football player. MCDOUGLE said he would provide "Gary" with information about University of Toledo games so that "Gary" could bet on them. MCDOUGLE was also aware that "Gary" had offered another University of Toledo football player up to \$10,000.00 to sit out particular games. MCDOUGLE further said that he was given cash, a car, a phone, and other things of value from "Gary." For this money and things of value MCDOUGLE said he provided insider information to "Gary" and introduced "Gary" to other University of Toledo student athletes so they could be solicited by "Gary" to accept bribes to influence games. MCDOUGLE claimed that he never personally changed his play during a football game to affect the outcome.

14. Based on the above and forgoing your affiant believes that probable cause exists to believe that HARVEY LAMONT MCDOUGLE JUNIOR, along with others known and unknown, have carried into effect, attempted to carry into effect, and conspired to carry into effect a scheme in commerce to influence, in any way, by bribery a sporting contest, with knowledge that the purpose of such scheme is to influence by bribery that contest, in violation of Title 18, United States Code, sections 224(a) and 2.

FURTHER, Affiant sayeth not.


BRIAN C. MAX
Special Agent
Federal Bureau of Investigation

Subscribed and sworn to before me
this 30 day of March 2007.


HONORABLE VIRGINIA M. MORGAN
UNITED STATES MAGISTRATE JUDGE