CHAPTER 1

The Crime That Wears a Suit

At 4:52 on a Friday afternoon in late October, the Hollis County Board of Commissioners had a problem, and the problem was the clock.

The chairman had a flight to catch. Two other commissioners were checking their phones under the table. The room was half empty, as it always is on a Friday, and the only members of the public present were a retired schoolteacher who came to every meeting and a young man from a trade association who was waiting for item 22. The agenda had thirty-one items on it that the staff had marked “consent,” which is the polite name for matters too routine to discuss.

“We have thirty-one items on the consent agenda,” the chairman said. “Hearing no objection, I’ll take them together. All in favor?”

Seven hands went up. The whole thing took ninety-four seconds.

Buried in that stack, between a contract for road salt and a renewal of the county’s copier lease, sat Item 14. It was a single page, titled “Amendment No. 3 to Professional

Services Agreement.” It raised the “not-to-exceed” amount on a consulting contract for “regional growth advisory services” from $480,000 to $1,960,000. The staff memo attached to it ran two paragraphs. It said the original scope had “evolved” and that the work was “ongoing and valuable.” It did not say what the work was, or who had checked it, or why a bill of half a million dollars had become a bill of nearly two million.

Nobody asked. In the ninety-four seconds that the consent agenda lasted, Item 14 received about three seconds of attention, which is almost exactly the average.

I have thought about those three seconds more than almost any other part of this story. Not because anything dramatic happened in them. Because nothing did.

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Here is the first thing you need to understand about political crime, and it is also the hardest to accept. At the moment Item 14 passed, nobody in that room necessarily committed an offense. It is entirely possible that the amendment was legitimate. Contracts do grow. Scopes do change. Advisers do sometimes earn what they are paid.

Here is the second thing. It is also possible that the amendment was the last step in a scheme that had been running for years, and that the schoolteacher, the

commissioners, the clerk who typed the memo, and the young man from the trade association all watched it go by without a flicker of suspicion.

From the outside, those two possibilities look identical. That is the difficulty at the center of this book, and it is also the reason that the crimes in it are so rarely punished.

When most people picture a crime, they picture someone in a hurry: a stranger, a weapon, a dark street. Our laws, our movies, and our nightly news all agree on that picture. It is easy to understand. A person was harmed, and another person did it, and sooner or later police arrive.

Political crime has almost none of those features. I use that phrase for a crime committed by, or with the help of, someone who holds public power, in order to gain money, protection, or control. The offender is usually well dressed and often well liked. The weapon is a pen. The scene is a conference room. The victim is everyone who pays a tax bill, drinks the water, or trusts a ruling, which means that nobody feels like the victim. And the people who ought to investigate are often the same people who work down the hall.

Three differences make it hard to catch:

1. **The harm is spread thin.** A street robbery takes $200 from one person, who calls the police that night. A

rigged contract takes $200 from each of a million people, and nobody calls anyone.

2. **The evidence looks normal.** A bribe wrapped in a consulting agreement is just a consulting agreement until someone proves otherwise. The paper is often perfect.

3. **The offender may control the investigators.** Budgets, appointments, and promotions in public life run through the same small circle of people. Asking an agency to investigate its own bosses is like asking someone to proofread a letter about themselves.

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This book follows five forms of political crime, and it is worth naming them now, so you can watch for them.

The first is the misuse of public money: payments that look like ordinary spending but are really a way of moving public funds into private hands. The second is the abuse of office, where a public job is run like a private shop, with favors for friends and delays for rivals. The third is the illegal watching of opponents, using police databases, purchased data, or worse to keep track of people who are inconvenient. The fourth is pressure on judges and journalists, the two groups whose job is to say what is true when it is unwelcome. The fifth is the secret deal, a

contract negotiated out of sight that binds the public for decades.

I should be careful with the word “crime” here. In this book, I use *crime* for conduct that the law actually prohibits. I use *wrongdoing* for conduct that is shameful, abusive, or deceptive, but may be legal. The difference matters more than most readers expect.

Consider a famous example. In 2013, aides to the governor of New Jersey arranged to close traffic lanes on the approach to the George Washington Bridge, apparently to punish a mayor who had declined to endorse the governor. Commuters sat for hours. The officials involved were convicted of fraud. In 2020, the U.S. Supreme Court threw out those convictions, unanimously. Justice Elena Kagan wrote that the evidence “no doubt shows wrongdoing,” and she then added that “not every corrupt act by state or local officials is a federal crime.” The reason was technical: the federal fraud laws the government used protect property, and the scheme’s goal was political payback, not property.

You can agree with that decision or not. Lawyers disagree. For our purposes, it teaches a lesson I will keep returning to.