

News

DECODING FEDERAL BRIBERY LAW: THE SNYDER CASE AND IMPLICATIONS FOR CORRUPTION PROSECUTIONS

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BCLP Partners Renato Mariotti and Saurish Appleby-Bhattacharjee were quoted in [Law360](#) regarding a U.S. Supreme Court case revolving around the interpretation of federal bribery law, particularly whether the law criminalizes gratuities (rewards given to a public official after they've taken official action) without requiring proof of a quid pro quo arrangement beforehand.

In 2021, James Snyder, former mayor of Portage, Indiana, was convicted and sentenced to 21 months in prison for accepting a \$13,000 payment from a garbage truck company after directing contacts its way. "The key question is whether this payment was a gratuity or a valid transaction for consulting services, as Snyder argues," Renato notes.

The Seventh Circuit's ruling in *U.S. v. James Snyder* affirmed that the federal bribery statute encompasses gratuities, a stance also followed by four other circuits. However, there is a circuit split, with the First and Fifth Circuits adopting a narrower interpretation similar to Snyder's view.

"The Supreme Court's decision will matter a great deal in Chicago, where the city's federal court has been the site of numerous public corruption trials and prosecutions," said Renato. "The implications are more significant here than they are elsewhere," he told [Law360](#).

If the Supreme Court sides with Snyder, it could raise the bar for prosecutors by requiring a higher standard of proving quid pro quo in bribery cases. This may affect ongoing cases, including that of former Illinois House Speaker Michael Madigan and questions the extent to which federal prosecutors should intervene in state and local matters related to good governance.

"The tension between what is best handled at the state or federal level could be a key reason why the high court has taken up the Snyder case, beyond the need to offer guidance amid a circuit split," said Saurish. "One of the strongest things that Snyder's counsel did to get the Supreme Court's attention was to tap into its recently reinvigorated federalism. In invoking federalism, Snyder may have used the magic word," he added.

Regardless of the Supreme Court's decision, Renato anticipates that federal prosecutors will continue finding ways to pursue public corruption cases, although the outcome may influence the

approach and standards in such cases moving forward.

Renato is a former federal prosecutor and trial attorney who focuses on complex high-stakes litigation and defending firms and individuals in enforcement actions. Saurish, also a former federal prosecutor in Chicago and Los Angeles, is a seasoned trial attorney who has extensive experience litigating high-stakes matters in federal and state court, to include civil and criminal litigation, white-collar matters, and internal investigations.

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