

SECTION VI – CRIMINAL EXPOSURE MATRIX

VI-A. PROSECUTORIAL GRID (Federal + State Crimes)

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Format reminder (kept consistent for counsel):

1. Statute
2. Legal Elements Required
3. Observed Conduct (from INTSUM fact patterns)
4. Institutional Roles Involved (structural, not personal)
5. Evidence Citations (to your INTSUM + Appendix - Citations & Evidence Index)

TABLE 1 – FEDERAL CRIMINAL STATUTES

(Citations limited strictly to INTSUM sections you have already created.)

18 U.S.C. §201 – Bribery of Public Officials

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations (INTSUM Only)
18 U.S.C. §201	Public official; thing of value; quid pro quo.	Clustered industry donations tied to permitting and regulatory decisions.	Statewide elected officials; RRC; TWDB; planning groups; industry PACs.	INTSUM §III (Key Actors) – donation influence patterns INTSUM §IV (Regulatory

18 U.S.C. §371 – Conspiracy to Defraud the United States

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
18 U.S.C. §371	Agreement; intent to defraud U.S.; overt acts.	Coordinated misrepresentation of environmental, displacement, and hydrology impacts in federal filings.	TWDB; USACE applicants; consultant engineering networks.	INTSUM §IV.2 – Coordinated federal submission patterns INTSUM §V.1 – Withholding/omitting material federal impact

18 U.S.C. §1001 – False Statements

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
18 U.S.C. §1001	Knowingly false or misleading statement to federal agency.	Understated water demand, falsified EJ impacts, altered hydrologic projections.	TWDB staff; technical consultants; utilities.	INTSUM §V (Technical Misrepresentation Matrix) INTSUM §VI.1 – Internal vs official data inconsistencies

18 U.S.C. §§1341, 1343, 1346 – Mail/Wire/Honest-Services Fraud

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
§§1341, 1343, 1346	Scheme to defraud; use of mail/wires; deprivation of honest services.	Bond prospectuses and project summaries omitting known risks; political favors tied to donor ecosystems.	Municipal utilities; statewide offices; developers; financial advisors.	INTSUM §VII – Bond-financing deception model INTSUM §III.4 – Honest-services impairment via

18 U.S.C. §1951 – Hobbs Act

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
§1951	Extortion under color of official right.	Landowners pressured into "voluntary" agreements under threat of condemnation or enforcement.	Local governments; regional water groups; state regulators.	INTSUM §VIII.3 – Coercive land acquisition practices INTSUM §II (Situation Overview) – Impact on

18 U.S.C. §1952 – Travel Act

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
§1952	Interstate communications advancing unlawful activity.	Out-of-state capital coordinating political influence and regulatory manipulation.	Private equity; engineering firms; utilities; state offices.	INTSUM §III.3 – Cross-state funding & coordination nodes INTSUM §IV.3 – Multi-state consultant network patterns

RICO (18 U.S.C. §§1961-1968)

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
RICO	Enterprise; pattern of racketeering; predicate acts.	Repeated bribery-like patterns, coordinated fraud, extortion, regulatory capture across multiple basins and agencies.	State agencies; consultant cartel; utilities; private developers.	INTSUM §0 (Enterprise Map) INTSUM §III-VIII – Repeated conduct across projects

TABLE 2 – FEDERAL ENVIRONMENTAL CRIMES

Clean Water Act (33 U.S.C. §§1311, 1342, 1344)

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
CWA	Unauthorized or harmful discharge; permit violations.	Reservoir/pipeline siting altering hydrology & increasing downstream contamination.	State environmental agencies; USACE applicants; developers.	INTSUM §V.3 – Downstream impacts & water-quality discrepancies INTSUM §II.2 – Hydrology

Safe Drinking Water Act

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
SDWA	Contamination; false reporting; endangerment.	Project siting threatening drinking-water sources; internal warnings not reflected publicly.	Utilities; regulators; developers.	INTSUM §V.4 – Drinking-water risk shift INTSUM §II.3 – Impact to vulnerable communities

CERCLA / RCRA

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
CERCLA/RCRA	Hazardous release; contamination; cleanup liability.	New energy/AI infrastructure atop contaminated legacy sites without remediation.	Environmental agencies; legacy operators; developers.	INTSUM §IV.4 – Legacy site + new project overlays INTSUM §V.5 – Contaminant migration

NHPA §106 / NAGPRA / ARPA

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
Heritage statutes	Required consultation; cultural-resource protection.	Siting projects near sacred/tribal lands with insufficient disclosure.	SHPO; cultural-resource firms; developers.	INTSUM §IX (Cultural & Tribal Impacts)

TABLE 3 – TEXAS CRIMINAL STATUTES

Tex. Penal Code §36.02 – Bribery

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
§36.02	Benefit exchanged for official action.	Industry donations tied to permitting and regulatory actions.	State/local officials; donors; PAC networks.	INTSUM §III.1–§III.2 – Texas political donor ecosystem mapping

Tex. Penal Code §39.02 – Abuse of Official Capacity

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
§39.02	Misuse of government property/services.	Steering contracts; manipulating data; suppressing technical findings.	Agency heads; utilities.	INTSUM §VI.2 – Consultant selection manipulation INTSUM §V.1 – Removal of unfavorable technical data

Tex. Penal Code §39.03 – Official Oppression

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
§39.03	Unlawful mistreatment; rights interference.	Selective enforcement against dissenting communities.	Inspectors; regulatory staff; local permitting authorities.	INTSUM §VIII.3-§VIII.4 - Targeted enforcement patterns

Tex. Penal Code §37.10 – Tampering with Government Records

Statute	Legal Elements	Observed Conduct	Institutional Roles	Evidence Citations
§37.10	Falsifying/concealing government records.	Altered environmental reports; missing minutes; discrepancies in public filings.	Record custodians; consultants; local	INTSUM §V.6 - Altered/missing documentation patterns