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Paulo Maluf

Assets Not Yet Returned/Judgment (USD) - Current :	\$0
Position of Public Officials/Persons (Years in Office):	Governor and Mayor of Sao Paulo (Mayor, 1993-1996); Legislator (as of 2007)
UNCAC Offenses Implicated:	Art. 17 Art. 23
Money laundering Implicated?:	Yes
Basis for Intl Cooperation Mechanism:	Cooperation in investigation but mechanism unknown
Investigative Agency (JAR):	New York County District Attorney's Office
Investigating Agency (JO):	Ministry of Justice; Federal Police
ProsecAuth/Civil Atty (JAR):	New York County District Attorney's Office
Legal Basis for Recovery:	Criminal Prosecution and Forfeiture
Case Control Number:	133
Jurisdiction of Origin :	Brazil
Jurisdiction of Recovery Effort / Asset Location:	United States
Status of Asset Recovery :	Ongoing
Asset Recovery Chain - Placement :	Before Court of First Instance
Assets Frozen (USD) - Current- TEXT:	Unknown
Assets Not Yet Returned/Judgment (USD) - Current - TEXT:	
Assets Returned (USD) - TEXT:	
Recovery Start (Year):	2012
Recovery End (Year):	Ongoing
Agreement / Arrangement re: Returned Assets?:	Ongoing
Agreement / Arrangement re: Returned Assets (Explanation):	NA
Intl Cooperation Mechanism: MLAT/Letter of Request:	Unknown
Disposition of Criminal Case(s):	As of May 6, 2011, Mr. Maluf was on the Interpol Wanted List. (Source: Interpol website, at http://www.interpol.int/public/data/wanted/notices/data/2009/08/2009_136...) According to the March 8, 2007 press release by the New York County District Attorney's Office, Mr. Maluf was indicted in New York for his alleged conspiracy in embezzlement of public funds and concealment of such funds, and that charges were also pending against him in Brazil. (Source: The People of the State of New York v. Paulo Maluf,

Flavio Maluf, Simeao Damasceno de Oliveira, Joel Guedes Fernandes and Vivaldo Alves, Indictment filed on March 8, 2007 in New York state Supreme Court, County of New York and New York County District Attorney's Office, News Release on the Paulo Maluf case, March 8, 2007.)

Summary:

In March 2007, Mr. Maluf, his family members and his associates were indicted by the New York County District Attorney's Office, which charged them with conspiracy, grand larceny and criminal possession of stolen property. The indictment alleged that, "The object of the conspiracy was to steal money from the City of Sao Paulo, Brazil, to possess the money in Brazil, New York and elsewhere, and to conceal the existence of the conspiracy and the location of the stolen money. To do this, the conspirators perpetrated an over-invoicing and kick-back scheme involving the municipal construction of an arterial highway in Sao Paulo known as the Avenida Agua Espraiada project. In the course of the conspiracy, stolen proceeds were transferred to a bank account in New York County and, from New York County, to a bank account located in the Bailiwick of Jersey in the Channel Islands. The conspirators also used the bank account in New York County to return stolen proceeds to Brazil, to buy personal items, and to pay for expenses related to Brazilian political campaigns.

During the period from on or about January 1993 to on or about December 1996, PAULO MALUF was Mayor of Sao Paulo. During this period and thereafter, PAULO MALUF directed the over-invoicing scheme, received kick-backs from the scheme amounting to millions of dollars, used secret bank accounts in New York County and the Bailiwick of Jersey to hide and utilize the stolen funds, and was the conspiracy's principal beneficiary. (Source: The People of the State of New York v. Paulo Maluf, Flavio Maluf, Simeao Damasceno de Oliveira, Joel Guedes Fernandes and Vivaldo Alves, Indictment filed on March 8, 2007, New York State Supreme Court, County of New York.) Then-District Attorney for New York County, Mr. Robert Morgenthau, wrote that Mr. Maluf's indictment was among the spin-offs of his office's investigation into the unlicensed money transmitter, Beacon Hill Service Corporation. Mr. Morgenthau wrote that \$140 million had passed through Mr. Maluf's principal account at Safra National Bank in Manhattan. (Source: Robert Morgenthau, "Tax Evasion Nation," American Interest, September-October 2008, last accessed on October 1, 2010 at <http://www.the-american-interest.com/article-bd.cfm?piece=465>.)

Contributing Factors in Asset Recovery:

Ongoing Case

Sources :

The People of the State of New York v. Paulo Maluf, Flavio Maluf, Simeao Damasceno de Oliveira, Joel Guedes Fernandes and Vivaldo Alves, Indictment filed on March 8, 2007 in New York State Supreme Court, County of New York, accessed at <http://manhattanda.org/whatsnew/press/2007-03-08%20Maluf%20Indictment%20...> New York County District Attorney's Office, News Release on the Paulo Maluf Case, March 8, 2007, accessed at <http://www.manhattanda.org/whatsnew/press/2007-03-08.shtml> 1; Robert Morgenthau, "Tax Evasion Nation," American Interest, September-October 2008, accessed at <http://www.the-american-interest.com/article-bd.cfm?piece=465>. See also, Swiss Federal Department of Police and Justice Press Release, "Strengthening co-operation in the fight against crime / Brazilian delegation visits Bern," October 14, 2002, accessed at <http://www.ejpd.admin.ch/content/ejpd/en/home/dokumentation>

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Courts Involved (JAR):	Supreme Court of the State of New York, County of New York, Criminal Term
ProsecAuth/Civil Atty (JO):	Prosecutor General of the State of Sao Paulo, Prosecutor General of the Republic of Brazil
Courts Involved (JO):	Superior Tribunal of Justice
Jurisdiction of Asset Recovery - Description:	Undertaking Recovery Effort, Location of Recovery Effort, Asset Location / Alleged Asset Location
Documents Links:	http://www1.worldbank.org/finance/star_site/documents/arw/Maluf_New_York... http://www1.worldbank.org/finance/star_site/documents/arw/Maluf_NY_Indic... http://www1.worldbank.org/finance/star_site/documents/arw/Maluf_Swiss_De... http://www1.worldbank.org/finance/star_site/documents/arw/Maluf_US_Morge...