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Favors aren't bribes, say ex-LA councilman's attorneys

Document states that Jose Huizar's only crime is being an 'evangelist for robust development,' and 41-count racketeering indictment should be dismissed



Former Councilman Jose Huizar (Photo by David Crane, Los Angeles Daily News / SCNG)

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By **FRED SHUSTER** | City News Service

LOS ANGELES — Attorneys for Jose Huizar have filed papers arguing that the bribery case against the ex-Los Angeles city councilman should be tossed because the alleged conduct does not violate laws cited in the 41-count federal racketeering indictment.

Huizar, the central figure in a six-year probe of suspected corruption in City Hall politics, and his associates were allegedly involved in a \$1.5 million pay-to-play scheme in which real estate developers were shaken down for cash and campaign donations in exchange for help getting building projects through the city's approval process.

The defense argues that the federal corruption statutes brought against the defendants are "overbroad," repeatedly transgress the Supreme Court's limits on such charges, and violate the statute of limitations.

In the indictment, prosecutors confuse favors as bribes, deem that First Amendment-protected contributions are crimes, and treat "virtually everything that Huizar did as an 'official act' no matter how informal or disconnected from government power," according to the motion for dismissal obtained by City News Service.

A spokesman for the U.S. Attorney's Office declined comment.

The federal probe ensnared political operatives, lobbyists and developers. Raymond Chan, who formerly was the general manager of the Los Angeles Department of Building and Safety and, more recently, was the city's deputy mayor of economic development, is also charged.

Huizar, who represented downtown L.A. and was the chairman of the Planning and Land Use Management Committee, has denied all allegations.

Defense attorneys contend that Huizar's only crime was acting as an "evangelist for robust development" whose mission as representative of Council District 14 was to bring hotels, apartments, jobs, tourism, and entertainment to the city's downtown, according to the document.

A hearing in Los Angeles federal court to discuss the motion is set for Nov. 15. Huizar and Chan are expected to face trial next May.

The defense argues that Huizar and Chan saw it as their responsibility to bring development and businesses to downtown Los Angeles. Partly as a result of their work, "the region became a livable and attractive destination for locals and tourists alike. During this period, nearly everyone in Los Angeles talked or heard about how much downtown had improved," the motion filed late Tuesday says.

“Huizar’s ability to raise money from developers — who, like other interests, supported him because he supported them — helped to fund not only homelessness initiatives, but the campaigns of some of the most prominent local, state, and national politicians,” the defense says.

However, the federal indictment “reimagines this period as one permeated by corruption,” and wrongly charges Huizar and Chan “with selling out their constituents and running (the council district) as a criminal enterprise,” according to Huizar’s attorney.

Co-defendants George Esparza, Huizar’s former special assistant, real estate development consultant George Chiang and fundraiser Justin Kim each pleaded guilty last year to federal charges.