

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

UNITED STATES OF AMERICA

v.

JAMES METCALF,

Defendant.

CASE NO. 3:23-CR-00011

STATEMENT OF FACTS

The parties stipulate that the allegations contained in the Indictment, insofar as they pertain to METCALF, and the following facts are true and correct, and that had this matter gone to trial, the United States would have proven each of these facts beyond a reasonable doubt. These facts do not constitute all the facts known to the parties concerning the charged offense. Rather, this Statement of Facts is intended only to demonstrate that sufficient facts exist that the defendant committed the offense to which he is pleading guilty, pursuant to Federal Rule of Criminal Procedure 11(b)(3).

METCALF was a businessman residing in Manassas, Virginia. He owned Yona Systems Group, a business headquartered in McLean, Virginia.

Defendant SCOTT HOWARD JENKINS ("JENKINS") was the Sheriff of Culpeper County, Virginia, which is located in the Western District of Virginia. JENKINS was an agent of both Culpeper County and the Culpeper County Sheriff's Office, both of which received benefits exceeding \$10,000 per year under federal programs involving grants, contracts, subsidies, loans, guarantees, insurance, and other forms of federal assistance in each of the fiscal years ending 2019, 2020, 2021, 2022, and 2023.

Individual 1 was a businessperson residing in Prince William County, Virginia. Beginning in at least 2012, he was an Auxiliary Deputy Sheriff in Culpeper County, Virginia.

METCALF met Individual 1 in approximately 1995, when they were both serving as reserve deputies in another Virginia county. In approximately August 2022, Individual 1 contacted METCALF and offered to facilitate METCALF becoming an Auxiliary Deputy Sheriff in Culpeper County in exchange for a bribe in the form of a \$5,000 contribution to JENKINS's reelection campaign. METCALF agreed.

On September 7, 2022, METCALF traveled to Culpeper County. METCALF had lunch with JENKINS and Individual 1. After lunch, in the parking lot outside the restaurant, METCALF handed JENKINS a white envelope containing a \$5,000 check from his company, Yona Systems Group, made payable to Scott Jenkins for Sheriff. METCALF and Individual 1 proceeded to the

Culpeper County Circuit Court Clerk's Office. In the car on the way to the Clerk's Office, METCALF and Individual 1 discussed recruiting additional individuals to become Auxiliary Deputy Sheriffs in exchange for bribes. METCALF stated that he knew multiple individuals who would be willing to pay \$5,000 to \$10,000 for a Culpeper County Sheriff's Office badge. METCALF stated that these individuals were not interested in doing volunteer work for the Sheriff's Office, but wanted a badge because they believed it would allow them to carry a concealed weapon.

At the Clerk's Office, METCALF was sworn in as an Auxiliary Deputy Sheriff. METCALF and Individual 1 then returned to the Sheriff's Office. A Sheriff's Office employee made an official identification card for METCALF. METCALF and Individual 1 met with JENKINS in a conference room and JENKINS gave METCALF a Sheriff's Office badge. During that meeting, JENKINS indicated that he hoped to attract additional donors to build his campaign "war chest" to deter other candidates from running against him in the 2023 election. METCALF understood that JENKINS intended to appoint those donors as Auxiliary Deputy Sheriffs in exchange for the bribes.

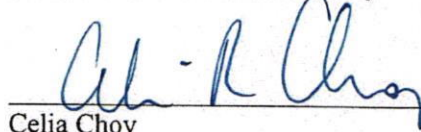
In September and October 2022, METCALF recruited or attempted to recruit six additional individuals to become Auxiliary Deputy Sheriffs in exchange for bribes in the form of contributions to JENKINS's reelection campaign. One of those individuals was the individual identified in the Indictment as Individual 3. METCALF informed Individual 3 that he could become a sworn Auxiliary Deputy Sheriff in exchange for a \$5,000 contribution to JENKINS's campaign. After Individual 3 agreed, METCALF introduced him to Individual 1 to begin the process of becoming appointed as an Auxiliary Deputy Sheriff.

On December 29, 2022, METCALF traveled to Culpeper and had lunch with Individual 1, Individual 3, and JENKINS. After lunch, METCALF, Individual 1, and Individual 3 went to the Clerk's Office, where Individual 3 was sworn in as an Auxiliary Deputy Sheriff. METCALF, Individual 1, and Individual 3 then went to the Sheriff's Office. They met with JENKINS in a conference room at the Sheriff's Office. In the conference room, Individual 3 handed JENKINS a white envelope containing \$5,000 in cash, and JENKINS handed Individual 3 a badge.

Respectfully submitted,

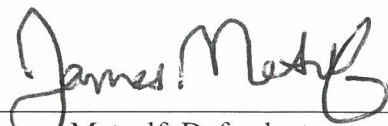


Melanie Smith
Assistant United States Attorney

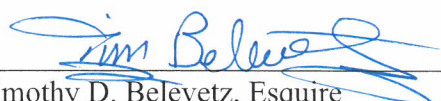


Celia Choy
Trial Attorney, Public Integrity Section
U.S. Department of Justice

After consulting with my attorney and pursuant to the plea agreement entered into this day, I stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States could have proven the same beyond a reasonable doubt.


James Metcalf, Defendant

I am James METCALF's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.


Timothy D. Belevetz, Esquire
Counsel for Defendant