

Tennessee State Senator Pleads Guilty to Campaign Finance Scheme

Article By:

United States Department of Justice (DOJ)

Tennessee State Senator Brian Kelsey pleaded guilty today to violating campaign finance laws and conspiring to defraud the Federal Election Commission (FEC) as part of a scheme to benefit his 2016 campaign for U.S. Congress.

According to court documents, Kelsey, 44, of Germantown, admitted that he conspired to, and did, secretly and unlawfully funnel money from multiple sources, including his own Tennessee State Senate campaign committee, to his authorized federal campaign committee. Kelsey, who was a practicing attorney, and his co-conspirators, including Joshua Smith, also caused a national political organization to make illegal and excessive contributions to Kelsey's federal campaign committee by secretly coordinating with the organization on advertisements supporting Kelsey's federal candidacy, which caused false reports of contributions and expenditures to be filed with the FEC.

Kelsey and his co-conspirators orchestrated the concealed movement of \$91,000 – \$66,000 of which came from Kelsey's State Senate campaign committee, and \$25,000 of which came from a nonprofit corporation that publicly advocated on legal justice issues – to a national political organization for the purpose of funding advertisements that urged voters to support Kelsey in the August 2016 primary election. Kelsey and his co-conspirators also caused the political organization to make \$80,000 worth of contributions to Kelsey's federal campaign committee in the form of coordinated expenditures.

Kelsey pleaded guilty to conspiracy to defraud the FEC and aiding and abetting the acceptance of excessive contributions on behalf of a federal campaign. He is scheduled to be sentenced on June 9, 2023, and faces a maximum penalty of five years in prison on each count. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

Joshua Smith pleaded guilty last month to aiding and abetting the solicitation, receipt, direction, transfer, and spending of soft money in connection with a federal election. He is awaiting sentencing.

Assistant Attorney General Kenneth A. Polite, Jr. of the Justice Department's Criminal Division, U.S. Attorney Mark H. Wildasin for the Middle District of Tennessee, the U.S. Attorney's Office for the Western District of Tennessee, and Special Agent in Charge Douglas Korneski of the FBI Memphis Field Office made the announcement.

The FBI is investigating the case.

Trial Attorney John Taddei of the Criminal Division's Public Integrity Section, Assistant U.S. Attorney Amanda Klopf for the Middle District of Tennessee, and Assistant U.S. Attorney David Pritchard for the Western District of Tennessee are prosecuting the case.

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