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 10 UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT  
 12 FOR THE CENTRAL DISTRICT OF CALIFORNIA  
 13 SOUTHERN DIVISION

14 UNITED STATES OF AMERICA,  
 15 Plaintiff,  
 16 v.  
 17 HARISH SINGH SIDHU,  
 18 aka "Harry Sidhu,"  
 19 Defendant.

No. SA CR 23-114-JWH

GOVERNMENT'S SENTENCING POSITION

Hearing Date: March 28, 2025  
 2:00 p.m.

22 Plaintiff United States of America, by and through its counsel  
 23 of record, the Acting United States Attorney for the Central District  
 24 of California and Assistant United States Attorney Melissa Rabbani,  
 25 hereby submits its position regarding sentencing.

26 The government's position is based upon the attached memorandum  
 27 of points and authorities, the files and records in this case, the  
 28 Presentence Report ("PSR") and disclosed recommendation letter filed

1 on February 28, 2025, and any other evidence or argument that the  
2 Court may wish to consider at the time of sentencing.

3 Dated: March 14, 2025

Respectfully submitted,

4 JOSEPH T. MCNALLY  
5 Acting United States Attorney

6           /s/ Melissa S. Rabbani            
7 MELISSA S. RABBANI  
8 Assistant United States Attorney

9 Attorneys for Plaintiff  
10 UNITED STATES OF AMERICA

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 **I. INTRODUCTION**

3 In 2018, the people of Anaheim elected defendant Harry Sidhu as  
4 their mayor. In that role, defendant swore to put the interests of  
5 the city above his own. But not long after his election, defendant  
6 began doing exactly the opposite.

7 In 2019 and 2020, defendant worked with others in city  
8 leadership to negotiate the sale of Angel Stadium to the Angels  
9 baseball team. The stadium sale was an incredible opportunity for  
10 the city, with the potential to bring in hundreds of millions of  
11 dollars.

12 Rather than work to ensure the city of Anaheim received the best  
13 deal possible from the Angels, defendant worked behind the scenes to  
14 make the potential deal better for the Angels - and as defendant  
15 later acknowledged in a recorded phone call, did so with the  
16 expectation that he would receive a significant campaign contribution  
17 of at least \$1 million.

18 Knowing his conduct was wrong, and a betrayal of the city of  
19 Anaheim, defendant purposely deleted multiple emails relating to the  
20 stadium negotiation. And when he was first approached by the FBI  
21 about the negotiation, he lied - claiming that he did not recall  
22 sharing confidential information with the Angels and that he expected  
23 "nothing" from the Angels after the sale.

24 Based on his conduct, and a separate incident in which defendant  
25 knowingly made false statements to the FAA to avoid paying California  
26 tax on a helicopter, defendant pled guilty to four felonies: one  
27 count of obstruction of justice, two counts of making false  
28 statements to a federal agency, and one count of wire fraud.

1 The United States Probation Office ("USPO") filed a Presentence  
2 Report ("PSR") on February 28, 2025. Dkt. 33. The USPO determined  
3 that the total applicable offense level in this case is 12 and that  
4 defendant's criminal history is in category I, resulting in a  
5 guidelines range of 10 to 16 months of imprisonment. Id. at 4. The  
6 USPO recommends that the Court apply a significant downward variance  
7 and sentence defendant to three years of probation, as well as a  
8 total fine of \$175,000 and the mandatory special assessment of \$400.  
9 Dkt. 32.

10 As set forth below, the government largely agrees with the  
11 USPO's calculations as to the applicable offense level in this case,  
12 but pursuant to the parties' plea agreement, the government  
13 respectfully recommends that the Court impose a one-level downward  
14 adjustment to the offense level based on defendant's early acceptance  
15 of responsibility in this case. Thus, the government believes that  
16 the total offense level in this case should be 11, rather than 12,  
17 and that the applicable guidelines range is thus 8 to 14 months  
18 rather than 10 to 16.<sup>1</sup>

19 Importantly, however, the government does not agree that a  
20 variance down to a sentence of probation is appropriate here.  
21 Defendant betrayed the City of Anaheim. He deleted the evidence of  
22 his conduct and lied repeatedly to federal agents. He lied again,  
23 later, simply to avoid paying sales tax on a helicopter. Defendant  
24 did not engage in this criminal conduct out of desperation, or  
25 addiction, or because he had no better options: he did so to further

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28 <sup>1</sup> There is no dispute that defendant's criminal history category  
is I.

1 his own political ambition and to save himself a relatively trivial  
2 amount of money.

3 To his credit, defendant has since accepted responsibility for  
4 his actions, resigned from office, and repaid the taxes he evaded.  
5 Defendant himself is unlikely to commit similar crimes in the future.  
6 But a term of imprisonment is absolutely necessary to sanction  
7 defendant's breach of the public trust and, perhaps most importantly,  
8 to promote respect for the law among wealthy and powerful individuals  
9 like defendant. See 18 U.S.C. § 3553(a). A significant downward  
10 variance sends a troubling message: it suggests that defendants who  
11 engage in white-collar, public-corruption crimes like this one can  
12 simply remove themselves from public life, pay a fine, and face  
13 minimal consequences, with incarceration reserved only for blue-  
14 collar, less-privileged defendants.

15 Thus, the government respectfully recommends that the Court  
16 impose a sentence of eight months' imprisonment, to be followed by a  
17 one-year period of supervised release. The government further  
18 recommends that the Court impose a fine of \$40,000, to be paid within  
19 90 days of sentencing, and a mandatory special assessment of \$400.

20 **II. SUMMARY OF RELEVANT FACTS**

21 The facts below are taken from the PSR and from the plea  
22 agreement filed on August 16, 2023. Dkts. 3, 33.

23 **A. Defendant Betrayed the City of Anaheim During Stadium Sale**  
24 **Negotiations**

25 In 2019 and 2020, the city of Anaheim was negotiating a  
26 potential sale of Angel Stadium to SRB Management and the Los Angeles  
27 Angels professional baseball team (collectively, "the Angels").  
28

1 Defendant sought to become, and became, a member of the city's  
2 negotiating team.

3 Without informing the rest of that team, defendant provided  
4 confidential inside information belonging to the city - including  
5 confidential negotiation information - to Todd Ament, who was then  
6 CEO of the Anaheim Chamber of Commerce, and to a consultant working  
7 for the Angels (the "Angels consultant"), so that the Angels could  
8 buy Angel Stadium from the city on terms beneficial to the Angels.

9 In particular, in 2019, defendant provided a confidential  
10 appraisal range related to Angel Stadium to Ament, with the intent  
11 that Ament give the appraisal information to the Angels to assist  
12 them in negotiations with the City. Dkt. 3 at 12.

13 On July 21, 2020, defendant emailed a document entitled "4844-  
14 8343-9299.2 Key Issues - Stadium Transaction Agreement.docx" to Ament  
15 and the Angels consultant. Dkt. 3 at 10. That document, which was  
16 drafted by attorneys for the city, contained confidential and  
17 sensitive negotiation information related to the stadium sale,  
18 including a discussion of issues related to price and other purchase  
19 and sale terms. For example, in a section entitled "Lease  
20 Assignment: Parking," the document advised:

21 [The Angels] eliminate the requirement that they maintain  
22 at least 12,500 parking spaces - so upon closing they could  
23 immediately amend the lease to limit their parking  
24 obligation and then flip the land for millions more than  
25 they paid for it. For example, reducing their parking  
26 obligation by 4,000 spaces would translate to \$64M in  
27 increased land value. . . . [T]he City has publicly  
28 acknowledged that the purchase price would be much higher  
without this obligation.

26 Dkt. 3 at 10. By providing that information to Ament and the Angels  
27 consultant, defendant was helping the Angels - and betraying the City  
28 - by advising the Angels of a potential avenue for reducing the

1 purchase price and/or maximizing the Angels' investment, at the  
2 expense of Anaheim citizens.

3 **B. Defendant Deleted Evidence of His Conduct During Stadium**  
4 **Sale Negotiations**

5 Defendant knowingly deleted the July 2020 email described above.  
6 Dkt. 3 at 13. He also deleted a separate email he received in  
7 September 2020 from the Angels consultant. That email, which was  
8 sent to defendant's personal email address and copied Ament, two  
9 Anaheim City Council members, two City employees, the President and a  
10 Senior Vice President of the Angels, and others, was titled "Angels  
11 Deal Debate/Council Prep - ROUND 1." Dkt. 3 at 11. The email  
12 discussed mock City Council meetings to be held to prepare for an  
13 actual City Council meeting on the stadium sale; it stated that  
14 defendant was "expected to be a strong defender of the deal." Id. at  
15 12.

16 **C. Defendant Acknowledged, in Recorded Calls, That He Expected**  
17 **Compensation for Helping the Angels**

18 After secretly providing information to the Angels to help them  
19 get a better deal from the City, defendant acknowledged, in several  
20 phone calls that were recorded without his knowledge, that he  
21 expected compensation in the form of a campaign contribution.

22 On December 6, 2021, for example, defendant made the following  
23 statement:

24 Because I, I've said, you gotta at least, minimum of a  
25 million dollars to come up with my election. They have to.  
26 And of course, you know, . . . if Angels project would  
27 conclude next year is approved hopefully, we'll push them  
28 for at least half a million dollars. You know, for [the  
Angels] to say "no" is bad, for them not to say no on that.

Dkt. 3 at 12-13.

On January 28, 2022, in another call, defendant reiterated:

1 Because I am hoping to get at least a million from I'm  
2 going to be pushing it. [Angels representative] actually  
3 asked me. He said, "What can I do for your election?" I  
4 said, "Let me finish your deal first, and then we'll talk  
5 about that.

6 Dkt. 3 at 13. In that same call, defendant later added, "So I'm  
7 going to be asking for a million dollars from him . . . for my  
8 election." Id.

9 **D. Defendant Lied to Federal Agents about His Conduct During  
10 Stadium Sale Negotiations**

11 FBI agents interviewed defendant regarding the stadium sale in  
12 May 2022. In that interview, defendant repeatedly lied, claiming  
13 that he did not recall providing information about the stadium sale  
14 to the Angels consultant; that he never used his personal email for  
15 City business; and that he was expecting "nothing" from the Angels  
16 after the sale. Dkt. 3 at 14.

17 **E. Defendant Lied to the FAA to Avoid Paying Tax on a  
18 Helicopter Purchase**

19 In October 2020, defendant bought a used helicopter for  
20 approximately \$205,000. In registering the helicopter with the FAA,  
21 defendant fraudulently represented that he resided in Arizona, even  
22 though he lived in Anaheim, California, and intended to hangar the  
23 helicopter in Chino, California - and did so only to avoid paying  
24 roughly \$15,000 in California sales tax. Dkt. 3 at 15-16.

25 **F. Defendant Resigned from the Mayorship and Pled Guilty to  
26 Four Felonies**

27 In May 2022, after the FBI's investigation became public,  
28 defendant resigned as mayor of Anaheim. Defendant quickly agreed to  
cooperate with the government and sat with government agents for a  
lengthy proffer session. In August 2023, agreed to plead guilty to  
the four counts in the Information.

1 **III. PRESENTENCE REPORT**

2 The USPO determined that the base offense level for the two  
3 obstruction-related counts is 14. Dkt. 33 at 16. The USPO then  
4 applied a two-level adjustment under U.S.S.G. § 2J1.2(b)(3)(B),  
5 because the offense “involved the selection of any essential or  
6 especially probative record, document, or tangible object, to destroy  
7 or alter.” Id. After calculating the offense level for the two  
8 fraud-related counts as 11, the USPO applied a one-level multiple  
9 count adjustment, resulting in an offense level of 17. Id. at 17-18.  
10 After applying a three-level decrease for acceptance of  
11 responsibility, and a two-level decrease under the zero-point  
12 offender provision, the USPO arrived a total offense level of 12.  
13 Id. at 18-19.

14 The USPO calculated defendant’s criminal history category as I,  
15 Dkt. 33 at 19-20, resulting in a Guidelines range of 10 to 16 months  
16 imprisonment, id. at 38.

17 In its disclosed recommendation letter, the USPO recommends a  
18 sentence of three years’ probation - which would amount to a four-  
19 level variance - as well as a fine of \$175,000 and a mandatory  
20 special assessment of \$400.

21 **IV. THE GOVERNMENT’S POSITION**

22 The government agrees with the USPO’s calculations as to the  
23 offense level applicable in this case, except that, pursuant to the  
24 parties’ plea agreement, the government recommends an additional one-  
25 level variance based on defendant’s early acceptance of  
26 responsibility in this case. See Dkt. 3 at 17. As set forth in the  
27 plea agreement, this recommended variance is based on defendant’s (i)  
28 immediate resignation from the mayorship upon public disclosure of

1 the FBI's investigation; (ii) immediate repayment of the California  
2 sales tax he evaded, with penalties; and (iii) agreement to a pre-  
3 indictment plea, which includes "a robust factual basis and waives  
4 most appellate rights." Id.

5 In particular, the government agrees with the USPO that the two-  
6 level adjustment under U.S.S.G. § 2J1.2(b)(3)(B) should be applied  
7 here.<sup>2</sup> Defendant's own statement, submitted in the PSR, makes clear  
8 that he did, in fact, select essential or especially probative  
9 documents to destroy: "I deleted my emails to Mr. Ament because I was  
10 afraid that they would become public and make me look bad politically  
11 in my reelection campaign." Dkt. 33 at 13. Defendant sought out and  
12 selected the emails he was worried about, knowing that they could  
13 "look bad politically" if publicly disclosed because they would  
14 reveal he put his own interests above the City's, and deleted them  
15 intentionally.

16 With a total offense level of 11, and a criminal history  
17 category of I, the applicable guidelines range here is eight to 14  
18 months of imprisonment. For the reasons set forth below, the  
19 government respectfully submits that a sentence of eight months'  
20 imprisonment is appropriate.

21 **A. Nature, Circumstances, and Seriousness of the Offense**

22 As the mayor of Anaheim, defendant had a position of immense  
23 public trust - and wasted no time in violating that trust for his own  
24 benefit. The sale of Angel Stadium presented an opportunity to bring  
25 the City hundreds of millions in revenue and benefit its residents.  
26 Instead of working for the benefit of Anaheim's residents, however,  
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28 <sup>2</sup> The government understands that the defense intends to argue  
that this adjustment should not apply.

1 defendant followed the money and worked in the best interests of the  
2 Angels, a group he understood could benefit him in turn with large  
3 campaign contributions to keep his political career going.

4 Not only did defendant betray the City, but he deleted evidence  
5 of his conduct and repeatedly lied to federal agents when first  
6 approached.

7 Moreover, defendant's lies were not limited to political self-  
8 preservation. Defendant lied to the FAA merely to save himself  
9 roughly \$15,000 in California tax: surely a trivial sum for someone  
10 with the means to purchase a \$200,000 helicopter. Those lies suggest  
11 a troubling belief that defendant, and others with wealth and power,  
12 are above the law.

13 Since then, to his credit, defendant has accepted responsibility  
14 for his crimes. He has left public office and is unlikely to run  
15 again. But this Court must sanction defendant's breach of public  
16 trust - and perhaps more importantly, a significant sentence in this  
17 case is important in deterring others in defendant's position from  
18 committing similar crimes.

19 As the Eleventh Circuit recognized in United States v. Martin,  
20 455 F.3d 1227, 1240 (11th Cir. 2006), white-collar crimes like  
21 defendant's generally are not "sudden crimes of passion or  
22 opportunity." Rather, "[d]efendants in white collar crimes often  
23 calculate the financial gain and risk of loss, and white collar crime  
24 therefore can be affected and reduced with serious punishment."  
25 Congress, too, has recognized that deterrence is particularly  
26 important in white-collar cases, noting that when white-collar  
27 criminals are sentenced to "small fines and little or no  
28 imprisonment," it creates an unfortunate impression "that certain

1 offenses are punishable only by a small fine that can be written off  
2 as a cost of doing business." See S. Rep. No. 98-225, at 76 (1983),  
3 reprinted in 1984 U.S.C.C.A.N. 3182, 3259. See also United States v.  
4 Onuoha, 820 F.3d 1049, 1056 (9th Cir. 2016) (recognizing that general  
5 deterrence is "an important consideration" in sentencing); United  
6 States v. Barker, 771 F.2d 1362, 1368 (9th Cir. 1985) ("[P]erhaps  
7 paramount among the purposes of punishment is the desire to deter  
8 similar misconduct by others.").

9 The government respectfully submits that defendant's repeated  
10 breaches of public trust, and obstruction of justice, warrant a  
11 custodial term of imprisonment.

12 **B. Defendant's History and Characteristics**

13 The PSR details an impressive history, chronicling defendant's  
14 successful efforts, after immigrating to the United States at 17, to  
15 obtain an education, build a career, build a business, raise a  
16 family, and give back to the public.

17 The government submits, however, that defendant's personal  
18 history is aggravating, rather than mitigating. Unlike so many  
19 criminal defendants who appear before this Court, defendant did not  
20 turn to criminal activity out of desperation, addiction, or a dearth  
21 of better options. When defendant engaged in the criminal activity  
22 at issue here, he was a successful, well-educated, well-known, and  
23 well-liked businessman and politician, with considerable financial  
24 means. Defendant knew right from wrong and had the means, the  
25 ability, and the options to live any life he wanted. Unfortunately,  
26 he chose, time and again, to prioritize his political career and  
27 personal finances over doing the right thing or faithfully serving  
28 the public. See United States v. Stefonek, 179 F.3d 1030, 1038 (7th

1 Cir. 1999) (defendants who are able to “make a decent living without  
2 resorting to crime” are “more rather than less culpable than their  
3 desperately poor and deprived brethren in crime”).

4 Defendant should not avoid a sentence of incarceration simply  
5 because of his accomplishments - accomplishments that should have  
6 made it easy for him to avoid engaging in criminal conduct.

7 **C. Supervised Release**

8 The government recommends that the Court impose a one-year  
9 period of supervised release, following his release from custody.

10 **D. Financial Obligations**

11 The government recommends that the Court impose a fine of  
12 \$40,000: the high end of the range applicable to an offense level of  
13 11 under the Sentencing Guidelines. See U.S.S.G. 5E1.2(c)(3). The  
14 government also recommends that the Court impose a mandatory special  
15 assessment of \$400.

16 Because defendant has already repaid the taxes he evaded, no  
17 restitution order is necessary.

18 **V. CONCLUSION**

19 As set forth above, the government respectfully recommends that  
20 the Court impose a sentence of eight months’ custody, to be followed  
21 by a one-year period of supervised release, and order a fine of  
22 \$40,000 and a mandatory special assessment of \$400. The government  
23 submits that this sentence is sufficient, but not greater than  
24 necessary, to punish defendant, promote respect for the law, deter  
25 others from committing similar crimes in the future, and avoid  
26 sentencing disparities. See generally 18 U.S.C. § 3553(a).