

Vincent Imhoff and Shannon Dorvall of Imhoff & Associates, Dive Into Lori Loughlin's Sentencing Over College Scandal

"Despite overwhelming proof of governmental misconduct, the court failed to impose any punishment on the prosecution"- Imhoff & Associates Newsletter

LOS ANGELES, CA, US, May 29, 2020 /EINPresswire.com/ -- The United States Attorney's Office has repeatedly suffered embarrassing incidents where their pattern of withholding exculpatory evidence has been exposed. Although the government has a history of withholding case damaging evidence, recently the tactics have been employed and exposed in very high-profile cases including the Lori Loughlin "Varsity Blues" case. The government ignored the rules and in doing so, broke the law and got caught. Their punishment should be swift and severe as the government would loudly demand against any defendant caught doing the same thing. Dismissal of the case would be true justice. [Vincent Imhoff](#), Managing Director of [Imhoff & Associates](#), and Shannon Dorvall, attorney at Imhoff & Associates, co-authored an article outlining these details in the Imhoff & Associates Newsletter. Check out the Imhoff & Associates Newsletter below for their reflections.

Actress Lori Loughlin and her husband Mossimo Giannulli pled guilty on Friday, May 22, 2020, pursuant to a plea agreement with the United States Attorney's Office putting an end to the U.S. Attorney's publicity nightmare of having been caught yet again withholding evidence in a high profile case. However, unlike the Michael Flynn case, the charges are not being dismissed. Instead, the defendants are being offered a remarkable deal of recommending to the court a two-month sentence, \$150,000 fine and 100 hours of community service for



Vince Imhoff, Famed Criminal Attorney



Shannon Dorvall

Loughlin and a five-month sentence, \$250,000 fine and 100 hours of community service for Giannulli despite waiting well over a year to enter a guilty plea. According to Imhoff & Associates Newsletter, "Other defendants who pled earlier received harsher sentences despite the early cooperation."

Loughlin's suggested sentence is in the middle of the sentences already handed down in the case. Has the U.S. Attorney's Office suddenly gone soft and forgotten their longstanding practice of punishing defendants for pursuing trial and forcing the government to do actual work? Or is it more likely the government recognized the optics of the situation and chose to make an offer so irresistible that only a fool would choose trial when faced with more than 10 years in federal prison

The Imhoff & Associates Newsletter continues, "Although the court denied their motion to dismiss, he made it clear that the defendants could cross-examine on the "aggressive" tactics used with Marty Singer against parents in the alleged bribery scheme. The information gathering in cross-examination of the agents could embarrass the United States Attorney's Office. Best to avoid such a light being shown in their dark corners by enticing the defendants into a deal that would seal off the defendants' need to question the agents and expose the truth. A trial could have given ammunition to challenge guilty pleas of already sentenced defendants".

In denying Loughlin's attempt to dismiss the case, the court found that the actions by the U.S. Attorney's Office were an "imprudent underestimation of the context, relevance and potential exculpatory nature of the notes". The court also found their actions in withholding the evidence as "irresponsible and misguided" but not "willful". The Imhoff & Associates Newsletter goes on to state, "One hopes the attorneys in this case quote that language in their sentencing memorandums to the court and describe their client's actions as 'irresponsible and misguided' because apparently the court feels there is no need to punish such actions. What is trying to find a work around to get your child into a competitive college by paying someone to go around the red tape but 'irresponsible and misguided'. The court still has the option of sentencing Loughlin beyond the negotiated two months but that seems unlikely given the propensity of the system to protect the government from deeper scrutiny in the prosecution of criminal cases".

In our system of criminal justice, the fairness of procedures takes precedence over the conviction of any single person. The procedural safeguards, while seen as the boring and unsexy part of a criminal cases, are set forth in the Bill of Rights and the presumption of innocence is enjoyed by all of us and enforced by the defendant in a criminal case. Without a meaningful challenge to the government, prosecutors have no incentive to follow the very rules they are supposed to uphold. Hearing the words "on behalf of the Government of the United States versus" is terrifying when your name finishes that sentence. The full weight of the United States behind the charges is supposed to be scary to make people think before they break the law. It takes fortitude to stand up and make them prove their case instead of folding at the first court appearance.

The courts have lost their desire to hold the government to such as standard. Despite overwhelming proof of governmental misconduct, the court failed to impose any punishment on the prosecution. One of the tenets of the criminal justice system is that punishment acts as a deterrent to future bad acts. If the courts never punish the U.S. Attorney's Office for their oft repeated bad acts in withholding crucial exculpatory evidence, how can anyone expect their behavior to change when the incentives to beg at the ever-flowing fountain of forgiveness from courts.

"Although defendants Loughlin and Giannulli derived some benefit from the government's misdeeds, the court should demonstrate true blind justice by dismissal of all charges", concludes the Imhoff & Associates Newsletter.

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