

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

UNITED STATES OF AMERICA

v.

ROBERT APONTE

No.

Violations: Title 18, United States  
Code, Sections 1341, 1343

**COUNT ONE**

The November 2011 Special Grand Jury charges:

1. At times material to this indictment:

**The East Chicago Housing Authority**

a. The East Chicago Housing Authority (“ECHA”), located in East Chicago, Indiana, was a company that maintained and managed low-income public housing in East Chicago, Indiana, and administered the Section 8 program for tenants who resided in public housing maintained and managed by the ECHA.

b. The ECHA operated the West Calumet Housing Project (“West Calumet”), a low-income public housing project located in East Chicago, Indiana.

c. The ECHA employed off-duty police officers from the East Chicago Police Department to serve as security officers for West Calumet. Off-duty police officers scheduled their own shifts at West Calumet based on the officers’ availability.

d. While on duty, security officers patrolled the grounds at West Calumet on foot and by car, in order to prevent and disrupt criminal activity on the premises.

### **Trillium Properties**

e. Trillium Properties (“Trillium”), located in East Chicago, Indiana, was a company that maintained and managed low-income public housing in East Chicago, Indiana, and administered the Section 8 program for tenants who resided in public housing maintained and managed by Trillium.

f. Trillium operated Lakeside Gardens and Harborside Apartments, low-income public housing projects located in East Chicago, Indiana.

g. Trillium employed off-duty police officers from the East Chicago Police Department to serve as patrol officers at Lakeside Gardens and Harborside Apartments. Off-duty police officers scheduled their own shifts at Lakeside Gardens and Harborside Apartments based on the officers’ availability.

h. While on duty, patrol officers patrolled the grounds at Lakeside Gardens and Harborside Apartments on foot and by car, in order to prevent and disrupt criminal activity on the premises.

### **Safety Training and Tracing**

i. Safety Training and Tracing (“STT”) was a company located in Whiting, Indiana, that provided traffic control services at the BP refinery located in the vicinity of Whiting, Indiana (the “BP Refinery”).

j. STT employed off-duty police officers from the East Chicago Police Department to control and direct traffic at the intersections and four points of entry to the the BP Refinery, which was situated on a 1400-acre campus in the vicinity of Whiting, Indiana. There were typically two traffic control shifts per day, one in the

morning and the other in the afternoon, at the BP Refinery. Approximately fifteen officers worked each shift. Off-duty police officers scheduled their own shifts based on the officers' availability.

k. Officers working traffic control for STT at the BP Refinery managed the flow of employee traffic at intersections and the points of entry to the BP Refinery. Officers manually controlled the traffic lights and directed traffic by hand at the BP Refinery while on duty.

### **The Defendant**

l. From at least January 2009 through at least November 2011, defendant ROBERT APONTE was employed in a full-time capacity by the City of East Chicago as a detective for the East Chicago Police Department.

m. From at least January 2009 through at least November 2011, defendant ROBERT APONTE was employed in a part-time capacity by the ECHA as a security officer at West Calumet. Defendant APONTE was paid an hourly wage of \$20 by ECHA.

n. From at least January 2009 through at least November 2011, defendant ROBERT APONTE was employed in a part-time capacity by Trillium as a patrol officer at Lakeside Gardens and Harborside Apartments. Defendant APONTE was paid an hourly wage of \$25 by Trillium.

o. From approximately January 2009 through at least November 2011, defendant ROBERT APONTE was employed in a part-time capacity by STT to provide traffic control services at the BP Refinery. Defendant APONTE was paid an hourly wage of \$40 by STT.

### **The Scheme**

2. Beginning no later than January 2009, and continuing through at least September 2011, at East Chicago, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, knowingly devised, intended to devise, and participated in a scheme to defraud and to obtain money and property from his employers by means of materially false and fraudulent pretenses, representations, and promises, as further described below.

3. It was part of the scheme that defendant ROBERT APONTE received fraudulently inflated wages from the ECHA and Trillium by submitting and causing to be submitted time sheets that falsely and fraudulently overstated the hours defendant APONTE worked.

#### *Double-Billing the ECHA and STT*

4. It was further part of the scheme that defendant ROBERT APONTE knowingly scheduled and caused to be scheduled shifts to conduct security patrols for the ECHA at West Calumet that overlapped with shifts that defendant APONTE

scheduled and caused to be scheduled to conduct traffic control for STT at the BP Refinery.

5. It was further part of the scheme that defendant ROBERT APONTE, after reporting for work at West Calumet, left the West Calumet premises to report for work and conduct traffic control for STT at the BP Refinery.

6. It was further part of the scheme that defendant ROBERT APONTE submitted and caused to be submitted time sheets to the ECHA that falsely and fraudulently represented that he was conducting security patrols for the ECHA at West Calumet at times when defendant APONTE was instead conducting traffic control for STT at the BP Refinery.

7. It was further part of the scheme that defendant ROBERT APONTE fraudulently caused the ECHA to pay him for conducting security patrols at West Calumet when defendant APONTE was instead conducting, and being paid to conduct, traffic control for STT at the BP Refinery.

*Double-Billing ECHA and Trillium*

8. It was further part of the scheme that defendant ROBERT APONTE knowingly scheduled and caused to be scheduled shifts to conduct security patrols for the ECHA at West Calumet that overlapped with shifts that defendant APONTE scheduled and caused to be scheduled to provide courtesy patrols for Trillium at Lakeside Gardens and Harborside Apartments.

9. It was further part of the scheme that defendant ROBERT APONTE, after reporting for work at West Calumet, left the West Calumet premises to conduct courtesy patrols for Trillium at Lakeside Gardens and Harborside Apartments.

10. It was further part of the scheme that defendant ROBERT APONTE submitted and caused to be submitted time sheets to the ECHA which falsely and fraudulently represented that he was conducting security patrols for the ECHA at West Calumet at times when defendant APONTE was instead conducting courtesy patrols for Trillium at Lakeside Gardens and Harborside Apartments.

11. It was further part of the scheme that defendant ROBERT APONTE fraudulently caused the ECHA to pay him for conducting security patrols at West Calumet when defendant APONTE was instead conducting, and being paid to conduct, courtesy patrols for Trillium at the Lakeside Gardens and Harborside Apartments.

*Other False Billing*

12. It was further part of the scheme that defendant ROBERT APONTE fraudulently submitted and caused to be submitted to the ECHA and Trillium time sheets that falsely inflated the number of hours that defendant APONTE worked. Rather than working the stated hours, defendant APONTE went off-duty for lengthy periods of time during his shifts, and departed his duty station before the end of his shifts.

13. It was further part of the scheme that defendant ROBERT APONTE concealed, misrepresented, and hid, and caused to be concealed, misrepresented, and hidden the existence of the scheme, the purposes of the scheme, and the acts done in furtherance of the scheme.

14. On or about July 10, 2009, at Chesterton, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be delivered by U.S. mail to defendant APONTE's residence in Chesterton, Indiana, according to the direction thereon an envelope containing a paycheck from the East Chicago Housing Authority to defendant APONTE for approximately \$405, which paycheck related to hourly wages paid to defendant APONTE for the time period June 20, 2009, to July 3, 2009;

In violation of Title 18, United States Code, Section 1341.

**COUNT TWO**

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.
2. On or about July 24, 2009, at Chesterton, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be delivered by U.S. mail to defendant APONTE's residence in Chesterton, Indiana, according to the direction thereon an envelope containing a paycheck from the East Chicago Housing Authority to defendant APONTE for approximately \$350, which paycheck related to hourly wages paid to defendant APONTE for the time period July 4, 2009, to July 17, 2009;

In violation of Title 18, United States Code, Section 1341.



**COUNT THREE**

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.

2. On or about May 14, 2010, at Chesterton, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be delivered by U.S. mail to defendant APONTE's residence in Chesterton, Indiana, according to the direction thereon an envelope containing a paycheck from the East Chicago Housing Authority to defendant APONTE for approximately \$180, which paycheck related to hourly wages paid to defendant APONTE for the time period April 24, 2010, to May 7, 2010;

In violation of Title 18, United States Code, Section 1341.

## COUNT FOUR

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.
2. On or about August 6, 2010, at Chesterton, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be delivered by U.S. mail to defendant APONTE's residence in Chesterton, Indiana, according to the direction thereon an envelope containing a paycheck from the East Chicago Housing Authority to defendant APONTE for approximately \$370, which paycheck related to hourly wages paid to defendant APONTE for the time period July 17, 2010, to July 30, 2010;

In violation of Title 18, United States Code, Section 1341.

**COUNT FIVE**

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.
2. On or about August 3, 2011, at Chesterton, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be delivered by U.S. mail to defendant APONTE's residence in Chesterton, Indiana, according to the direction thereon an envelope containing a paycheck from the East Chicago Housing Authority to defendant APONTE for approximately \$305, which paycheck related to hourly wages paid to defendant APONTE for the time period July 30, 2011, to August 12, 2011;

In violation of Title 18, United States Code, Section 1341.

## COUNT SIX

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.
2. On or about September 2, 2011, at Chesterton, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be delivered by U.S. mail to defendant APONTE's residence in Chesterton, Indiana, according to the direction thereon an envelope containing paycheck from the East Chicago Housing Authority to defendant APONTE for approximately \$450, which paycheck related to hourly wages paid to defendant APONTE for the time period August 13, 2011, to August 26, 2011;

In violation of Title 18, United States Code, Section 1341.

## COUNT SEVEN

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.
2. On or about April 24, 2009, at East Chicago, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be transmitted by means of wire communication in interstate commerce a writing, sign, and signal, namely, the transfer of approximately \$176 from an account held by Trillium Properties at JPMorgan Chase Bank, New York, New York, to an account held by defendant APONTE at Citizens Financial Bank, Munster, Indiana, routed through the Federal Reserve ACH network, which transfer related to hourly wages paid to defendant APONTE by Trillium Properties for the time period from on or about April 6, 2009, to on or about April 19, 2009;

In violation of Title 18, United States Code, Section 1343.

## COUNT EIGHT

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.

2. On or about May 22, 2009, at East Chicago, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be transmitted by means of wire communication in interstate commerce a writing, sign, and signal, namely, the transfer of approximately \$176 from an account held by Trillium Properties at JPMorgan Chase Bank, New York, New York, to an account held by defendant APONTE at Citizens Financial Bank, Munster, Indiana, routed through the Federal Reserve ACH network, which transfer related to hourly wages paid to defendant APONTE by Trillium Properties for the time period from on or about May 4, 2009, to on or about May 17, 2009;

In violation of Title 18, United States Code, Section 1343.

## COUNT NINE

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.

2. On or about July 16, 2010, at East Chicago, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be transmitted by means of wire communication in interstate commerce a writing, sign, and signal, namely, the transfer of approximately \$337 from an account held by Trillium Properties at JPMorgan Chase Bank, New York, New York, to an account held by defendant APONTE at Citizens Financial Bank, Munster, Indiana, routed through the Federal Reserve ACH network, which transfer related to hourly wages paid to defendant APONTE by Trillium Properties for the time period from on or about June 28, 2010, to on or about July 11, 2010;

In violation of Title 18, United States Code, Section 1343.

## COUNT TEN

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.
2. On or about December 30, 2010, at East Chicago, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be transmitted by means of wire communication in interstate commerce a writing, sign, and signal, namely, the transfer of approximately \$337 from an account held by Trillium Properties at JPMorgan Chase Bank, New York, New York, to an account held by defendant APONTE at Citizens Financial Bank, Munster, Indiana, routed through the Federal Reserve ACH network, which transfer related to hourly wages paid to defendant APONTE by Trillium Properties for the time period from on or about December 13, 2010, to on or about December 26, 2010;

In violation of Title 18, United States Code, Section 1343.



**COUNT ELEVEN**

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.
2. On or about February 11, 2011, at East Chicago, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be transmitted by means of wire communication in interstate commerce a writing, sign, and signal, namely, the transfer of approximately \$329 from an account held by Trillium Properties at JPMorgan Chase Bank, New York, New York, to an account held by defendant APONTE at Citizens Financial Bank, Munster, Indiana, routed through the Federal Reserve ACH network, which transfer related to hourly wages paid to defendant APONTE by Trillium Properties for the time period from on or about January 24, 2011, to on or about February 6, 2011;

In violation of Title 18, United States Code, Section 1343.

**COUNT TWELVE**

The November 2011 Special Grand Jury further charges:

1. Paragraphs 1 through 13 of Count One of this indictment are incorporated here.
2. On or about February 25, 2011, at East Chicago, in the Northern District of Indiana, Hammond Division, and elsewhere,

ROBERT APONTE,

defendant herein, for the purpose of executing the scheme, did knowingly cause to be transmitted by means of wire communication in interstate commerce a writing, sign, and signal, namely, the transfer of approximately \$329 from an account held by Trillium Properties at JPMorgan Chase Bank, New York, New York, to an account held by defendant APONTE at Citizens Financial Bank, Munster, Indiana, routed through the Federal Reserve ACH network, which transfer related to hourly wages paid to defendant APONTE by Trillium Properties for the time period from on or about February 7, 2011, to on or about February 20, 2011;

In violation of Title 18, United States Code, Section 1343.

A TRUE BILL

\_\_\_\_\_  
FOREPERSON

\_\_\_\_\_  
GARY S. SHAPIRO  
Acting U.S. Attorney, Northern District Illinois

\_\_\_\_\_  
PATRICK M. OTLEWSKI  
Special Assistant U.S. Attorney, Northern District Indiana