

**UNITED STATES ATTORNEY'S OFFICE  
DISTRICT OF NEBRASKA  
2012 ANNUAL REPORT**



**DEBORAH R. GILG  
UNITED STATES ATTORNEY**





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## MESSAGE FROM THE UNITED STATES ATTORNEY

Despite reduced personnel resources, 2012 was a busy year within the United States Attorney's Office for the District of Nebraska. The District of Nebraska is fortunate to have one of the most productive federal District Court benches, ranking 8<sup>th</sup> nationally. The United States Attorney's office is responsible for a significant portion of the judicial caseload.

For the year 2012, the United States Attorney's office filed 645 general criminal cases. General criminal cases include child pornography, financial crimes, criminal immigration, identity theft, robbery, Indian Country major crimes, etc. The drug unit cases include drugs, guns, money laundering, structuring and interstate transportation in aid of racketeering. Between the two units, there were a total of twenty-four trials and thirty-seven 8<sup>th</sup> Circuit court appeals. The median time for felony criminal cases from filing to disposition was 8 months.



In cooperation with federal and local law enforcement and prosecutors, Project Safe Neighborhoods continues to be a high priority of this office. In 2012, 881 guns were recovered as part of Project Safe Neighborhoods. The Grand Jury returned numerous indictments which included firearms associated with the delivery or conspiracy to deliver controlled substance. As you will note elsewhere in this report, Project Safe Neighborhoods and the Omaha Police Department sponsored four Gun Amnesty events. 114 firearms and 27 five gallon buckets of ammunition were surrendered for destruction.

Effective communication and collaboration continue to be one of the key factors in success. Inter-departmental law enforcement cooperation also resulted in the criminal forfeiture of 24 vehicles, 3 guns, cash, and real estate with a total value of more than \$978,622. \$378,949 resulted from civil forfeitures. The CODE task force in west central/southwest Nebraska received a High Intensity Drug Trafficking Area (HIDTA) designation. This designation will generate additional funds for the task force to continue its effectiveness in combating drugs in the 22 county area.

Project Safe Childhood also remains a high priority for this office. We have a strong collaboration with county prosecutors and the Nebraska Attorney General's Office to strategize which jurisdiction, state or federal, can maximize the punishment and deterrence of these crimes. We continue to request mandatory minimum sentencing on child pornography cases, wherever appropriate.

On the Civil Division side, work on 262 civil cases was completed by the United States Attorney's office. Included in this number are cases in which the validity of federal laws, or the acts of federal agencies and employees were challenged. These agencies include IRS, Social Security, HUD, DHS, VA, EPA, Dept. of Agriculture and a variety of



## MESSAGE FROM THE UNITED STATES ATTORNEY

agencies within the Department of Justice. The civil cases included foreclosures, bankruptcy, medical malpractice, employment discrimination, federal employee liability, immigration, and Social Security issues. Also included were affirmative cases brought to enforce statutory and regulatory requirements, and to collect debts owed to the United States. The Financial Litigation Unit of the Civil Division collected in excess of \$8.2 million dollars. The collections include \$3.6 million in criminal collections, \$1.2 million in foreclosure, and \$3.5 million in fines involving environmental enforcement.

In recognition of the sovereignty and importance of Indian Country, we have compiled a separate 2012 Indian Country Annual Report. This report can be found online at: [www.justice.gov/usao/ne](http://www.justice.gov/usao/ne).

We recognize that it is our duty to protect national security and enforce the law for the benefit of all Americans. In order to do our jobs, we conduct outreach efforts with many local groups and individuals, including the Arab American and Muslim American communities as well as the Hispanic communities. This outreach is intended to improve our ability to perform our duties in a manner that is consistent with core American values such as respect for civil liberties, embracing diversity and commitment to religious freedom. These are values that are found in the Constitution and laws of the United States. We have initiated regular and continuing contact with the Mexican Consulate in Omaha. Also, in partnership with the FBI, we have engaged leaders of Arab American and Muslim American organizations to make sure that these groups are being afforded the full rights and responsibilities of U.S. citizens consistent with our American values.

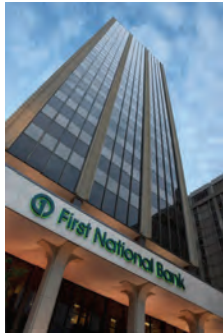
The summaries of case reports contained in this report are snapshots of a small portion of the cases handled by this office.

The accomplishments in this report are the product of enormous hard work of the entire staff of the United States Attorney's Office for the District of Nebraska and to all federal, state and local agencies that are vital to our joint success.



**CONTACT INFORMATION:**

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(800) 889-9123  
FAX: (402) 437-5390

ON THE INTERNET:



<http://www.usdoj.gov/usao/ne/>





**“[A PROSECUTOR] MAY PROSECUTE WITH EARNESTNESS AND VIGOR - INDEED S/HE SHOULD DO SO. BUT WHILE S/HE MAY STRIKE HARD BLOWS, S/HE IS NOT AT LIBERTY TO STRIKE FOUL ONES. IT IS AS MUCH HIS/HER DUTY TO REFRAIN FROM IMPROPER METHODS CALCULATED TO PRODUCE A WRONGFUL CONVICTION AS IT IS TO USE EVERY LEGITIMATE MEANS TO BRING ABOUT A JUST ONE.”**

(gender references modified)

This is a famous quote regarding the duty of prosecutors. It comes from Justice Sutherland in *Berger v. United States*, 295 U.S. 78, 88 (1935).

**“THE FUNCTION OF THE PROSECUTOR UNDER THE FEDERAL CONSTITUTION IS NOT TO TACK AS MANY SKINS OF VICTIMS AS POSSIBLE AGAINST THE WALL. HIS/HER FUNCTION IS TO VINDICATE THE RIGHTS OF THE PEOPLE AS EXPRESSED IN THE LAWS AND GIVE THOSE ACCUSED OF CRIME A FAIR TRIAL.”**

(gender references modified)

JUSTICE WILLIAM O. DOUGLAS

### **OUR MISSION STATEMENT**

To enforce the law and defend the interests of the United States according to the law; to ensure public safety against threats foreign and domestic; to provide federal leadership in preventing and controlling crime; to seek just punishment for those guilty of unlawful behavior; and to ensure fair and impartial administration of justice for all Americans.

### **OUR CORE VALUES**

Equal Justice Under the Law  
Honesty and Integrity  
Commitment to Excellence  
Respect for the Worth and Dignity of Each Human Being





## WELCOME TO THE DISTRICT OF NEBRASKA



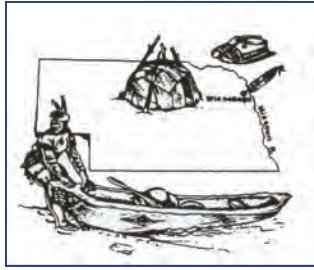
Nebraska, the 16th largest state geographically, became the 37th state to join the Union on March 1, 1867. Its 77,000 square miles encompass 93 counties, and a population of over 1.8 million people. As one of the 26 states with only one federal judicial district, Nebraska boasts a diversity and variety of topography, geography and economy. Nebraska has more underground water reserves than any other state in the continental U.S. The name Nebraska is from an Oto Indian word that means "flat water" (referring to the Platte River, which means "flat river" in French).

The Omaha metropolitan area with a population area of over 870,000, accounts for a large majority of the district's population. Lincoln, the state's capital, is home to over 262,000 residents. Much of the state, however, is rural, with over 90% of Nebraska's cities and towns having fewer than 3,000 people.



The state has a mixed economic base with substantial agricultural and agri-business sectors, as well as significant manufacturing, technical and service sectors. More than 96% of Nebraska's land is farm and ranch land, and the state is a national leader in production of beef, pork, corn, and soy beans. Other economic sectors include freight transport by rail and truck, manufacturing, telecommunications, information technology, and insurance. Several Fortune 500 companies, including Berkshire Hathaway, ConAgra, Union Pacific, Mutual of Omaha, and Peter Kiewit & Sons are headquartered in Nebraska, and many others such as TD Ameritrade, Valmont, Woodmen of the World and Cabela's have substantial operations in the District. Lincoln's Kawasaki Motors Manufacturing is the only Kawasaki plant in the world to produce the Jet-Ski, ATV and Mule lines of product. The facility employees more than 1,200 people.

The United States Strategic Command is headquartered at Offutt Air Force Base, located just south of Omaha in Bellevue. Various other federal enclaves, including the Niobrara Scenic River, the Missouri National Recreational River, several national monuments, historic sites, National Wildlife Refuges, and U.S. Army Corp of Engineers recreational sites are located throughout Nebraska. The U.S. Department of Agriculture operates several facilities in the District, including research national forests, and a national grassland. Omaha's Henry Doorly Zoo & Aquarium is home to the world's largest indoor desert, the largest indoor rainforest in the United States and the largest zoo aquarium in the country.



In addition to the Veterans Affairs Hospital in Omaha, the Department of Veterans Affairs operates outpatient clinics in Lincoln and Grand Island, and the Indian Health Service operates a hospital in Winnebago.

The Omaha, Winnebago, and Santee Sioux tribes have reservations located in northeast Nebraska, and federal criminal jurisdiction has been retroceded to the United States for each. As a result, the United States Attorney's Office works closely with those tribes to address crime occurring on the reservations. It should be noted that the Ponca Tribe, although it does not have a reservation in Nebraska, is federally recognized. A separate 2012 Indian Country Annual Report is produced.

Numerous federal law enforcement agencies maintain offices in Nebraska and work extensively with the United States Attorney's Office. These agencies include the Federal Bureau of Investigation, Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms and Explosives, U.S. Marshals Service, Secret Service, Internal Revenue Service, Postal Service, Department of Agriculture, Department of Defense, Department of Homeland Security, National Park Service, Social Security Administration, Department of Veterans Affairs, and others. The United States Attorney's Office also works with federal agencies located outside of Nebraska, such as the Department of Education, Environmental Protection Agency, Social Security Administration, and the Department of Health and Human Services.

In addition to its work with federal agencies, the U. S. Attorney's Office works very closely with state and local law enforcement agencies, addressing the needs of the District. For many years, the citizens of Nebraska have benefitted from the very cooperative relationships between federal, state, and local law enforcement agencies throughout the District. A number of multi-agency joint law enforcement task forces have been created to facilitate effective investigation and prosecution of criminal offenses, especially those involving drugs and violent crime, as well as civil enforcement in the areas of health care fraud and environmental enforcement. Some of the accomplishments of those groups are described in this report.





## Grand Island, Nebraska Federal Building on National Register of Historic Places

### Building History

In 1859, just two years after they founded Grand Island, Nebraska, German settlers established the community's first post office. For many years, however, the post office shared space with various commercial establishments. When Congressman George W. Norris secured funding for a new post office building during the early years of the twentieth century, Grand Island was one of the last major cities in Nebraska to lack this important type of public building.

Supervising Architect of the Treasury James Knox Taylor designed the new post office and federal building in Grand Island, authorizing the final architectural plans in 1908. Workers completed the building, which officially opened on November 26, 1910, at a cost of \$108,000. By this time, Grand Island was the third largest city in Nebraska and its economy was thriving.



Postal facilities occupied the first floor of the new building, while the second floor held a two-story district courtroom and associated court offices. As its population increased, Grand Island required expanded postal services and additional federal office space. In 1933, local architect Charles W. Steinbaugh designed an addition to the building, which opened in 1935. Two years later, the post office began housing the headquarters for Grand Island's Works Progress Administration (WPA) district office, a function that it served until 1939.

In 1968, the U.S. Postal Service vacated the building after securing a new facility. The same year, the U.S. General Services Administration purchased the building and renovated the first floor into office space for federal agencies. Current tenants include the FBI, Bureau of Reclamation, and U.S. Fish and Wildlife Service.

The Federal Building is located in downtown Grand Island, in close proximity to the county courthouse and various retail establishments and residential buildings. The Grand Island Federal Building was listed in the National Register of Historic Places in 2006 to recognize its architectural significance and contribution to community development.

### Architecture

The Grand Island Federal Building is a visually restrained but striking local landmark, occupying the southwest corner of the intersection of West Second and North Locust streets. Supervising Architect of the Treasury James Knox Taylor preferred classically inspired styles, deeming them appropriately dignified for public architecture. The Federal Building is an example of the Neoclassical architectural style, exhibiting design components derived from Greek, Roman, and Renaissance traditions. Taylor also supported the use of high-quality building materials, ensuring that the buildings constructed under his tenure would have lasting presences in their towns and cities.

The two-story Federal Building faces north onto Second Street. It is constructed of buff-colored brick, some of which is laid in decorative herringbone patterns, with limestone trim. The original portion of the building, which is constructed on a limestone foundation, is symmetrical, with the

1935 addition extending to the west. The central block projects slightly, articulating the entrance, which is reached by a small flight of stairs. A large wood door with carved medallions and inset metal grilles is centered in the central block. The first story features three round-arch openings that contain cast-iron frames and transoms with decorative circular, oval, and floral patterns. The arched openings are topped with scrolled limestone keystones flanked by circular medallions. Vertically aligned with the arches on the second story of the facade, three central windows feature small balconets with cast-iron balustrades. The bays are divided by two-story pilasters with stylized capitals. The pilasters support a classical entablature that features an architrave, frieze, and cornice with a dentil course. On the original portion of the building, other openings are rectangular and topped by flat arches with limestone keystones. A roofline brick parapet wall with limestone coping and pedestals is on the original portion of the building. A secondary entrance, located on the east elevation, features a limestone surround with a decorative lintel carved with a foliated motif. An original cast-iron light fixture with replacement globe extends from the lintel. The rear elevation contains an original U-shaped light court. The chimney, clad in brick and topped with a limestone cap, extends from the southeastern corner of the low-pitched hipped roof, which is covered with standing-seam metal. The 1935 addition is constructed of buff-colored brick, but lacks the original structure's decorative classical details.

The postal lobby once spanned the length of the facade on the first floor. Although the postal lobby features have been removed, original materials remain. These finishes include the terrazzo and marble floor, and marble and plaster walls. Round-arch openings with wood frames and a vaulted ceiling with original pendant chandeliers dominate the space. An original staircase with dark green marble risers and pink marble treads at the east end of the lobby provides access to the second floor. An ornate cast-iron lamp post atop a marble pedestal and surmounted by a spherical globe is located adjacent to the staircase. On the second floor, the two-story courtroom has been subdivided, but the corridors retain original materials, including terrazzo and marble flooring, plaster walls, and wood doors and frames.

Over the course of the building's history, it has under-gone periodic upgrades and renovations, not always in keeping with the structure's historic character. In 1979 and 1980, original wood-sash windows were replaced with aluminum windows; however, the windows' original dimensions remain intact. Recently, GSA corrected some prior work that altered historic features. Most notably, the agency removed an inappropriate aluminum door from the Locust Street elevation and installed a replica of the original door.

## History

- 1908** Construction begins
- 1910** Construction completed and building occupied
- 1933-1935** Addition constructed
- 1968** Post office relocates; GSA purchases building and begins renovation
- 2006** Building listed in the National Register of Historic Places

## Building Facts

- Location:** 203 West Second Street
- Architects:** James Knox Taylor; Charles W. Steinbaugh
- Construction Dates:** 1908-1910; 1933-1935
- Architectural Style:** Neoclassical Register of Historic Places
- Landmark Status:** Listed in the National Register of Historic Places
- Primary Materials:** Buff-colored Brick; Limestone
- Prominent Features:** Arched Openings with Ornate Limestone Keystones; Original Lobby with Historic Finishes



# Induction Ceremony to the Bar of the United States Supreme Court



On Thursday, November 15, 2012, Major General (ret.) William K. Suter, Clerk of the Supreme Court of the United States, admitted thirty two new members to the Bar of the U.S. Supreme Court. U.S. District Court Chief Judge Laurie Smith Camp presided over the ceremony, which was held at the Special Proceedings Courtroom of the Roman L. Hruska U.S. Courthouse in Omaha. Supreme Court Bar member Jim Pakiz moved the group for admission. Major General Suter administered the oath to admit the new members, including U.S. Attorney Deborah Gilg, AUSA William Mickle, and AUSA Meredith Tyrakowski. Major General Suter also gave a CLE presentation on recent U.S. Supreme Court decisions, with CLE credit sponsored by Creighton Law School. The event was sponsored by the U.S. District Court, U.S. Attorney's Office, U.S. Army Corps of Engineers (especially District Counsel Richard Totten) and Omaha Bar Association.



*(Right: Robert C. Stuart, First Assistant U.S. Attorney; Deborah R. Gilg, U.S. Attorney; Major General (ret.) William K. Suter; Meredith Tyrakowski, Assistant U.S. Attorney; and William W. Mickle II, Assistant U. S. Attorney. Below: Major General (ret.) William K. Suter; U.S. District Court Chief Judge Laurie Smith Camp; and all 32 newly admitted members.)*



UNITED STATES ATTORNEY'S OFFICE  
DISTRICT OF NEBRASKA



The United States Attorney serves as the chief federal law enforcement officer in the District of Nebraska, and is responsible for coordinating multiple agency investigations within the District. The United States Attorney and her Assistants represent the federal government in virtually all litigation involving the United States in the District of Nebraska, including all criminal prosecutions for violations of federal law, civil lawsuits in which the United States is a party, and actions to collect judgments and restitution on behalf of victims and taxpayers.

Deborah R. Gilg was sworn in as the 32nd United States Attorney for the District of Nebraska on October 1, 2009. She is the first female United States Attorney for the District of Nebraska and a native of Omaha. Ms. Gilg serves on Attorney General Holder's Subcommittees on National Security, Civil Rights Enforcement, and Indian Country issues. She chairs both the Attorney General's Task Force on Domestic Violence Against Native-American Women and the Attorney General's Subcommittee on Child Exploitation and Obscenity Working Group. Ms. Gilg is the U.S. Attorney representative on the fiscal planning committee of the High Intensity Drug Trafficking Area (HIDTA) initiative. Previously, Ms. Gilg served as the Keith County Attorney from 1987-2002. After relocating to the Omaha area, she worked in the Saunders County Attorney's Office as the chief felony prosecutor until 2009. Ms. Gilg has also served as a Special Prosecutor, Special Deputy County Attorney and/or County Attorney in 21 Nebraska counties as well as maintained a private civil practice. Ms. Gilg taught criminal law and procedure, employment law and wills and trusts at Metropolitan Community College as adjunct faculty from 2004-2009. During several of her years as a county prosecutor, she was on the Board of Directors of the Nebraska County Attorney Association and served as President. She is the recipient of several public service awards including the Nebraska Women's Bar Association Outstanding Contributor to Women in the Law; Nebraska Bar Foundation Award for Outstanding Public Service; the Nebraska State Patrol Award for Exceptional Public Service and the Nebraska County Officials Association Award for Outstanding Public Service. Ms. Gilg received her Juris Doctorate degree in 1977 from the University of Nebraska College of Law, and her Bachelor of Arts degree (major in Latin-American Studies) from the University of Nebraska-Lincoln in 1974.

As United States Attorney for the District of Nebraska, Ms. Gilg oversees a staff of 26 Assistant U.S. Attorneys (AUSAs) and more than 40 support staff working in offices located in Omaha and Lincoln. Three attorneys from the County Attorney's offices, in Douglas and Hall Counties have offices in the U.S. Attorney's Office, one Tribal Special Assistant Attorney and 23 attorneys from the Northern District of Iowa, Nebraska Attorney General's Office, Internal Revenue Service, Social Security Administration, Small Business Administration, Judge Advocate General's Office and Department of Homeland Security, also serve as Special Assistant U.S. Attorneys (SAUSAs) to assist with criminal and civil litigation in the District.

In the fall of 2012, a Tribal Special Assistant U.S. Attorney was hired pursuant to a pilot project grant awarded to the Winnebago Tribe. The Tribal SAUSA prosecutes

domestic violence cases in tribal courts, including the Omaha Tribe and Santee Sioux, as well as in federal court.

The Criminal Division of the office, which includes the General Crimes Unit and the Drug Prosecution Unit, prosecutes violations of federal criminal law. The attorneys in the General Crimes Unit are supervised by Jan Sharp, Criminal Chief, while Susan Lehr, Organized Crime Drug Enforcement Task Force (OCDETF) Chief, supervises the Drug Unit and Asset Forfeitures. Assistant United States Attorney Robert Sigler is the Appellate Coordinator/Senior Litigation Counsel. The Civil Division is headed by Robert Homan, and Joseph Jeanette coordinates the Law Enforcement and Community Coordination (LECC) Unit, which maintains partnerships between law enforcement agencies, provides services to crime victims and witnesses, and coordinates training conferences. The Administrative Unit, which supports the operations of all components of the office, is supervised by Denise Smith, Administrative Officer. Robert C. Stuart, serves as First Assistant United States Attorney.

## **STRATEGIC GOALS**

### **I. Prevent Terrorism and Promote the Nation's Security Consistent with the Rule of Law**

Strengthen Partnerships to Prevent, Deter and Respond to Terrorist Incidents

### **II. Combat Crime, Protect the Rights of the American People and Enforce Federal Law**

Combat the Threat, Incidents and Prevalence of Violent Crime

Prevent, Suppress and Intervene in Crimes Against Native Americans and Improve Services to Crime Victims

Combat the Threat, Trafficking, and Use of Illicit Drugs and the Diversion of Licit Drugs

Combat Corruption, Economic Crimes, Fraud and International Organized Crime

Promote and Protect American's Civil Rights

Protect the Federal Monies and Defend the Interests of the United States

### **III. Ensure and Support the Fair, Impartial, Efficient and Transparent Administration of Justice at the Federal, State, Local Tribal and International Levels**

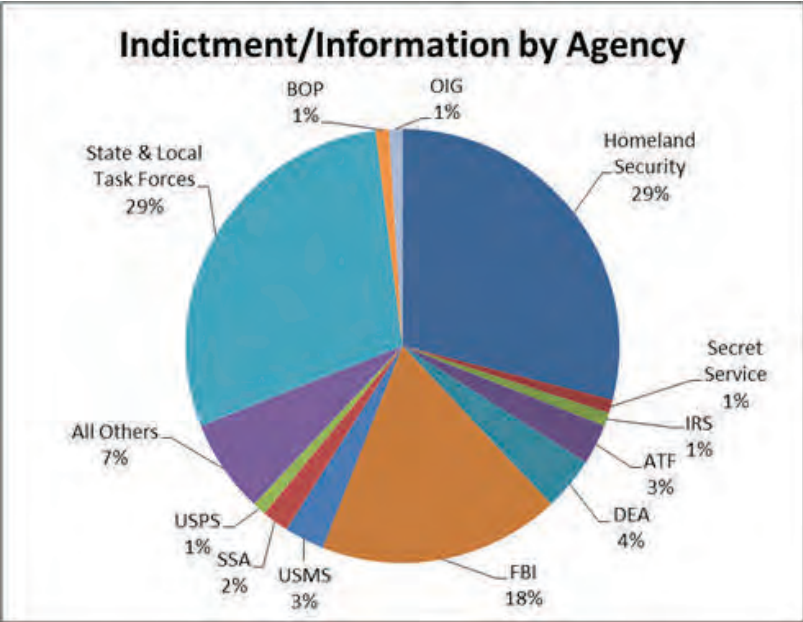
Promote and Strengthen Relationships and Strategies for the Administration of Justice with the State Local, Tribal Law Enforcement



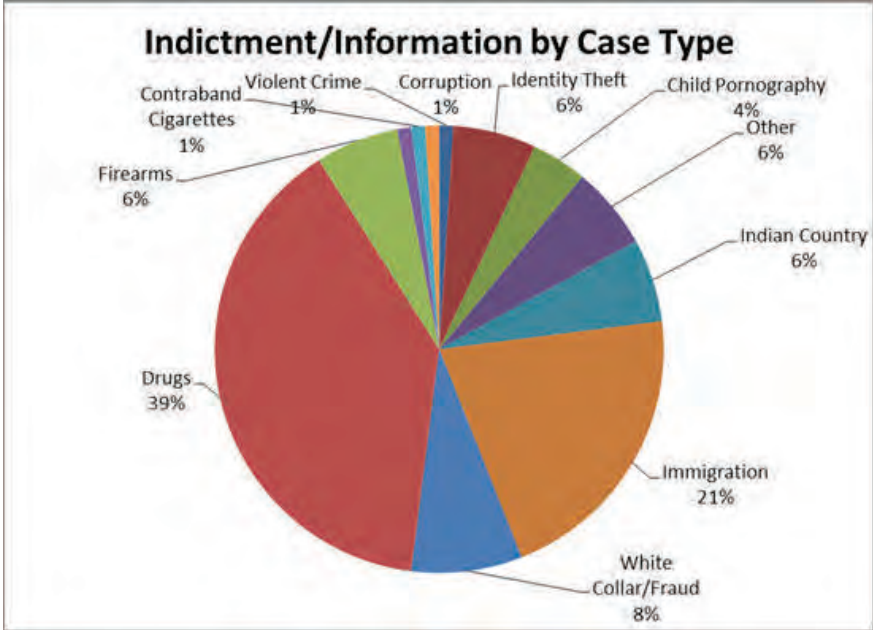


# CRIMINAL DIVISION

In 2012, the Criminal Division continued to focus its efforts on areas identified as national priorities by the Department of Justice; anti-terrorism, assuring the safety of our communities, and drug enforcement. Working closely with federal, state, tribal, and local law enforcement agencies, the 21 Assistant United States Attorneys and 4 Special Assistant United States Attorneys in the office’s general criminal and drug units prosecuted violations of federal criminal statutes in federal district courts in Omaha, Lincoln, and North Platte.



The number of defendants who faced federal charges in 2012 totaled 645 the majority of these cases related to illegal drugs; however, firearms cases, immigration cases, and offenses involving identity theft and fraud comprised a significant portion of the criminal cases filed.



## ANTI-TERRORISM

The fight against terrorism, both international and domestic, continues to be the first priority of the Department of Justice. The United States Attorney's Office Criminal Division, in the District of Nebraska, has committed significant resources to this effort. Working closely with the FBI and other federal, state, and local law enforcement agencies, office personnel continue their active membership in the Joint Terrorism Task Force (JTTF) and the Nebraska Information Analysis Center (NIAC) to detect indications or warnings of terrorist activities, identify and protect potential targets of terrorist activities within the District, disrupt activities that support terrorism, and prevent, through aggressive prosecution, any crimes that may in some way contribute to terrorism. Other particularly notable efforts include: sponsorship of the United States Attorney's Anti-Terrorism Advisory Council (ATAC), co-hosting the annual Lt. Governor's Nebraska Infrastructure Protection Conference, chairing the multi-agency Suspicious Activity Report Review Team, and providing training to industry and Law Enforcement agencies across Nebraska.



The United States Attorney's Anti-Terrorism Advisory Council (ATAC), composed of nearly 70 government, industry and community partners, continues to foster information sharing and networking between various sectors through training presentations and open-source intelligence updates.



This year's Nebraska Infrastructure Protection Conference (NIPC) continued, for the eighth consecutive year under the joint sponsorship of the United States Attorney's Office and the Lieutenant Governor's Office, to provide a forum for representatives from every sector of the infrastructure to recognize and enhance the inter-dependencies between sectors. This year's conference highlighted the FBI's response to the 2008 Mumbai terror attacks, Critical Infrastructure Preparedness and Protection Threat, Cyber-Security, and Business and Community Plan Development.

This year, our office continued to chair the Suspicious Activity Report (SAR) Review Team. The difference between criminals and terrorists is that criminals' activities are motivated by acquisition of money, whereas, terrorists must have money to further their destructive ideologies. The SAR

Review Team is comprised of members from nearly a dozen different federal, state, and local law enforcement agencies. Monthly, each member reviews the previous month's SAR(s) through their respective organizational filters and shares information that arises from their investigative efforts. This has been successful in bringing investigative and prosecutorial resources to bear on individuals and entities engaging violations of the Bank Secrecy Act and de-confliction with ongoing investigations.

We continue to develop relationships through Counter Proliferation Task Force (CPTF). This effort combines the resources of the United States Attorney's Office, U.S. Dept. of Commerce, U.S. Immigration and Customs Enforcement (ICE), the Federal Bureau of Investigation (FBI), and Defense Criminal Investigative Service (DCIS) to prevent sensitive weapons of mass destruction and other dual-use technology from falling into the hands of those who wish to harm America. An important aspect of the CPTF is assisting and participating in established outreach programs of our other federal law enforcement partners to assist industry to identify and mitigate attempts to inappropriately obtain such technology.

The United States Attorney's Office also serves as a member of the U.S. Strategic Command Threat Working Group, whose mission is to identify and mitigate threats to the command and its supporting Department of Defense elements, including innumerable private contractors. Attenuation of these threats requires a concerted effort which includes information-sharing and networking among law enforcement personnel at every level. Elimination of a threat for this important partner only serves to protect the entire community.





Project Safe Neighborhoods (PSN) is a nationwide commitment to reduce gun and gang crime in America by networking existing local programs that target gun and gun crime and providing these programs with additional tools necessary to be successful. Since its inception in 2001, approximately \$2 billion has been committed to this initiative. This funding is being used to hire new federal and state prosecutors, support investigators, provide training, distribute gun lock safety kits, deter juvenile gun crime, and develop and promote community outreach efforts as well as to support other gun and gang violence reduction strategies. (BJA– Overview)

## DOJ PROJECT SAFE NEIGHBORHOOD PARTNERS

**U.S. Department of Justice** The mission of the U.S. Department of Justice is to enforce the law and defend the nation's interests according to the law, ensure public safety against both foreign and domestic threats, provide leadership in preventing and controlling crime, seek just punishment for those found guilty of breaking the law, enforce drug and immigration laws, and ensure fair and impartial administration of justice for all Americans.



**Bureau of Alcohol, Tobacco, Firearms and Explosives** The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), a law enforcement agency within the U.S. Department of Justice, enforces the federal laws and regulations relating to alcohol, tobacco products, firearms, explosives, and arson. ATF's Office of Training and Professional Development provides enforcement training courses and specially designed classes tailored to meet the needs of jurisdictions that request training.



**Criminal Division** The Criminal Division of the U.S. Department of Justice develops, enforces, and supervises the application of all federal criminal laws except those specifically assigned to other divisions. The Division and the 93 U.S. Attorneys are responsible for overseeing criminal matters under the more than 900 statutes and certain civil litigation. In addition to direct litigation responsibilities, the Division formulates and implements criminal enforcement policy and provides advice and assistance.

**Executive Office for U.S. Attorneys** The Executive Office for United States Attorneys (EOUSA) is the liaison between the U.S. Department of Justice (DOJ) and the 93 U.S. Attorneys in the 50 states, District of Columbia, Guam, Northern Mariana Islands, Puerto Rico, and U.S. Virgin Islands. EOUSA provides U.S. Attorneys with general executive assistance and direction, policy development, administrative management direction and oversight, operational support, and coordination with other DOJ components and federal agencies.

**Office of Justice Programs** Founded in 1984, the Office of Justice Programs (OJP) provides federal leadership in developing the nation's capacity to prevent and control crime, improve the criminal and juvenile justice systems, increase knowledge about crime and related issues, and assist crime victims. OJP's numerous bureaus and offices include the Bureau of Justice Assistance (BJA), the Bureau of Justice Statistics, the National Institute of Justice (NIJ), and the Office of Juvenile Justice and Delinquency Prevention (OJJDP). It is with the developmental and financial assistance of these organizations that OJP is able to successfully form partnerships among federal, state, and local government officials to address numerous criminal justice issues, including drug abuse and trafficking, neighborhood rehabilitation, gang violence, prison crowding, juvenile crime, and white-collar crime.



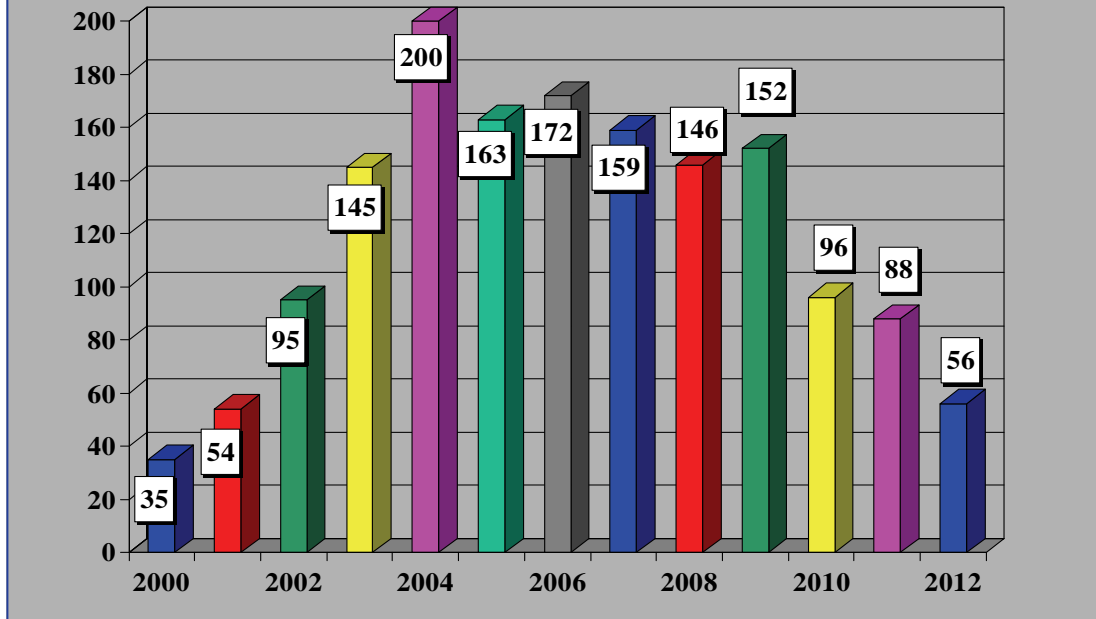
In addition to the normal prosecution of Federal gun violation cases, Project Safe Neighborhoods Nebraska has asked the citizens of Omaha to participate in our Omaha Police and PSN sponsored Gun Amnesty Day community events throughout the year. OPD and PSN hosted four Amnesty events during 2012 at various locations in Omaha. As a result, 114 firearms and 27 five gallon buckets of ammunition were surrendered for destruction. Some of the weapons surrendered in 2012 are pictured below.



**Department of Justice**  
 United States Attorney's Office  
 District of Nebraska  
 Project Safe Neighborhoods  
 Gangs and Guns  
 Regional Indictments  
 2012

*America's Network Against Gun Violence*

## Federal Gun Indictments



## PSN Federal Gun Indictments 2012

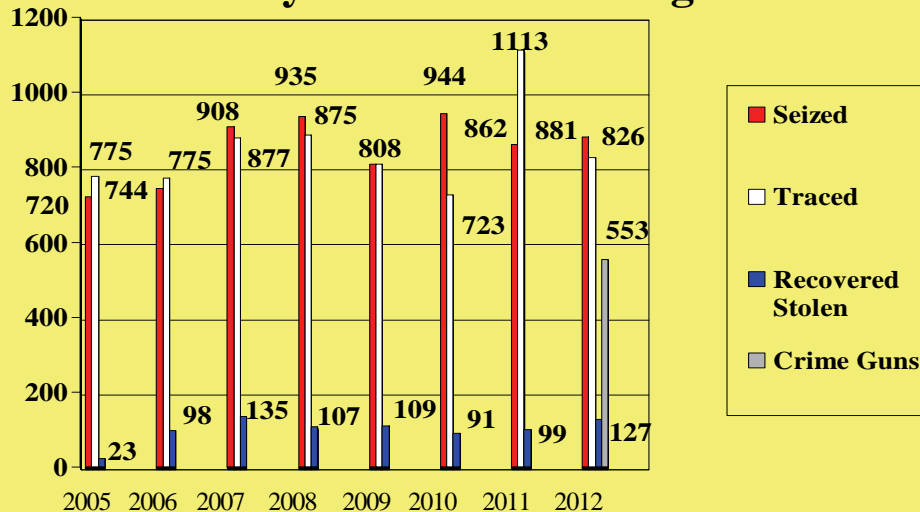
Date	Omaha PSN Cases	State PSN Cases	Alien With Gun Cases	PSN Cases 2004	PSN Cases 2005	PSN Cases 2006	PSN Cases 2007	PSN Cases 2008	PSN Cases 2009	PSN Cases 2010	PSN Cases 2011	PSN Cases 2012
JAN	0	2	0	20	16	16	8	8	13	8	5	2
FEB	2	2	1	12	18	23	23	13	13	11	6	4
MAR	8	0	0	16	13	8	19	5	20	6	5	8
APR	6	1	0	15	22	23	12	16	24	12	7	7
MAY	2	1	0	10	11	6	20	13	23	3	4	3
JUN	1	2	0	11	13	20	8	10	16	8	4	3
JUL	1	3	0	23	12	18	14	11	15	3	27	4
AUG	4	0	1	19	10	13	13	19	3	8	7	4
SEP	4	2	1	19	9	11	4	17	4	13	6	6
OCT	3	1	0	16	7	10	12	9	13	9	2	4
NOV	2	2	0	17	15	10	18	8	7	11	5	4
DEC	7	0	1	22	17	14	8	17	1	2	10	7
Totals	40	16	4	200	163	172	159	146	152	96	88	56

## Firearms Seized By OPD for Tracking

### Project Safe Neighborhoods Firearms Tracing and Tracking Project 2012

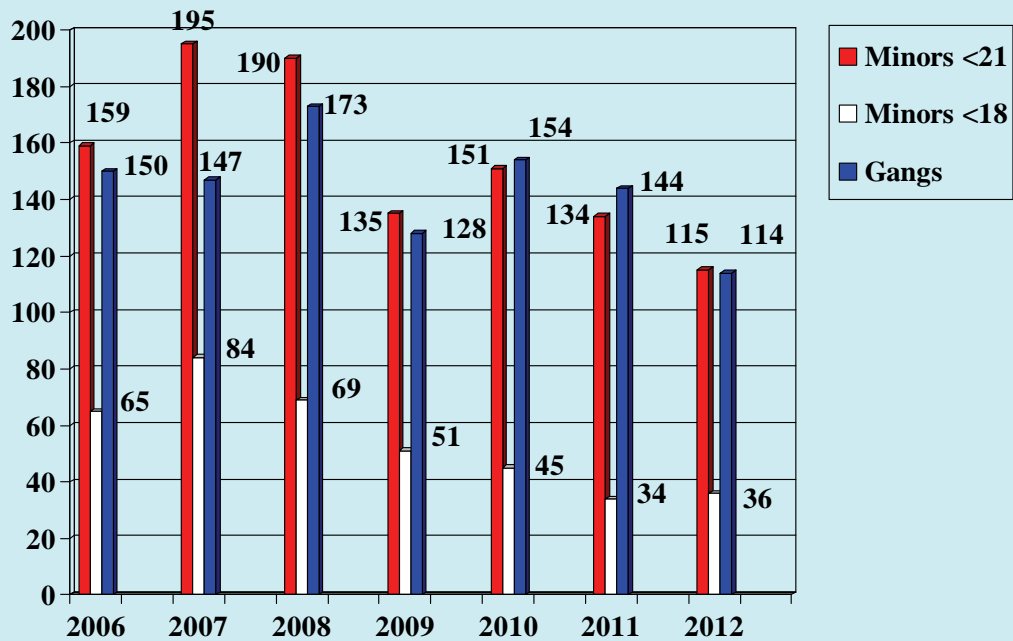
Subject	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Totals
Gun Cases Reviewed	28	32	32	31	22	30	33	54	23	27	31	34	377
Cases Presented to USAO	2	4	5	4	3	1	2	4	2	2	6	3	38
Cases Presented to USAO w/other Units	1	1	1	4	4	4	2	2	2	0	0	1	22
Cases Presented to DCAO	14	17	16	11	8	16	18	15	11	19	16	17	176
Cases Presented to OCPO	9	7	8	9	7	6	10	24	7	6	5	8	106
Juvenile Cases	2	3	3	3	0	4	2	9	1	0	4	5	36
Guns Sent to ATF for Trace	48	53	55	60	87	83	111	77	64	55	64	69	826

### Firearms Seized by OPD for Tracking





### Seized Firearms Tied to Minors and Gang Members/Associates



## PROJECT SAFE NEIGHBORHOOD CASES

### **United States v. Sanchez-Gastellum, etal**

Francisco Sanchez-Gastellum, Manuel Menchaca, Jorge Montejano and Jamie Cedillo were indicted in March 2012 after a four month investigation by ATF and OPD. During the investigation, an ATF agent working undercover, was introduced to Menchaca. Through that association the UC did several controlled buys of meth from Menchaca for a total of 103 grams of 80-90% pure methamphetamine. Montejano was identified as the immediate supplier. After a couple buys, Menchaca was cut out of the deals and the UC dealt with Montejano directly. Through that relationship the UC bought 201 grams of actual methamphetamine.

Throughout these drug deals, firearms were also discussed. Ultimately Menchaca contacted Montejano to see if he could get any firearms. Montejano was more than happy to oblige and contacted his friend Jamie Cedillo. Cedillo then showed up at one of the drug buys and sold a 9mm assault rifle. A week later, Montejano sold the UC an SKS assault rifle. Three days later Montejano sold the UC a 40 caliber pistol. Menchaca was paid for setting up the deal. A search warrant was authorized and executed at their ultimate supplier's residence, Sanchez-Gastellum. Law enforcement recovered over a kilo and a half of 80-90% pure methamphetamine. Arrest warrants were obtained and when Cedillo was arrested in Kearney, KPD found a .22 caliber handgun in his residence.

All defendants pled guilty and received the following prison sentences: Sanchez-Gastellum, 168 months; Montejano, 158 months; Menchaca, 151 months; and Cedillo 100 months.

### **United States v. Omar Martinez**

This case involved a cooperative matter with the Douglas County Attorney's office and local and federal law enforcement. The June 2011 homicide of Blaise Bencoter was being prosecuted in Douglas County, Nebraska. Omar Martinez was charged in Douglas County with 2<sup>nd</sup> Degree Murder for his involvement. In April 2012, several witnesses for the county became uncooperative and the charges against Omar Martinez were amended to accessory to a felony where the defendant received a 1 year sentence. During an undercover ATF investigation, they had a recorded methamphetamine buy from Omar Martinez. Working together with Omaha Police homicide detectives, the ATF, and the Douglas County Attorney's office it was decided to charge Omar Martinez with the delivery in Federal Court. An Indictment for delivery of 5 grams or more of "actual" methamphetamine was returned against Omar Martinez. The buy was 12 grams of 65% pure methamphetamine (7.8 grams of actual methamphetamine). Omar Martinez had his Initial Appearance on June 20, 2012. He pled guilty and was sentenced on November 15, 2012, to 84 months imprisonment and a 5 year term of supervised release in addition to the one-year term he served in state custody. The cooperation of law enforcement and the attorney's put a dangerous and violent criminal in custody for a significant period of time.

## PROJECT SAFE NEIGHBORHOOD CASES (CONT.)

**Operation Power Mix**

This investigation involved the use of an ATF special agent and an Omaha Police narcotics detective agent working in an undercover capacity in 2011 attempting to purchase narcotics and guns. The operation resulted in the arrest, indictment and conviction of 7 individuals for various charges related to the distribution of methamphetamine during 2011 and 2012. The defendants and their sentences are as follows: 1. Andres Lopez pled guilty to conspiracy to distribute methamphetamine and received a sentence of 87 months incarceration; 2. Francisco Hernandez pled guilty to distribution of methamphetamine and received a sentence of 100 months incarceration; 3. Jose Chairez-Rangel pled guilty to conspiracy to distribute methamphetamine and received a sentence of 121 months incarceration; 4. Jesus Mauricio Belmonte pled guilty to conspiracy to distribute methamphetamine and received a sentence of 70 months incarceration; 5. Elias Orozco-Ochoa pled guilty to distribution of methamphetamine and received a sentence of 46 months incarceration; 6. Pedro Meza-Perez pled guilty to possession with intent to distribute methamphetamine and received a sentence of 70 months incarceration; and 7. Venancio Duarte-Salazar pled guilty to conspiracy to distribute methamphetamine and received a sentence of 120 months.

This investigation involved a great deal of inter-agency cooperation between the ATF and the Omaha Police Department. The investigation involved fantastic use of technology to record transactions and communication between the undercover agents, cooperating witnesses and their targets making the proof in these matters irrefutable.



## PROJECT SAFE CHILDHOOD

Project Safe Childhood is a nationwide initiative to combat the growing epidemic of child sexual exploitation and abuse launched in May 2006 by the United States Department of Justice. Led by United States Attorneys' Offices and the Criminal Division's Child Exploitation and Obscenity Section (CEOS), Project Safe Childhood marshals federal, state and local resources to better locate, apprehend and prosecute individuals who exploit children via the Internet, as well as to identify and rescue victims.

In calendar year 2012, 22 individuals were indicted in the District of Nebraska for crimes involving the exploitation of children via the Internet. Those indictments included charges for the receipt and distribution of child pornography, the enticement and manufacture of child pornography and interstate travel to engage in a sexual act with a juvenile. During this same time period 29 defendants appeared before the United States District Court for sentencing on crimes involving the exploitation of children via the Internet.

### **PROJECT SAFE CHILDHOOD CASES:**

#### **Child Pornography**

**Abraham Richardson** – Richardson was convicted of receipt and distribution of child pornography. A search warrant executed at Richardson's residence established his possession of computer equipment which contained over 10,000 images of child pornography. Richardson was sentenced to 20 years in prison and placed on supervised release for the rest of his life.

**Kyle Soderholm** – Soderholm was convicted of receipt and distribution of child pornography. Computer equipment at Soderholm's residence was found to contain 207 videos and approximately 1,000 digital images of child pornography. Soderholm was sentenced to 84 months in prison and placed on 5 years of supervised release.

**Allen Hudson** - Hudson was sentenced to over 25 years in prison to be followed by a lifetime of supervised release for producing child pornography. Hudson was convicted in Cass County, Nebraska, of attempting to receive child pornography and sentenced to two years in prison. After his guilty plea the Nebraska State Patrol computer forensic laboratory discovered additional images indicating that he had produced images of child pornography with three young boys.

**Robert Sheldon** - Sheldon was sentenced to 10 years in prison for receipt of child pornography to be followed by a lifetime of supervised release. The sentencing stemmed from an undercover investigation by the Nebraska Attorney General's Office Rural Cybercrime Unit (RCU). The RCU discovered child pornography being shared

## PROJECT SAFE CHILDHOOD CASES (CONT)

online from an IP address assigned to Sheldon's residence. During the execution of a search warrant in February of 2012, more than 200,000 sexually explicit images of young children were found on Sheldon's computer hard-drives.

**Mark Roble** - Roble was sentenced to 15 years in prison to be followed by 15 years of supervised release for producing child pornography. Members of the FBI Cyber Crimes Task Force including officers of the Bellevue Police Department and the Nebraska State Patrol served a search warrant looking for evidence of child pornography in Roble's residence in Bellevue. A forensic preview of a computer identified 2,000 videos of child pornography. Small cameras were concealed in Roble's bathroom and explicit photos of children were determined to have been taken by Robles.

**Douglas Suing** - Suing was sentenced to 17 years in prison to be followed by a lifetime of supervised release for producing child pornography. Suing was arrested in Navajo County, Arizona on January 12, 2011, as he was driving back to Nebraska. A search of a hard drive found in his vehicle revealed over 9,000 videos of child pornography. The FBI Omaha Cyber Crimes Task Force obtained a search warrant for Suing's apartment in Omaha. When reviewing the child pornography recovered from the computer in his apartment, Investigators with the Nebraska State Patrol observed a series of short videos and images produced by Suing's camera. They identified the child engaged in sexually explicit conduct as a 12 year old living in Omaha.

**James Weiss** - Weiss was sentenced to 15 years in prison to be followed by 30 years of supervised release for producing child pornography. Weiss collected child pornography over a ten year period. Included in his collection were videos he made of himself engaging in sexually explicit conduct with a juvenile beginning when the child was 13 and continuing to when the child was 16.

### **Failure to register as a sex offender**

The Sex Offender Registration and Notification Act (SORNA) requires individuals who have been convicted of a crime requiring them to register as a sex offender to continue to register as a sex offender once they travel from one state to another for the purpose of residing, working or attending school. The cases are primarily investigated by the United States Marshals Service, the Nebraska State Patrol and County Sheriffs' Offices. During calendar year 2012, the United States Attorneys Office for the District of Nebraska indicted 17 individuals for failing to register as sex offenders.



## VIOLENT CRIME

**Joel Witt** - Joel L. Witt was convicted of bank robbery and use of a weapon to commit a felony, and was sentenced to 13 years in prison. Witt entered the Pioneer Federal Community Credit Union in Palisade, Nebraska wearing a dark hooded sweatshirt, mask and gloves, and armed with an AR-15 rifle. He pointed the rifle at the two tellers and took \$11,576.00

**Cleophus Collier, Darius Mason and Larry Mason** - Collier and the Masons participated in the robbery of the Great Western Bank in Havelock, Nebraska. Over \$85,000 was taken during the armed robbery. Collier, who was on parole from a state sentence arising from his involvement in a gun store burglary, was sentenced to 13 years in prison for his part in the bank robbery. Darius Mason received a 57 month sentence. Larry Mason, who drove one of the suspects from the apartment before the police arrived, was placed on three years' probation,

**Kimberly Bivens**—was sentenced 37 months following her conviction for

operating “spas” that were, in fact, a front for prostitution. Bivens managed or owned three different spa locations in Omaha from 2009 to 2011. Prostitution was occurring at all three locations.

**Ronald Martell** - Martell was convicted of telephoning bomb threats to his place of employment, the Union Pacific Rail Yards in Council Bluffs, Iowa, on two separate occasions. His threats caused the shutdown of the rail yards and the diversion of rail traffic. Martell was placed under court supervision for three years and ordered to pay \$25,219.58 in restitution.

**Travis McQueen** - McQueen was convicted of possession of stolen explosives. McQueen was convicted of possessing 100 pounds of blasting agent, 3,000 feet of detonating cord and various boosters that had been stolen from a mining company. McQueen was sentenced to 63 months in prison.





## IMMIGRATION

The United States Attorney's Office prosecutes violations of the immigration laws that occur in the State of Nebraska. These violations can involve simple presence in the country following deportation, possession of false documents, identity theft, human smuggling, possession of firearms and false claims to United States citizenship. Approximately 128 people were convicted in 2012 of illegal reentry into the United States. Scores of other undocumented aliens were convicted of non-immigration offenses such as identity theft, drug trafficking and firearms crimes.

**Allan Roustand-Rolon and Jorge Fernandez-Roustand** - the defendants were sentenced to 57 and 35 months respectively following their convictions for conspiracy to distribute counterfeit identification documents. The cousins operated a counterfeit document operation out of a South Omaha residence. They produced and provided documents to various street level counterfeit document vendors who placed orders for the documents with the cousins. The counterfeit documents were typically produced to provide documentation to those in the United States illegally.

**Amphayvanh Alstatt** - Alstatt was convicted of making false statements to agents of the Department of Homeland Security in connection with their investigation of immigration fraud. Agents recovered immigration documents signed by Amphayvanh Alstatt wherein she acknowledged that she was the preparer of the application

for naturalization of a Laotian citizen. That application reflected that the applicant had been neither charged nor convicted of a crime. However, the applicant had a criminal conviction for theft from the Hennepin County Court in Hennepin County Minnesota.

Amphayvanh Alstatt was aware of the conviction at the time she prepared and submitted the application. She was sentenced to 3 years probation

**Gerardo Rangel Rojas** - Rangel Rojas was one of 53 defendants indicted in the District of Puerto Rico, in a wide-ranging identity fraud conspiracy case known as "Operation Island Express". Customers obtained Puerto Rican birth certificates and social security cards, sent to them through the U.S. mail. Defendant Rojas, a naturalized U.S. citizen, was living in Nebraska City when arrested as part of the nation-wide "take down" of the defendants. Rojas pled guilty to obtaining fraudulent Puerto Rican identity cards, was sentenced to





## IMMIGRATION CASES (CONT)

serve 24 months in prison, and required to pay \$2,300 in restitution. He will also serve 3 years of supervised release following his release from prison.

**Eduardo Navarrete-Sanchez and Mariel Navarrete-Fimbre** - the defendants operated a small company performing construction work in Omaha. They were hiring illegal labor and paying them in cash. At times, they also provided social security numbers which would allow them to work. Navarrete-Sanchez was convicted of harboring illegal aliens and Navarrete-Fimbre was convicted of unlawful employment of aliens. Both were sentenced to terms of probation.

**Juana Tapia-Borjas** - Tapia-Borjas was convicted of conspiracy to commit marriage fraud. She was sentenced to 7 months in prison to be followed by three years of supervised release.

## WHITE COLLAR CRIME

Other criminal cases prosecuted in 2012 include:

**David and Bernita Kleensang**— The Kleensangs were convicted of conspiracy to defraud the United States by filing false claims for tax refunds and with numerous substantive counts of filing false claims for refunds. David Kleensang was also charged with corruptly endeavoring to obstruct and impede the due administration of Internal Revenue laws by submitting a falsified money order as payment for taxes due. The Kleensangs filed 70 separate income tax returns in 2008 seeking fraudulent refunds totaling in excess of \$48 million. Each was sentenced to six years in prison.

**Crystal Lankford** - Lankford was found guilty of embezzlement from the H.B.E. Credit Union in Seward, Nebraska. Lankford was the sole employee, manager and treasurer of the credit union. From at least April of 2006 through September of 2011, she began to write checks, drawn on the operating account of HBE at Union Bank and Trust, for her benefit without the approval or authorization of HBE Credit Union or its officers. She embezzled over \$633,000.00. She was sentenced to 45 months in prison and ordered to pay restitution of \$633,998.56.

**Michael Breault** - Breault was convicted of bank fraud and sentenced to 16 months in prison. Breault was an officer of Charter West Bank in Elkhorn. From 2005 through 2009 he obtained fraudulent loans from the Bank using the names of other entities without their

knowledge or consent. In all, Breault obtained six fraudulent loans from Charter West, with total loan proceeds of \$599,812.90, without the consent of the named borrowers for the purpose of converting the loan proceeds to his own use. Breault was also ordered to pay restitution in the amount of \$245,016.58.

**Jay Allsman** - Allsman was convicted of mail fraud and sentenced to 16 months in prison. Allsman was employed by USCC Payroll Corporation, a subsidiary corporation of U.S. Cellular in Lincoln, Nebraska. U.S. Cellular had a program for its employees that would reimburse employees for their undergraduate educational expenses. Beginning in 2005 and continuing into 2010 Allsman forged and submitted Educational Reimbursement Requests to U.S. Cellular in which Allsman lied about the number of classes satisfactorily completed and the true cost of educational expenses paid by him. Allsman's criminal conduct resulted in a loss to U.S. Cellular of \$161,714.32. In addition to his term of incarceration, Allsman was also ordered to pay restitution of \$161,714.32.

**Noah Maliko** - Maliko was sentenced to 18 months in prison and ordered to pay \$55,402.00 in restitution after pleading guilty to fifteen counts of preparing false individual income tax returns. Maliko provided false dependents for use on his clients' tax returns to take advantage of various credits they were not otherwise entitled to take.

**David Lane Musk** - Musk was sentenced to 48 months in prison after having been found guilty by a federal jury of three

counts of wire fraud. Musk was also ordered to pay restitution in the amount of \$126,715.00. Musk was convicted of defrauding individuals seeking funding for large real estate development projects. Musk represented to people seeking private equity funding that he had connections with a number of investor funds which could be tapped to finance such projects. Musk represented to each of the principals that his connections to those with money required a complete FBI and Interpol background check for each prospective principal of the development projects. Musk charged \$600.00 for the background checks even though he did not have any connections to the equity funding sources he claimed to represent. Further he had neither the ability, nor the intention, to procure FBI or Interpol background checks.

**First Americans Insurance Services, Stella Levea, James Masat and Ken Mottin** - Since the 1980's the defendants ran a legitimate insurance business in Grand Island, which specialized in providing insurance coverage of various types to Indian tribes throughout the country. The defendants raised working capital by borrowing money from private lenders, and for many years made the interest and principal payments. Eventually, however, the business turned into a "Ponzi scheme." The defendants were convicted of participating in a mail fraud scheme based on their promises to collateralize certain loans with the purchase of an annuity, when no such annuities were ever purchased. The two primary principals, Levea and Masat, were each sentenced to 97 months in prison and ordered to pay

restitution totaling \$16,607,264. Mottin, who cooperated and was somewhat less culpable, was sentenced to 60 months in prison and ordered to pay the same amount of restitution.

**Melissa Ormonde** - Ormonde was the payroll manager at the Nebraska Book Company in Lincoln. Between August 2008 and November 2011 she embezzled \$237,823.00 by issuing paychecks to fictitious employees and depositing the proceeds into bank accounts under her control. She was convicted of wire fraud. She was sentenced to 21 months in prison and ordered to pay full restitution.

**Mark Koehler** - Koehler was the business manager for a physical therapy business in Norfolk. From 2007 to 2010 Koehler submitted health insurance claim forms to Medicare, Medicaid, and to private insurance companies for services he knew had not been provided by the business. The false claims totaled \$1,401,154.00. Koehler also included these 'phantom billings' when he reported the businesses' accounts receivable to its bank, thereby causing the bank to make unsupported loans to the business totaling \$500,000. Koehler was convicted of health care fraud and bank fraud, and was sentenced to 36 months in prison and ordered to pay restitution totaling \$1,901,154.

**Jovita Benford** - Benford was employed at Nelnet, a private company in Lincoln which services student loans nationwide for the U.S. Department of Education. Benford had access to identity information of people who had existing student loans. Benford used identity information of two people with student loans in two unsuccessful attempts to borrow money, in their names, from online lenders with the proceeds directed to accounts under her control. She was

convicted of unauthorized computer access, and was sentenced to prison for 12 months and 1 day.

**Dustin Douglas** - Douglas was convicted of making false statements in an application for benefits submitted to the Department of Veterans Affairs. Douglas claimed multiple combat-related injuries during his deployment to Iraq. The investigation revealed Douglas had not encountered combat during his deployment, and had not suffered the injuries he claimed. When confronted by agents of the VA-Office of Inspector General, Douglas admitted the claims of injury contained in his application were fictitious. He was sentenced to 3 years supervised release which included 3 months of home confinement, and was required to pay \$22,148.53 in restitution to the VA.

**Timothy Shirley and Matthew Shirley** - Timothy Shirley received approximately \$135,000 in the form of Social Security disability insurance benefits to which he was not entitled due to the fact that, at the time he was receiving the benefits for a supposed debilitating back injury, he was working at his family owned trucking businesses run by his brother, co-defendant, Matthew Shirley. Matthew Shirley paid his brother Timothy "off the books" in cash and paid significant amounts of Timothy's personal expenses. The Shirleys were found guilty after trial of conspiracy and social security fraud. Timothy was sentenced to 21 months in prison and Matthew was sentenced to 12 months and a day in prison. They were also ordered to make restitution in

the amount of \$135,000.00.

**Jaime Suarez-Reyes** - Suarez-Reyes, an entrepreneur in the fast food business in Omaha, owned various Subway shops, Taco Del Mar fast food restaurants, and L'Evento Cafe coffee shops. At one point he found himself in financial straits. He conducted a check kiting scheme using approximately 18 bank accounts at TierOne and Enterprise Banks in Omaha during the period of January of 2009 through May of 2009. TierOne Bank suffered a loss of approximately \$693,000.00. Suarez-Reyes was convicted of bank fraud. He was placed under court supervision for 5 years and ordered to pay full restitution.

**William and Carol Nesiba** - William and Carol Nesiba, husband and wife, were doing business as Bill's Classic Auto in Grand Island, Nebraska. The Nesibas submitted a series of false personal financial statements to various banks, including Heritage Bank, Bank of Doniphan and TierOne in the Grand Island area, which substantially underreported the amount of loans due and owing to each of the banks. Based on the false financial statements which underreported the Defendants' liabilities, each bank granted them a series of loans. All of the loans ultimately went into default causing an aggregate loss of approximately \$800,000.00. The Nesibas were found guilty of conspiracy and making false statements to banks. The Nesibas are currently awaiting sentencing.

**Dahir Sahal and Abdirahman Farah Mohamed** - Sahal and Mohamed were employed at the Omaha International Food Mart in Omaha. They were convicted of food stamp fraud. Eligible recipients of food stamp benefits are allowed to purchase only food eligible items and not

receive cash back over and above any food purchases. Both defendants would “over-ring” the sale of food amounts that were actually sold, giving back additional cash to customers. Sahal was placed on probation while Mohamed was sentenced to jail and then placed on court supervision for one year. Both were ordered to pay restitution.

**Ryan Jindra** - Jindra was sentenced to 48 months in prison and ordered to pay restitution in the amount \$484,235.52 following his conviction for wire fraud. Jindra, an Omaha investment advisor, solicited funds from clients by promising high rates of return on promised investment vehicles. Jindra began stealing money from client accounts because of personal financial difficulties he was experiencing.

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## **INDIAN COUNTRY/VIOLENT CRIME**

**Leland Parker**—Parker was sentenced to ten years in prison to be followed by ten years of supervised release following his conviction for abusive sexual contact with a child less than 12 years of age. In 1999, Parker sexually abused a young female in the basement of a home at a time when he was 16 years of age. The victim never reported the incident. The matter was uncovered in 2011, when the victim’s mother found a letter the victim had written but never sent detailing the sexual abuse. The sexual assault occurred on the Omaha Indian Reservation.

**George Henry** - Henry was sentenced to 41 months in prison for two offenses he committed on the Santee Indian Reservation. Henry unlawfully possessed an SKS assault rifle after

previously having been convicted of a felony offense. Henry hid the weapon from the FBI and attempted to sell it to others. In addition, Henry and 3 other individuals stole a safe from a residence, broke it open at another location, and kept a firearm and approximately \$15,000 in cash and jewelry.

**Victor Smith** - Smith was sentenced 12 months in prison following his conviction for abusive sexual contact with an 18 year old girl. He was also sentenced to an additional 24 months in prison for violating the terms of his order of supervised release which had been imposed following a previous abusive sexual contact conviction. The sexual assault occurred on the Winnebago Indian Reservation.

**Anthony Whitewater** - Whitewater was sentenced to 41 months in prison following his conviction for assault resulting in serious bodily injuries on the Winnebago Indian Reservation. He was also sentenced to an additional 6 months in prison for his violation of an order of supervised release imposed following a previous assault conviction. Three days after being placed on supervised release, Whitewater was in a house with other males when an altercation broke out. When his sister went to investigate, Whitewater and the other males fled the house. As Whitewater was running away, he struck a neighbor with a bat or broom handle causing injuries to the victim’s eye.

**Joseph Snowball** - Snowball was convicted of driving under the influence of alcohol with a minor child present in the vehicle. He is awaiting sentencing. Snowball had been heavily drinking before going for a ride in a vehicle on the Winnebago Indian Reservation. A 5 year old child was present in the vehicle. When the car’s owner became too intoxicated to

drive, Snowball took over even though he had never obtained a driver's license. Shortly after taking control of the car, Snowball lost control of the vehicle and caused it to swerve off the road and slam into a tree. His BAC was determined to be .234.

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### **Fish and Wildlife**

**Jason & Britney Edney-** Jason & Britney Edney (husband and wife living in North Carolina), were convicted of violating the Lacey Act. Jason Edney was convicted of a felony and Britney was convicted of misdemeanors. The Edneys ran a hunting and guiding business near North Platte. They also sold video of Britney Edney hunting deer and turkey to a company in St. Louis which compiles and markets such videos. In 2009 and 2010 both Jason and Britney Edney killed turkey and deer in Nebraska without obtaining the required state hunting permits, and transported portions of the wildlife back to North Carolina. In 2010 Jason directed an employee to take a paying client to hunt deer in an area of the state for which Jason knew the client had no permit. Britney Edney was sentenced to probation for three years and ordered to pay restitution to the Game Law Investigation Cash Fund of the Nebraska Game and Parks Commission in the amount of \$10,000.00. Jason Edney has pleaded guilty to a felony Lacey Act violation and is awaiting sentencing.

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### **Employee Health and Safety**

**Farmers Union Cooperative Supply Company** - Farmers Union Cooperative Supply Company of Stanton, Nebraska, was sentenced to serve 2 years probation, pay a \$100,000.00 criminal fine, and pay an additional \$ 86,700.00 civil penalty following the 2009 death of one of its employees. The employee had unloaded a truck filled with grain at the elevator. Approximately one half hour later, it was noticed that the employee had not been seen for some time. He was located unconscious in the "boot pit" of the elevator. He had died of asphyxiation. Air samples taken by the U.S. Department of Labor investigator revealed the air quality within the "boot pit" to be hazardous, and exposed persons to risk of death, incapacitation, injury or impairment. A number of other OSHA violations were also discovered at the elevator.



## DRUG ENFORCEMENT

The fight against illegal drug use and distribution continued to be a major priority of the United States Attorney's Office in 2012. Nebraska, with its location in the central United States, between western and eastern drug sources and markets, and with a large number of major interstate and other highways which pass through the State, is a significant trans-shipment area for drug traffickers. Omaha, Lincoln, Grand Island, and other Nebraska cities serve as redistribution points for drug markets within Nebraska and neighboring states and markets, and to smaller rural communities within the District.

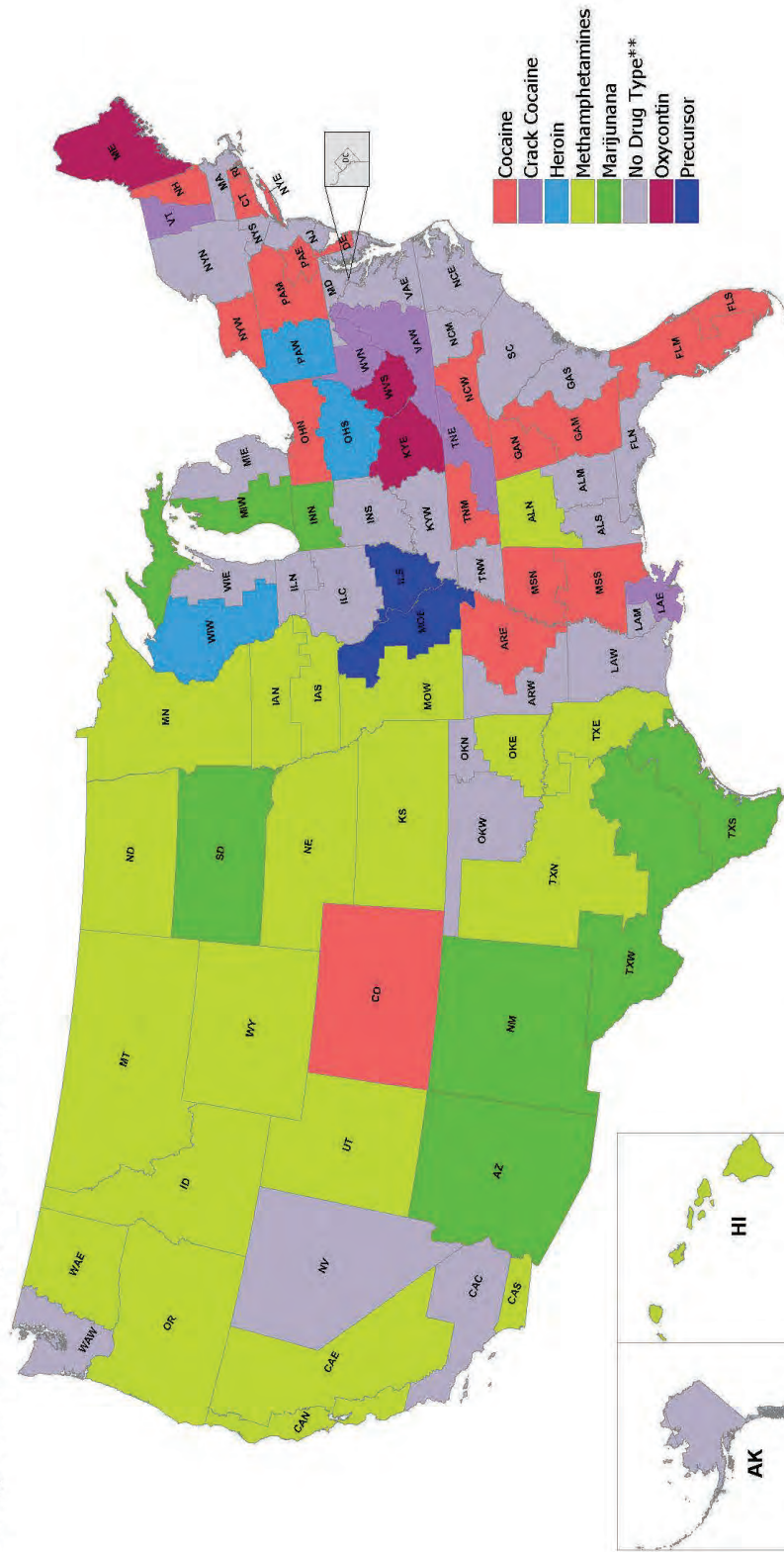
The coordinated efforts of Assistant United States Attorneys (AUSAs) and Special Assistant U.S. Attorney's (SAUSAs), addressed the comprehensive threat posed to the United States and the District of Nebraska, by the trafficking, diversion and abuse of illegal drugs. The Drug Unit comprises the largest unit of the office and appointment of SAUSAs from the Douglas and Hall County Attorney's Offices has greatly expanded the prosecutorial resources dedicated to this effort. Attorneys who prosecuted drug cases were supported by extra-ordinary cooperative investigative efforts of federal, state and local enforcement agencies throughout the District.

To address the issues related to the investigation and prosecution of drug-related offenses, the United States Attorney's Office filed approximately 211 indictments and informations charging 298 defendants in 2012.

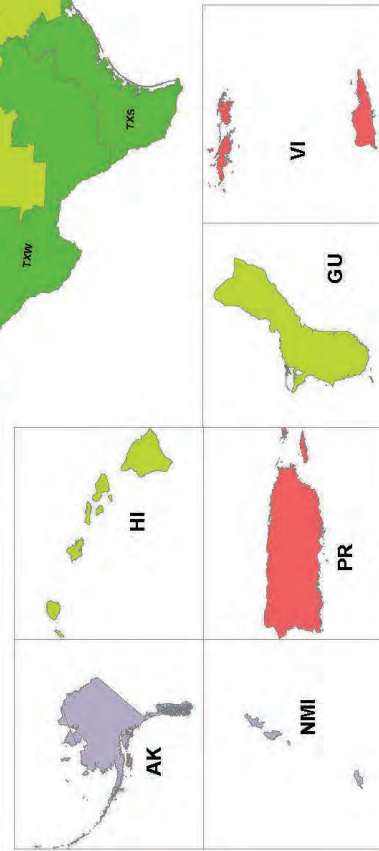




# United States Attorneys - Criminal Caseload Statistics Highest Percentage of Drug Type in Drug Cases Filed per District - FY 2012\*\*



\*\*FY 2012 numbers are actual data through the end of September 2012.  
 \*\*\*The LIONS system provides a field for identifying the type of controlled substance involved in a case. However, if a code is not entered into this field, the case will be classified as No Drug Type. Districts appearing on this map classified as No Drug Type are districts whose data reflect that the highest percentage of cases within all of their drug cases filed was not coded with a specific drug type. The data for these districts were not included in the analysis. The data provided provide accurate, reliable information. A memorandum was sent to all United States Attorneys on July 6, 2006 asking them to ensure that a Drug Type Code is always included in the Drug Type Field in LIONS.



## DRUG ENFORCEMENT CASES

Some of the more significant drug cases prosecuted in the last year include:

### Operation White Noise

These cases involved a DEA investigation that came to a close after 16 defendants were charged with conspiracy to distribute methamphetamine, marijuana, and cocaine. The case involved three wiretaps (two from Colorado and one in Nebraska) and concluded after a lengthy appeal with all of the defendants pleading guilty. Most of the defendants in the case cooperated which eventually led to the last few defendants deciding not to go to trial and resulting in guilty pleas. The majority of the defendants were held accountable for approximately 400 kilograms of marijuana, with a few held accountable for 1500 grams of methamphetamine and less than 500 grams of cocaine. Most defendants were sentenced to five years in prison, with the most culpable defendant receiving a sentence of 154 months.

### Operation Sheep Dog

Operation Sheep Dog was an FBI and DEA investigation involving a wiretap and led to the indictment of seven individuals involved in selling multiple ounce quantities of methamphetamine. The main target delivered approximately 978 grams of actual methamphetamine to an undercover officer and was a known supplier of South Omaha gang members. All defendants pled guilty with the main target being held accountable as a leader/organizer and receiving a sentence of 168 months. The case is close to being closed with one defendant remaining, having been recently located and indicted after being identified as a courier for the organization.

### Operation Pure Breed

Operation Pure Breed is an ongoing DEA investigation from 2010 that resulted in new indictments late last year. The investigation originally began in 2010 with the arrest of an individual who decided to cooperate and began buying ounce quantities of methamphetamine from several targets in the Norfolk and Fremont areas. That cooperation led to the prosecution of six individuals who received sentences of at least 5 years, with one receiving 20 years. A large methamphetamine supplier was identified during the original investigation, but not enough evidence was available to secure an indictment, until recently. Late last year, three individuals were arrested with approximately one pound of methamphetamine and are currently cooperating having identified their supplier as the same target of the original investigation. Their cooperation has led to the discovery of other witnesses who are also willing to testify, and will soon lead to an indictment naming the targeted supplier, who is responsible for distributing multiple pound quantities of methamphetamine in Nebraska and elsewhere.

### Operation Beeswax

This investigation was jointly investigated by the FBI and CODE task force. In 2012 the U.S. Attorney's Office indicted two individuals. Lavon Owens pled guilty to conspiracy to distribute crack and powder cocaine and was sentenced to 78 months. His co-defendant, Jared Howe, is awaiting trial, currently scheduled to begin in March,

2013. Two others had previously been charged and convicted.

#### Operation Downer

In another case jointly worked by FBI and CODE, the U.S. Attorney's Office indicted three defendants (seven others had been indicted and convicted last year). Alejandro Garcia and Tomas Hernandez were both charged, in separate indictments, with conspiracy to distribute methamphetamine and cocaine. Both pled guilty. Garcia was sentenced to 151 months, and Hernandez was sentenced to 84 months. Joseph Panek pled guilty to conspiracy to distribute methamphetamine and was originally sentenced to 87 months. That sentence was later reduced to 60 months after he cooperated and assisted law enforcement in obtaining the indictments of others.

#### Operation Second Chance

This case, investigated in the Lincoln area, was part of a larger case involving persons who were bringing in large quantities of drugs from Mexico for distribution in the Omaha and Lincoln areas. Other parts of the case are still under investigation.

Out of Lincoln, eight people were indicted and seven have pled guilty.

Luis Orta Espinoza - was indicted for conspiracy to distribute methamphetamine cocaine, and marijuana. He pled guilty and is scheduled to be sentenced in April of 2013.

Martin Daniel Sanchez Martinez and Martin Tellez Montoya were indicted together for conspiracy to distribute methamphetamine and cocaine. Both pled guilty. Montoya was sentenced to 37 months. Sanchez Martinez is scheduled for sentencing in March of 2013.

Esteban Martinez Hernandez and Oscar Gonzalez Flores were separately indicted after a search warrant was executed at their residence resulting in the finding of over 700 grams of methamphetamine. Both have pled guilty. Flores was sentenced in February to 70 months and Martinez is scheduled for sentencing in April.

Marco Martinez and Aaron Nunez were indicted together for conspiracy to distribute methamphetamine, cocaine, and marijuana. Both pled guilty, and both are scheduled for sentencing in April.

Corbin Ryan was indicted for conspiracy to distribute methamphetamine and cocaine and is currently scheduled for trial in March.

#### United States v. Luis Nunez

This matter involved the use of two cooperating witnesses making controlled purchases of methamphetamine from the defendant. The matter was investigated by the Central Nebraska Drug and Safe Streets Task Force. It involved the cooperation of multiple agencies and video evidence of the controlled purchases. Defendant pled guilty to distribution of a controlled substance and is pending sentencing.

#### United States v. Abel Marquez

This matter involved the use of two cooperating witnesses making controlled purchases of methamphetamine from the defendant. The matter was investigated by the Central Nebraska Drug and Safe Streets Task Force. It involved the cooperation of multiple agencies and surveillance video evidence of the controlled purchases. Defendant pled guilty to distribution of a controlled substance and was

sentenced to 30 months incarceration.

United States v. Guadalupe Martinez

This matter involved the use of two cooperating witnesses making controlled purchases of methamphetamine from defendant. The matter was investigated by the Central Nebraska Drug and Safe Streets Task Force. It involved the cooperation of multiple agencies and surveillance video evidence of the controlled purchases. Defendant pled guilty to distribution of a controlled substance and was sentenced to 46 months incarceration.

United States v. Jose Carlos Montes Agosta

This matter involved the use of a cooperating witness to make purchases of methamphetamine from Ruben Hupp, Tammy Mendoza and Joshua Watson. As a result of conducting surveillance during the course of the controlled transactions, officers of the Omaha Police Department were able to identify a supplier who would come to the location of the transactions and deliver methamphetamine to Hupp and locate a residence connected to the supplier. Officers were able to obtain a search warrant for the residence and located defendant Agosta in the residence, along with over 2.62 kilograms of methamphetamine and \$102,100.00. Agosta pled guilty to conspiracy to distribute methamphetamine and was sentenced to 120 months incarceration. Hupp, Mendoza and Watson were also convicted of methamphetamine related charges. Hupp pled guilty to conspiracy to distribute methamphetamine and received a sentence of 60 months incarceration. Mendoza pled guilty to conspiracy to distribute methamphetamine and received a sentence of 31 months incarceration. Watson pled guilty to conspiracy to distribute methamphetamine and two counts of distribution of methamphetamine and received a sentence of 60 months incarceration.

United States v. Jaymond Taylor & Jeanna Springer

In late 2011, Jaymond Taylor and Jeanna Springer were stopped near Grand Island, Nebraska while they were traveling from Denver, Colorado back to their home town of Mount Iron, Minnesota. During the course of the traffic stop, Taylor's Nissan Titan pickup truck was searched and found to contain approximately 6 pounds of methamphetamine. Taylor and Springer were initially charged in Hall County. However, a federal complaint was obtained as soon as it was discovered that Taylor had \$15,000 wired to his jail account with the plan of posting bail and possibly fleeing. Much of the prosecution of Taylor and Springer occurred in 2012. During that time, through a great deal of coordination with law enforcement agencies in Minnesota, evidence was developed which showed that Taylor would make trips to Denver as frequently as once a month where he would acquire several pounds of methamphetamine. He would return to northern Minnesota, where he would resell the methamphetamine to others. Because he didn't have a valid driver's license, he would recruit others to help him transport the methamphetamine, which is what Springer was doing during their last trip. On October 15, 2012, Taylor was sentenced to 27 years imprisonment, and his pickup truck was forfeited to the United States. On October 29, 2012, due in large part to her lesser role in the offense, Springer was sentenced to 22 months imprisonment.



#### United States v. Carlos Ojeda Acosta & Francisco Espinosa-Rivera

A confidential informant working with the Central Nebraska Drug and Safe Streets Task Force, contacted Carlos Ojeda Acosta, a supplier of illegal drugs who the informant knew lived in Colorado. The confidential informant placed an order for a pound of methamphetamine. Acosta sent Francisco Espinosa-Rivera to deliver the methamphetamine to the informant in Grand Island, Nebraska. Espinosa was spotted by law enforcement, driving a pickup truck, which was owned by Acosta, on Interstate 80 and nearing Grand Island. After stopping the pickup truck and searching the vehicle, the pound of methamphetamine was located inside the pickup truck. Even though Acosta remained in Colorado during the course of the investigation, indictments were obtained in Nebraska against both defendants in December of 2011, and they appeared for their initial appearances a couple of months later in the District of Nebraska. Both defendants later pled guilty. Acosta's sentencing hearing is pending. The applicable Sentencing Guideline range for Acosta is 120 to 135 months imprisonment.

#### United States v. Jose Hernandez-Villalba & Robert Bernt

The Central Nebraska Drug and Safe Streets Task Force had been investigating Robert Bernt, after receiving reports from others that Bernt was selling large amounts of methamphetamine to people in the central Nebraska area. In June of 2012, Central Nebraska Task Force members, who coordinated with law enforcement from Arizona, received information, based on a wiretap investigation in Arizona, that a package of methamphetamine was being shipped to Bernt's residence. The investigators and agents were able to intercept the package before it was delivered, and they then conducted a controlled delivery. Bernt was immediately arrested after taking possession of the package. The investigation revealed that Bernt's supplier, Jose Hernandez-Villalba, had arranged for the package to be shipped to Bernt's residence, and was planning on acquiring it from Bernt after Bernt received the package. The officers waited at Bernt's residence, and Hernandez was arrested when he arrived. Both defendants have pled guilty and are awaiting their sentencing hearings. The investigation has revealed that both defendants were responsible for distributing the equivalent amount of at least 15 kilograms or more of methamphetamine.

#### United States v. Martha Beltran-Moreno

On March 25, 2011, deputies with the Seward County Sheriff's Office, aided by the Drug Enforcement Administration, intercepted a vehicle driven by Beltran-Moreno on I-80 near mile marker 371. Beltran-Moreno gave deputies consent to search, and during the search officers located 371.7 grams of actual methamphetamine in the vehicle. During a post-arrest Mirandized interview, Beltran-Moreno admitted to transporting at least 6 pounds of methamphetamine in the past. Beltran-Moreno was sentenced to 120 months imprisonment, 5 year term of supervised relief, and a \$100 special assessment.

#### United States v. Greg Chollar

Investigators with the Omaha Police Department utilized a cooperating witness to make a number of controlled buys of methamphetamine from Chollar. Following his



arrest, Chollar told officers in a post-arrest Mirandized interview that he was involved in the purchase and resale of methamphetamine over 500 times in the last 3 years. The amounts that he purchased and resold were generally 1/8 oz and 1/4 oz sizes. Chollar was sentenced to 84 months imprisonment, 4 year term of supervised release, and a \$100 special assessment.

#### United States v. Miguel Angel Correa

On April 28, 2010, investigators with the Nebraska State Patrol Interdiction Unit were working at the Greyhound Bus Terminal in Omaha, Nebraska, where they came across Correa. During their contact with Correa, investigators became suspicious of him. Correa gave investigators consent to search his person and belongings, and in a jacket belonging to Correa, investigators discovered 374 grams of methamphetamine. Correa filed a motion to suppress the evidence, and the District Court sustained the motion. The United States Attorney's Office appealed to the 8<sup>th</sup> Circuit Court of Appeals, which overturned the District Court. Correa was sentenced to 36 months imprisonment, 5 year term of supervised release, and a \$100 special assessment.

#### United States v. Darrell Adams and Julia Humphrey

In July 2011, as part of an investigation into the distribution of methamphetamine in the Omaha metro area, officers with the Omaha Police Department utilized a cooperating witness to purchase methamphetamine from Adams and Humphrey. During post-arrest Mirandized statements, both Adams and Humphrey told officers of their involvement in the distribution of methamphetamine. Adams told officers that he purchased and distributed approximately 4 kilos of methamphetamine since February 2011. For his role in the conspiracy, Adams was sentenced to 121 months imprisonment, 5 years of supervised release, and \$100 special assessment. Humphrey was sentenced to 77 months imprisonment, 3 years term of supervised release, and \$100 special assessment.

#### United States v. Paul Miller

On July 7, 2011, officers with the Omaha Police Department utilized a cooperating witness to make a controlled buy of 4.9 grams of crack cocaine from Miller. Miller was arrested and during a post-arrest Mirandized interview, Miller told officers that he had been dealing crack cocaine for the last 10 years. Miller also told officers that he bought and sold at least 4 ounces of crack cocaine since May 2011. Miller was sentenced to 96 months imprisonment, 4 year term of supervised release, and a \$100 special assessment.

#### United States v. Robert Reyna

Beginning in November 2011, investigators with the SNARE Drug Task Force began investigating Reyna as a distributor of methamphetamine in the David City-Columbus, NE area. Task Force officers made a number of controlled buys of methamphetamine from Reyna between November 2011 and January 2012. On January 20, 2012, investigators arrested Reyna during a sting operation. Reyna at the time was in possession of 27.93 grams of actual methamphetamine. Reyna was sentenced to 84 months imprisonment, 4 year term of supervised release, and a \$100 special assessment.

### United States v. Violeta Hinojosa

Convicted following jury trial in June 2012. She and her family members were long term distributors of methamphetamine in Omaha. She was sentenced to 60 months incarceration. Appeal is pending.

### United States v. Michael Scott

Primary target of wire interception in the OCDETF case Trick or Treat. Scott pled guilty in December and is pending sentencing.

## Civil Forfeiture Highlights

The following two cases highlight a pattern commonly seen by law enforcement when they interdict money transporters: bundles and concealed currency, combined with other suspicious circumstances. The cases resulted in trials in front of different judges, neither of whom had previous experience with such cases, and the government received favorable verdicts in both cases.

United States v. \$45,000.00 in United States Currency. Traffic stop on August 2, 2010, made by Douglas County Sheriff's Deputy Dave Wintle. The driver exhibited an unusual travel pattern and was extremely agitated. His agitation never waned, even after being told he would not receive a ticket. Deputy Wintle ran his drug detection dog around the vehicle; it indicated to the odor of controlled substances coming from the vehicle. During their ensuing search, deputies found a lock-box in a storage area of the vehicle. It held two vacuum-sealed bags of rubber-banded currency, totaling \$45,000.00. The Court found the facts demonstrated, by a preponderance of the evidence, the defendant property was substantially connected to drug trafficking.

United States v. \$48,100.00 in United States Currency. Traffic stop on October 19, 2009, made by Nebraska State Patrol Trooper Rob Pelster. The driver told a tall tale about the purpose of his driving an RV from Wisconsin to Colorado. He, too, was excessively nervous, more so than the normal motoring public. The driver admitted there was personal use marijuana in the vehicle. The ensuing search revealed the \$48,100.00, cash, in rubber-banded bundles inside a back pack. The driver said he purchased in Denver to use as a purse during his stay in Colorado. The trooper testified he believed the driver had gone to Colorado to purchase marijuana, but was unable to make a contact, so the driver was heading back home to Wisconsin. The Court found the currency was intended to be used for illegal drug transactions and forfeited the same to the Government.

In December, 1996, the Office of National Drug Policy (ONDCP) designated counties in Iowa, Kansas, Missouri, Nebraska, and South Dakota as the Midwest High Intensity Drug Trafficking Area (HIDTA). In February, 1999, designated counties in North Dakota joined the Midwest HIDTA. The goal of the Midwest HIDTA is to enhance and facilitate the coordination of regional drug-control efforts among local, state, and Federal law enforcement agencies in order to reduce drug trafficking and its harmful consequences in critical markets in the region.



Co-located with the United States Attorney's Office's LECC Unit is the Nebraska Office of the Midwest HIDTA Initiative. The Midwest HIDTA focuses on decreasing the importation, distribution, manufacture, and demand for illegal drugs within the Midwest Region, which includes Nebraska and neighboring states. Intelligence information on drug activity is compiled and disseminated through the Nebraska Law Enforcement Intelligence System (NELEIS), maintained by the State Patrol. The HIDTA Initiative, in addition to supporting law enforcement and prosecution, has developed a number of drug abuse prevention programs.

**Outstanding Cooperative Effort Award  
Omaha Metro Drug Task Force  
Lincoln/Lancaster Task Force  
Omaha DEA Task Force  
"Operations South Paw and Second Chance"**

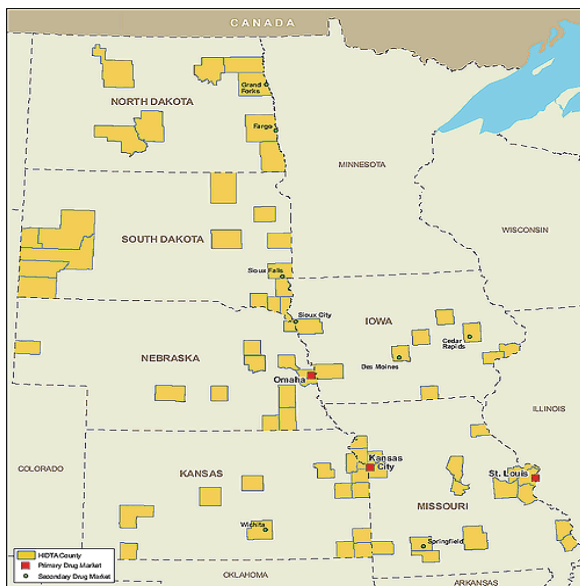
During 2011 and 2012, separate investigations in the District of Nebraska involved two leaders of a DTO. Once identified, it was discovered by law enforcement that while both had separate lines of supply, they also conspired together to distribute methamphetamine. Beginning in April 2011 and continuing through July 2012, confidential informants were used to make controlled buys of methamphetamine from members of the DTO. Based on those buys, surveillance, interviews, and pen registers, wiretaps were applied for and authorized on six phones belonging to both. Their conversations were monitored from May 2012 through July 2012. Search warrants were obtained for several residences and one business. Other investigative techniques included obtaining tax records and using Grand Jury subpoenas to obtain bank account information were utilized.

Through all of the above investigative techniques, it was learned that the DTO operated primarily in Omaha but also had connections to Mexico, California, Missouri, Oklahoma, West Virginia and Connecticut. As the investigation ensued, it was clear that the entire Omaha metro area was involved, as well as Lincoln, Nebraska. Both individuals were the leaders of this organization locally. One was a direct source of methamphetamine from Mexico and used the other as a facilitator of the DTO in Nebraska. In addition to being a distributor, one of them operated a business as a front through which to launder money. Both were the registered owners of vehicles that were used to facilitate and conceal his drug trafficking and money laundering activities.

From approximately December 2011 through June 2012, one of the identified leaders was in Mexico. During that time, he orchestrated meth shipments to Omaha and then coordinated its distribution. Trusted lieutenants were put in place to distribute meth in Omaha and Lincoln. Most of the drugs that came from Omaha and were delivered to Lincoln were taken to a business or a stash house. There were other distributors in the chain that would then distribute the meth once it made its way to Lincoln. Stash houses were also set up in Omaha.

To date, over 17 people have been indicted, over 32 pounds of methamphetamine has been bought or recovered in traffic stops or warrants, \$110,771.00 in cash and 46 cars have been seized. The value of the methamphetamine is in excess of \$1,000,000.

Perseverance, communication and cooperation were all significant factors leading to the successful disruption of this organization. Perseverance in having to quickly spin up on another wire when one of the principles dropped their phone, communicating information and coordinating surveillance and buys in different jurisdictions sometimes 60 miles apart, and cooperation in one agency momentarily standing down from one target or part of the investigation, if activity with another target became immediate, were all elements of success. The true goal of all involved was the dismantling of the organization regardless of who wrote the wire application, made an arrest, a seizure or was instrumental in getting a charge filed.



The Midwest HIDTA contains several primary drug market areas, including the Kansas City, Omaha, and St. Louis metropolitan areas, and a number of secondary markets including Cedar Rapids, Des Moines, Fargo/Grand Forks, Sioux City/Sioux Falls, Springfield, and Wichita. Individual market discussions are intended to augment the overall discussion of drug trafficking and abuse in the Midwest HIDTA region, highlighting localized trends and deviations. The general drug situation in the Midwest HIDTA region applies to an individual market unless otherwise stated.

(Primary and secondary markets.)

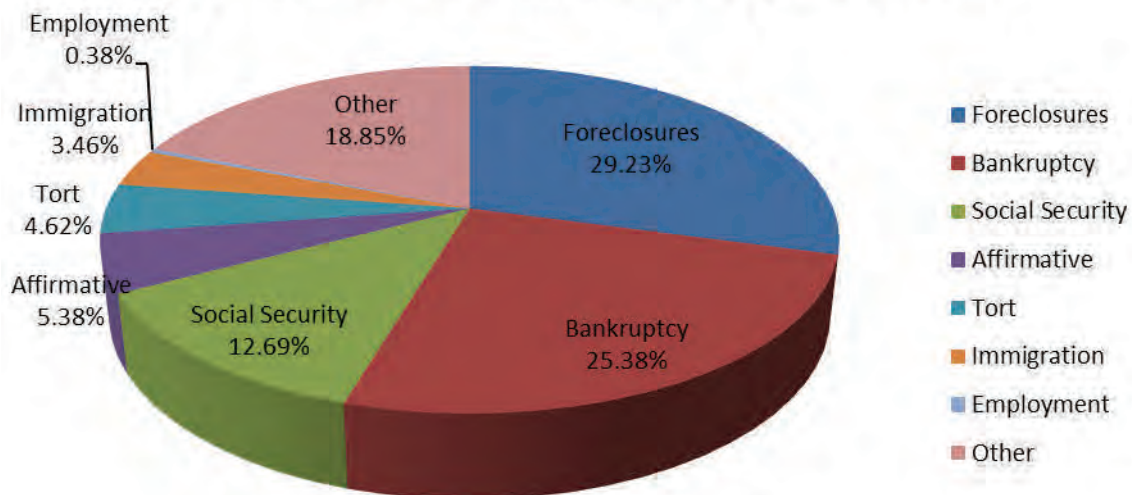
# CIVIL DIVISION



Attorneys in the Civil Division of the United States Attorney’s Office represent the United States, as well as federal agencies, officers, and employees, in civil litigation in federal and state courts throughout Nebraska. Civil Division AUSAs work closely with lawyers from the federal agencies involved in each case to develop and present the position of the federal parties to the suit. Attorneys from the Department of Justice also assist in some civil litigation in the District of Nebraska.

Work on 262 civil cases and matters was completed in 2012. Included in that number were defensive cases in which the validity of federal laws, or the acts of federal agencies and employees, were challenged. Also included were affirmative cases brought to enforce federal statutory and regulatory requirements, and to collect debts owed to the United States. The chart below depicts the types of civil cases and matters completed during 2012.

**Civil Cases Closed by Cause of Action 2012**



The Internal Revenue Service, Social Security Administration and the U.S. Department of Agriculture continued to be the agencies involved in the largest number of civil cases in the District during 2012. The number of foreclosure and affirmative litigation cases decreased slightly in 2012, while the number of bankruptcy cases has remained consistent in recent years. A variety of cases involving the agencies within the Department of Justice also made up a significant portion of the overall civil workload. The number of cases completed for various federal agencies is reflected in the chart on page 49.



## Civil Litigation

A primary function of the Civil Division is to provide quality representation to the United States and its agencies and officers in defensive litigation in federal and state court. During 2012, Civil Division AUSAs defended a number of cases brought in federal court to set aside or modify the actions of federal agencies and officers. Civil Division AUSAs also handled several cases seeking damages for alleged negligence or other wrongful conduct by federal employees, as well as cases alleging discrimination in federal employment.

In the area of affirmative litigation, the Civil Division continued its Affirmative Civil Enforcement (ACE) program, which involves various initiatives designed to collect civil monetary penalties and damages for violations of federal law, to recover costs incurred by agencies as a result of violations of federal statutes and regulations, and to obtain compliance with the requirements of federal law through civil litigation. In calendar year 2012 ACE cases resulted in monetary recoveries of more than 8.3 million dollars. ACE cases also led to court orders directing various defendants to comply with federal laws and regulatory requirements.

The United States Attorney's Office ACE program includes an active Health Care Fraud Task Force made up of civil and criminal AUSAs, Special AUSAs from the Nebraska Attorney General's Office, investigators from various state and federal agencies, and representatives of insurance providers and intermediaries. The task force approach enhances communication regarding the investigation of health care fraud in the District of Nebraska, and allows oversight agencies to pursue cases in the manner most effective to deter fraudulent activity and recover losses.

Another major area of emphasis in the ACE program is environmental enforcement. In 2012, the United States Attorney's Office worked with attorneys from the United States Department of Justice and the Environmental Protection Agency on civil environmental cases brought to recover civil penalties as well as response costs, and to obtain judgments requiring polluters to comply with environmental laws.

As in most years, Civil Division AUSAs also conducted a significant amount of litigation in 2012 to collect debts owed to the United States. Suits to obtain judgments for unpaid balances of delinquent loans made by agencies such as the U.S. Department of Agriculture, the U.S. Department of Education, the U.S. Department of Veteran's Affairs, and the U.S. Department of Health and Human Services comprise a significant portion of the Office's civil workload. Those cases are litigated in federal district court, in bankruptcy court, and in state courts throughout Nebraska.

discharges and enhance Defendants' ability to prevent third party incursions of the pipeline. MAPCO owns a 2,769 mile long eight inch natural gas liquid (NGL) pipeline which transports mixed NGL between Conway, Kansas and Pine Bend, Minnesota. The pipeline traverses the states of Nebraska, Iowa, Kansas, and Minnesota. Enterprise operates the pipeline on behalf of MAPCO. The government's claims stemmed from three discharges of natural gasoline. The first discharge occurred on March 29, 2007, near Yutan, Nebraska, and resulted in the release of 1,725 barrels of natural gasoline into a drainage ditch that flowed into a nearby creek. On April 23, 2010, there was a discharge of 1,669 barrels of natural gasoline from Defendant's pipeline near Niles, Kansas into a creek. And, on August 13, 2011, a third discharge of 818 barrels of natural gasoline occurred from the same pipeline into the Missouri River near Onawa, Iowa. The first and second discharges were likely caused by third party damage to the pipeline while the 2011 discharge was caused by severe flooding of the Missouri River which resulted in undue pressure on the pipeline segment beneath flood waters.

U.S. v. NL Industries – This is the fourth Comprehensive Environmental Response, Compensation, and Liability Act of 1980, (ACERCLA@), consent decree involving contamination at the Omaha Lead Site. NL (f/k/a National Lead Company) was responsible for the liability of three minor lead processing facilities that were owned and operated by NL=s predecessors, two of which operated from 1878-1910. NL resolved its liability for \$650,000 (\$624,000 to the EPA, and \$26,000 to Nebraska) to compensate the State for its past cost share of the remedial action at the Site. The resolution is commensurate with the harm NL=s predecessors caused at the Site, and with two recent settlements with Union

Pacific (\$25 million) and Gould Electronics (\$1.15) million for contamination at the Site. Additionally, Asarco, the primary polluter, paid a total of \$235 million to the Site some years ago. A fifth consent decree with the final potentially responsible party, Aaron Ferer & Sons, has been lodged with the Court.

## **AFFIRMATIVE CIVIL FRAUD**

U.S. v. TD Ameritrade - In February 2012, TD Ameritrade Clearing, Inc. (TD Ameritrade) paid \$1,558,477 to resolve allegations it obtained postage discounts to which it was not entitled. The investigation revealed that from October 1, 2006 to September 30, 2009, TD Ameritrade sent approximately 20 million pieces of First-Class mail per year. The government alleged TD Ameritrade's mailings did not qualify for the discounted rates it claimed because the company had failed to comply with Move Update standards, which require mailers to update addresses on their mail with change-of-address information. The Postal Service offers lower postage prices to mailers who comply with Move Update and other requirements because these actions save the Postal Service time and money. TD Ameritrade also agreed to implement measures to ensure future compliance, such as hiring a member of the U.S. Postmaster General's Mail Technical Advisory Committee to serve as its Director of Mail Operations.

U.S. v. Graham - The Office of Inspector General, Office of Investigations (OIG/OI), U.S. Railroad Retirement Board (U.S. RRB), initiated an investigation of this Union Pacific Railroad employee based on a referral from the U.S. RRB's Sickness and Unemployment Benefits Division (SUBD). SUBD discovered this case as the result of a wage match with the State of Nebraska. The match identified Graham as a railroad employee who collected Unemployment

## CIVIL LITIGATION CASES

The civil cases litigated in 2012 include:

### DEFENSE IMMIGRATION LITIGATION

Yuma v. Holder, et al. (District Court – Nebraska) - Plaintiff Yuma was an asylee who was convicted of an aggravated felony in Nebraska which made him subject to removal from the United States under federal law. As a result, Yuma was ordered removed from the United States. Yuma alleged that his defense counsel failed to inform him that a conviction for assault would subject him to removal proceedings. He commenced an action in state court to set aside his conviction which he alleged was the result of ineffective assistance of counsel. In addition, Yuma brought a *Habeas Corpus* case in federal court on the grounds that the state court case would not provide an adequate opportunity to raise the federal constitutional question at issue in his case. The District Court dismissed the Federal Defendants from the proceedings on two grounds: 1) the sole and exclusive means for judicial review of an order of removal is before the circuit court of appeals, not the federal district court.; and 2) The 8th Circuit has clearly held that criminal convictions cannot be collaterally attacked in immigration proceedings.

Yoss v. Napolitano (District Court – Nebraska) – Plaintiff Yoss filed a Complaint and writ of mandamus in federal court seeking to compel the United States Service Center for U.S. Citizenship and Immigration Services (“USCIS”) to reconsider and approve his Form 1-140, Immigration Petition for Alien Worker (“Petition”). The District Court granted the government’s Motion for Summary Judgment. The Court held that the

agency’s action denying the petition was not arbitrary, capricious, or otherwise not in accordance with law. The Court concluded that Yoss had failed to produce evidence that he qualified as a ‘Professional’ under applicable regulations, in that he failed to prove he earned the equivalent of a bachelor’s degree or held other professional status as required by statute. In addition, the employer failed to prove there were no qualified, able and willing United States’ workers available to fill the position. Furthermore, the agency was correct in referring to a past incident of fraud in which Yoss obtained false educational documents to gain employment in Saudi Arabia. The Court held USCIS was justified in questioning his alleged educational background from a foreign school which he submitted in order to remain in the United States. The Court acknowledged that it was relevant and reasonable for the agency to consider evidence that Yoss used fraudulent educational credentials in the past, regardless that those same credentials were not submitted to the agency in the present case.

### AFFIRMATIVE ENVIRONMENTAL LITIGATION

U.S. v. Mid-America Pipeline Company LLC (MAPCO) and Enterprise Operating Products LLC - The Department of Justice’s Environment and Natural Resources Division (ENRD) negotiated a Consent Decree with MAPCO and Enterprise which required them to pay \$1,042,416.23 to resolve their Clean Water Act liability. The Consent Decree also required Defendants to undertake various injunctive measures designed to improve accurate reporting of future

Nebraska from Pizza Hut during the same time period. Graham was eligible for the UI benefits because he had been laid-off as a trainman by UP, but he claimed to be unemployed while he was working for a non-railroad employer which made him ineligible. A consent judgment was entered for \$15,792 which amount included repayment of the wrongfully obtained unemployment benefits, a civil penalty, and costs.

## **DEFENSIVE PROGRAM LITIGATION**

Rochling v. Veterans Affairs (VA), et al. (District Court – Nebraska) – This judicial review proceeding was brought by a gastroenterologist who challenged the final agency decision of a panel of health care professionals to report the doctor's name to the National Practitioner's Data Bank in connection with the settlement of a medical malpractice/wrongful death lawsuit involving the VA. The panel determined Plaintiff was the "most responsible practitioner" relating to a settlement payment from the government's "judgment fund" paid to the heirs of a VA patient in a wrongful death action. The District Court granted summary judgment in favor the government, finding that the panel's decision was not arbitrary, capricious, or an abuse of discretion, and that the decision to report Plaintiff's name to the Data Bank must stand. The matter is on appeal to the 8th Circuit Court of Appeals.

## **DEFENSIVE EMPLOYMENT LITIGATION**

Mullen v. Shinseki (District Court – Nebraska) – Plaintiff filed a complaint under Title VII of the Civil Rights Act against the VA, alleging wrongful termination due to race and gender discrimination, hostile work environment, and retaliation. The Court granted the government's motion for summary judgment finding that Plaintiff failed to establish a *prima facie* case of discrimination. The Court held that VA had

established legitimate, non-discriminatory reasons for the termination of Plaintiff's employment with VA.

## **DEFENSIVE TORT LITIGATION**

In 2012, there were several Federal Tort Claims Act (FTCA) and constitutional torts cases resolved as follows:

Wrongful death action involving VA patient who allegedly was not timely informed of a cancer diagnosis. After extensive discovery in the litigation, the parties reached settlement through the use of court-approved mediation.

Medical malpractice claim was settled where plaintiff, a VA patient, alleged a delay in a cancer diagnosis which he further alleged resulted in a more severe surgical treatment. The parties reached settlement after some discovery in the litigation.

Wrongful death action brought by the father of a deceased construction worker sued under the FTCA, alleging that his son was killed in connection with a skid loader construction accident that occurred in 2009, at the Nebraska Air National Guard Base in Lincoln, Nebraska. At the time of the accident, the decedent was employed by a subcontractor that had been retained by the main contractor on the military construction project at the Air Guard Base. Plaintiff alleged that the United States failed to provide sufficient oversight, and otherwise failed to take sufficient measures so that the accident would not have happened. The government moved to dismiss the action, and provided contract documents and other evidence that conclusively showed that the main contractor had retained all responsibility for safety and accident prevention assurance under the terms of the government contract. Upon filing of the government's legal arguments and evidence, Plaintiff voluntarily dismissed



Bivens action brought by a convicted prisoner child sex offender brought suit for money damages against an FBI agent, and several local State prison officials, alleging that the prisoner's mail was being opened and censored at the state prison in violation of the prisoner's constitutional rights. The United States, on behalf of the FBI agent, moved for dismissal of the case against the FBI agent, showing that the FBI agent's only activities with respect to the case were the reviewing of various prisoner mail pieces in order to determine if the mail pieces constituted evidence of a federal crime. The Court entered judgment dismissing the case against the FBI agent.

Personal injury action brought by a former federal prisoner, twice sued the United States under the FTCA, alleging that she slipped and fell and was injured while in the custody of a small town Nebraska jail that housed federal prisoners through a contract it held with the U.S. Marshal's Service. In the first case, the government asked the Court to dismiss the case, arguing that under controlling law, only the local jail could be responsible for any premises accidents occurring during custody. The Court agreed that it did not have jurisdiction to hear the case filed against the United States and dismissed the case. In the second case, the former prisoner claimed that she did not receive adequate medical treatment after she was transferred back into federal custody from the local jail. Again, the government sought dismissal, arguing that the suit was filed out of the time established by the federal limitation statute. The Court agreed and ordered the second case dismissed.

Personal injury action involving a motor vehicle accident where Plaintiff collided with a U.S. Postal Service driver, ticketed for driving too closely. Following discovery in the litigation, the parties reached a settlement and the case was dismissed.

Bivens action brought by the spouse of a convicted felon who sued several federal prosecutors, investigators, and other individuals working in law enforcement seeking personal damages, alleging violation of her constitutional rights and that the defendants knew or should have known their actions, in conducting a writ of entry relating to real estate involved in a civil forfeiture matter, were in violation of her rights. The Court granted the Federal Defendants' motion to dismiss/motion for summary judgment holding that the United States, its agencies and employees, could not be sued for damages in their official capacities because of sovereign immunity and that the individually named Federal Defendants could not be sued for damages because they had not violated Plaintiff's rights and were thus, protected by qualified immunity.

## COMMERICAL LITIGATION

Lange v. Mutual of Omaha Bank (8<sup>th</sup> Circuit Court of Appeals) - This case was commenced as an adversary in the Chapter 11 Bankruptcy (In re Negus Sons). The Bankruptcy Court found in favor of the IRS concluding that an IRS lien was superior to that claimed by creditor Mutual of Omaha Bank ('Mutual'). The Bank held a loan from debtor in excess of one million dollars. The loan was secured by two Uniform Commercial Code (UCC) financing statements evidencing a blanket lien on substantially all the debtor's assets. After the Mutual liens were perfected, the debtor entered into a financing arrangement with Wells Fargo Equipment Company, Inc. ("WFECI") for a revolving loan secured by certain equipment. As a part of the WFECI loan, the bank received a substantial payment and resulted in a request from WFECI that Mutual release its UCC filings. The bank failed to file the lien termination statements, so WFECI filed the termination



tax liens were filed after Mutual's liens were terminated. The issue before the Court was whether WFECI had the authority to terminate Mutual's liens, as provided by in sections 9-509 -513 of the UCC. The 8th Circuit upheld the bankruptcy court's determination that the termination statements filed by a third party were authorized by Mutual. As a result, the IRS lien in debtor's accounts receivable, with a value estimated at \$500,000, were held as superior to those of the Mutual Bank.

Lange v. Wells Fargo, et al. (Bankruptcy Court District of Nebraska) - The Bankruptcy Court held in favor of the IRS in holding that creditor Wells Fargo Equipment Finance Inc. ("WFEFI"), did not have an enforceable purchase money security interest in a service truck valued at approximately \$100,000. In the alternative, WFEFI also failed to establish a prior equitable lien arising from debtors' alleged fraud in failing to note WFEFI on the certificate of title and in representing on its Nebraska title application that no liens existed. The IRS claimed a right to the truck arising from debtor's unpaid taxes. The Court held that the WFEFI's transaction was 'first in time', however, the failure of the creditor and the debtor to provide notice of the lien on the title rendered the lien interest unenforceable. Thus, the IRS tax lien was held superior to WFEFI's unperfected lien in the Kenworth vehicle.

In re: Estate of Scott Long (Nebraska State Probate Court) - A case of first impression in the District of Nebraska, involved a state court probate matter in which the IRS successfully recovered approximately \$190,000 from a decedent's estate for income tax liability that accrued prior to the taxpayer's death. The IRS had a secured interest pursuant to a tax lien filed before the commencement of the intestate debtor's informal probate case. The attorney for the

estate refused to pay the debt owed to the IRS arguing that the IRS had received all case related notices and a request to file a claim for distribution purposes, yet failed to do so. Distribution had already been made when the IRS discovered the deficiency. The IRS filed a Motion to Disgorge Payments which set forth its position that the IRS was not required to file a claim in a probate proceeding for unpaid income taxes where a lien had been filed prior to the taxpayer's death. The IRS further argued it was not bound by a state statute of limitations, and could pursue its debt against the estate and the personal representative, if necessary, to recover general distributions made in the probate proceeding.

## **CIVIL RIGHTS**

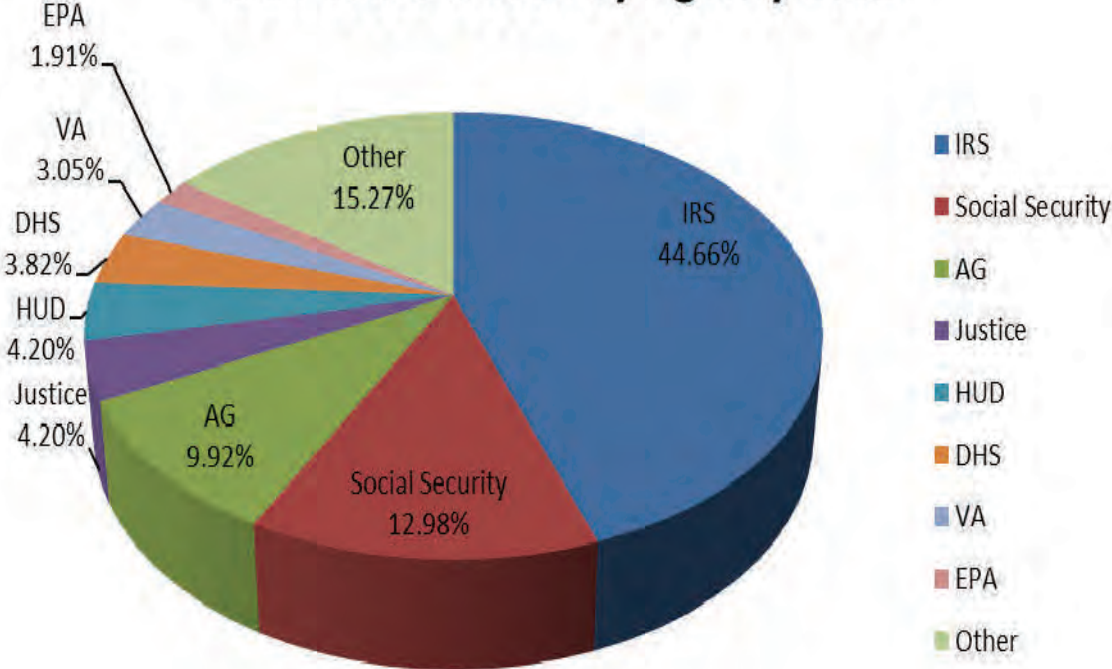
North Bend ADA Parking – a private citizen lodged a complaint with the Department of Justice under Title II of the Americans with Disabilities Act regarding a lack of accessible parking near businesses and government offices open to the public in North Bend, Nebraska. This office worked with officials in North Bend to provide van-accessible street parking to accommodate those in need thereby resolving the citizen's complaint.

## **AFFIRMATIVE AND DEFENSIVE SUMMONS/SUBPOENA ENFORCEMENT**

Looby v. U.S. (District Court – Nebraska) - an individual filed a Motion to Quash IRS summonses issued to various financial institutions. The IRS issued the summonses in connection with an investigation to ascertain whether the individual, in his capacity as trustee for his deceased father's estate, committed tax fraud and other related offenses. The government requested that the Court (1) dismiss or

summarily deny the Motion to Quash and (2) enter an order enforcing the Summonses, which it did. The Court found the government met its burden of proving that: (1) the investigation was being conducted pursuant to a legitimate purpose; (2) the inquiry was relevant to the purpose; (3) the information sought was not already within the possession of the IRS; and (4) all required administrative action had been followed.

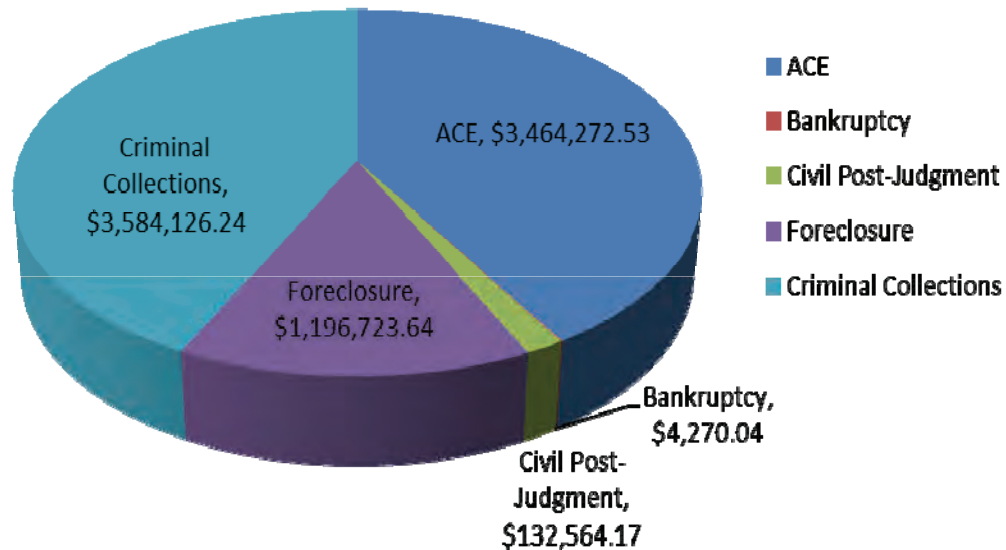
### Civil Cases Closed by Agency 2012



## Collection of Judgments

A major function of the United States Attorney's Office Civil Division is to collect debts owed to the United States as a result of judgments entered in civil cases, and fines and restitution orders imposed as part of the sentence in criminal prosecutions. In calendar year 2012, the Office collected approximately \$8.4 million.

### **Collections 2012 By Type**



A breakdown of collection activity in the United States Attorney's Office show that a variety of civil cases, including bankruptcy and foreclosure, resulted in approximately \$1.3 million in recoveries in 2012. ACE cases accounted for approximately \$3.5 million in collections. Total collections by type are reflected in the chart above.

A large percentage of the money collected by the United States Attorney's Office is forwarded to federal agencies for repayment of loans and other federal program obligations. Some of the recoveries, such as those obtained for the Environmental Protection Agency, are used to pay costs expended in implementing and enforcing federal programs. Criminal restitution collected is delivered directly to the crime victims, and criminal fines and special assessment recoveries are used to fund federal programs for the benefit of victims of crimes.

## LAW ENFORCEMENT AND COMMUNITY COORDINATION



The mission of the United States Attorney's Office Law Enforcement and Community Coordination (LECC) Unit is to assist law enforcement and criminal justice agencies throughout the District of Nebraska, and to facilitate community-based efforts on issues related to criminal justice and community restoration. The LECC Unit manages or facilitates a number of programs designed to support and coordinate the objectives of the criminal justice system at various levels, provides services to witnesses and victims of federal crime, conducts training, and apprises the community at large about issues related to the criminal justice system.

The LECC staff works with the Nebraska Sheriff's Association, the Police Officers' Association of Nebraska, the Police Chiefs' Association of Nebraska, Nebraska Coalition for Victims of Crime and the Nebraska County Attorneys Association to develop and present training on subjects related to criminal justice and victim assistance. A three-day criminal justice conference hosted by the United States Attorney's Office and cosponsored by the Nebraska County Attorneys Association is held in Kearney each year. Awards recognizing accomplishments in law enforcement presented at the 2012 conference are described in the following section of this report.

Trainings and conferences are held throughout the year across the state at various venues. The trainings hosted by the U.S. Attorney's Office in 2012 focused on a number of topics, many of which were held more than once and at several venues across the district.

### VALOR Training

Protect Our Children Regional Annual Conference  
Nebraska Infrastructure Protection Conference  
Federal Case Development  
Gang/Sovereign Citizen  
Domestic Violence Training  
Victim Services Training  
Issues in Indian Country

The 9th annual Protect Our Children Midwest Area Conference, held at the Omaha DoubleTree Hotel, September 12-14, 2012, provided training on the most current issues regarding crimes against children; specifically child sexual/physical abuse, on-line enticement, and child pornography. The three-day conference featured national and local speakers who are experts in these fields, and was an excellent opportunity for various disciplines to build partnerships with local, state and federal agencies to benefit child victims, and contribute to a more effective investigation and prosecution of the offenders. The 2012 conference was jointly hosted by the United States Attorney's



Reception: Project Harmony  
Gene Klein, Executive Director Project Harmony &  
U.S. Attorney Deborah R. Gilg



Office for the District of Nebraska and Project Harmony Child Advocacy Center. It is co-hosted by ten Midwestern U.S. Attorney's Offices.

This annual conference is designed to address the needs of law enforcement, prosecutors, victim service providers, probation/parole/correctional officers, judges, social workers, child advocates, therapists, educators and health care providers. The conference addresses the priority initiatives of the Department of Justice, through *Project Safe Childhood*. Specific breakouts are featured for the various disciplines engaged in assisting children victimized by sexual abuse.

The 2012 conference in Omaha saw a record number of attendees (640) and featured Ms. Elizabeth Smart as the keynote speaker.

The Victim Witness staff is an integral part of the LECC Unit, and provides victim and witness services related to federal prosecutions in the District. The Victim Witness staff works with victims of federal crime from the time of the occurrence of the crime through the completion of the prosecution. The Victim Notification System (VNS) notifies victims of the status of investigations, as well as developments in cases accepted for prosecution.

In 2012, the VNS provided 20,054 notices to victims of federal crime in Nebraska. There were 94 new victim cases involving 296 new victims of federal crime identified and entered into the system during 2012. There are currently 130 active victim cases providing notice and services to 987 victims. Services include information and assistance with travel and lodging related to court appearances, courtroom support, and referrals to other agencies for counseling, shelter, and other assistance. The Victim Witness Staff provides oversight and coordination to the Multi-disciplinary Child Abuse Investigation Teams located on the three Tribal Reservations.

During Crime Victim's Rights Week in April 2012, the Victim Witness Staff, along with the Federal Bureau of Investigation and the Nebraska Coalition for the Victims of Crime, provided



Elizabeth Smart and U.S. Attorney Deborah R. Gilg

training for victim service providers, mental health professionals, law enforcement and corrections personnel on coordinating and enhancing services to victims. The theme for the 2012 CVRW Conference was "Extending the Vision, Reaching Every Victim and featured a special presentation of the movie, "Heaven's Rain" based on the life of Brooks Douglass and his quest for justice and healing following the murder of his parents.



U. S. Attorney Nick Klinefeldt, Southern District of Iowa; U.S. Attorney Barry Grissom, District of Kansas; U.S. Attorney Deborah R. Gilg, District of Nebraska; Gene Kleine, Executive Director Project Harmony; and U.S. Attorney Stephen Wigginton, Southern District of Illinois.

The United States Attorney's Office, in partnership with Creighton University and University of Nebraska, Kearney, is in the second year of development of the Nebraska Victim



Assistance Academy (NEVAA). Creighton University, the OVC grant award recipient, houses the academy coordinator and provided in-kind services. The overall goal of this project is to create a comprehensive, foundation level victim assistance curriculum with a focus on victimology, victims' rights, and victim services that reflect the laws and practices of the state, specifically for Nebraska. NEVAA will be made available to victim service providers, prosecutors, educators, clergy and all allied professionals who routinely assist crime victims. The inaugural academy is scheduled for August 5-9, 2013 at Creighton University campus.

The Victim Witness Unit partnered with the District of Kansas to host the 2012 Indian Country Conference. The conference began with a Listening Session with the U.S. Attorneys from each district available to listen regarding concerns from the members of the audience about crimes against families from their perspective. Service providers, law enforcement, and prosecutors from Nebraska and Kansas had the opportunity to learn together about best practices in the field to reduce violent crimes against families.

The Winnebago Tribe of Nebraska was awarded a grant for a Special Assistant United States Attorney (SAUSA) to address domestic violence, sexual assaults, child and domestic violence physical assaults and dating violence on the Winnebago, Omaha and Santee Sioux Indian reservations. The goals of the project will be to increase coordination among the three tribes and local, state, and federal investigators and prosecutors, bridge gaps in jurisdictional coverage, establish cohesive relationships between federal prosecutors and tribal communities, and improve the quality of violence against women cases through effective case management, through the promotion of higher quality investigations and improved training.

The SAUSA works in close coordination with the Tribal Police, BIA and FBI to ensure cases are prepared appropriately for prosecution on all levels, and prosecutes cases in both federal and tribal court. The SAUSA is co-located at the Winnebago Reservation and the United States Attorney's Office.

In addition to the funding of the SAUSA position there are training dollars to address domestic violence and child abuse issues in Indian Country. The SAUSA will collaborate with the LEC and the V/W Specialist on all training needs.

Co-located with the United States Attorney's Office's LECC Unit is the Nebraska Office of the Midwest HIDTA Initiative. The Midwest HIDTA focuses on decreasing the importation, distribution, manufacture, and demand for illegal drugs within the Midwest Region, which includes Nebraska and neighboring states. Intelligence information on drug activity is compiled and disseminated through the Nebraska Law Enforcement Intelligence System (NELEIS), maintained by the State Patrol. The HIDTA Initiative, in addition to supporting law enforcement and prosecution, has developed a number of drug abuse prevention programs.

Training Calendar  
 United States Attorney's Office - District of Nebraska  
 Deborah R. Gilg United States Attorney



**March 2013**

<b>Date</b>	<b>Event</b>	<b>Location</b>
26th – 27th	Nebraska Infrastructure Protection Conference (NIPC)	LaVista Conference Center

**April 2013**

<b>Date</b>	<b>Event</b>	<b>Location</b>
11th – 12th	Crime Victim's Rights Week Conference	Project Harmony –Omaha, NE

**May 2013**

<b>Date</b>	<b>Event</b>	<b>Location</b>
22nd – 24th	LECC Conference	Holiday Inn, Kearney

**June 2013**

<b>Date</b>	<b>Event</b>	<b>Location</b>
3rd – 4th	Task-Force Commander Training	Bellevue Fire Department Training Facility 3100 S.P. Benson Drive (Cornhusker Dr.)
10th – 13th	Domestic Violence in Indian Country	WinnaVegas Casino – Sloan, IA
18th	Criminal Intelligence Sharing: Protecting Privacy, Civil Rights, and Civil Liberties training.	National Park Service - 601 Riverfront Drive Omaha, NE

**October 2013**

<b>Date</b>	<b>Event</b>	<b>Location</b>
TENTATIVE 15th – 17th	Protect Our Children Conference	Omaha, Nebraska

Please contact Joe Jeanette at [joe.jeanette@usdoj.gov](mailto:joe.jeanette@usdoj.gov) for more information on the above trainings.

## 2012 LECC AWARDS

### **Operation Blue Storm**

Beginning the summer of 2006 through December 2009 Shannon Williams and his associates, many of which were members of a well-known street gang, the South Family Bloods, engaged in a multi-state marijuana trafficking enterprise responsible for the transportation and distribution of nearly 16,000 pounds of marijuana with a street-value of approximately \$7.75 million. The trafficking operation occurred primarily between Arizona and Omaha, Nebraska, and later spread to Minnesota. The investigation revealed suspects and activities operated additionally in Illinois, Iowa, Colorado, and California.

Dubbed Operation Blue Storm, this drug conspiracy resulted in the indictment and conviction of 15 individuals and seized property valued at nearly \$600,000. The evidence at trial showed that in the summer of 2006 Williams had been released to a half-way house in Council Bluffs, IA after serving time in a federal prison facility for an earlier drug conviction. While Williams had been in prison, he met contacts from Arizona who could supply him with marijuana.

On January 16, 2009, Shannon Williams was arrested in Peoria, Arizona, with 297 pounds of marijuana at his residence.

In February 2009, Williams had been arrested in Minnesota on a supervised release violation and was brought back to Omaha on April 1, 2009. At that time, he was placed at the Douglas County, NE Correctional Center.

In April 2009, a local attorney contacted investigators and advised he had been approached by Williams, to go to the Douglas County Correctional Facility, under the guise of attorney-client privilege, in order to use the attorney's cell phone to operate his criminal enterprise. After 10 days of pretrial motions hearings, the court ruled the attorney was not operating as William's lawyer, and the government had not committed "outrageous conduct" by using this unique investigative strategy.

On April 28, 2011, after a three and a half week trial, a federal jury returned guilty verdicts against Shannon Williams, and two other defendants on conspiracy counts of marijuana distribution and money laundering. This trial endured intense media scrutiny, not only because of the use of the attorney as a confidential informant but also because of the circus atmosphere created by Williams operating as his own attorney.

At Williams sentencing hearing the court found that Williams was responsible for between 3,000 to 10,000 kilograms of marijuana and sentenced him to 40 years imprisonment.

In all, the U.S. Attorney's office in Omaha indicted and convicted 15 people in this conspiracy. Their sentences ranged from time served (two months) to 40 years. As a result of the Nebraska part of the investigation, the U.S. Attorney's Office in Arizona indicted 12 others.

## **Operation Blue Storm (Cont)**

This investigation involved the Federal Bureau of Investigation, Internal Revenue Service, Drug Enforcement Administration, Omaha Police Department, Bellevue Police Department and the Nebraska State Patrol. Of great assistance throughout the investigation and trial were Arizona agents of the FBI, DEA, Homeland Security, and Peoria, Arizona police departments.

This investigation required an incredible amount of coordination and orchestration by federal prosecutors, led by OCDETF Chief Susan Lehr. The investigation coordination and cooperation was outstanding from a number of local, state and federal law enforcement officers across the country, that dismantled a very lucrative criminal drug enterprise linked to the most powerful drug cartel in the world.

Receiving awards this evening for their pivotal work in the investigation and prosecution of Operation Blue Storm:

### **Prosecuting Attorneys**

OCDETF Chief Susan Lehr, United States Attorney's Office – District of Nebraska

AUSA Robert Sigler, United States Attorney's Office – District of Nebraska

AUSA Maria Moran, United States Attorney's Office (retired) – District of Nebraska

### **Case Officers and Agents**

Detective John Stuck, Bellevue Police Department

Officer Dave Bruck, Omaha Police Department

SA William Nellis, Federal Bureau of Investigation

SA Angela McDaniel, Internal Revenue Service

SA Josephine Nunez, Internal Revenue Service

## Operation Blue Storm (Cont)

We would also like to recognize the fine efforts of these officers and agents that also provided assistance to this case:

### Assisting Agents and Officers

SA Greg Beninato, FBI Omaha

SA Michael Sackett, FBI Omaha

SA Kevin Hytrek, FBI Omaha

SA Paris Capalupo, FBI Omaha

SA Anna Brewer, FBI Omaha

SA Jeff Cortese, FBI Phoenix

SA Jon Edwards, FBI Phoenix

Investigative Analyst Scott Beard, FBI Omaha

Trooper Richard Lutter, Nebraska State Patrol

Officer James Paul, Omaha Police Department

Officer Kim Woolery, Omaha Police Department

Sergeant Laurie Long, Omaha Police Department

Detective R.J. Radik, Bellevue Police Department

Detective Shawn McAlpin, Bellevue Police Department

Detective John Brazda, Bellevue Police Department

Detective Zeb Simones, Bellevue Police Department

Detective Dennis O'Conner, Bellevue Police Department

Stephanie Pope, Intelligence Analyst, Bellevue Police Department

Detective Mike Griffith - Peoria, AZ Police Department





## Cooperative Operation for Drug Enforcement (CODE)

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In mid-2009, supervisors with the North Platte Police Department and the Nebraska State Patrol's Investigative Services Division spearheaded an open line of communication among agencies in an effort to reorganize the CODE Task Force.

By early 2010, CODE was flourishing under new leadership with major funding from the American Recovery and Reinvestment Act, and the Bureau of Justice Assistance, administered by the Nebraska Commission on Law Enforcement and Criminal Justice. Law enforcement agencies involved included Homeland Security, the Drug Enforcement Administration, the Federal Bureau of Investigation, the Nebraska State Patrol, the North Platte Police Department, the Dawson County Sheriff's Office, the Red Willow County Sheriff's Office, and other agencies in the CODE area of 22 counties.

Task force officers, utilizing office space in the North Platte Nebraska State Patrol office, held weekly meetings to share intelligence, discuss targets, and begin or further investigations. These officers quickly developed comradery and team cohesion. The number of joint investigations, including the signing and coordinating of cooperating individuals, the running of surveillance, the buying of controlled substances, execution of search warrants, and arrest warrant roundups, increased dramatically. Some example statistics from the period of January 2011 to the end of March 2012 are listed below. These numbers include all drug arrests from all CODE participating agencies within Troop D:

- Confidential Informants developed and worked – 27
- Knock and Talks conducted – 62
- Search warrants conducted – 32
- Felony Arrests – 417
- Misdemeanor Arrests – 174

As a result, CODE continues to function effectively with good cooperation and leadership.

These task force officers are well-trained, highly effective drug enforcement investigators with many years of experience, bringing a multitude of talents to the CODE team. They also assist other law enforcement agencies and other task forces in surrounding states when necessary and/or needed.

Task Force officers coordinate with state prosecutors, as well as the United States Attorney's Office in Omaha when seeking prosecution. These investigations assist with public safety and diminish the availability of controlled substances in the CODE Task Force area.

For all the reasons given above, the following individuals are honored this evening for their critical roles in the revitalization of CODE.

## **Cooperative Operation for Drug Enforcement (Cont)**

### **Drug Enforcement Administration -**

Special Agent Thurman Windham

### **Federal Bureau of Investigation -**

Special Agent Drew Armstrong

### **Nebraska State Patrol -**

Sergeant Eric Rice – CODE Supervisor

CODE Director

Investigator Becky Harris

Investigator Dean Riedel

Investigator Beth Bauer

Trooper Jeremiah Johnson

Field Intelligence Representative LaTisha Connelly

### **Dawson County Sheriff's Office -**

Deputy Shane Schukie

### **Homeland Security –**

Special Agent Mike Einspahr

Special Agent Matt Burg

Special Agent Levi Holter

### **North Platte Police Department**

Lieutenant Rich Thompson –

Lieutenant Steve Reeves

Detective Dale Matuszczak

Detective Nate Weems

Detective John Deal

Staff Assistant Ronda Livingston

### **Red Willow –**

Sergeant Joe Koetter

## Operation Pier Pressure/East Side Locos

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FBI SA Monte Czaplewski  
Hall County SO Investigator Rick Conrad  
HSI SA Larry Sattley  
Grand Island Police Department Sgt. Jim Duering  
Grand Island PD Investigator Chris Anderson  
SAUSA Matt Molsen

The Central Nebraska Drug and Safe Streets Task Force initiated an OCDETF gang investigation, Operation Pier Pressure, in 2008 on the East Side Locos (ESL) Gang in Grand Island, Nebraska. The ESL was a long-standing and entrenched Hispanic gang with ties to the California based Surenos. They had become the predominate gang in Grand Island, responsible for significant amounts of drug and weapons trafficking, robberies, witness intimidation, assaults, burglaries, sexual assaults, and other criminal activity. The investigation was led by three co-case agents, **FBI SA Monte Czaplewski, Hall County SO Investigator Rick Conrad and HSI SA Larry Sattley.** A majority of the initial OCDETF case was predicated on the outstanding and diligent work of **Grand Island Police Department Sgt. Jim Duering and Investigator Chris Anderson,** over the course of several years investigating the ESL. **SAUSA Matt Molsen** was key to the organization and prosecution of this case.

The co-case agents were assisted in this investigation by the investigators assigned to the Task force from the following participating agencies: Adams County SO, Grand Island PD, Hastings PD, NSP, Kearney PD, Buffalo County SO, and Dawson County SO.

The TASK FORCE utilized several Confidential Sources to conduct numerous drug and weapons purchases, attend ESL meetings, and other operational tasks. This resulted in the purchase/seizure of 20 firearms 1053 grams of methamphetamine, 2,552 grams of marijuana, and 157 grams of cocaine. This investigation was critical in disrupting four planned violent crimes before they occurred.

On the morning of 11/18/2010, the TASK FORCE and GIPD, led by the three TASK FORCE co-case agents and TFO Anderson, executed the federal and state warrants in Grand Island. This coordinated "take down" of the ESL gang was accomplished with the assistance of approximately 120 agents and officers from numerous federal, state and local agencies. The take down included the use of three FBI SWAT Teams, a GIPD Tactical Team, a FBI Special Agent Bomb Tech, NSP Air Wing DHS/HSI resources, and K9 support. This take down was also supported by the executives from the NLETC who allowed this operation to be run out of their facility.

## **Operation Pier Pressure/East Side Locos (Cont.)**

In addition to 18 subjects who were arrested during the take down. Agents and officers also seized additional weapons and drugs, counterfeit documents and U.S. currency.

This investigation and take down resulted in a significant amount of national and local media attention and continuous public interest and support.

This investigation and take down highlighted the extensive cooperation and great relationships of all of the agencies involved. Since the take down, several additional ESL members have been arrested on various drug and weapons offenses.

To date, there have been over 40 controlled purchases, seven executed search warrants, 15 federal drug/weapons arrests, 10 state drug/weapons arrests, and eight arrests for other violations. All but one federal subject have been convicted, with their sentences totaling 1,723 months.

As a result of these efforts, Grand Island has experienced a 38% decrease in gang activity since the takedown.

## Metro Fugitive Task Force

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The Metro Fugitive Task Force (MFTF), United States Marshals, District of Nebraska was formed to support law enforcement agencies in the states of Nebraska and Iowa. This nomination is for the development, maintenance, and leadership of continued cooperation between agencies participating on the Task Force. The U.S. Marshals sponsored task force was established in November 2003 with full-time participating agencies: U.S. Marshals Service, the Omaha, Bellevue, Council Bluffs, and Lincoln Police Departments, the Douglas and Lancaster Sheriffs' Offices, and the Nebraska State Patrol. Part-time participating agencies include: the Sarpy, Gage, Saunders, and Saline Sheriffs' Offices, the La Vista and Papillion Police Departments, and Iowa State Probation. The success of the MFTF is a direct result of the cooperation of these agencies which share the common goal of apprehending violent fugitives.

Over the Task Force's nine year history, numerous violent and high profile fugitives have been taken into custody. Recent arrests include the February 15<sup>th</sup> arrest of Michael Sebesta, who was wanted for shooting his roommate in the head. As a result of MFTF personnel's investigation, Omaha Police Department investigators obtained five additional arrest warrants for individuals who harbored or assisted Sebesta while he attempted to evade capture. This arrest marked the 10,000<sup>th</sup> arrest by the MFTF, a significant milestone for the U.S. Marshals led task force.

This achievement is the result of a long line of significant arrests; a few of the most recent are briefly highlighted below:

- Trevaughn Brown, a Flatland Bloods gang member, shot an individual outside a local convenient store. Brown was considered to be one of the most active hardcore gang members by the local gang unit. After an extensive fugitive investigation by the MFTF, Brown was located and arrested without incident on December 15, 2011.

Both Darion Williams and Laronn Tyson are documented Sahler Bloc Crip gang members. Omaha Police determined Williams shot and killed a 20 year-old male outside a residence on November 29, 2011; he was wanted for 1<sup>st</sup> Degree Murder. During the MFTF investigation, the Task Force discovered Williams carried two firearms on his person at all times and took pride in being a "shooter." After an extensive manhunt, Task Force investigators identified a location for the fugitives and both Williams and Tyson were arrested without incident on December 20<sup>th</sup>.

Ricky Chiles and Jesse Bounds were both wanted for armed robbery in Wisconsin. The Wisconsin Fusion Center developed information that both were traveling to Denver, Colorado via a commercial passenger bus, which was scheduled to pass through Omaha. Though the bus was to stop in Omaha, Task Force members determined the safest way to capture the fugitives was to arrest them at the Lexington, Nebraska bus station where the bus would be fueled and passengers were expected to exit the vehicle. On August 6, 2011, Task Force investigators quickly assembled an arrest team of Nebraska State Patrol officers and arrested Chiles without incident at



## **Metro Fugitive Task Force (Cont.)**

the bus station. As a result of this arrest, investigators determined Bounds did not make the trip and he was apprehended within hours in Wisconsin.

Anthony Escamilla, a documented Latin King gang member, was wanted by the Lincoln Police Department for a shooting on May 14, 2011 that left the victim completely paralyzed. An arrest warrant was issued for Escamilla for 1<sup>st</sup> degree assault and use of weapon to commit a felony. Working long hours and obtaining cellular telephone tracking technology, within days, Escamilla was arrested without incident before he could injure or kill someone else.

These incidents are representative of the hard work and dedication exemplified by the members of the Metro Fugitive Task Force. Thanks to the cooperation of the participating law enforcement agencies, the Metro Fugitive Task Force is commemorating its 10,000th felony warrant cleared by arrest this year with over 70% being violent. Reaching this milestone in such a short period of time equates to an average of more than three people arrested every day; evidence of the hard work and commitment demonstrated by the MFTF investigators in bringing violent fugitives to justice.

The development and maintenance of cooperation between participating agencies has been an integral part of the Task Force, resulting in the successful capture of violent offenders. The leadership shown by the Task Force members and participating agencies has significantly contributed to the safety of the community, and probably saved the lives of other potential victims.

## **Investigative Sergeant Gregory Kallhoff**

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Sergeant Kallhoff is a 29 year dedicated, dependable, and conscientious employee of the Nebraska State Patrol. He is a member of the Nebraska State Patrol Investigative Services Division and has been assigned to the Drug Enforcement Agency (DEA) office in Omaha, as the Drug Interdiction Liaison Officer.

His responsibilities include Nebraska State Patrol interdiction stops, as well as joint operations with allied agencies. These leads and investigations go well beyond the state boundaries.

For the period of January 2011 through mid-April of 2012, Sergeant Kallhoff worked over 252 seizure cases. Of these 252 cases, 52 were currency seizures which resulted in millions of dollars of documented drug proceeds being seized.

Additionally, 18 of these cases led to controlled deliveries outside of Nebraska or resulted in arrests, identification of drug trafficking organizations across the country, and seizure of drug proceeds as a result of information that was provided by Sergeant Kallhoff. Coordination and follow-up on each of these cases requires thorough completion of Nebraska State Patrol and Drug Enforcement Agency reports for local and federal prosecutions.

Sergeant Kallhoff consistently goes out of his way to provide information and furtherance of such interdiction stops to facilitate other agencies, both local and federal, with detailed information to continue the fight against drug distribution organizations.

## Detective Joyce Henke - Fremont Police Department

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On January 31, 2011 the Fremont Police Department was contacted by a young woman who stated that she had been raped in December of 2008 when she was 15 years old, by a man named Joshua Keadle, at a Midland College dorm room. The young woman stated that she had been following the news reports of the missing Peru State College Coed Ty Stewart, and Joshua Keadle's suspected involvement. She indicated that even though she did not report the incident at the time, she felt that she should report it now.

The case was handled by Detective Joyce Henke of the Fremont Police Department. Detective Henke is a seasoned investigator specializing in sex crimes and she worked this case particularly hard.

Detective Henke was able to locate a witness to the rape and obtained information from the witness that allowed for a thorough interview of Joshua Keadle, who was being held in Nemaha County Jail on charges related to the disappearance of Ms. Ty Thomas.

Detective Henke was able to overcome the initial lies and denials by Joshua Keadle during the interview and was able to obtain a confession in relation to the rape of the 15 year old girl. Other than the statement of the witness and the victim's statements, no other physical evidence was present and the confession was absolutely essential in efforts to charge Mr. Keadle for the rape.

Over the next twelve months, Mr. Keadle would find that the charges against him for the disappearance of Ty Thomas were being dropped and he was looking at the potential of being a free man, in spite of the fact that he was suspected not only in the disappearance of Ty Thomas, but also in several other incidents around the state.

Detective Henke's interview of Joshua Keadle lead prosecutors in Dodge County to charge Mr. Keadle with First Degree Sexual Assault and bring him to trial. During the trial, jurors were able to watch the interview of Mr. Keadle and see first-hand how he attempted to lie about his involvement with the girl, and then finally confess to attempting to have sex with the girl.

The jury concluded that Mr. Keadle was guilty of First Degree Sexual Assault and convicted him. Had Detective Henke not obtained the confession from Mr. Keadle, he very likely would not have been charged and as a result would now be a free man. Detective Henke's work takes a dangerous predator off the street and a sense of relief to the citizens of Nebraska. While a number of other people were involved in the investigation and prosecution of Mr. Keadle, it is Detective Henke's interrogation that made the case against Mr. Keadle and ultimately put him behind bars.

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## Mark Young, Hall County Attorney

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During his time as a prosecutor, Mark Young has, established himself as a dedicated professional among his peers and colleagues. In his 22 years as a County Attorney and Deputy County Attorney, he has provided a stabilizing presence to Hall County and the criminal justice system. Mark has worked tirelessly for the safety and protection of children and others who could not protect themselves.

Mark graduated from the University Of Nebraska College Of Law in 1982 and shortly thereafter began his professional career as a staff attorney with Western Nebraska Legal Services. He continued with Legal Services until his appointment as a Deputy Hall County Attorney in 1986.

Mark worked for a decade as a prosecutor until he decided to trade in his badge for a black hat and joined the defense bar. However, he saw the error of his ways and returned to the office of the Hall County Attorney as Chief Deputy in 2001. Mark was then appointed Hall County Attorney in 2004 and has continuously served in that capacity since that time.

Hall County is the biggest of Nebraska's 90 nonurban counties. As such, it has many unique challenges that have required Mark to act as a diplomat, arbitrator, psychologist and sometimes panhandler along with being a prosecutor. He has shown that keeping the peace often takes more than helping maintain law and order. But, make no mistake, Mark and his office have handled an enormous caseload which included many significant matters.

One such case was the 2004 murder and child abuse resulting in death conviction of Gemai Molina. This case arose from the beating death of the defendant's 2 year old daughter, Diana. For these offenses, Molina received consecutive sentences of 80 years to life.

Another significant matter was the prosecution of Marco Torres for his execution of two people. In 2010, Marco Torres was convicted of two counts of first degree murder, a count of robbery, three counts of use of a firearm in the commission of a felony and one count of unauthorized use of a financial transaction device. Torres was sentenced to death on each count of first degree murder plus another lifetime's worth of prison on the other counts.

Mark has also contributed to the betterment of his profession. He has repeatedly testified before the legislature on important legislation. He currently is a member of the County Attorney's Association Board of Directors and serves on the Supreme Court's Minority Justice Task Force.

Hall County and the prosecuting profession have been truly fortunate that Mark Young has spent the majority of his career working on their behalf.



## **George Thompson, Deputy Douglas County Attorney Mark Lang, Investigator Douglas County Attorney's Office**

George Thompson, a veteran prosecutor for the Douglas County Attorney's Office since 1998, has proven himself to not only be an accomplished Deputy County Attorney, but an asset to various law enforcement agencies and the community as a whole. George Thompson has dedicated his efforts to the war on drugs, specifically methamphetamine.



Mark Lang joined the Douglas County Attorney's Office in 2008 as an investigator. Mark Lang brought with him his years of experience as an Omaha Police Officer. Both George Thompson and Mark Lang are invaluable resources to their colleagues and narcotics investigators within the Omaha metro Area.

In 2008, the Omaha Police Department in conjunction with the Metro Area Drug Task Force, Douglas County Attorney's Office and the University of Nebraska at Omaha received funding from the Top Cops Methamphetamine Grant which focused on enforcement, prosecution and community based prevention programs. These programs targeted the prevention aspect by using media advertisements and community presentations.

With the implementation of the Top Cops Methamphetamine Grant, George Thompson and Mark Lang have contributed greatly to methamphetamine awareness. In addition, George Thompson assisted in the development of a presentation that focused on the dangers of meth consumption and is still instrumental in providing this information to the community. He has also developed a data base that has documented information on individuals involved with methamphetamine from 2008 to present time which has proven to be an extremely useful tool for prosecution and investigatory purposes.

In summary, Deputy County Attorney George Thompson and Mark Lang have demonstrated the dedication to successfully facilitate the cooperation between various Local, State and Federal Agencies as it pertains to the prosecution of Methamphetamine related crimes. This teamwork shows how local, state and federal agencies can work together, on a daily basis, to develop and sustain a crime fighting initiative that has made a major impact on communities in the Metro Omaha Area.





## WEBSITES OF INTEREST



Other U.S. Attorney's Offices: <http://www.usdoj.gov/usao/>

Department of Justice: <http://www.usdoj.gov/>

Federal Bureau of Prisons: <http://www.bop.gov>

Federal Bureau of Investigation: <http://www.fbi.gov/>

Bureau of Citizenship and Immigration Services: <http://www.uscis.gov/>

U.S. Immigration and Customs Enforcement: <http://www.ice.gov/>

U.S. Marshals Service: <http://www.usmarshals.gov/>

U.S. Department of Homeland Security: <http://www.dhs.gov/>

Extensive list of official Federal Government web sites: <http://www.usa.gov/>



*Photo courtesy of The Nebraska Tourism Commission*



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