



U.S. ATTORNEY'S QUARTERLY

TRAFFIC COURT JUDGES INDICTED

Charges were announced in January against nine elected Philadelphia traffic court judges and three others, alleging a fraud conspiracy that involved frequent and pervasive "ticket-fixing." In February, defendants Michael J. Sullivan, H. Warrant Hogeland, and Kenneth Miller pleaded guilty to the charges; in March, defendant Fortunato Perri also pleaded guilty.

The charges allege that the defendant judges abused their positions by giving breaks on citations to friends, family, the politically-connected, and business associ-

ates. Ticketholders paid lesser or no fines and evaded the assessment of "points" on their drivers' licenses. At least one judge - Perri - also received illegal benefits such as free auto repairs, free towing, and free food in return for fixing tickets. A sentencing hearing for Hogeland and Miller is scheduled for May 24, 2013 and for Perri on June 21, 2013. The remaining defendants are awaiting trial. They include: former judges Michael J. Sullivan, Michael Lowry, Robert Mulgrew, Willie Singletary, Thomasine

Tynes, and Mark A. Bruno, along with William Hird, former city employee and local businessmen Henry P. Alfano and Robert Moy. The scheme defrauded the Commonwealth of Pennsylvania and the City of Philadelphia of funds, and allowed potentially unsafe drivers to remain on the roads. The tickets involved driving at unsafe speeds, driving an unregistered vehicle, texting while driving, and running a red light, among other infractions.

Trial is scheduled for November 2013.

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A Message From the U.S. Attorney for the Eastern District of Pennsylvania

There is a sobering, unpleasant reality associated with our crime problem in the United States - most criminals will reoffend. We, in the federal system, know this to be a fact because the majority of the violent defendants we prosecute are not first-time offenders. Typically, they have had previous run-ins with the law and served time at the state or federal level. We are very effective at prosecuting these offenders, as borne out by our 95% conviction rate. Despite such success, we understand that we cannot arrest our way out of the crime problem and we need a change in strategy.

Over the past three years, my office has substantially increased our violence prevention efforts by engaging students and community members in the discussion about crime issues that impact their lives. We have also expanded our work with offenders returning from prison. Reintegrating into the community brings certain challenges - such as employment, housing, struggles with addiction, meeting familial obligations - and the services, or lack thereof, that exist for overcoming those obstacles. It may sound counterintuitive for a prosecutor to be talking about helping criminals. But in our goal to protect the citizens of our districts, prevent-

ing crime is a complex equation. In preventing an ex-offender from re-offending, we also prevent someone from becoming a victim.

The conversation that we have initiated has run part and parcel with the screening of a documentary called "Pull of Gravity." This hour-long video portrays three men on the journey to reintegrate into society as productive members. They share the reality of their struggles, their shortcomings (such as addiction), and the origins of what led them down the path to crime. It is not a sociologist's explanation. It is real-life as told by those who are living it. The filmmaker, El Sawyer, is, himself, still on the path to reintegration. To date, he has made a successful transition. He has been out of prison for 10 years and on a path to help kids in his North Philadelphia neighborhood understand that crime is not an answer and that there is more that life can offer them if they apply themselves in more productive ways.

The documentary has been shown at numerous colleges throughout our district. We anticipate additional events and

encourage everyone reading this message to try to attend one of the screenings, to see the video, and to take part in the discussion, whatever your view. It is an important conversation about the reality of recidivism and the extraordinary costs of incarcerating nearly 2 million Americans. As the documentary states, 700,000 inmates are released from prison and into the community every year. 700,000. About two-thirds of them will reoffend, unless and until we make changes - in our strategy, in our system, and in our mindset.

You can find more information about the screenings and the documentary on this website: www.pullofgravityfilm.com. I hope to see you at the next event.

-Zane David Memeger



DEATH PENALTY TRIAL UNDERWAY

Trial against Kaboni Savage, Robert Merritt, Steven Northington, and Kidada Savage opened on February 4, 2013. The defendants are each charged with participating in a large-scale violent drug trafficking enterprise and the plot to firebomb and murder the six members of federal witness' family on October 9, 2004. Two adults and four children were killed in the fire. Kaboni Savage is charged with 12 counts of murder. He, Robert Merritt, and Steven Northington face a possible death sentence if convicted of the murder charges; Kidada Savage faces mandatory life in prison if convicted of the murders. The trial is expected to conclude before the summer. U.S. District Court Judge R. Barclay Surrick is presiding.

HATE CRIMES CASE CHARGED

In January, five people were charged in a 196-count indictment with a hate crime in connection with the abuse of victims with mental disabilities and theft of disability payments. Linda Weston is charged with racketeering conspiracy, murder in aid of racketeering, hate crimes, sex trafficking, kidnapping, forced human labor, theft, fraud, and other violent crimes. Weston and her associates allegedly carried out a racketeering enterprise that targeted victims with mental disabilities and as part of a scheme to steal disability payments from the victims and the Social Security system. Weston allegedly persuaded each victim to make her the designated recipient of his or her Social Security disability payments in exchange for the promise of a comfortable place to live. Once appointed as recipient of disability payments, Weston and her co-defendants subjected the victims to abuse and subhuman conditions of captivity. According to the indictment, some of the victims endured this abuse for years, until October 15, 2011, when Philadelphia Police officers rescued them from the sub-basement of an apartment building in the city's Tacony section. The enterprise allegedly victimized six disabled adults and four children. Along with Weston and her daughter, Jean McIntosh, the indictment charges Weston's paramour, Gregory Thomas, Sr., Eddie Wright, and Nicklaus Woodard. According to the indictment, the defendants used isolation, intimidation, threats of violence and violence to control the victims. The case is the first in the nation charging a hate crime against people with disabilities. Trial is scheduled to begin in the Fall of 2013.

CIVIL AGREEMENTS

In January, ManorCare, of Yeadon, PA, LLC, agreed to improve the care provided to residents at its Yeadon facility. ManorCare will improve, or has already improved, care in the following areas: abuse and/or neglect; change-of-shift practices; dental care; diabetes management; documentation of care, including Minimum Data Sets; falls; leaves of absence, elopement prevention, and visitation policies; medication administration; nutrition, including weight loss; pain management; physician supervision of resident care; prevention of infectious diseases, including vaccinations; psychological assessments; review and reconciliation of resident lab results; and wound care. ManorCare also agreed to pay \$100,691.95 to the U.S. Department of Health and Human Services.

In February, Temple University agreed to a \$100,000 settlement to resolve allegations arising from overbilling for neurology services. Temple University submitted claims for medical services that were improperly coded higher than the appropriate codes that were supported by the documentation for those services. Upon review of the documentation underlying these claims, Temple University agreed that the coding was not accurate and thus, that the government paid more than it should have for the services Temple University physicians provided.

ILLEGAL PRESCRIPTION DRUG DISTRIBUTION

In January, Dr. Richard Minicozzi was sentenced to seven years in prison for running a pill mill out of his office located at 731 Morris Street in Philadelphia. Minicozzi was distributing hydrocodone ("Vicodin"), and alprazolam ("Xanax") and was selling prescriptions for oxycodone. Minicozzi sold the drugs to cash-paying customers who had no legitimate need for the drugs.

Also in January, Wayne White, of Miami, FL, was sentenced to nine years in prison for filling prescription drug orders over the internet without valid prescriptions. White was a pharmacist in Florida. He filled orders, primarily for the controlled diet drug phentermine, over the Internet to people who merely filled out a questionnaire. One customer died of a phentermine overdose.

In February, Joseph Fareri, was sentenced to 86 months in prison for distributing oxycodone and distribution within 1,000 feet of a school. The indictment alleged that the defendants intentionally distributed approximately 7,000 pills. Fareri pleaded guilty and admitted to distributing 691 pills. His co-defendant, William Andrews, was sentenced later in the month to 145 months in prison. Andrews obtained the oxycodone pills from various sources, including a licensed physician who issued prescriptions authorizing Andrews to obtain oxycodone pills from licensed pharmacies. Andrews and Fareri sold the pills to customers for \$20 for a 30 milligram pill. Andrews also sold oxycodone pills to customers. Marshall is awaiting trial.



CRIMEBUSTERS: Drug Enforcement Administration

An interview with new Special Agent-in-Charge David G. Dongilli, of the Drug Enforcement Administration, Philadelphia Division:

-What is the mission of DEA?

The Drug Enforcement Administration (DEA) is the premier drug enforcement organization in the world and the only single-mission federal agency dedicated to drug law enforcement. Using unique operational and intelligence capabilities, the men and women of the DEA identify, investigate, disrupt, and dismantle major drug trafficking organizations and those who facilitate them, remove drugs and violent criminals from our neighborhoods, and fight the diversion of illicit drugs.

-What types of crimes or civil remedies does DEA pursue about which the general public might not know?

Under federal law, all businesses that import, export, manufacture, or distribute controlled substances; all health professionals licensed to dispense, administer, or prescribe them; and all pharmacies authorized to fill prescriptions must register with the DEA. Those who violate the regulations that the Office of Diversion Control is mandated to enforce may face severe administrative, civil and/or criminal actions.

-How did you come to join the Drug Enforcement Administration?

My interest in law enforcement began at an early age with watching the many different police shows on television. I always wanted to be the "good guy." I was fortunate to keep that interest throughout my adolescent years and knew what type of career I wanted when entering college. Upon graduating, I focused my job search for a federal law enforcement agency that interested me the most. My research led me to a career with the DEA.

-What do you like best about your job?

I can think of no better career than a job dedicated to protecting the public. The damage caused by drugs destroys families, neighborhoods and erodes our national security. Arresting those drug traffickers who profit from preying on the weak – I can think of no better job satisfaction.

-What is the most important function of the agency?

As our title states "Enforcement." In carrying out its mission as the agency responsible for enforcing the controlled substances laws and regulations of the United States, the DEA's primary responsibility is the investigation and preparation for the prosecution of major violators of controlled substance laws operating at interstate and international levels.

However, DEA is not only a very effective law enforcement agency, it is also committed to reducing the demand for drugs—a critical complement to our primary law enforcement mission. Through DEA's Demand Reduction Program (DRP) we disseminate current information on the prevalence of illicit drug use and the negative health effects of illicit drugs.

-How does the general public reach the agency if they have a question or they want to report an activity for investigation?

To contact DEA, call: 215-861-3521. Or visit: www.DEA.gov; For Teens: "Just Think Twice" <http://www.justthinktwice.com/>; For Parents: "Get Smart About Drugs" <http://www.getsmartaboutdrugs.com/>; For Diversion Control: <http://www.deadiversion.usdoj.gov/>

OUTREACH THIS QUARTER

On March 22, 2013, the U.S. Attorney's Office and Widener University's Center for Violence Prevention co-hosted a conference on Trauma Informed Care. This presentation is a good beginning for those trying to learn the basics about the impact that persistent violence and trauma has on people in the inner city as well as on organizations (police, caregivers, etc.). Dr. Sandra Bloom is one of the major figures in trauma-informed care and brings this knowledge to institutions and organizations through her "Sanctuary Model."

Also in March, Strawberry Mansion High School students held their first Youth Court hearing. Students began training in November of 2012. Youth Court is an alternative to suspension or expulsion where students play court officers - judge, bailiff, youth advocate, jury foreperson and juror - and determine the sentence of a student offender. The students who complete their disposition in a timely fashion have the offense expunged from their permanent records. The program has been running successfully in Chester, PA.

In April, U.S. Attorney Zane David Memeger (on the left in the photo) welcomed prosecutors and defense attorneys from the Republic of Macedonia. The group was here to observe federal court proceedings and gain training in the adversarial system of law. Macedonia currently has a civil law system but has adopted elements of the adversarial system which will go into effect in January 2014. Pictured with Memeger is Marko Zvrlevski, the State Prosecutor General for Macedonia & President of the Macedonian Prosecutors' Association.





CRIME & PUNISHMENT:



CHARGED:

January 2013:

Tracy Martin and Marie Hinds, both of Allentown, PA, were charged with orchestrating the straw purchase of two guns. Martin allegedly directed Hinds to purchase two guns for him and lie on the federal firearms form. Trial is scheduled for August 19, 2013.

February 2013:

Justin Williams, of NY, NY, was charged with the sex trafficking of minors, between November 2011 and January 2012, by recruiting young females to work as prostitutes in his business. Williams also allegedly created Internet advertisements in which he advertised various females as available for prostitution, and physically abused the victims to force them to remain in his business and forced them to engage in sex acts with clients. Trial is set for July 2013.

March 2013:

Rafael Henriquez Polanco and his wife, Yanira Lopez, were charged with a tax fraud and identity theft scheme in which they obtained the names and personal information of patients of Community Hospital in Chester and Crozer-Chester Medical Center in Upland by paying hospital employees to steal medical forms. They then allegedly filed fraudulent tax returns in which they sought more than \$1.7 million in refunds. Polanco is an illegal alien from the Dominican Republic.

CONVICTED:

January 2013:

Adebowale Ayodeji Owoaje, of Nigeria, pleaded guilty to wire fraud in a scheme to defraud individuals who were selling items and applying for jobs on Craigslist.com. Using various aliases while he was located

overseas, Owoaje used e-mail to reach an agreement with the individuals on the sale price of items or terms of employment, including funds for a purported bonus or training materials. Owoaje had victims wire money via Western Union to a co-conspirator.

Michael Moore, of Chadds Ford, PA, pleaded guilty to infringing copyrighted work related to broadcasts of hockey games. Moore admitted that he copied and sold, over the internet, copyrighted recordings of hockey games, parts of hockey games, and other hockey-related material in 2006. He also admitted to copyright infringement between 2007 and 2010. Sentencing is scheduled for June 2013.

February 2013:

A federal jury returned guilty verdicts against Joseph Massimino, Damion Canalichio, and Gary Battaglini for conspiring to participate in the affairs of the Philadelphia La Cosa Nostra (LCN) Family through racketeering and the collection of unlawful debts. Anthony Staino, Jr. was convicted of extortion charges. Sentencing hearings are scheduled for May 2013.

March 2013:

Former IRS employee Patricia Fountain was convicted with Larry Ishmael and Calvin Johnson, Jr. of committing a series of tax refund schemes that defrauded the U.S. Government. For abusing her public office, Fountain was also found guilty of extortion. Johnson, Jr. was also found guilty of filing false claims while he was on pretrial release. Collectively, the defendants' schemes cost the IRS well over \$1 million. Sentencing is scheduled for June 2013.

Joel Stout, 32, of Elizabethtown, PA, pleaded guilty to a fraud conspiracy involving the unauthorized certification of inspections of aircraft at the Flying Tigers, Inc., a former airplane mechanical repair business in Marietta, PA. A sentencing hearing is scheduled for June 2013.

Darlene Johnson and Sheryl McPhail, of Philadelphia, pleaded guilty to a scheme to defraud the IRS with false claims of First Time Home Buyer Credits. Johnson allegedly prepared tax returns for individuals whose names and identifying information she received from McPhail and co-defendant Tracey Hill. False claims were submitted to the government on behalf of those clients and Johnson paid McPhail and Hill out of the proceeds from the returns. Sentencing is scheduled for July.

SENTENCED:

January 2013:

Sheila Kaye Jameson, of Blandon, PA, was sentenced to 48 months in prison for embezzlement and tax fraud. In addition to the prison term, U.S. District Court Judge Lawrence Stengel ordered restitution in the amount of \$1,864,024 to EnerSys and its insurer, and taxes owed to the IRS in the amount of \$256,447.

February 2013:

Anthony Oluwole Ojo, of Canada, was sentenced to 45 months in prison for running a scam in which he pretended to be a relative of his victims and in need of help. Ojo would telephone his victims, most of whom were elderly, claiming to be the victim's grandson in need of money to pay legal expenses. Ojo had the victims wire funds to a fictitious name which Ojo used to pick up the

money. Ojo defrauded more than 120 victims of at least \$643,503.97.

Kevin Michael McGinty, of Philadelphia, was sentenced to the statutory maximum sentence of 60 months in prison for the illegal straw purchase of firearms. McGinty made a false statement when he certified that he was the actual buyer of five firearms from Delia's Gun Shop, 6104 Torresdale Avenue, Philadelphia, Pennsylvania. The purchases were made on February 10, 2012.

March 2013:

Allie Speight, of Philadelphia, was sentenced to 160 months in prison for a loan fraud scheme in which more than \$3 million in loans were obtained. Speight orchestrated a scheme to induce others to obtain loans as straw borrowers in return for receiving a percentage of the loans. Speight was also charged with a scheme to obtain loans from Wachovia Bank using straw borrowers. He was ordered to pay \$2 million in restitution.

You can find press releases about the cases we charge on our website:

www.justice.gov/usao/pae