

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

**UNITED STATES OF AMERICA**

**\* CRIMINAL DOCKET NO.: 10-328**

**v.**

**\* SECTION: "L"**

**MONA HEBERT ROMERO**

**\* VIOLATION: 18 U.S.C. § 371**

**\* \* \***

**FACTUAL BASIS**

The Defendant, **MONA HEBERT ROMERO** ("**MONA ROMERO**" or the "defendant") has agreed to plead guilty to the pending Superseding Bill of Information in the above-captioned case charging her with one count of conspiracy to commit mail fraud [in violation of Title 18, United States Code, Section 1341], to commit wire fraud [in violation of Title 18, United States Code, Section 1343] and to commit fraud in connection with identification documents [in violation of Title 18, United States Code, Section 1028(a)(7); Section 1028 (c)(3)(B), and Section 1028(b)(2)(B)], all in violation of 18 U.S.C. § 371. Should this matter have gone to trial, the Government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the Superseding Bill of Information now pending against **MONA ROMERO**:

The defendant was employed by the Louisiana Horsemen's Benevolent and Protective Association 1993, Inc. ("HBPA" or "Association") in various capacities, starting with seasonal field office representative and from April 2005 until the termination of her employment, as executive director.

The HBPA is a Louisiana non-profit corporation which was recognized by Louisiana law as the representative of horsemen racing at licensed races held in the State of Louisiana. A horseman was a race horse owner or trainer and was eligible for membership in the HBPA once his race horse started in one qualifying race in Louisiana.

HBPA members were entitled to vote for officers and directors of the HBPA. The bylaws of the HBPA required that in order for a ballot to be counted as valid, it had to be enclosed in a ballot enclosure envelope bearing the Social Security number of an HBPA member and the ballot had to be received by the HBPA's certified public accountants via the U.S. Postal Service.

From March 2005 to the present, Sean Daniel Alfortish ("Alfortish"), a licensed Louisiana attorney who operated a private legal practice and for a period served as a magistrate judge, served as the president of the HBPA. Alfortish was re-elected to a second term as president of the HBPA after an election in which ballots were counted on March 31, 2008 ("the March 2008 election").

In April 2005, shortly after Alfortish was elected to his first term as HBPA president, **MONA ROMERO** was selected by the HBPA board of directors as the executive director of the HBPA. Alfortish supported the candidacy of **MONA ROMERO** for executive director.

During Alfortish's first term of office from April 2005 until March 2008, certain members of the board of directors of the HBPA challenged Alfortish's and **MONA ROMERO's**

management of the finances of the organization. In early 2008, one member of the board of directors sued the Association and Alfortish to require that information about the organization's finances be produced.

Alfortish, **MONA ROMERO** and other co-conspirators, entered into a conspiracy to rig the outcome of the March 2008 election. The object of the conspiracy was to re-elect Alfortish along with favored candidates for directors. The ways of accomplishing the conspiracy included the following: mailing falsified election ballots through the U.S. Postal Service from states other than Louisiana so they would bear postmarks appropriate to the residences of the supposed "voters", using interstate wires to make airline reservations for the co-conspirators' travel and electronic transfers of funds from the bank account of **MONA ROMERO** to pay for the co-conspirators airline tickets; and knowingly transferring, possessing and using, without lawful authority, a means of identification of another person, that is, a Social Security number, with the intent to commit, and in connection with, unlawful activity that constitutes a violation of Federal law, namely, mail fraud in violation of Title 18, United States Code, Section 1341, and to cause the Social Security number to be transported in the mail in the course of the use prohibited by law, in violation of Title 18, United States Code, Section 1028(a)(7); Section 1028 (c)(3)(B), and Section 1028(b)(2)(B).

**MONA ROMERO** with the assistance of Tammy Broussard, an employee of the HBPA, identified persons who were eligible to vote in the election but who were not expected to vote because they had started a horse in only one race during the period considered in determining eligibility to vote. Many such persons identified as likely non-voters lived outside the State of Louisiana.

**MONA ROMERO** with the assistance of Tammy Broussard then falsified election ballots by marking them for Alfortish as president and the favored candidates as members of the board of directors. They then marked on the ballot enclosure envelopes the Social Security numbers of likely non-voters, without the knowledge and permission of those likely non-voters. Finally, they inserted the falsified election ballots and ballot enclosure envelopes into an outer business reply envelope addressed to the certified public accountants who would open and tally the votes. Tammy Broussard would testify at trial that she and **MONA ROMERO** completed numerous falsified documents at the same time with one or more ballots and ballot enclosure envelopes on top of each other, assembly-line fashion.

On or about March 19, 2008, **MONA ROMERO** gave Cindy Romero, another employee of the HBPA who was a relative by marriage of **MONA ROMERO**, her bank card which withdrew funds from **MONA ROMERO**'s personal bank account and instructed the defendant to make airline reservations for three persons, **MONA ROMERO**, Cindy Romero and Carol Ruth Winfree, so that the three persons could fly to various cities where the likely non-voters lived, and mail falsified election ballots and ballot enclosure envelopes in mailing envelopes addressed to the certified public accountants who would open and count the ballots for the March 2008 election.

Cindy Romero made the airline reservations as **MONA ROMERO** had requested her to do so, and as indicated below:

Date	Travel by	Destination(s)
3/21/2008	Cindy Romero	New Orleans to Cincinnati to Louisville Louisville to Atlanta to New Orleans

3/21/2008	Carol Ruth Winfree	New Orleans to Houston Houston to New Orleans
3/22/2008	<b>MONA ROMERO</b>	New Orleans to Dallas Dallas to New Orleans
3/22/2008	Carol Ruth Winfree	New Orleans to Tampa Tampa to New Orleans

On March 21, 2008, Cindy Romero used the airline ticket she had purchased with the funds of, and at the direction of, **MONA ROMERO**, and flew from New Orleans, Louisiana to Cincinnati, Ohio; Louisville, Kentucky; Atlanta, Georgia and then back to New Orleans, all on the same day. Cindy Romero mailed falsified ballots and falsified ballot enclosure envelopes which had been given to her by **MONA ROMERO**, which bore the Social Security numbers of individuals placed on the ballot enclosure envelopes by **MONA ROMERO**, without lawful authority of the persons to whom the Social Security numbers had been issued.

In Cincinnati, Ohio and Louisville, Kentucky, Cindy Romero mailed such material in a mail slot at the respective airports at those cities. Cindy Romero also caused falsified ballots to be mailed from Lexington, Kentucky.

On March 21, 2008, Carol Ruth Winfree used an airline ticket purchased with the funds of **MONA ROMERO**, and at the express direction of **MONA ROMERO** and Alfortish, flew from New Orleans, Louisiana to Houston, Texas and then back to New Orleans, all on the same day. Carol Ruth Winfree mailed falsified ballots and falsified ballot enclosure envelopes which had been given to her by **MONA ROMERO**, which bore the Social Security numbers of individuals placed on the ballot enclosure envelopes by **MONA ROMERO**, without lawful authority of the persons to whom the Social Security numbers had been issued.

On March 21, 2008, Carol Ruth Winfree used an airline ticket purchased with the funds of **MONA ROMERO**, and at the direction of **MONA ROMERO**, flew from New Orleans, Louisiana to Tampa, Florida and then back to New Orleans, all on the same day. Carol Ruth Winfree mailed falsified ballots and falsified ballot enclosure envelopes which had been given to her by **MONA ROMERO**, which bore the Social Security numbers of individuals placed on the ballot enclosure envelopes by **MONA ROMERO**, without lawful authority of the persons to whom the Social Security numbers had been issued.

On March 22, 2008, **MONA ROMERO** flew from New Orleans, Louisiana to Dallas, Texas and back to New Orleans, Louisiana, all on the same day. **MONA ROMERO** mailed falsified ballots and falsified ballot enclosure envelopes which bore the Social Security numbers of individuals placed on the ballot enclosure envelopes by her, without lawful authority of the persons to whom the Social Security numbers had been issued.

The evidence would show that the vast majority of ballots received and counted in the 2008 HBPA election which bore postmarks from Cincinnati, Ohio; Louisville and Lexington, Kentucky; Houston, Texas; Tampa, Florida; and Dallas, Texas were postmarked on the dates Cindy Romero, Carol Ruth Winfree and **MONA ROMERO** mailed falsified ballots or caused falsified ballots to be mailed from those cities and areas, or on the next mailing day.

A handwriting expert would testify at trial that **MONA ROMERO's** fingerprints were found on certain ballots and ballot enclosure envelopes and that evidence of indented writing was found on certain ballots and ballot enclosure envelopes. The presence of indented writing is consistent with numerous falsified ballots having been completed at the same time with one or more ballots and ballot enclosure envelopes on top of each other, assembly-line fashion.

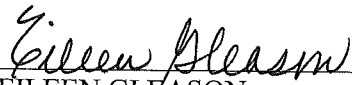
At trial, HBPA members living near Cincinnati, Ohio; Louisville and Lexington, Kentucky; Dallas and Houston, Texas; and Tampa, Florida, whose Social Security numbers appeared on ballot enclosure envelopes containing ballots counted in the March 2008 election would testify that he or she did not vote in the March 2008 HBPA election, that he or she did not authorize anyone else to vote for him or her, and that he or she has examined the ballot enclosure envelope bearing his or her Social Security number and that the handwriting on the ballot enclosure envelope is not his or hers.

The evidence would show that on March 31, 2008, the certified public accountants opened the election ballots and declared the winners of the election to be Alfortish as president and as members of the board of directors, all candidates for the board who were selected by Alfortish and **MONA ROMERO** and encouraged by them to run for positions on the board of directors. In contrast, all former members of the board of directors who stood for re-election and who had challenged Alfortish's and **MONA ROMERO**'s management of the Association's finances during Alfortish's first term of office were not re-elected as board members.


Prior to and subsequent to the date the defendant participated in the events outlined above, the defendant was employed by the HBPA, and earned a salary. She also received a fringe benefit consisting of HBPA-paid health insurance for herself and her spouse. Such fully paid health insurance coverage was made available only to a limited number of executive-level employees of the HBPA.

The evidence would further show that Tammy Broussard withdrew from the conspiracy and made disclosures concerning the conspiracy to rig the 2008 election, both to law enforcement as well as to members of the board of the HBPA.

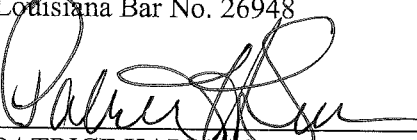
In summary, the evidence introduced by the Government at trial would prove, and the defendant concedes, that **MONA HEBERT ROMERO** conspired to commit mail fraud, wire fraud and fraud in connection with identification documents, to wit, Social Security numbers, written on ballot envelopes containing falsified ballots to be cast in the March 2008 election of the Louisiana Horsemen's Benevolent and Protective Association.

  
EILEEN GLEASON  
Assistant United States Attorney  
District of Columbia Bar No. 980511

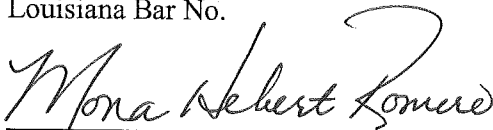
7/11/11  
Date

  
G. DALL KAMMER  
Assistant United States Attorney  
Louisiana Bar No. 26948

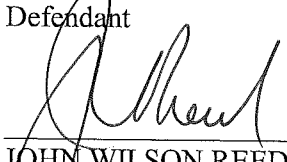
7/11/11  
Date

  
PATRICE HARRIS SULLIVAN  
Assistant United States Attorney  
Louisiana Bar No.

7/11/11  
Date

  
MONA HEBERT ROMERO  
Defendant

7/6/11  
Date

  
JOHN WILSON REED, ESQ.  
Attorney for Mona Hebert Romero

7/6/11  
Date