



Department of Justice

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FOR IMMEDIATE RELEASE
WEDNESDAY, MARCH 7, 2007
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**TWO HURRICANE EVACUEES WHO TEMPORARILY RESIDED IN DALLAS
FOLLOWING HURRICANE KATRINA, FACE FEDERAL CHARGES FOR
DEFRAUDING FEMA OF APPROXIMATELY \$50,000**

DALLAS - A federal grand jury returned an indictment today charging Kenyara T. Batiste and Michael B. Harris with offenses related to a scheme they ran to defraud the Federal Emergency Management Association (FEMA) of approximately \$50,000 in Disaster Unemployment Assistance (DUA) funds, announced U.S. Attorney Richard B. Roper of the Northern District of Texas. Batiste and Harris temporarily resided in Dallas following their evacuation from New Orleans, Louisiana, following Hurricane Katrina.

Batiste, 25, is charged with 13 counts of theft of public money and five counts of aggravated identity theft. Harris, 26, is charged with two counts of theft of public money and one count of aggravated identity theft.

Batiste and Harris were arrested in New Orleans last month on charges in a sealed criminal complaint filed in January in the Northern District of Texas. Batiste was released on bond and Harris is in custody in Orleans Parish, Louisiana, on other charges.

Under FEMA's DUA program, FEMA provided benefits to persons whose employment or self-employment was lost or interrupted as a direct result of a declared disaster. Although FEMA funded the DUA program, each state administered the program locally, with oversight duties retained by the U.S. Department of Labor, Employment Training and Administration, and the U.S. Department of Labor, Office of Inspector General.

The indictment alleges that beginning in November 2005 and continuing through July 2006, Kenyara T. Batiste stole approximately \$44,000 in DUA funds and from September 2005 through June 2006 and Michael B. Harris stole approximately \$6600 in DUA funds. To accomplish the theft, both Batiste and Harris used the name(s) and Social Security number(s) of other people.

In September 2005, Attorney General Alberto R. Gonzales created the Hurricane Katrina Fraud Task Force, designed to deter, investigate and prosecute disaster-related federal crimes such as charity fraud, identity theft, procurement fraud and insurance fraud. The Hurricane Katrina Fraud Task Force – chaired by Assistant Attorney General Alice S. Fisher of the

Criminal Division – includes members from the FBI, the Federal Trade Commission, the Postal Inspector’s Office and the Executive Office for U.S. Attorneys, among others.

An indictment is an accusation by a federal grand jury and a defendant is entitled to the presumption of innocence unless proven guilty. Each count of theft of public money carries a maximum statutory sentence of ten years in prison and a \$250,000 fine; each count of aggravated identity theft carries a maximum statutory sentence of two years in prison, consecutive to any other sentence imposed, and a \$250,000 fine. Restitution could be ordered.

U.S. Attorney Roper praised the investigative efforts in this case of the Department of Labor - Office of Inspector General and the Louisiana Department of Labor. The case is being prosecuted by Assistant U.S. Attorney Tammy Reno.

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