



# U.S. Attorney's Office Middle District of Pennsylvania

**Bruce D. Brandler**  
**Acting United States Attorney**

## 2020 Annual Report

Accomplishments and  
Initiatives



## Message from Acting U.S. Attorney Bruce D. Brandler



I'm pleased to present the 2020 Annual Report of the United States Attorney's Office for the Middle District of Pennsylvania.

As Acting United States Attorney for the District, I have reviewed the events of 2020 and I am proud to report that the Assistant United States Attorneys and support professionals in our Harrisburg, Scranton, and Williamsport Offices, along with our partner agencies, had significant accomplishments this year despite the challenges presented by the Coronavirus Pandemic. This Annual Report is just a summary of the many accomplishments in 2020, and highlights the successes in each major area of our office.

Over the past year, we successfully prosecuted numerous individuals engaged in drug trafficking, violent crimes, public corruption, fraud, human trafficking, child exploitation, civil rights violations, immigration offenses, and various other federal crimes. The District also successfully represented the interests of the federal government in various civil matters including representing numerous government agencies and officials in defensive litigation and obtaining significant monetary recoveries in affirmative civil litigation. We supported various outreach programs designed to prevent recidivism and violence and build community relations. Finally, during the height of the pandemic, Assistant United States Attorneys and support staff were very busy responding to numerous COVID-19 related petitions filed by convicted defendants and ICE detainees seeking release from prison and ICE detention facilities.

I am proud to work alongside each member of the U.S. Attorney's Office and with our federal, state, and local law enforcement partners to pursue the cause of justice and to make our communities safer.

I also want to thank former United States Attorney David J. Freed for his exemplary service to the District from 2017 through 2020. Without his leadership the accomplishments listed in this report would not have been possible.

These pages include some of the highlights of our work. We invite you to read more and share your suggestions with us at <https://www.justice.gov/usao-mdpa>. Follow us on Twitter @MDPANews.

*- Bruce D. Brandler  
Acting U.S. Attorney*

# TABLE OF CONTENTS

	<u>PAGE</u>
OUR MISSION & GEOGRAPHICAL AREA OF RESPONSIBILITY	1
ABOUT THE OFFICE	2
CORONAVIRUS	3
CRIMINAL DIVISION	4
Public Corruption and Clean Air Act	5
Toxic Substance Control Act	6
Project Safe Neighborhoods Initiative	6
Domestic Terrorism	11
OCDETF	11
Project Guardian Initiative	12
Elder Justice Initiative	13
Fraud	14
Threats	15
Immigration	15
Appeals	16
Financial Litigation Unit	17
CIVIL DIVISION	18
Immigration	18
Civil Rights	19
Civil Defense	20
Affirmative	20
Affirmative Civil Enforcement	21
Prison Litigation	22
Coronavirus Class Action	23
Appeal	23
ADMINISTRATIVE DIVISION	24
COMMUNITY OUTREACH	25
PUBLIC AFFAIRS	28
ELDER FRAUD	30
NATIONAL OPIOID SUMMIT	31
36th ANNUAL DIRECTOR'S AWARDS	32

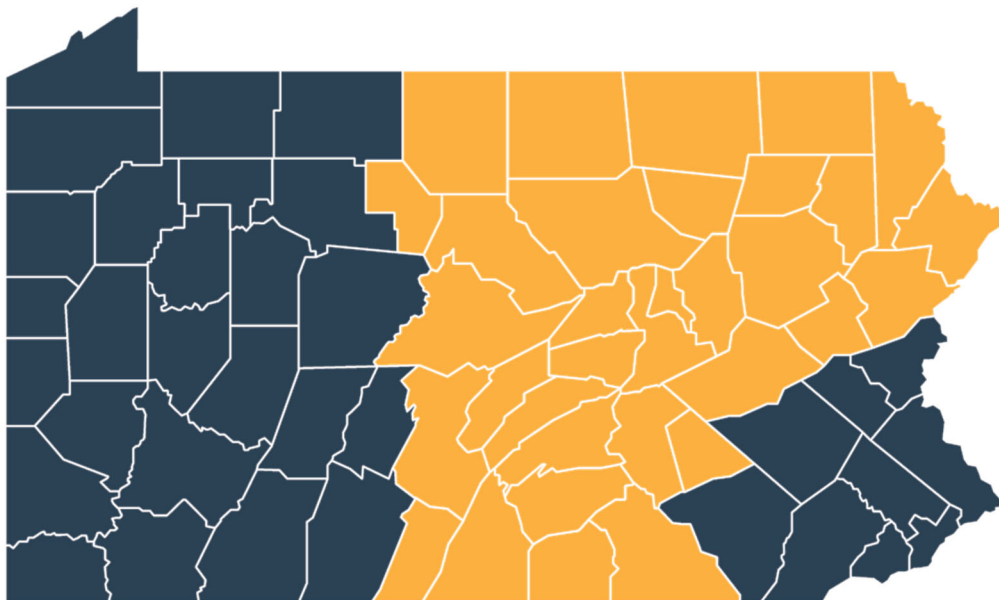
## Our Mission & Geographical Area of Responsibility

The United States Attorney's Office represents the United States in the Middle District of Pennsylvania in the prosecution of criminal cases brought by the federal government, civil cases in which the United States is a party, and collection of debts owed to the federal government.

The Middle District of Pennsylvania extends over 21,907 square miles and contains 33 counties with over 3 million residents. The U.S. Attorney's Office is comprised of four offices located in Scranton, Harrisburg, Williamsport, and Wilkes-Barre.

The U.S. Attorney's Office represents the United States in legal proceedings for 14 federal institutions and enclaves within the Middle District of Pennsylvania. Federal institutions and enclaves within the district include: Delaware Water Gap National Recreation Area; Steamtown National Recreation Center; Tobyhanna Army Depot; Wilkes-Barre Veterans Administration Medical Center; Tioga-Hammond Lakes Dams; U.S. Army War College and Carlisle Barracks; the Navy Inventory Control Point, in Mechanicsburg; the Defense Distribution Depot, Susquehanna (DDSP); Fort Indiantown Gap; Lebanon Veterans Administration Medical Center; Raystown National Recreation Area; Letterkenny Army Depot; and Gettysburg National Military Park.

A significant component of the office's civil workload arises from the presence in the district of four major federal correctional complexes: Allenwood, Canaan, Lewisburg, and Schuylkill. With a population of approximately 6,000 inmates, the facilities constitute one of the largest concentrations of federal inmate populations in the country. In addition, over a thousand immigration and customs enforcement detainees are presently housed in county facilities in our district.



U.S. Attorney's Office  
Middle District of Pennsylvania

(717) 221-4482 Harrisburg  
(570) 348-2800 Scranton  
(570) 326-1935 Williamsport

## **U.S. Attorney's Office, Middle District of Pennsylvania — At a Glance**

- The District is comprised of four offices: Harrisburg, Scranton, Williamsport and Wilkes-Barre (unstaffed)
- 82 Full Time Equivalent (FTE) positions and 10 contractors
- 1 United States Attorney
- 39 Assistant United States Attorneys
- 42 Support Staff
  - 10 Administrative Staff
  - 32 Legal Support Staff
- Classified as a Medium Size Office by the Department of Justice



## **Federal Law Enforcement Agencies**

The Middle District works closely with many Federal Investigative Agencies:

- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Drug Enforcement Agency (DEA)
- Federal Bureau of Investigation (FBI)
- Internal Revenue Service (IRS)
- U.S. Marshals Service
- U.S. Postal Inspection Service
- U.S. Secret Service
- Health and Human Services
- Department of Veterans Affairs
- Environmental Protection Agency
- Fish and Wildlife Services





## COVID-19



The Coronavirus pandemic did not diminish, but in fact amplified the vital role that the U.S. Attorney's Office played in the civil and criminal justice system. During the height of the pandemic, Assistant United States Attorneys and staff were very busy handling over 270 COVID-19 related petitions to release both civil and criminal detainees.

**Grants.** U.S. Attorney Freed issued a press release on April 2, 2020 announcing over \$850 million was made available to help public safety agencies respond to the challenges posed by the outbreak of COVID-19. Over \$740,000 went to the Middle District with monies destined for Dauphin, Lackawanna, Luzerne, Lycoming, and York Counties and the cities of Harrisburg, Scranton, Wilkes-Barre, Williamsport, and York for preventing, preparing for, and responding to the coronavirus by helping with overtime, supplies, and prisoner medical needs.

**Press release:** <https://www.justice.gov/usao-mdpa/pr/departments-justice-makes-850-million>

**Information from Governor Wolf.** The Department of Justice requested data from Governors of states that issued COVID-19 Orders that may have resulted in deaths of elderly nursing home residents. This data will help inform whether DOJ will initiate investigations under the Civil Rights of Institutionalized Persons Act (CRIPA) regarding New York, New Jersey, Pennsylvania and Michigan's response to COVID-19 in public nursing homes.

**Press release:** [Department of Justice Requesting Data From Governors of States that Issued COVID-19 Orders that May Have Resulted in Deaths of Elderly Nursing Home Residents | OPA](#)



**Public Message.** U.S. Attorney Freed recorded a message to the public with other U.S. Attorney's across the country that shared information and urged the public to report COVID-19 fraud.

**The video can be seen here:**

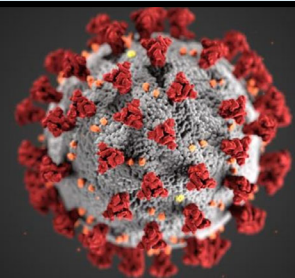
<https://www.youtube.com/watch?v=aPGec95Gmic&feature=youtu.be>

### REPORT COVID-19 FRAUD

Contact the National Center for  
Disaster Fraud Hotline at  
866-720-5721 or [disaster@leo.gov](mailto:disaster@leo.gov)

Report it to the FBI at [Tips.FBI.gov](https://tips.fbi.gov)

Submit cyber scam complaints to  
[IC3.gov](https://ic3.gov)



# CRIMINAL DIVISION

## **Criminal Assistant United States Attorneys**

**First Assistant U.S. Attorney:**  
Bruce D. Brandler

**Chief:**  
John Gurganus

**Deputy Chiefs:**  
Eric Pfisterer  
Fran Sempa

**Appeals Chief:**  
Stephen Cerutti

**Harrisburg:**  
John Baer  
William Behe  
Daryl Bloom  
James Clancy  
Michael Consiglio  
Kim Douglas Daniel  
Scott Ford  
Christian Haugsby  
Jamie Keating  
Carlo Marchioli  
Joanne Sanderson  
Ravi Sharma

**Scranton:**  
James Buchanan  
Sean Camoni  
Phillip Caraballo  
Todd Hinkley  
Robert O'Hara  
Michelle Olshefski  
Jenny Roberts  
Francis Sempa  
Jeffrey St John

**Williamsport:**  
Geoffrey MacArthur  
Alisan Martin  
George Rocktashel

The mission of the Criminal Division is to prosecute federal criminal cases. Within the Criminal Division are several specialized areas of concentration including:

- Terrorism and National Security
- Public Corruption
- Economic Crimes
- Government Program Fraud/Health Care Fraud
- Violent Crimes and Firearms Offenses
- Drug Trafficking
- Tax Fraud
- Environmental Crimes
- Computer Crimes
- Child Exploitation
- Immigration
- Civil Rights
- Appeals

Assistant United States Attorneys indicted approximately 258 cases involving 390 defendants, and handled nine criminal trials in 2020. *\*\*Indictments and Criminal Informations are only allegations. All persons charged are presumed to be innocent unless and until found guilty in court.\*\**

Notable cases handled by the Criminal Division are as follows:



**Public Corruption.** Combating public corruption in federal, state, and local government remains a priority for the U.S. Attorney's Office for the Middle District of Pennsylvania. Corruption in federal, state, and local government directly damages our citizens. The people of the district deserve honest government at every level.

- U.S. v. William Courtright. On October 2, 2020, (Lackawanna County) former Scranton Mayor William Courtright was sentenced to seven years' imprisonment and ordered to pay a \$25,000 fine on public corruption charges. A multi-year undercover investigation headed by the FBI revealed that the former Mayor accepted cash payments from vendors doing business with the city in a pay-to-play scheme. Courtright admitted to engaging in a multi-year conspiracy with unidentified individuals to take bribes from vendors who did business with the City. He also admitted that other objectives of the conspiracy were to commit the offenses of attempted extortion under color of official right and extortion through use of fear of economic harm.
- U.S. v. Edward Weidow. A 65-year-old Scranton man was sentenced on October 29, 2020, to two years' probation for making false statements to federal investigators in a public corruption investigation involving former Mayor of Scranton, William Courtright. Weidow took cash from vendors and then transferred the cash to Courtright. When Weidow was interviewed by the FBI, he denied giving cash to Courtright, when in fact on numerous occasions, he had done so.
- U.S. v. Steve Lukach. The former Schuylkill County Clerk of Courts was sentenced to 27 months' imprisonment on October 20, 2020, for mail fraud and falsification of records. County auditors with the Controller's Office began an in depth examination of the Clerk's Office and discovered misappropriation of funds by Lukach. An FBI investigation ensued and while the audit was going on, Lukach interfered with the audit by stealing mail that was sent to banks, forged records and sent the fake bank records to the Controller's Office. Lukach did so in an effort to conceal that he was taking funds from various accounts for his own personal purposes, such as paying for meals, making car payments, and other personal expenses.
- U.S. v. Mark Icker. Former Ashley Borough Police Officer was sentenced to 15 years' imprisonment on July 24, 2020, for violating the civil rights of two females in custody by coercing the women into engaging in unwanted sexual contact with him.

U.S. v. Christopher Collare. A former veteran detective for the Carlisle Police Department and FBI Task Force member, was indicted on January 22, 2020, for bribery, drug distribution, fraud, and making false statements. It is alleged that Collare used his official position to obtain sex from two women in exchange for agreeing to take actions in prosecutions. In 2015, Collare allegedly agreed to accept sex or money in exchange for not appearing at an evidentiary hearing so that a criminal charge would be dismissed. In 2018, Collare allegedly agreed to accept sexual favors in exchange for taking steps to help reduce a potential sentence. Collare is awaiting trial.



**Clean Air Act.** The Clean Air Act (CAA) is the comprehensive federal law that regulates air emissions from stationary and mobile sources. This law allows the U.S. Attorney's Office to help protect public health and the public welfare from hazardous air pollutants.

- U.S. v. Rockwater Northeast LLC. A Pennsylvania-based company that provides water management services to companies in the oil and gas industry, was charged in a criminal information on September 24, 2020, with 31 counts of violating the Clean Air Act, for tampering with the emissions systems on 31 heavy-duty diesel trucks owned by the company, and installing "defeat devices" that disabled emissions diagnostic systems on the trucks. Rockwater Northeast LLC also is alleged to have caused the trucks to pass annual vehicle safety inspections by the Department of Transportation (DOT), despite the modified emissions systems. Separately, Select Energy Services, Inc., a Texas-based company and the successor in interest to Rockwater Energy Solutions, Inc., parent company of Rockwater Northeast LLC, entered a three-year non-prosecution agreement with the United States. The agreement resolves Clean Air Act violations for modified emissions systems on 29 additional heavy-duty diesel trucks that were owned by Rockwater Energy Solutions, Inc. Rockwater Northeast LLC agreed to pay a monetary penalty of \$2 million, and Select Energy Services, Inc. agreed to pay a monetary penalty of \$2.3 million. Six individuals have been prosecuted in connection to this investigation.





**Toxic Substance Control Act of 1976.** TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls, asbestos, radon, and lead-based paint. This law allows the U.S. Attorney's Office to help protect public health and from hazardous chemicals.

- U.S. v. Dennis Morgan. A 73-year-old Northumberland County man was indicted on February 27, 2020, for three violations of the Toxic Substances Control Act. It's alleged that Morgan failed to provide a lead hazard pamphlet or warning and failed to retain records as required by the Code of Federal Regulations in violation of the Toxic Substances Control Act. Morgan is awaiting trial.



**Project Safe Childhood (PSC) Prosecutions.** Project Safe Childhood is a nationwide initiative to combat the epidemic of child sexual exploitation and abuse. The U.S. Attorney's Office for the Middle District embraces its commitment to the protection of our children. Advances in technology over the past two decades have brought about new obstacles for parents, educators, and law enforcement. Our district is committed to aggressively targeting those who would harm children. The Office aims to investigate and prosecute those criminals vigorously, and protect and assist victimized children. PSC related cases are below:

- U.S. v. William Hayes. A 72-year-old Delaware man was sentenced to 210 months' imprisonment on February 19, 2020, for repeatedly transporting two minors from Pennsylvania to Florida, Tennessee and Delaware, to engage in sexual activity for an approximate 10-year period.
- U.S. v. John Shover. A 58-year-old Duncan man was sentenced on July 30, 2020, to 292 months' imprisonment for using a minor to produce child pornography between January 2017 and March 2018.

- U.S. v. Anthony D'Ambrosio, et al. A 37-year old Chambersburg man was sentenced on February 26, 2020, to 10 years' imprisonment for sex and drug trafficking. D'Ambrosio and his four co-conspirators recruited and transported girls and young women between the ages of 17 and 21 years old to engage in commercial sex acts in Pennsylvania, Maryland, Virginia, West Virginia, Florida, Rhode Island, and the District of Columbia and frequently paid them in drugs. D'Ambrosio and the others rented motel rooms and posted "escort" advertisements and photographs on backpage.com. D'Ambrosio and the others would take the majority of the money made during the course of the prostitution business, and distributed various drugs to the women, including oxycodone, cocaine, and marijuana.
- U.S. v. Jason Monast. A 37-year-old New Bedford man was sentenced on July 28, 2020, to 25 years' imprisonment for using the internet to entice a minor to engage in sexual activity as a registered sex offender.
- U.S. v. Miguel Scott Arnold, et al. A 33-year-old Harrisburg man was sentenced on September 3, 2020, to 25 years' imprisonment following his conviction for his role as the leader of a human trafficking operation that exploited over 20 victims, including at least three juveniles, one as young as 14-years-old. Arnold and his co-conspirators rented hotel rooms and posted "escort" advertisements and photographs on backpage.com, a website that the FBI has since seized and which is no longer operational. They would frequently solicit women to engage in prostitution; target victims who were vulnerable by virtue of their age, financial insecurity, or drug addiction. Arnold and the others would take the majority of the money made during the course of the prostitution business, and distributed drugs to the women, including heroin. Arnold's four coconspirators received sentences ranging from 12 years to six years' imprisonment.



“In neighborhoods negatively impacted by violent crime across the Middle District of Pennsylvania I hear the same refrain from law abiding citizens: focus your efforts on the violent offenders that are preventing us from enjoying our homes and forcing us to keep our children inside. We have heard the call. Targeted enforcement and tough cooperative prosecutions are a proven formula for reducing violent crime. Project Safe Neighborhoods allows us to direct law enforcement assets to the areas of greatest need throughout the District. Our extremely strong cooperative relationships among local, state and federal investigators and prosecutors mean that the right offenders are prosecuted in the right venue for the right crimes. Nothing is more important to us than public safety. PSN proves it.”

- Bruce D. Brandler  
Acting U.S. Attorney

## Project Safe Neighborhoods (PSN) Works:

### Violent crimes reduced in MDPA.

PSN Neighborhoods: 2019–2020

Target Areas:

Wilkes-Barre

\*\*Harrisburg



Williamsport

York



\*Violent Crime includes homicide/rape/robbery/aggravated assault.

\*\*Harrisburg's aggravated assault figures were not available for 2019-2020.



**Project Safe Neighborhoods (PSN)** is a nationwide initiative that called for U.S. Attorney's Offices to focus their resources on violent offenders, violent street gangs, leaders of drug organizations and financial crimes. U.S. Attorneys were asked to identify the most serious violent crime concerns in communities within their individual districts and, by working together with federal, state, and local law enforcement agencies, concentrate their efforts on these concerns. Heroin distribution, firearms offenses, and prescription drug abuse are at the top of the priority list for the MDPA. Therefore, vigorous prosecutions, as well as substantial sentences and forfeitures of crime-derived assets, will be the objectives in all such federal cases in the District.

**PSN Target Areas:**

Harrisburg, York, Wilkes-Barre, and Williamsport

**Enforcement Actions –Violent Crime Initiative.**

The MDPA adopted a renewed strategy for reducing and preventing violent crime in the Middle District focusing on the Harrisburg, York, Wilkes-Barre, and Williamsport areas. Federal, state, and local law enforcement officers joined forces to coordinate their activities in high-crime areas and vigorously enforce the laws, which punish gun offenses, gang activity, drug-related crimes, and other acts of violence. Since 2014, federal, state, and local officials have partnered and operated a program based in Harrisburg focusing on firearms offenses committed by recidivists or individuals using firearms in connection with drug offenses, or other violent crimes. Due to the success of that program, it was expanded to include firearms offenses in York, Williamsport, and Wilkes-Barre. Violent crime damages and destabilizes our neighborhoods, challenging our citizens as they strive to raise their families and be productive members of society. By coordinating efforts with our state and local law

enforcement partners, we can ensure that limited law enforcement resources are being brought to bear in the most effective way possible to protect the people we serve.

The following cases are representative of PSN's increased focus on targeting violent offenders within our local communities:

- U.S. v. John Ryall. A 40-year-old Lackawanna County man was sentenced on February 13, 2020, to nine years' imprisonment for robbing the Honesdale National Bank in Scott Township and threatening employees with a mock firearm. Ryall obtained \$5,255, but was restrained by a bank customer and taken into custody by the Scott Township Police Department shortly thereafter.
- U.S. v. Anthony Johnson. In February 2020, a 52-year-old York man was sentenced to 230 months' imprisonment following a two-day jury trial where he was convicted of Hobbs Act Robbery and discharging a firearm during a crime of violence. Johnson and his co-conspirator robbed and shot the victim in the head. During the investigation, law enforcement officers recovered the gun used to shoot the victim from Johnson's co-conspirator during her arrest. The victim remained in a comatose state for at least four months following the shooting.
- U.S. v. Robert Carl Eaton, III. On June 9, 2020, a 26-year-old York man was sentenced to 48 months' imprisonment for possessing a Smith and Wesson 9mm loaded firearm as a convicted felon.
- U.S. v. Paul Nicholas, III. A former Militia Commander of Harrisburg was sentenced to eight months' imprisonment on July 21, 2020, for being a previously convicted felon, who unlawfully possessed two AR-15 style rifles and a .45 caliber pistol, plus a Winchester .30 -.30 caliber rifle at his Harrisburg residence. At the time of his arrest, Nicholas was the commanding officer of the 41st Battalion of the Light Foot Militia in Central Pennsylvania.



## Heroin and Opioid Policy

The MDPA continues a policy to aggressively prosecute all *heroin and opioid* cases and request substantial sentences for individuals who traffic in these deadly drugs. Some cases that emphasize those efforts include:

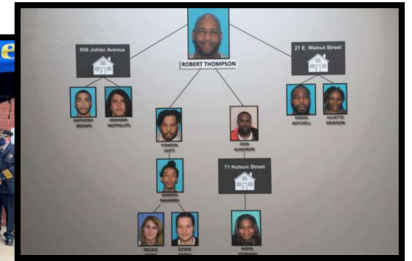
- U.S. v. Qushawn Brown, et al. On January 17, 2020, U.S. Attorney Freed held a press conference announcing that eight Harrisburg men were indicted for operating a drug trafficking conspiracy that distributed approximately \$1 million worth of heroin. The defendants used firearms during their drug trafficking activities including assault rifles with extended magazines. Defendants were affiliated with a music group named Never Forget Loyalty (NFL) and posted numerous YouTube music videos in which NFL members flashed cash, drugs, and assault rifles. Defendants are awaiting trial.



- U.S. v. Roberto Torner, et al. A 47-year-old Freeland man was sentenced on February 11, 2020, to 270 months' imprisonment following his 13-day jury trial convicting him of conspiring to distribute heroin and possessing firearms as a multi-convicted felon. Six firearms and ammunition that were seized during the investigation were ordered forfeited. Freeland's co-defendants Liza Robles and David Alzugaray-Lugones were also convicted at trial of heroin trafficking offenses. Robles was sentenced to 36 months' imprisonment and Alzugaray-Lugones received a 27-month sentence.
- U.S. v. Crispin Fernandez. A 27-year-old California man was sentenced on September 30, 2020, to 13 years' imprisonment for his participation in a heroin trafficking conspiracy that shipped more than a kilogram of heroin from California to Carbon County, PA.



- U.S. v. Tysheen Gott, et al. On June 3, 2020, U.S. Attorney Freed announced that Tysheen Gott and ten codefendants were indicted after a year-long investigation, with operating a drug trafficking conspiracy from 2013 to March 2020 that distributed heroin, fentanyl, and crack cocaine in Luzerne County. Defendants are awaiting trial.



Drug traffickers who are responsible for overdose deaths and non-fatal overdoses resulting in serious bodily harm caused by their product are aggressively prosecuted as demonstrated below:

- U.S. v. Louis Antonio Zayas. A 48-year-old Hazleton, Luzerne County man was convicted on June 21, 2019, of drug distribution resulting in the death of a pregnant woman and her 33-week-old unborn fetus. The drug Zayas sold the victim was 100 percent fentanyl, a powerful synthetic opioid painkiller. Zayas received a life sentence on January 31, 2020.
- U.S. v. Vincent Ingino. A 28-year-old Stroudsburg man was sentenced on July 1, 2020, to 300 months' imprisonment following his conviction of unlawfully distributing fentanyl laced heroin that resulted in the death of two victims.
- U.S. v. James Mark Minichella. A 23-year-old Columbia County man was sentenced on August 19, 2020, to 180 months' imprisonment for distribution of heroin and fentanyl resulting in the death of a 20-year-old man.
- U.S. v. David Piaquadio. A 63-year-old Galeton man was sentenced on August 27, 2020, to 20 years' imprisonment following his conviction of conspiracy to distribute oxycodone, fentanyl and heroin, distribution of oxycodone and fentanyl, and attempted distribution of oxycodone. Piaquadio delivered fentanyl to an individual who overdosed after using the drug.



The following are opioid cases relating to medical professionals, traffickers, and others who committed serious drug crimes in the District:

#### Medical Professionals

- U.S. v. Martin Evers. A 61-year-old Pike County man was indicted on August 28, 2019, for providing prescriptions for fentanyl, methadone, and diazepam that caused the death of one of his patients. Evers is currently awaiting trial.
- U.S. v. Christopher Berezna. A 50-year-old Wyoming County dentist was sentenced on April 20, 2020, to time-served, approximately 8 1/2 months' imprisonment following his conviction on eight counts of distributing controlled substances without a legitimate medical purpose. The evidence showed that Berezna unlawfully provided controlled substances to a woman with whom he had no legitimate doctor/patient relationship, without legitimate medical necessity, and outside the scope of a professional practice. The controlled substances included painkillers such as percocet, soma, and diazepam.
- U.S. v. Kurt Moran. A 66-year-old Scranton doctor was indicted on September 15, 2020, on allegations that he was paid approximately \$140,000 to prescribe Subsys (sublingual fentanyl) to his patients for pain not associated with cancer; multiple counts of unlawfully distributing Subsys to 13 patients and two counts of unlawfully prescribing Schedule II controlled substances, including oxycodone and fentanyl, which resulted in the death of a 35-year-old man and a 32-year-old woman, and; prescribed millions of micrograms of the sublingual fentanyl spray to patients with no cancer diagnosis and not suffering from cancer pain. Moran is awaiting trial.

#### Methamphetamines

- U.S. v. Ronald Charles Wilson, III. A 25-year-old Pottsville man was sentenced

on June 23, 2020, to 96 months' imprisonment for possession with the intent to distribute approximately 160 grams of methamphetamine and in connection with his drug trafficking activities, Wilson possessed a loaded Glock 19 .9mm handgun, which was seized pursuant to a search warrant.

- U.S. v. Emmanuel Roman-Figueroa, et al. Three NJ men were charged on October 20, 2020, with drug trafficking in connection with the largest seizure of methamphetamine in the history of DEA's Philadelphia Division. Law enforcement agents seized 130 kilograms of methamphetamine, and three kilograms of fentanyl, and \$28,000 in cash (\$371,000 in cash was seized on a previous occasion during the investigation) during a drug transaction involving the men. The wholesale value of the drugs seized is approximately \$2.5 million and the estimated street value is between \$8 million to \$10 million.



#### Cocaine and Heroin

- U.S. v. Robert Sanchez. A 42-year-old man formerly of Hazleton was sentenced on May 28, 2020, to 144 months' imprisonment for conspiring to distribute heroin and crack cocaine in Pennsylvania. Sanchez trafficked in excess of five kilograms of cocaine and 10 kilograms of heroin. The United States seized and forfeited over \$54,000 from Sanchez.
- U.S. v. Truman Jones. The leader of a drug trafficking organization was sentenced to 211 months' imprisonment on August 27, 2020, following his conviction for conspiring to distribute 100 grams or more of heroin and crack cocaine, distributing and possessing with intent to distribute heroin, and possessing firearms in furtherance of his drug trafficking activities. Jones worked with several other individuals to distribute hundreds of grams of heroin and crack cocaine, often mixed with other controlled substances, including fentanyl, tramadol, and cocaine, in the Wilkes-Barre area. Jones also forfeited two firearms and ammunition, multiple electronics, and \$4,642. Investigators recovered and forfeited other firearms and ammunition from other codefendants. The five codefendants' sentences ranged from 13 months' imprisonment to 108 months' imprisonment.





**Domestic Terrorism.** The U.S. Attorney's Office aggressively prosecutes domestic terrorism to protect our neighborhoods:

- U.S. v. Corbin Kauffman. A 31-year-old Lehighton man was charged on March 27, 2020, for posting threatening images and messages on a website called Minds.com. It was also alleged that Kauffman used various aliases online to post hundreds of anti-semitic, anti-black, and anti-Muslim messages, images, and videos. Several of these posts included threats to various religious and racial groups, and one included a digitally created image of Kauffman aiming an AR-15 rifle at a congregation of praying Jewish men. Other posts allegedly expressed a desire to commit genocide and "hate crimes," and called for or depicted images of the killing of Jewish people, black people, and Muslim people. Kauffman also posted pictures of acts of vandalism he committed, including anti-semitic graffiti at a public park, and the defacement of a display case at the Chabad Jewish Center in Ocean City, Maryland with white supremacist and anti-semitic stickers.



**Organized Crime Drug Enforcement Task Force (OCDETF).** OCDETF is a joint federal, state, and local cooperative approach to combat drug trafficking and is the nation's primary tool for disrupting and dismantling major drug trafficking organizations, and targeting national and regional level drug trafficking organizations. The cases below illustrate this initiative:

- U.S. v. Sirvonn Taylor. A 37-year-old Stroudsburg man was sentenced on January 3, 2020, to 20 years' imprisonment for heading-up a conspiracy that forced or coerced women to engage in prostitution in Northeastern Pennsylvania, and that distributed more than a kilogram of heroin in Pennsylvania and Maine. Taylor's conviction and sentence resulted from an investigation into the activities of a street gang known as the

"Black P-Stones." Male gang members were "beaten-in" to the gang and female members were "sexed-in" to the gang. Members of the Black P-Stones obtained heroin and other drugs, including "molly," in New York and distributed the drugs in Stroudsburg and locations in the state of Maine. Females were "sexed-in" to the gang by being forced to engage in sex with male gang members; recruited and coerced to engage in prostitution; advertised as adult escorts on a website; provided with heroin and other drugs; and placed in various hotels/motels to work as prostitutes. Gang members, including Taylor, used threats, force, drugs, and intimidation to coerce females to engage in prostitution.

- U.S. v. Quran Geddy, et al. Two Williamsport men were indicted on August 27, 2020, with conspiracy to distribute fentanyl, possession with intent to distribute, and distribution of fentanyl between October 2018 and February 2020, in Lycoming County. Both defendants are awaiting trial.
- U.S. v. Jose Rafael Hidalgo. A 43-year-old Dominican National was sentenced to 70 months' imprisonment on September 24, 2020, for a 24-year-old felony drug charge. Hidalgo provided David Drozdowski and others between 5 and 15 kilograms of cocaine, which was then distributed in and around Luzerne County. Hidalgo was arrested on August 25, 1999, and, after entering an agreement with the United States to plead guilty, he was granted conditional release and absconded to the Dominican Republic. Hidalgo was extradited back to the United States on May 20, 2019.
- U.S. v. Gimy Rodriguez. A 28-year-old Hazleton man was sentenced on October 29, 2020, to 262 months' imprisonment for engaging in a conspiracy and other charges involving the distribution of heroin, fentanyl, and methamphetamine throughout Luzerne County. Rodriguez was the leader of multiple co-conspirators and maintained hubs of operation in both Hazleton and Wilkes-Barre. Rodriguez's coconspirators were sentenced to 37, 51, and 68 months' imprisonment.



## PROJECT GUARDIAN

### Project Guardian.

The Project Guardian Initiative was announced by Attorney General William Barr on November 13, 2019. It will build upon PSN's focus on coordination with all law enforcement partners to maximize the impact of federal prosecution resources; enforce the laws that ensure effective operation of the National Instant Criminal Background Check System (NICS); and, will also improve information-sharing by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) when a prohibited individual attempts to purchase a firearm and is denied by NICS, to include taking appropriate actions when a prospective purchaser is denied by the NICS for mental health reasons; and greater coordination under, and use of, ATF Crime Gun Intelligence Centers, which employ modern technology and intelligence-gathering methods to assist law enforcement in investigating and preventing gun crimes.

Reducing gun violence and enforcing federal firearms laws have always been among the MDPA's highest priorities. The MDPA recognizes that sharing information with our state and local law enforcement partners at every level will enhance public safety, and provide a great depth of resources available to address gun crime on a national level. An example of this type of coordinated prosecution follows:

- U.S. v. Roberto Torner, et al. A 47-year-old Freeland man was sentenced on February 11, 2020, to 270 months' imprisonment following his 13-day jury trial convicting him of conspiring to distribute heroin and possessing firearms as a multi-convicted felon. Six firearms and ammunition that were seized during the investigation were ordered forfeited. While on pretrial release, Torner planted stolen, U.S. military C4 plastic explosives at the residence of his co-defendant. The Judge also found that Torner obstructed justice by lying at trial about his criminal activities, and by destroying evidence—his own shirt—in the middle of trial by flushing it down a holding cell toilet. Freeland's co-defendants Liza Robles and David Alzugaray-Lugones were also convicted at trial of heroin trafficking offenses. Robles was sentenced to 36 months' im-

prisonment and Alzugaray-Lugones received a 27-month sentence.

- U.S. v. Jose David Santiago-Curet. On February 12, 2020, a 23-year-old York man was sentenced to five years' imprisonment for possessing a 9mm SR-9C handgun in furtherance of drug trafficking after 2.51 grams of heroin and a scale were found in a vehicle occupied by Santiago-Curet.
- U.S. v. Laquanna Bacote. A 25-year-old Wilkes-Barre woman pled guilty on July 7, 2020, to conspiring with others to purchase 14 guns for another person while falsely claiming to be the actual purchaser of the firearms. Bacote made false statements on federal firearms forms to purchase firearms and unlawfully obtain firearms from H & H Tactical in Exeter, Luzerne County and NJT Arms in Northampton County, Pennsylvania. Bacote is awaiting sentencing.
- U.S. v. Jemel Xavier Williams. A 37-year-old Georgia man was sentenced to 92 months' imprisonment on August 19, 2020, for being in possession of a Glock 19, 9mm and a Glock 36, .45 caliber firearms as a previously convicted felon.
- U.S. v. Taashaun Mansfield, Johnny Quinones, Michael Windham, and Antonio Godbolt. Four Harrisburg men were indicted on November 4, 2020, on firearms charges. The indictment alleged that Mansfield, Quinones, Windham, and Godbolt engaged in a conspiracy between July 2020 and August 2020, where Mansfield purchased firearms by falsifying records that he was the true purchaser of such firearm. It was further alleged that after false statements were made to federally licensed firearms dealers, the guns were then transferred to convicted felons, Quinones and Godbolt, or those with charges pending, Windham. All four men are awaiting trial.



**Elder Justice Initiative.** The Department of Justice Elder Justice Initiative promotes investigations and prosecutions of financial scams targeting the elderly, and the U.S. Attorney's Office has prioritized the prosecution of crimes involving elder fraud and abuse. The cases below illustrate this initiative:

- U.S. v. Okoro. The Middle District participated in the largest-ever coordinated sweep of elder fraud cases in history that involved more than 400 defendants from around the globe who engaged in financial schemes that targeted or largely affected seniors. In total, the charged schemes caused losses of over a billion dollars. Okoro, a 48-year-old citizen of Canada, and his codefendants were charged with engaging in an attorney "collection scam" in Ontario, Canada, and elsewhere. In particular, Okoro and his co-conspirators are alleged to have conducted a scheme in which they contacted businesses and individuals, including elderly victims, and requested, among other things, to collect an outstanding debt. The suspects, posing as the third party, then sent a counterfeit check to the victim for deposit and requested that the victim wire funds to an account overseas, typically in Japan, South Korea, or China. Canada surrendered Okoro to the United States on Aug. 29, 2018. Okoro is currently scheduled for trial on April 19, 2021.
- U.S. v. Konstantine Filippas, et. al. Konstantine Filippas, age 74, Michael Dissos, age 68, and Michael Pare, age 55, all of Montreal, Canada, were sentenced on April 15, 2020, for their roles in a bogus sweepstakes scam that defrauded 45 victims across the United States out of \$302,045. Dissos and Pare received a sentence of time served of approximately nine months each, and Filippas was sentenced to 18 months' imprisonment. Chief Judge Conner also ordered Dissos to pay \$34,080, Pare to pay \$90,745, and Filippas to pay \$177,220 in restitution to the 45 victims. All three defendants were indicted in 2014, along with four other al-

leged coconspirators. The seven defendants allegedly defrauded approximately 65 victims, most of whom were elderly, for losses exceeding \$1.2 million. Defendants allowed their Canadian bank accounts to be used to receive monies sent by victims who were led to believe they had won substantial winnings in a fictitious sweepstakes contest. Defendants also cashed out Western Union and MoneyGram money transfers sent by some victims.

- U.S. v. Western Union. On September 23, 2020 Western Union Remission Fund began its second distribution of approximately \$148 million in funds forfeited to the U.S. government from the Western Union Company (Western Union) to approximately 33,000 victims located in the United States and abroad. These victims, many of whom were elderly victims of consumer fraud and abuse, will be recovering the full amount of their losses. This is the second in a series of payment distributions to occur in the Western Union remission. The first distribution paid approximately \$153 million to over 109,000 victims in March of 2020. In this scheme, fraudsters targeted consumers, including seniors, through multiple scams. Three specific scams directed towards seniors include the grandparent scam, where the fraudster would pose as the victim's relative in need of immediate money to avoid personal harm, lottery or sweepstakes scams, where the fraudster would tell the victim that they had won a large cash prize but had to pay fees such as taxes to claim the prize, and romance scams, where the fraudster would pose as an online love interest and request funds for a visit or for another purpose. In each of these scams the fraudsters convinced their victims to send money through Western Union. Certain owners, operators or employees of Western Union agent locations were complicit in the schemes. Western Union aided and abetted the fraud scheme by failing to suspend or terminate complicit agents and by allowing them to continue to process fraud induced monetary transactions. Western Union fulfilled its obligations under the DPA and the court granted the motion to dismiss the information this year. The Department of Justice anticipates authorizing compensation for many more victims in the coming months. The department is accepting petitions on an ongoing basis and will be providing potential victims who have not applied for remission the opportunity to apply.



**Fraud.** The U.S. Attorney's Office handles a wide variety of fraud cases, including health care fraud, identity theft, mail fraud, bankruptcy fraud, bank fraud, corporate fraud, program fraud, tax fraud, investment fraud, counterfeiting, and environmental crimes.

### Healthcare Fraud.

- U.S. v. Michael Timothy Buchanan. A 68-year-old Indiana man was sentenced to 37 months' imprisonment on February 26, 2020, and ordered to pay \$1,493,629 in restitution. Buchanan pleaded guilty on May 14, 2019, to defrauding a trust fund established by the Association of Pennsylvania State College and University Faculties (APSCUF) out of \$1,493,629. Buchanan executed a scheme to defraud the Pennsylvania Faculty Health and Welfare Fund between 2007 and 2017 by submitting false and inflated invoices for the services his company, Actuaries, Consultants and Administrators, Inc., and supposedly provided the fund in connection with the processing of dental and vision claims.

### Identity Theft/Fraudulent Tax Returns.

- U.S. v. Jonathan Jacome. A 30-year-old Mountain Top man was sentenced on June 23, 2020, to 169 months' imprisonment for being a leader and organizer in a sophisticated scheme that used stolen identities to file fraudulent tax returns in 2011 and 2012, and obtained over \$7.7 million in fraudulent federal tax refunds. Jacome opened three check cashing businesses in Luzerne County solely to carry out the fraud scheme, and through which he processed the fraudulently obtained Treasury checks. Jacome was also ordered to pay over \$7.7 million in restitution and must forfeit certain properties acquired with stolen funds.

### Tax Evasion.

- U.S. v. Jeremy Snyder. A 43-year-old State College man was sentenced to 18 months' imprisonment for income tax evasion. As an employee of Number One Cycle Centre, in Centre County, Snyder embezzled over \$800,000 from the busi-

ness between 2009 and 2016. Snyder failed to pay income tax on the funds he embezzled, resulting in a tax loss of approximately \$211,000 and a total of \$222,000 in additional penalties and interest due the IRS.

### Mail Fraud.

- U.S. v. Perry Santillo. A 39-year-old Rochester man, who masterminded a nationwide multi-million dollar Ponzi scheme, pleaded guilty on November 4, 2019 to mail fraud. Santillo admitted to defrauding investors around the country as part of a Ponzi scheme that included victims in the Middle District of Pennsylvania. The scheme took in approximately \$115 million in fraudulent investments, and resulted in a total loss to investors of \$70.7 million. Santillo is awaiting sentencing.
- U.S. v. John Law. A 41-year-old Rochester man was indicted on July 28, 2020, by a federal grand jury for conspiring with Perry Santillo and others to defraud investors as part of a Ponzi scheme that netted over \$115 million in fraudulent investments, and resulted in a total loss to investors of \$70.7 million. Law is awaiting trial.



### Theft of Government Funds.

- U.S. v. Thomas Hartley. A 47-year-old Special Agent with the U.S. Department of Labor, Office of Inspector General was indicted for theft of government funds, making false claims to the United States, and making false statements. It is alleged that while on leave from his position with the Department of Labor and serving with the New Jersey National Guard, Hartley submitted false documents to the Department of the Army and thereby obtained approximately \$23,580 in housing allowance funds to which he was not entitled. Hartley is awaiting trial.



## Unemployment Fraud.

- U.S. v. Earl Lafayette Hall, III. A 38-year-old man Chicago/Tennessee man was sentenced on June 9, 2020 to 101 months' imprisonment and ordered to pay \$96,431 in restitution. Hall was convicted in November 2019 by a federal jury veteran's unemployment compensation fraud. Hall applied for and received \$96,431 in unemployment compensation benefits under the Unemployment Compensation for Ex-Service Members Program, commonly known as "The UCX Program," under the assumed identities (first name, last name, date of birth and Social Security Number) of eleven other individuals. The UCX Program is a federally funded, U.S. Department of Labor program administered by the States. The jury found that Hall fraudulently obtained the benefits paid on 7 false UCX claims submitted to Pennsylvania, 3 false UCX claims submitted in Utah, and another false identity UCX claim submitted to Hawaii in 2013 and 2014.

## Bank Fraud/Identity Theft.

- U.S. v. Dory L. Sater. A 46-year-old Delaware County Personal Injury Attorney was convicted on November 12, 2020, of bank fraud and aggravated identity theft offenses. The evidence presented at trial showed that Sater forged a mortgage satisfaction piece and filed the instrument with the Luzerne County Recorder of Deeds Office. The forged document erased a mortgage held by Fidelity Deposit & Discount Bank on the Mountaintop, PA residence of Sater's parents. The mortgage had served as collateral for a \$50,000 line of credit that Sater had withdrawn in its entirety.



**Threats.** True threats to commit acts of violence that cross the legal line are prosecuted because of the risk to public safety that they pose.

- U.S. v. Jess Alan Blake. A 24-year-old New York man pled guilty on June 4, 2020, for mailing a letter to FBI headquarters in Washington, D.C. on March 29, 2019, threatening to kill President Trump and blow up the White House, Trump Tower, the Pentagon, and United Nations Headquarters when he was released from prison. At the time he sent the letter, Blake was in custody on state charges at the Bradford County Correctional Facility in Troy, Pennsylvania. Blake is awaiting sentencing.
- U.S. v Quintin Kinchen. A 37-year-old Marienville man was sentenced on November 4, 2020, to 48 months' imprisonment for using the United States Mail and Postal Service to send threatening communications. On or about March 15, 2019, and again on or about April 2, 2019, while serving a prior prison sentence for a 2016 aggravated assault conviction, Kinchen sent two threatening letters to his victim, the former Lackawanna County Assistant District Attorney who prosecuted him for the 2016 aggravated assault offense. In these letters, Kinchen threatened serious physical violence against both the victim and her family.



**Immigration.** The U.S. Attorney's Office prosecutes a number of illegal reentry cases throughout the District. All of the defendants were previously deported one or more times from the United States. The criminal division prosecuted approximately 41 such cases in 2020.



## Appeals.

- U.S. v. Jabree Williams et al. (Southside). In a 106-page Opinion and accompanying dissent, the Third Circuit Court of Appeals largely upheld the convictions and sentences for multiple defendants charged with drug, firearm and violent offenses arising from their involvement with the “Southside” gang located in York, Pennsylvania. The Circuit addressed numerous difficult arguments, reaching, among others, conclusions that: closure of the courtroom during jury selection was a structural error, but given the facts, based on the fourth prong of plain error review no relief was necessary; the defense did not establish that the government knowingly presented false testimony; evidence of a murder was intrinsic proof of the existence of the charged conspiracy; expert testimony regarding a gang tattoo and symbols was admissible; when a Rule 29 motion for acquittal raises specific grounds, all arguments not raised are unpreserved on appeal; a Rowe error in aggregating quantities to determine the quantity relevant to substantive drug trafficking count is not corrected on plain error review, where the sentence on that count would not have been lower; as for conspiracy convictions, quantities from multiple transactions in further of the conspiracy may be aggregated to determine the statutory penalty; the statutory maximum penalty for a § 846 conspiracy charge is determined by the total quantity involved in the conspiracy; the mandatory minimum term is determined separately for each defendant; the jury may attribute to a defendant only those quantities involved in violations of § 841(a) that were within the scope of the conspiracy, or in furtherance of it, and were reasonably foreseeable to the defendant as a natural consequence of his unlawful agreement. Finally, the Third Circuit found that the District Court did not commit clear error in finding a nexus between the offense of conviction and an attack on a cooperating witness in prison as the obstruction enhancement does not require a direct link to anticipated testimony.
- U.S. v. Jamell Birt. The Third Circuit Court of Appeals upheld the denial of a motion for sentence reduction under the First Step Act, holding that a prior conviction under 21 U.S.C. § 841(b)(1)(C) is not a “covered offense” under § 404 of the Act. Accordingly, a defendant sentenced under that provision before implementation of the Fair Sentencing Act in 2010 is not eligible for retroactive relief.
- U.S. v. Fuhai Li. The Third Circuit Court of Appeals upheld a 330 month sentence, holding that the evidence was sufficient to show Li, motivated by personal enrichment, improperly prescribed oxycodone to an overdose victim who subsequently died, and did so outside the course of professional conduct. The evidence showed he prescribed the drug without going over the victim’s medical history, describing the dangers of the drug, or noting she already had oxycodone in her system.
- U.S. v. Michael Portanova. The Third Circuit Court of Appeals upheld Portanova’s 15-year sentence on the basis of enhancements due to prior convictions. The Third Circuit held that, in determining whether Portanova had a prior conviction “related to” the possession or distribution of child pornography, requiring a mandatory minimum 15-year sentence under 18 U.S.C. § 2252(a)(2) and 2252(b)(1), the Court applies a “looser categorical approach” that does not require an exact match between the state and federal elements of conviction, but rather that the state offense satisfy a generic definition. Portanova’s conviction for possession and distribution in violation of 18 Pa. Con. Stat. § 6312(c) and (d) qualified.
- U.S. v. Willie Tyler. The Third Circuit Court of Appeals overturned the District Court’s determination that insufficient evidence was presented to the jury to support its ultimate verdict of Tyler’s guilt on charges of witness tampering by murder, and witness tampering by intimidation. In particular, it held that the government proved “a reasonable likelihood that, had the victim communicated with law enforcement officers, at least one relevant communication would have been made to a federal law enforcement officer.” That proof is not defeated by the fact that the victim likely had a specific law enforcement officer in mind who was not a federal officer. This is the third time that Tyler has been convicted of these crimes. In each of the prior two instances he was able to secure a new trial.

**Financial Litigation Unit.** The Financial Litigation Unit (FLU) is tasked with the enforcement of criminal and civil debts owed to the United States and federal crime victims. FLU strives to collect and enforce debts in an aggressive, efficient, and effective manner. Maximum asset identification is achieved through coordination with the United States Attorney's Office, United States Probation, Victim/Witness and federal agents.

### **Restitution.**

- U.S. v. Savage Family Pharmacy. This civil penalty claim arose from conduct from Rodger Savage, President of Savage Family Pharmacy, and Savage Family Pharmacy between July 2015 and May 2019. Savage Family Pharmacy, failed to remedy violations of the Controlled Substance Act, more specifically, failure to maintain complete and accurate records of each controlled substance, failed to maintain complete and accurate inventories of controlled substances, and failed to provide effective procedures to protect against theft. A civil penalty of \$180,480.00 was agreed upon and the defendant made payment in full on June 22, 2020.
- U.S. v. Pennsylvania State University. This civil claim arose from Penn State's management of federal government funding from the Department of the Navy, NASA, Air Force and National Science Foundation. Penn State submitted claims and expended funds from the United States and certified that every claims or expenditure was accurate and correct. The civil penalty of \$151,000.00 was agreed upon and the defendant made payment in full on May 13, 2020.
- U.S. v. Floyd Benko. Restitution order \$69,742.00 to Penn State Milton S. Hershey Medical Center. The defendant made a voluntary payment of \$20,000, which resulted in full payment of his outstanding restitution.
- U.S. v. John Bobrowski. Restitution order \$88,758.85 to Edward Walburn. The FLU received notification from the defendant that a piece of property was being sold at a Sheriff's sale in Middlesex County, New Jersey. The money from the sale was put into a Trust Fund pending any liens that were placed. There was \$87,905.55 remaining in the Trust Fund and the FLU filed a motion with the Su-

perior Court Trust Fund requesting \$76,811.85. The motion was granted, and we received the full amount which paid off the defendant's outstanding restitution balance.

The USAO MDPA collected over \$13 million in criminal and civil actions in Fiscal Year 2020. Of this amount, \$4,752,395 was collected in criminal actions and \$8,840,911 was collected in civil actions. The \$13 million collected in FY 2020 far exceeded our office budget.

### **Asset Forfeiture.**

- U.S. v. Approximately \$2,147,586.76. A civil matter that arose after the Government investigated a wire fraud violation regarding David Cummings, who was deemed to be a money mule. Cummings was contacted via email by an individual who said Cummings would be receiving money from an unknown relative in the United Kingdom. Cummings provided his bank information to this individual and received a deposit of approximately \$2,147,753. This currency was thought to have been transferred by Washington State Health Authority ("WSHCA") to Amerigroup Washington Inc. ("AWI"). However, an updated ACH form was faxed to WSHCA from AWI, with a Bank of America account number in the name of David Cummings. The Government recovered these funds and was able to return the \$2,147,753 to the victim.
- U.S. v. Jonathan and Cindy Jacome. Defendants were charged with violations of money laundering conspiracy involving the theft of public money. The Government was able to forfeit the home valued at approximately \$234,000.
- U.S v. James Counterman. The Government forfeited approximately \$128,000 in lieu of multiple real properties for distributing methamphetamine. The defendant also made multiple cash deposits into financial accounts and purchased multiple real estate properties with the proceeds of the specified unlawful activity.

# CIVIL DIVISION

## Civil Assistant United States Attorneys

**First Assistant U.S. Attorney:**  
Bruce D. Brandler

**Civil Chief:**  
Joseph Terz

**Deputy Chief:**  
G. Michael Thiel

**Appeals Chief:**  
Navin Jani

**Harrisburg:**  
Michael Butler  
Samuel Dalke  
Joanne Sanderson  
D. Brian Simpson  
Melissa Swauger  
Richard Euliss  
Tamara Haken  
Navin Jani  
Harlan Glasser

**Scranton:**  
Timothy Judge

The Civil Division represents the United States and defends federal agencies and officials against civil claims. The Civil Division also works to ensure the civil rights of all Americans, enforcing the Civil Rights Act of 1964, the Fair Housing Act, the Americans with Disabilities Act, and the Voting Rights Act among other federal civil rights laws.

The civil division's work is far ranging and includes the areas of:

- prisoner litigation
- immigration
- defensive and affirmative cases
- bankruptcy
- social security
- mortgage foreclosures
- healthcare fraud
- qui tams
- civil rights
- appeals

The civil division handled approximately 1,057 cases in 2020. A sample of these cases includes approximately 245 First Step Act cases; approximately 305 Social Security cases; approximately 200 prison litigation cases including 125 habeas petitions and 71 Constitutional Claims; approximately 50 Federal Tort Claims Act cases including 16 medical malpractice cases; 18 employment discrimination cases. Highlights of the Civil Division's work in 2020 follows:

**Immigration.** The U.S. Attorney's Office handles a number of immigration detainees who file habeas petitions challenging their detention status and seek immediate release. The civil division handled approximately 118 such cases in 2020.



**Civil Rights.** MDPA works closely with the Department of Justice, Civil Rights Section, to investigate allegations of civil rights violations within the district. The civil rights matters involve allegations of denial of equal access to persons with disabilities, employment discrimination, fair housing, discrimination, denial of religious freedom, violations of the rights of institutionalized persons and investigating allegations of denied access to polling sites for those with mobility impairments.



### 30th Anniversary of the Americans with Disabilities Act of 1990 (ADA).



In July 2020, U.S. Attorney Freed recognized the 30th anniversary of the passage of the ADA on July 26, 1990. Thirty years later, the ADA is a transformative law that prohibits discrimination on the basis of disability in places of public accommodation, including all hotels, restaurants, retail stores, theaters, health care facilities, convention centers, parks, and places of recreation (Title III), in all activities of state and local governments (Title II), and in employment (Title I). The ADA empowers the Department of Justice to investigate, litigate, and resolve complaints of discrimination as well as authorizing the Government to conduct compliance reviews of covered entities. Because of measures taken to enforce the ADA, the United States Attorney's Office has worked with the Commonwealth and local governments, as well as area business to ensure compliance with the antidiscrimination provisions of the ADA. In particular, this Office has taken a leading role in ensuring that individuals with disabilities can exercise their right to vote in person at polling places in the Middle District of Pennsylvania. We remain committed to eliminating segregation and exclusion of persons with disabilities from the mainstream of American life.

News release: <https://www.justice.gov/usao-mdpa/pr/us-attorney-david-j-freed-recognizes-30th-anniversary-americans-disabilities-act>

- U.S. v. Lackawanna County. During the May 16, 2017 primary election, the United States Attorney's Office, along with an architect from the Department of Justice, surveyed a portion of the county's polling place locations. The survey resulted in a finding that many of the county's polling places contain barriers to access for persons with disabilities. Title II of the ADA prohibits discrimination on the basis of disability by a state or local government in any of its programs or services, including its voting program. Under the terms of a settlement agreement, the county will use an evaluation form for each current and prospective polling place based on ADA architectural standards. The February 2020 settlement requires the county to either relocate inaccessible polling places to new, accessible facilities, or to use temporary measures such as portable ramps, signs, traffic cones and doorbells, where appropriate to ensure accessibility on Election Day.
- U.S. v. Dauphin County. (December 2020) - Pursuant to the March 2018 settlement agreement, over the last year, Dauphin County presented 24 proposed new ADA compliant polling places for the U.S. Attorney's Office to approve. Twenty of the 24 new polling locations have been approved. Four of the proposed sites required clarification and await the county's response.







### **Sexual Harassment in Housing Initiative.**

The Department of Justice brings cases each year involving unlawful landlord conduct, including allegations that defendants requested sexual favors in exchange for reduced rents or making necessary repairs, made unrelenting and unwanted sexual advances to tenants, and evicted tenants who resisted their sexual overtures.

In April 2020, the United States Attorney's Office set up an email and phone number for residents of the Middle District of Pennsylvania to address misconduct by landlords. Anyone who has experienced sexual harassment in housing, or knows someone who has, may present a complaint to the Civil Rights coordinator by calling 717-614-4911 or emailing [usapam.civil.rights@usdoj.gov](mailto:usapam.civil.rights@usdoj.gov).

To listen to U.S. Attorney Freed's public service announcement regarding the Department's initiative visit:

<https://www.justice.gov/usao-mdpa/justice-department-announces-nationwide-initiative-combat-sexual-harassment-housing>

**Civil Defensive.** Defending Federal Agencies and Employees.

- Knapp, et al. v. United States. Plaintiffs claimed that Pike County Community Health Care Clinic, a federally supported health center, mistakenly diagnosed her with lyme disease and prescribed her incorrect medicine, causing her to suffer microscopic polyangiitis and chronic kidney disease stage 3, which became permanent. U.S. District Judge Malachy E. Mannion held—and the Third Circuit affirmed—that plaintiffs' claims were time-barred by two days, notwithstanding timely initiation of state court action and service of administrative tort claim to the Health Center. Importantly, and in an issue new to the Third Circuit, serving an administrative claim to a federally supported Health Center

does not constitute receipt by the interested federal agency (HHS) and does not toll the statute of limitations.

- Conboy et al. v. U.S. Small Business Administration (SBA) et al. The owners of Harrisburg's Ceoltas's Irish Pub (now Capitol Gas-tropub) filed suit against the SBA and various lenders who bankrolled their failed enterprise with a \$594,000 loan. Instead of paying their outstanding debt, the owners claimed breach of contract, defamation, and various violations of consumer protection, collection and credit reporting laws. The SBA responded with evidence that they did everything properly and refuted the owners' position with the loan documents. Judge Mannion granted the SBA's summary judgment motion, which allows SBA to proceed with collection on the unpaid debt.



**Affirmative.** Filing Civil Lawsuits on behalf of the United States.

- U.S. v. Angino Law Firm. The Angino Law Firm represented a Medicare beneficiary, "the client," in a state medical malpractice claim against Bloomfield Pharmacy, Inc. and Bio-Medical Applications of Pennsylvania, Inc., alleging that the pharmacies had dispensed an incorrect drug to the client. In 2011, Medicare conditionally paid approximately \$84,353 for the client's medical care. The Angino Law Firm settled the state medical malpractice claim in 2014 and received payment on behalf of the pharmacies. Under the Medicare Secondary Payer Statute, the Angino Law Firm was required to repay \$53,295 to the Medicare Program. Because the Angino Law Firm refused to repay the Medicare Program, the United States filed suit to recover the money owed to the Government in July 2017. In August 2020, after extensive litigation, Angino Law Firm agreed to pay the United States \$53,295 to resolve liability under the Medicare Secondary Payer Statute.



**Affirmative Civil Enforcement (ACE).** In 2019 the USAO-MDPA created a new Affirmative Civil Enforcement unit within the Civil Division to exclusively handle ACE matters such as health care fraud, violations of the Controlled Substance Act, defense procurement fraud, as well as various grant program frauds. The ACE team is comprised of two AUSAs, an ACE Auditor, a contract investigator and a contract financial analyst. The ACE team opened 17 new investigations in 2020, eight of those new cases were identified by the ACE Team without assistance of any federal agency, and currently has 37 open investigations.

- U.S. v. Dr. Nava K. Nawaz. Dr. Nawaz used her laboratory company Perll Diagnostics, Inc. to defraud Medicare by submitting over 23,000 false and inflated travel reimbursement claims for specimen collection and testing between 2014 and 2017. In doing so, the government contends that Dr. Nawaz misrepresented the distances traveled by Perll's lab technicians and wrongly obtained taxpayer dollars for travel that never occurred. In November 2020, Dr. Nawaz agreed to pay the United States \$850,000 to resolve the allegations that she submitted fraudulent travel claims to the Medicare program. Dr. Nawaz also agreed to an 18-month ban as an owner of a laboratory.
- U.S. v. Physicians Mobile X-Ray Company. Physician Mobile X-Ray improperly billed Medicare for the transportation component of X-Ray equipment when x-ray services were provided to more than one Medicare beneficiary at the same location during the same trip. While Medicare will reimburse providers for a transportation component associated with mobile imaging services, that transportation component should be apportioned when more than one patient at the same location receives an x-ray during the same visit. The United States alleged that Physician's Mobile X-Ray failed to apportion its charges between 2014 and 2019, leading to overcharges to Medicare. In August 2020, Physician's Mobile X-Ray agreed to pay the United States \$49,759 to resolve potential liability under the False Claims Act.

- U.S. v. Pennsylvania State University. In May 2020, Pennsylvania State University agreed to pay the United States \$151,000 to resolve potential liability under the False Claims Act. The investigation arose from alleged mischarges to various grants and contracts from the National Science Foundation, the Department of the Navy, the National Aeronautics and Space Administration, and the Air Force. The grants and contracts were awarded to Penn State in 2012-2017 and the isolated alleged mischarges identified occurred in 2013-2016.
- U.S. v. Savage Family Pharmacy. In June 2020, Savage Family Pharmacy located in Waynesboro, PA, agreed to pay the United States \$180,480 in civil penalties for allegedly failing to comply with recordkeeping and other requirements of the Controlled Substances Act. Between 2015 and 2019, Savage Family Pharmacy did not adequately monitor the conduct of its employees, and failed to keep complete and accurate inventories and records regarding the receipt and dispensing of Schedule II controlled substances, including but not limited to oxycodone and hydrocodone. These alleged violations enabled the altering of incoming inventory counts, as well as the altering of dispensed counts of the controlled substances over an extended period of time. Inventories, when conducted, were not reconciled with the perpetual log. Additionally, pages of the perpetual log were removed, allegedly, by an employee diverting the controlled substances. As a result of Savage Family Pharmacy's alleged actions, tens of thousands of doses of controlled substances went unaccounted for and were potentially diverted for illicit purposes.



**Prison Litigation.** The MDPA houses four major federal correctional complexes: Allenwood, Canaan, Lewisburg, and Schuylkill. With a population of approximately 6,000 inmates, the facilities constitute one of the largest concentration of federal populations in the country. These inmates are a constant source of complex litigation including, habeas corpus challenges, general torts, and Constitutional claims alleging excessive force, failure to protect, retaliation, and other damages and constitutional claims. Named as defendants are multiple federal employees and institutions.

- Regassa v. United States. Inmate was housed at USP Lewisburg's Special Management Unit and claimed BOP officers punched, kicked and assaulted him during an escort and thereafter improperly placed him in restraints. The Bureau of Prisons admittedly used force, and the inmate had documented injuries, but the Court determined the BOP officers used appropriate force that was reasonably necessary under the circumstances to maintain control of inmate.
- Richardson v. Bledsoe. Inmate sought individual and class relief against officials at USP Lewisburg. The inmate claimed that the Special Management Program (a program for those inmates with numerous disciplinary infractions or gang affiliations) at USP Lewisburg forced dangerous cell assignments between inmates, knowing that the inmates would fight, and when they did fight, the officers would not timely stop the fight. The complaint also claimed that if the inmates refused to accept a cell assignment, they would be placed in painful restraints until they complied. Last year, the BOP transferred the SMU program out of USP Lewisburg to USP Thomson in Illinois. Indeed, of the previous population of over 1,000 inmates in the SMU program at USP Lewisburg, only 11 inmates remained as of January 2020. On November 24, 2020, the Court denied class certification, finding it could not grant the relief the class sought under Rule 23(b) (2). The Court also rejected the plaintiff's "voluntary cessation" argument, noting a class could not establish that the BOP had any intent of bringing the SMU back to Lewisburg, as the evidence showed the inmates were transferred to a different institution and the mission of USP Lewisburg had changed.



*USP Lewisburg—High security U.S. Penitentiary with an adjacent minimum security satellite camp.*



*USP Allenwood—High security U.S. Penitentiary which is part of a correctional complex including a medium and low security institution.*



*USP Canaan—High security U.S. Penitentiary with an adjacent minimum security satellite camp.*



*FCI Schuylkill—Medium security federal correctional institution with an adjacent minimum security satellite camp.*

## Coronavirus Class Action.

- Thakker v. Doe. Alien detainees filed a petition for habeas corpus seeking individual and class relief. Namely, the detainees sought to certify a class of medically vulnerable detainees, alleging that they face serious health consequences because of the current pandemic in the three county detention centers in the Middle District of Pennsylvania (York, Clinton, and Pike). The Court addressing the class action motion, found that the petitioners could not satisfy Rule 23 of the Federal Rules of Civil Procedure. In particular, the Court held that the petitioners could not meet the typicality requirement of Rule 23(a)(3) because they all had various medical conditions, their criminal histories were distinct, and there were different pandemic policies at the three detention centers. For similar reasons the Court found that the petitioners could not meet the adequacy requirements of Rule 23(a)(4) and the cohesiveness requirement of Rule 23(b)(2). The individual claims remain and motions to deny those claims are currently pending before the Court.
- Engelund v. Doll. Fifteen immigration detainees with alleged chronic medical conditions housed at two different facilities filed a joint habeas corpus petition contending that their continued civil detention during the COVID-19 pandemic violated their substantive and procedural due process rights that necessitated their release into the community. Their habeas petition, which raised conditions of confinement and a novel access to counsel claims, was accompanied by a motion for temporary restraining order that demanded their immediate release to prevent irreparable harm. Following a condensed briefing schedule and telephonic oral argument, the Court denied Petitioners' relief on their conditions of confinement claim. The Court held the COVID-19 pandemic constituted "certain extraordinary conditions of confinement" that could warrant a habeas remedy. However, it credited the extensive record created by our office and our agency partners on an expedited basis and, despite upticks of infections at both facilities, held the Petitioners failed to establish a likelihood of success on the merits under either the constitutional

standards advanced. After we fully briefed Petitioners' remaining access to counsel claim, Petitioners voluntarily dismissed the balance of the action.



## Appeals.

- Mammana v. Federal Bureau of Prisons. Successful motion for judgment on the pleadings based on Abbasi. Inmate who was placed in administrative segregation filed Bivens suit alleging that he had been deprived of warmth and sleep in violation of the Eighth Amendment because he was given paper clothes, the temperature was too cold, bright lights were on all through the night, and he had to sleep on a thin mattress with no blanket. His original suit had been dismissed as not alleging a sufficiently serious deprivation to constitute cruel and unusual punishment, but the Third Circuit reversed and remanded. This time we argued that the inmate's conditions of confinement claim presented a new factual context under Abbasi and would invite frivolous and difficult litigation. The Judge granted our motion for judgment on the pleadings on June 25, 2020.
- Hope v. Warden York County Prison. A group of immigration detainees had filed a habeas action and temporary restraining order seeking immediate release because they believed remaining in custody placed them in mortal danger from COVID-19. The Court granted the TRO ex parte. Although temporary restraining orders are generally not appealable as final orders, they may be appealed under 28 U.S.C. § 1291(a)(1) where they go beyond preserving the status quo and mandate affirmative relief, especially if that relief is substantial and potentially irreversible. On August 25, 2020, the Third Circuit reversed. In light of the measures implemented by prison officials during an unprecedented situation and the purposes served by detention, the petitioners did not show a substantial likelihood of success and did not establish deliberate indifference.



## ADMINISTRATIVE DIVISION

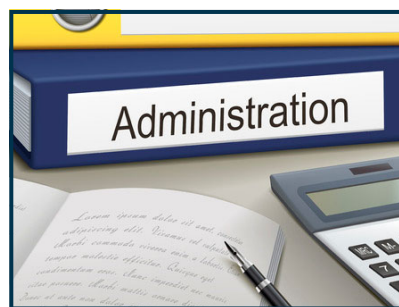
### Administrative Division.

The Administrative Division provides a variety of services and support to the overall mission of the office. Typically, the Administrative Division is behind the scenes making sure that staff have what is needed to litigate cases on behalf of the United States. This year was unusual, in that our response to the COVID-19 pandemic included increased telework for the entire staff, the logistics of which were unprecedented. Working with the IT staff, we ensured that employees had the tools and equipment they needed to work remotely, and the Human Resources staff ensured that everyone, including contractors, had an approved telework agreement in place. We also participated in a variety of working groups to develop policies and procedures related to the pandemic, obtained additional cleaning services, purchased hand sanitizer, cleaning supplies, gloves, and masks for staff and visitors, developed sign-in procedures to facilitate contact tracing, added Plexiglas to workstations in Harrisburg, and provided frequent and comprehensive communication to the workforce during uncertain times.

In 2020, the Administrative Division created 19 vacancy announcements to fill a variety of attorney and support staff positions, one of which was a newly-described position. Four attorneys and nine support staff were hired and one attorney was promoted. Six student volunteers worked with the district, gaining experience in a time when many internships were cancelled, and six attorneys began SAUSA appointments with our office. Two employees retired, three resigned, and one began a 14-month detail to OPDAT. Two other employees were detailed to Oklahoma to support efforts in support of the McGirt decision; one is on an extended temporary duty assignment, and the other is working remotely for Oklahoma from her home in Pennsylvania. Over 400 personnel actions were processed, including a robust award program, and 27 background investigations were either initiated or renewed.

With a budget of approximately \$10.9 million dollars, including \$8.2 million in payroll, the Administrative Division provided the office with the facilities, people, supplies and equipment that was needed. The Administrative Division operates four offices, each with unique facility requirements. In 2020, the entire Scranton Office was painted and carpeted, and construction continued on the new Harrisburg Courthouse. The Williamsport Office was the first to move to a “PIV only” building access system, which eases the logistics of office access and relieves staff of the need to carry two cards.

The Administrative Division also worked with the Criminal Division and IT staff to develop a common file structure for the Criminal Division. This file structure has increased efficiency, and will serve as a springboard for eventual electronic files management. The Contracting Officer executed 36 expert witness contracts, and for the first time, the amount of money spent on expert witnesses surpassed \$1,000,000, but the positive case outcomes indicate that those were funds well spent. The Administrative staff also continued to move hundreds of closed files, conducted a wall-to-wall inventory, updated the Employee Handbook, created and updated policies, opened, updated and closed hundreds of cases in CaseView, processed local and overnight travel reimbursements, developed ways to make things more effective and efficient, and overall had a very productive year.



## COMMUNITY OUTREACH

### Reentry Programs.

The Project Safe Neighborhoods initiative also called for greater attention to other major components of the federal criminal justice system. The initiative proposed changes to the traditional role of the federal prosecutor, calling for sustained involvement in matters related to crime prevention and offender reentry programs, in part to help reduce recidivism. A primary focus of our reentry efforts is to remove or reduce barriers to successful reentry, so that motivated individuals - who have served their time and paid their debt to society - are able to compete for a job, attain stable housing, support their children and their families, and contribute to their communities.

### CARE (Court Assisted Re-Entry Program).

The United States District Court for the Middle District of Pennsylvania conducts a Court-Assisted Re-Entry Program (CARE), a four-phase program designed to aid the rehabilitation and re-integration of persons recently released into the community under federal supervised release and who face a moderate to high-risk of recidivism. The CARE Program relies upon support from public institutions and agencies as well as volunteer private entities and individuals. The MDPA CARE Program has existed for more than eight years. The U.S. Probation Office, the Federal Public Defenders and the U.S. Attorney's Office participate in the program. The CARE Program offers an alternative program of supervision and a blend of treatment and support to effectively address offender behavior and rehabilitation. Most CARE participants have served multi-year prison sentences and face barriers to reintegration to the community.

The CARE Program is an intensive voluntary program in which criminal justice professionals who comprise the "CARE Team," encourage and assist participants to seek educational, employment, health, family counseling and other opportunities to aid in their successful return to the community as productive and law abiding citizens.

Persons recently released from federal prison and serving a period of supervised release under supervision of the U.S. Probation Office are eligible to apply for admission. Each applicant is considered based on the totality of his/her individual circumstances, including a Risk Prediction Index and Post-Conviction Risk Assessment scores.

The U.S. Probation Office considers each applicant and then makes a recommendation to the Court and to the participating Federal Public Defenders and Assistant United States Attorneys as to whether or not an applicant would likely benefit from the program. Before making recommendations, the Probation Office also consults the federal judge who imposed the original prison sentence and term of supervised release and the federal prosecutor who handled the case. While the Assistant United States Attorneys and Federal Public Defenders who participate in the CARE Program are consulted regarding an applicant's suitability for participation, the judge who oversees the program makes the final decision as to whether or not to admit an applicant. The CARE Program operates in the Court's Harrisburg, Scranton and Williamsport venues. There is no set number of allowable participants. However, experience suggests that multiple groups that meet separately and consist of approximately 10 participants per group leads to ideal circumstances for interactions between participants, the Court and other CARE partners.



# COMMUNITY OUTREACH



## Coming Home: The CARE Program Video.

The CARE video was designed to educate prospective participants about the benefits of the CARE Program.

To view the video and additional information go to: [www.pamp.uscourts.gov/CARE/coming-home-care-program](http://www.pamp.uscourts.gov/CARE/coming-home-care-program)

## CARES.

In the summer of 2015, an innovative public/private partnership between the CARE Program and ESSA Bank & Trust, Northampton Community College, and Pyramid Healthcare, Inc. local, regional, and national nonpartisan private business interests, whose goals and missions, among other things, are to be involved in their respective communities, was established. Each of these entities has demonstrated a commitment to support the reentry efforts of the CARE Program through a focused set of activities called, collectively, Cooperatively Arranged Re-Entry Services "CARES." Each participating entity has entered into a written agreement to provide the services. The CARES providers have expressed common goals for their investment of resources and services: to enhance crime prevention, deter crime, help families, save costs to taxpayers, and reduce recidivism. The purpose of this public-private collaborative arrangement is to provide services to CARE Program participants that will aid and assist in reaching its goals and objectives. One of the most innovative aspects of the CARES Agreement is that the services provided are available, not only while a CARE participant is enrolled in the CARE Program, but also after the participant graduates from the Program and is no longer under court supervision.

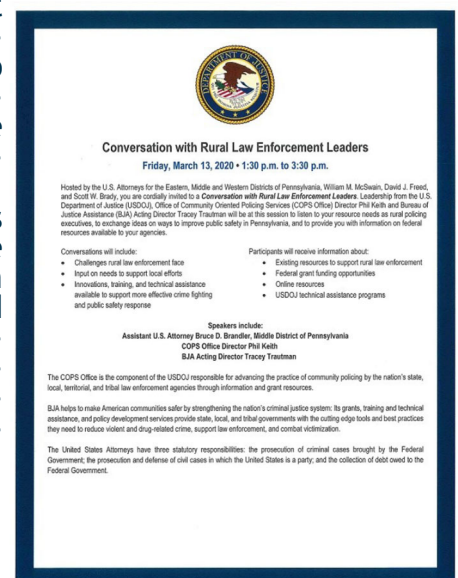
Another key component of CARES is participation of individual community volunteers who provide mentoring services to some CARE participants.

The CARES partnership is a precedent-setting initiative supportive of the federal reentry program because it provides a continuum of services to participants and graduates of the CARE Program, including scholarships, grants, and loans for education, job training, transportation, housing, healthcare, drug and alcohol counseling, etc. Every participant in the CARE Program, as well as every graduate of the Program, is eligible to participate in the CARES Program. There is no established limit to the number of people who will be permitted to receive services under the CARES Program.

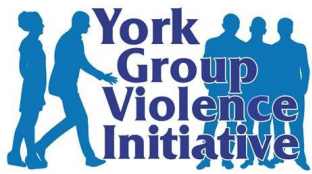


## Conversation with Rural Law Enforcement Leaders

This event was held on March 13, 2020, and was hosted by the U.S. Attorneys of the Middle, Eastern and Western Districts. First Assistant U.S. Attorney Bruce D. Brandler, COPS Office Director Phil Keith, and BJA Acting Director Tracey Trautman were guest speakers. The Forum was formed to listen to law enforcement resource needs as rural policing executives, to exchange ideas on ways to improve public safety in Pennsylvania, and to provide law enforcement with information on federal resources available to their agencies.



## Group Violence Initiative Call in Program



In 2016, the U.S. Attorney's Office joined community and law enforcement partners in York as part of the York Group Violence Initiative (GVI). GVI is designed to reduce street group-involved homicide and gun violence. GVI was pioneered by the National Network for Safe Communities at John Jay College.

As the National Network's website notes, GVI has repeatedly demonstrated that violence can be dramatically reduced when a partnership of community members, law enforcement, and social service providers directly engages with the small and active number of people involved in street groups and clearly communicates a credible moral message against violence, prior notice about the consequences of further violence, and a genuine offer of help for those who want it. A central method of communication is the call-in, a face-to-face meeting between group members and the strategy's partners. The aim of the GVI strategy is to reduce peer dynamics in the group that promote violence by creating collective accountability, to foster internal social pressure that deters violence, to establish clear community standards against violence, to offer group members an "honorable exit" from committing acts of violence, and to provide a supported path for those who want to change.

The focus at the beginning of 2020 was developing the Community Moral Voice of the GVI strategy. Though interrupted by the Coronavirus pandemic, individuals are still being identified who will be "credible messengers" working in the neighborhoods on a daily basis to bring the "we want you safe, alive, and out of prison" message to group members. A partnership was formed working with WellSpan Health System to develop a Hospital Based Violence Intervention program to actively engage gun violence victims and their families. Most often these victims are also part of the groups that are involved in most of the violence in the city. The Hospital based strategy engages them at a vulnerable point where they are more receptive to engage the help that is offered. Also, as part of the effort to reduce the initial shootings, the York City Police Department developed a strong relationship with the York City

School Police to be proactive in addressing youth before they become involved in "street" activity. Statistically, there was a 34% reduction in group member involved incidents over 2019 and a 50% reduction year to date in criminal homicide incidents by firearm.



*York County Mayor Michael Helfrich speaks to attendees of the call-in in York City.*

## Protecting Places of Worship Forum

First Assistant U.S. Attorney Bruce D. Brandler, Harrisburg Bureau of Police, PSP, DHS, FEMA, PA Human Relations Commission, Jewish, Christian, Muslim, Sikh, Hindu and interfaith community representatives participated on the Protecting Places of Worship Forum that was held on March 5, 2020. The Forum content was an interfaith meeting for faith-based leaders and community members on ways to prevent and respond to hate crimes against places of worship. The forum was facilitated by the United States Department of Justice Community Relations Service (CRS).

## Protecting Places of Worship Forum

Facilitated by: United States Department of Justice Community Relations Service (CRS)  
Hosted by: Jewish Federation of Greater Harrisburg

An interfaith meeting for faith-based leaders and community members on ways to prevent and respond to hate crimes against places of worship

**March 5, 2020**  
**6:00 PM – 9:00 PM**  
Registration begins at 5:30 PM

### Agenda Topics

- Overview of Religious Hate Crimes
- Threat Assessments by Federal and Local Law Enforcement
- Preventing and Responding to Active Shooter Situations
- Fortifying Houses of Worship

**Please RSVP to:**

Jenn Ross  
j.ross@jewishfedhbg.org  
T: (717) 236-9555 ext. 3104  
F: (717) 236-0965

Chris Van Alstyne  
Regional Director  
Community Relations Service  
Christian.VanAlstyne@usdoj.gov  
T: (816) 426-7434  
F: (816) 426-7441

Register at:  
<https://jewishharrisburg.org/>

**Location**

3301 N Front Street  
Harrisburg, Pennsylvania 17110

**Invited Speakers**

- U.S. Attorney Office, Middle District of Pennsylvania
- Harrisburg Police Department
- Pennsylvania State Police
- Department of Homeland Security
- F.E.M.A.
- Pennsylvania Human Relations Commission
- Representatives from the Jewish, Christian, Muslim, Sikh, Hindu, and interfaith communities

## PUBLIC AFFAIRS

**Law Enforcement Appreciation Day.** January 9, 2020 was Law Enforcement Appreciation Day - a day to show support to law enforcement officers. U.S. Attorney Freed appeared on WSBA Radio and the Frank Andrews Show on Wilk News Radio to promote this day and to show his appreciation to law enforcement. The Frank Andrews Show dedicated the entire three-hour show to law enforcement Appreciation Day and credited our office for doing so. Frank took calls, brought on other guests and even played police related bumper music.

**Listen to interview here:** <https://wilknews.radio.com/articles/news/special-edition-1-18-and-19>

**PMA Perspective Chinese Economic Warfare.** U.S. Attorney Freed appeared on PMA Perspective on January 13, 2020, to discuss DOJ's China Initiative to fight industrial espionage.

**Listen to interview here:** <https://vimeo.com/394229513> (around 11:30 min. mark to hear interview)



**Frank Andrews Show.** U.S. Attorney Freed honored law enforcement as a guest speaker on The Frank Andrews Show on 103.1 FM Wilk Newsradio on May 12, 2020.

**To listen to the show:**

<https://wilknews.radio.com/articles/news/special-edition-5-16-and-17?>

**PCNTV.** On June 24, 2020, U.S. Attorney Freed joined Dr. Monica Lypson and Professor Sarah Townsend on Facebook Live with PCN TV. The Coronavirus Impact TV series featured interviews on how COVID-19 is impacting Pennsylvania. USA Freed's interview was on COVID-19 related fraud.



**Operation Legend.** On July 29, 2020, U.S. Attorney Freed discussed DOJ's Operation Legend and what impact it has in our area as a guest speaker on The Frank Andrews Show on 103.1 FM Wilk Newsradio.

**To listen to the show:**

[Special Edition 8 1 and 2 | WILK-FM](#)

**Smart Talk.** On August 2, 2020, U.S. Attorney Freed, Chief Judge Jones, Chief Federal Public Defender Freese appeared on Smart Talk WITF with Scott Lamar to discuss how the federal court system had to adapt to the COVID-19 pandemic.

**To listen to the show:**

[Smart Talk Tuesday: Federal justice system adapts to pandemic; Speaking grief | Smart Talk](#)



**National Police Week.** National Police Week was observed May 10–16, 2020. This week was focused on honoring police officers for their service, courage and sacrifice.

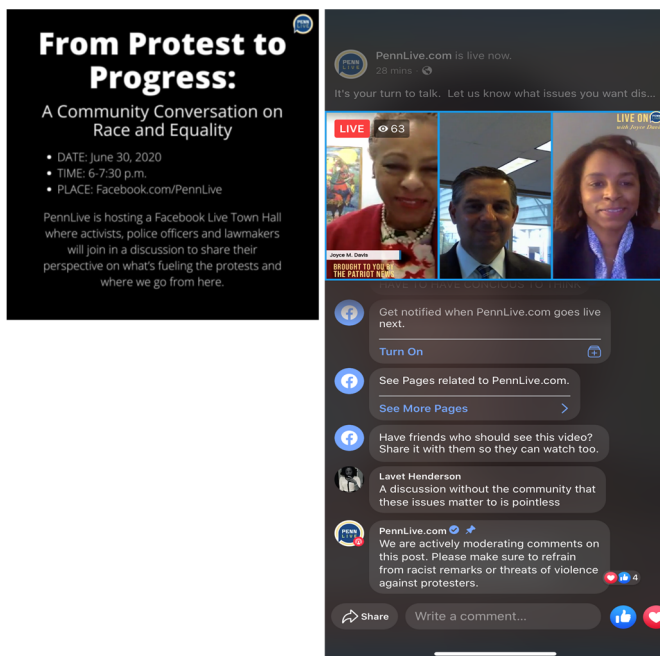
**News release:** <https://www.justice.gov/usao-mdpa/pr/us-attorney-david-j-freed-recognizes-police-week>

### York County Diversity and Inclusion Mission.

U.S. Attorney Freed attended York County District Attorney's Office press conference on June 12, 2020 to show his support to DA Dave Sunday and other community leaders in York City for their diversity and inclusion mission.



**Pennlive Facebook Town Hall.** On June 30, 2020, U.S. Attorney Freed joined Joyce Davis from Pennlive and Francia Danon-Henry, former Susquehanna Township police officer, for Pennlive's "From Protest to Progress" Town Hall. Dave spoke on the law and police perspective of race and equality.



**Message to Law Enforcement.** U.S. Attorney Freed recorded a message to law enforcement officers across the Commonwealth and spoke about our outstanding partnerships all over PA. Dave's message was sent to 7,000 members of the PA Chiefs of Police Association, 1,200 Chiefs, and was shared on social media platforms: Facebook, Twitter, and Instagram.

The video can be viewed here:

<https://districtprd.usa.doj.gov/district/PAM/Lists/Pennsylvania%20Middle%20District%20Announcements/AllItems.aspx>

**Police Visits.** On August 18-19, 2020, U.S. Attorney Freed and First Assistant U.S. Attorney Bruce Brandler spoke to Commissioner Carter and officers at Harrisburg Police Bureau at 6 roll calls over 2 days to thank them for their service to the community, their partnership with our office, and to show his support to the officers.



On September 11, 2020, U.S. Attorney Freed spoke to Chief Coffay and officers at Wilkes-Barre City Police Department at roll call to thank them for their service and sacrifice while serving the community, their partnership with our office, and to show his support to the officers.







## ELDER FRAUD

**AARP Telephone Town Hall.** On January 28, 2020, over **9,500** seniors in Pennsylvania participated in a interactive telephone town hall with the U.S. Attorney's Office, FBI and AARP to learn about the latest scams so they don't fall victim.

"Congratulations on a successful Elder Justice Town Hall—9,500+ participants is an incredible turnout! As you rightly noted, prevention through education is one of the keys to combatting Elder Fraud. Town Halls, such as this, help spread the message not only to seniors but to their families and friends, who now know the signs and red flags. Thanks for advancing this AG priority and let me know what I can do to support your District's efforts!"

- Antoinette T. Bacon Associate Deputy Attorney General



**Wilk Newsradio.** U.S. Attorney Freed was a guest on Wilk Newsradio Special Edition with Paula Reynolds on February 5, 2020, to discuss the Elder Justice interactive telephone town hall.



### Link to Interview:

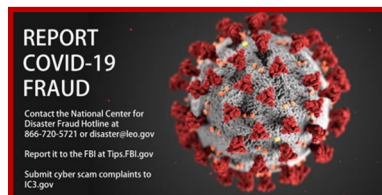
<https://wilknews.radio.com/media/audio-channel/special-edition-2-8-and-9>



**Bethany Village.** U.S. Attorney Freed spoke on Elder Financial Fraud at Bethany Village in Mechanicsburg on February 27, 2020. His presentation to about 40-60 seniors outlined the latest scams and frauds targeting seniors. Seniors were lined-up to ask questions following his presentation.

### 15th Annual World Elder Abuse Awareness Day

The COVID-19 pandemic has created unprecedented challenges across the country, but among those most severely affected by the virus are our senior citizens. This year was especially important that we bring awareness to elder abuse, neglect and exploitation. U.S. Attorney Freed brought awareness to this very issue on June 15, 2020.



### Press release:

<https://www.justice.gov/usao-mdpa/pr/us-attorney-david-j-freed-observes-15th-annual-world-elder-abuse-awareness-day>

**The Frank Andrews Show.** U.S. Attorney Freed was a guest speaker on The Frank Andrews Show on 103.1 FM Wilk Newsradio on June 16, 2020 to help spread awareness of Elder Fraud during COVID-19.

**To listen to the show:** <https://wilknews.radio.com/articles/news/special-edition-6-20-21?>

**Pennlive Facebook Live Elder Fraud.** U.S. Attorney Freed wrote an Op-Ed article to bring additional awareness to Elder Fraud during COVID-19. The Op-Ed was published by Pennlive, The York Dispatch, The Times Leader, The Times Tribune and the York Daily Record. Pennlive held a Facebook Live interview with USA Freed on June 26, 2020 to discuss the Op-Ed and Elder Fraud. There were over 84 comments and questions during the 30 minute session.

### To read the Op-Ed:

<https://www.pennlive.com/opinion/2020/06/now-seniors-face-another-threat-covid-19-fraud->

## 2020 National Opioid Summit

U.S. Attorney Freed attended the 2020 National Opioid Summit held in Washington D.C. the week of March 2, 2020. The summit brought together government officials and U.S. Attorneys from across the country to address reducing the supply and demand of opioids. They shared best practices, novel ideas, tips and tactics for the continued battle to save lives. They also heard from guest speaker Sam Quinones, author of *Dreamland*, who recounted how prescription pain medication and black tar heroin from Mexico devastated some American cities.



"Thanks to the leadership of President Trump, in March of 2018, the Administration released the Initiative to Stop Opioid Abuse and Reduce Drug Supply and Demand, and the number of fatalities declined last year for the first time in more than 25 years."

—DAG Jeffrey A. Rosen



---

## 36th Annual Director's Awards

---

### Superior Performance as an Assistant United States Attorney - Criminal

In October 2020, Assistant U.S. Attorney's Michelle L. Olshefski, Francis P. Sempa, and Evan J. Gotlob were recognized for their exemplary work in the case of United States v. Dr. Fuhai Li, which involved a corrupt physician who operated a massive "pill mill" under the guise of a pain management clinic.

In the first federal case of its kind in the district, Li was convicted after a five-week trial of unlawfully prescribing opioid pills to 23 former patients, including a woman who gave birth to an opioid-dependent baby 11 days after Li prescribed her an excessive amount of pills, and another woman who overdosed and died as a result of using the pills. Li was also convicted of money laundering and tax evasion. After litigating multiple complex post-verdict motions and sentencing guidelines objections. On April 4, 2019, Li was sentenced to serve 330 months in prison.



From left to right: U.S. Attorneys Fran Sempa, Evan Gotlob, Michelle Olshefski and U.S. Attorney Freed

---



From left to right: Criminal Chief John Gurganus, AUSAs Fran Sempa, Evan Gotlob, Michelle Olshefski and U.S. Attorney Freed

---