

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

:

CRIMINAL NO. \_\_\_\_\_

v.

DATE FILED: \_\_\_\_\_

DION REID

:

VIOLATION: 18 U.S.C. §§ 1343, 1346, 1349 (honest

:

services fraud - 2 counts)

:

21 U.S.C. § 841(a)(1) (possession with intent to distribute controlled substances

:

- 2 counts)

Notice of forfeiture

INDICTMENT

COUNTS ONE AND TWO

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. The Philadelphia Prison System ("PPS") is a branch of the government of the City of Philadelphia, Pennsylvania.

2. The Philadelphia Industrial Correctional Center ("PICC") is part of the Philadelphia Prison System, located within Philadelphia, Pennsylvania. PICC houses prisoners charged with criminal conduct in the courts of the Commonwealth of Pennsylvania.

3. Prison guards in the PPS are responsible for guarding the prisoners housed at PICC.

4. For the security of the corrections staff, the prisoners, and the community-at-large, prison guards in the PPS are required to follow the rules and regulations established for the operations of the PPS and to ensure that prisoners followed these rules and regulations.

5. Prisoners housed in the PPS are not permitted to possess or use cellular telephones.
6. Prisoners housed in the PPS are not permitted to possess or use cigarettes or tobacco.
7. Prisoners housed in the PPS are not permitted to possess or use marijuana.
8. The PPS' policies and procedures state that employees, including prison guards, "shall not . . . receive gifts from inmates or former inmates or their families or their friends."
9. The PPS' policies and procedures state that "[n]o employee shall accept a gift of any nature whatsoever from an inmate, nor without permission shall any employee give anything to an inmate, or extend to any inmate any favors of diet, clothing, or of any other nature, not common to all."
10. The PPS' policies and procedures state that "[e]mployees shall not accept tips or gifts of any kind from visitors . . . or any other individual or corporation, for any official service unless expressly approved by the Commissioner."
11. The PPS' policies and procedures state that "[n]o employee will use their official position to gain any personal advantage, or advantage for another in any improper or unauthorized manner, or engage in conduct that constitutes, or gives rise to the appearance of, a conflict of interest."
12. The PPS' policies state that "[n]o employee shall . . . accept unauthorized item[s] or service[s] for oneself or anyone else . . ."

13. Defendant DION REID was employed as a prison guard for the PPS, at PICC. As such, defendant REID owed the citizens of Philadelphia and the PPS his honest service, including but not limited to, adherence to the rules and regulations of the PPS.

14. From on or about May 27, 2012 through on or about May 29, 2012, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**DION REID**

devised and intended to devise a scheme and artifice to defraud and deprive the citizens of the City of Philadelphia and the Philadelphia Prison System of their right to the honest and faithful services of defendant REID through bribery and the distribution of contraband within the Philadelphia Prison System.

**Manner and Means**

It was part of the scheme that:

15. Defendant DION REID used his position and authority as a prison guard within the Philadelphia Prison System to obtain cash payments in exchange for smuggling contraband, including cigarettes, cellular telephones, marijuana, and Alprazolam (commonly known as Xanax), into the PPS.

16. Defendant DION REID agreed with a prisoner housed in the PPS to bring contraband into the PPS in exchange for cash payments.

17. Defendant DION REID exchanged text messages with a prisoner housed in the PPS where the men discussed defendant REID bringing contraband into the prison and the payment for delivering these items.

18. Defendant DION REID acquired contraband, including: cigarettes;

tobacco; marijuana; alprazolam pills (commonly known as Xanax); and cellular telephones.

19. Defendant DION REID smuggled contraband into the PPS and intended to give contraband to a prisoner in exchange for cash payments.

20. Defendant DION REID made telephone calls to persons outside the prisons to arrange to pick up cash payments on behalf of a prisoner housed in the PPS.

21. The purpose of the scheme and artifice was for defendant DION REID to secretly use his official position to enrich himself by smuggling contraband into PICC and distributing it to a prisoner, in exchange for money.

#### **Execution of the Scheme**

22. On or about the dates listed below, in the Eastern District of Pennsylvania, and elsewhere, defendant

#### **DION REID,**

for the purpose of executing the above-described scheme and artifice to defraud and deprive, and for attempting and conspiring to do so, transmitted and caused to be transmitted by means of wire communication in interstate commerce, the following writings, signals, and sounds:

COUNT	DATE	WIRE TRANSMISSION
1	May 28, 2012	In response to a text message from a prisoner inside PICC requesting an update on the delivery of contraband, defendant DION REID sent a text message from his Metro PCS cellular telephone to a Verizon Wireless cellular telephone used by the prisoner reading, "Yeah, i got u homie!"
2	May 28, 2012	Defendant DION REID received a text message on his Metro PCS cellular telephone from the Verizon Wireless cellular telephone of a prisoner inside PICC reading, "We tryna flood da whole max side," meaning that he wanted contraband for the maximum security portion of the jail.

All in violation of Title 18, United States Code, Sections 1343, 1346, and 1349.

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 and 19 through 21 of Counts One and Two of this indictment are incorporated here.

2. On or about May 29, 2012, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**DION REID**

knowingly and intentionally possessed with intent to distribute, a mixture and substance containing a detectable amount of marijuana, a Schedule I controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(D).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. Paragraphs 1 through 17 and 19 through 21 of Counts One and Two of this indictment are incorporated here.

2. On or about May 29, 2012, in Philadelphia, in the Eastern District of Pennsylvania, defendant

**DION REID**

knowingly and intentionally possessed with intent to distribute, Alprazolam (commonly known as Xanax), a Schedule IV controlled substance.

In violation of Title 21, United States Code, Section 841(a)(1), (b)(1)(E).

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

1. As a result of the violation of Title 21, United States Code, Section 841(a)(1), set forth in this indictment, defendant

**DION REID**

shall forfeit to the United States of America:

(a) any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense;

(b) any property constituting, or derived from, proceeds obtained directly or indirectly from the commission of such offense.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 21, United States Code, Section 853.

**A TRUE BILL:**

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**GRAND JURY FOREPERSON**

A handwritten signature in black ink, appearing to read "Zane David Memeger for". The signature is written in a cursive, flowing style.

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**ZANE DAVID MEMEGER**  
**United States Attorney**