

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JESSICA JOYCE SPAYD,

Defendant.

Case No. 3:19-cr-00111-RRB

**ORDER RE ALTERNATIVE VICTIM  
NOTIFICATION UNDER  
18 U.S.C. § 3771(d)(2)**

Before the Court is the Government's Motion for Alternative Victim Notification Pursuant to 18 U.S.C. § 3771(d)(2), filed November 13, 2019. The Government seeks an order from the Court approving the use of alternate means to provide notice to the large number of crime victims in this case. Under 18 U.S.C. § 3771(a)(2), crime victims have a right to "reasonable, accurate, and timely notice" of public court proceedings. In this case, the alleged victims of the charged crimes are former patients and their family members who were harmed by Defendant's allegedly illegal prescribing practices.

Specifically, since 2014, the Government alleges that Defendant has prescribed opioids to over 450 people, many of whom received large dosages above the CDC's maximum recommended safe amounts. Although the Government has contacted a

small percentage of these victims, it has not yet been able to locate or contact a large number of them. Additionally, Defendant has been prescribing these medications for upwards of eighteen (18) years; however, the Government has been unable to identify the majority of potentially impacted patients prior to 2014—the earliest year for which the Government has detailed patient information for Defendant. In short, the Government’s investigation to date has revealed potentially thousands of victims—including family members of deceased and addicted patients—who were potentially harmed by Defendant’s illegal conduct.

Under such circumstances, 18 U.S.C. § 3771(a)(2) of the Crimes Victims’ Rights Act gives the Court the authority to “fashion a reasonable procedure to give effect to this chapter that does not unduly complicate or prolong the proceedings.” The Government seeks authorization to provide an alternate means to provide notice to the large number of crime victims in this case. In its motion, the Government sets out its proposed actions to comply with 18 U.S.C. § 3771. The Court finds the proposal meritorious and hereby GRANTS the Government’s motion.

WHEREFORE, the Court finds that: (1) the “multiple victim” provisions of 18 U.S.C. § 3771(d)(2) apply to this case; (2) it is impractical, because of the number of victims, for the Government and the Court to identify all the direct and proximate victims of the charged offenses, on an individual basis, without unduly complicating or prolonging the proceedings; and (3) the proposal set forth in the Government’s motion is a “reasonable procedure” to give effect to the provisions of 18 U.S.C. § 3771.

Accordingly, it is hereby ORDERED that the Government is authorized to comply with the provisions of 18 U.S.C. § 3771(a)(2) in this case by providing notice of the Court proceedings as provided in the proposal set forth in its motion (ECF No. 41).

IT IS SO ORDERED this 30th day of December, 2019, at Anchorage, Alaska.

*/s/ Ralph R. Beistline*  
RALPH R. BEISTLINE  
Senior United States District Judge