

week. However, location data and surveillance revealed that **STIMAGE** was only working a portion of the claimed hours, and was defrauding TPSO, Off-Duty Detail A, and Off-Duty Detail B by not working all of the claimed hours.

Facts and Evidence

The Government would establish through the introduction of documentary evidence and testimony of the representatives of the Tangipahoa Parish Sheriff's Office that TPSO was an agency of Tangipahoa Parish, a local government/municipality within the State of Louisiana. TPSO received federal funds in the form of grants from the United States Government in excess of \$10,000 annually for the one-year periods of 2017, 2018, 2019, and 2020.

From 2004 until 2021, **STIMAGE** was employed by the Tangipahoa Parish Sheriff's Office (TPSO). Beginning in at least 2007, **STIMAGE** was a full-time deputy sheriff. Based on records and information obtained by the FBI, as more fully described below, beginning in at least 2011, **STIMAGE** coordinated and/or supervised a two to three-person transport unit responsible for transporting mental health patients. In 2020, **STIMAGE** was promoted to the rank of Captain. In his capacity as deputy sheriff, **STIMAGE** qualified as an agent of TPSO.

In addition to TPSO duties, **STIMAGE** also received nearly regular payments from Off-Duty Detail A (a motor vehicle dealership) in 2017, 2018, 2019, and 2020, and Off-Duty Detail B (an apartment complex) in 2018, 2019, and 2020. In at least 2017 and 2018, **STIMAGE** also received regular payments from other off-duty details, including but not limited to, Off-Duty Detail C (a healthcare facility) and Off-Duty Detail D (a healthcare facility). **STIMAGE** also operated a seasonal fireworks business in 2017, 2018, 2019, and 2020.

TPSO and state supplemental wages and time sheets 2017, 2018, 2019, and 2020

Based on wage records for the approximate period January 1, 2017, through December 31, 2017, **STIMAGE** received approximately \$37,631 in gross wages from TPSO, inclusive of supplemental compensation described below.

Based on wage records for the approximate period January 1, 2018, through December 31, 2018, **STIMAGE** received approximately \$38,577 in gross wages from TPSO, inclusive of supplemental compensation described below.

Based on wage records for the approximate period January 1, 2019, through December 31, 2019, **STIMAGE** received approximately \$38,719 in gross wages from TPSO, inclusive of supplemental compensation described below.

For the approximate period January 1, 2020, through December 31, 2020, **STIMAGE** received approximately \$42,672 in gross wages from TPSO, inclusive of supplemental compensation described below.

Louisiana Revised Statutes, Title 40, Section 1667.7 provides additional compensation for commissioned deputy sheriffs of all parishes employed on a full-time basis. The Revised Sheriff's Guide to Departmental Policies and Statutory Specifications for the Administration of the Supplemental Pay Program defines employed full-time as "at least 35 hours per week."

Based on wage records, **STIMAGE** received approximately \$6,000 (gross) in supplemental compensation from the Louisiana Department of Treasury for each of the following approximate periods: January 1, 2017, through December 31, 2017, January 1, 2018, through December 31, 2018, January 1, 2019, through December 31, 2019, and January 1, 2020, through

December 31, 2020. To receive this supplemental compensation, therefore, **STIMAGE** was expected to work, and in fact submitted time sheets stating that he worked at least 35 hours per week for TPSO.

A review of payroll sheets indicated that **STIMAGE**, generally, reported working 40 hours per week, Monday through Friday, for 52 weeks a year to TPSO.

Off-Duty Detail A (motor vehicle dealership) wages and time sheets
2017, 2018, 2019, and 2020

Based on wage records for the approximate period January 1, 2017, through December 31, 2017, **STIMAGE** received approximately \$40,625 from Off-Duty Detail A, and reported working approximately 1,625 hours for Off-Duty Detail A, for an average of approximately 31 hours per week for 52 weeks.

Based on wage records for the approximate period January 1, 2018, through December 31, 2018, **STIMAGE** received approximately \$57,350 from Off-Duty Detail A, and reported working approximately 2,294 hours for Off-Duty Detail A, for an average of approximately 44 hours per week for 52 weeks.

Based on wage records for the approximate period January 1, 2019, through December 31, 2019, **STIMAGE** received approximately \$55,375 from Off-Duty Detail A, and reported working approximately 2,215 hours for Off-Duty Detail A, for an average of approximately 43 hours per week for 52 weeks.

Based on wage records for the approximate period January 1, 2020, through December 31, 2020, **STIMAGE** received approximately \$55,725 from Off-Duty Detail A, and reported working approximately 2,229 hours for Off-Duty Detail A, for an average of approximately 43 hours per week for 52 weeks.

Time sheets reflect that, in total between approximately January 1, 2017, and December 31, 2020, **STIMAGE** reported working an average of approximately 41 hours per week for 52 weeks per year for Off-Duty Detail A. These details were predominantly overnight, generally 6:00 p.m. to 4:00 a.m., except for details claimed to have been worked on Sundays and certain holidays, which generally began at 6:00 a.m. and ended at 6:00 p.m.

Off-Duty Detail B (apartment complex) wages and time sheets 2018, 2019, and 2020

Beginning as early as May 2018, TPSO deputy sheriffs began providing on-site security at Off-Duty Detail B. **STIMAGE** initially received an administrative fee of \$5 per hour of security provided by other TPSO deputies for the hours those deputies worked. Beginning on or about November 5, 2018, and continuing through on or about January 1, 2021, **STIMAGE** was paid at a rate of \$35 per hour for providing on-site security at Off-Duty Detail B.

Based on wage records for the approximate period November 5, 2018, through December 31, 2018, **STIMAGE** received approximately \$9,760 from Off-Duty Detail B.

Based on wage records for the approximate period January 1, 2019, through December 31, 2019, **STIMAGE** received approximately \$54,230 from Off-Duty Detail B.

Based on wage records for the approximate period January 1, 2020, through December 31, 2020, **STIMAGE** received approximately \$59,745 from Off-Duty Detail B.

Records from representatives of Off-Duty Detail B revealed that **STIMAGE** provided on-site security at Off-Duty Detail B, generally, Monday through Friday, from 8:00 a.m. to 4:00 p.m. For the approximate period of November 2018 through August 2019, **STIMAGE** submitted time sheets representing that he worked, on average, 59 hours per two-week pay period, or approximately 29 hours per week. In September 2019, a new management company took over Off-Duty Detail B. For the approximate period of September 2019 through December 2020, **STIMAGE** submitted time sheets representing that he worked, on average, approximately 68 hours per two-week pay period, or approximately 34 hours per week.

Obtaining Wages by Fraud

The fraudulent activity described below would be proven at trial by, *inter alia*, a combination of witness testimony describing surveillance of **STIMAGE** during the relevant timeframe, documentary evidence showing wages received by **STIMAGE**, timesheets submitted by **STIMAGE** to justify these wages, location data from GPS devices in **STIMAGE**'s vehicle, and location and activity information from **STIMAGE**'s cellular telephone.

Defrauding TPSO in 2019

The parties agree that in 2019, **STIMAGE** worked 200 days for approximately 5 hours a day providing security at Off-Duty Detail B, for a total of 966 hours worked. The defendant was on the clock for TPSO as a deputy during these same 966 hours that he was working for Off-Duty Detail B, and submitted fraudulent time sheets to TPSO indicating that he had been working for TPSO during these 966 hours. As a result of this fraud, the defendant defrauded TPSO out of property, *i.e.* wages, worth \$15,076 in 2019.

Defrauding TPSO in 2020

The parties agree that in 2020, **STIMAGE** worked 223 days for approximately 4 hours a day providing security at Off-Duty Detail B, for a total of 814 hours worked. The defendant was on the clock for TPSO as a deputy during these same 814 hours that he was working for Off-Duty Detail B, and submitted fraudulent time sheets to TPSO indicating that he had been working for TPSO during these 814 hours. As a result of this fraud, the defendant defrauded TPSO out of property, *i.e.* wages, worth \$13,520 in 2020.

Defrauding Off-Duty Detail A (Motor Vehicle Dealership)

The parties agree that in 2018 through 2021, **STIMAGE** claimed to have worked 6,477 hours on-site for Off-Duty Detail A via timesheets submitted to that employer. The defendant was then paid by check, which caused a wire to be sent in interstate commerce. However, the defendant did not work 6,331 of these hours. As a result of this fraud, the defendant defrauded Off-Duty Detail A out of property, *i.e.* wages, worth \$158,275 in 2018 through 2021.

Defrauding Off-Duty Detail B (Apartment Complex)

The parties agree that in 2018 through 2021, **STIMAGE** claimed to have worked 3,483 hours for Off-Duty Detail B via timesheets sent in interstate commerce. The defendant was then paid by check or direct deposit, which caused another wire to be sent in interstate commerce. However, the defendant did not work 1,549 of these claimed hours. As a result of this fraud, the defendant defrauded Off-Duty Detail B out of property, *i.e.* wages, worth over \$54,215 in 2018 through 2021.

Conclusion

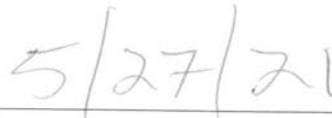
The above facts come from an investigation conducted by and would be proven at trial with credible testimony from Special Agents of the Federal Bureau of Investigation, members of the TPSO, lay witnesses, and documents and tangible exhibits in the custody of the Federal Bureau of Investigation.

Limited Nature of Factual Basis

This proffer of evidence is not intended to constitute a complete statement of all facts known by the government and/or **Kevin STIMAGE**. Rather, it is a minimum statement of facts intended to prove the necessary factual predicate for his guilty plea. The limited purpose of this proffer is to demonstrate that there exists a sufficient legal basis for the plea of guilty to the charged offenses by **STIMAGE**.



MYLES D. RANIER
Assistant United States Attorney



Date



KEVIN STIMAGE
Defendant



Date



J. GARRISON JORDAN
Attorney for Defendant



Date