

FILED  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF LA.

2021 DEC 21 P 3:57

CAROL L. MICHEL  
CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA

**FELONY**

BILL OF INFORMATION FOR WIRE FRAUD

UNITED STATES OF AMERICA

\*

CRIMINAL NO.

**21-196**

v.

\*

SECTION:

**SECT. R MAG 2**

KENYA BUTLER-SMALL

\*

VIOLATION: 18 U.S.C. § 1343

\*

\* \* \*

The United States Attorney charges that:

COUNT 1  
(Wire Fraud)

A. AT ALL TIMES MATERIAL HEREIN:

The defendant **KENYA BUTLER-SMALL** (“**BUTLER-SMALL**”) resided in the Eastern District of Louisiana and was employed as an On-board Services Train Attendant with Amtrak.

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\_\_\_ Process \_\_\_  
X Dktd \_\_\_  
\_\_\_ CtRmDep \_\_\_  
\_\_\_ Doc.No. \_\_\_

**B. THE SCHEME TO DEFRAUD:**

From in or about June 2018 to in or about July 2019, **BUTLER-SMALL** devised and intended to devise a scheme to defraud individuals, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises.

**C. MANNER AND MEANS:**

1. **BUTLER-SMALL** recruited more than 40 individuals to purchase spots on what she described as a June 2019 group trip to New York City, with each victim paying **BUTLER-SMALL** amounts ranging from approximately \$250 to \$425 to attend. **BUTLER-SMALL** represented to the individuals that she had booked the trip, including round-trip Amtrak train travel from New Orleans to New York and back to New Orleans, as well as related activities, such as shows and museum visits in New York. **BUTLER-SMALL** claimed that an Amtrak train from New Orleans was a charter trip that was to leave New Orleans at midnight on June 21, 2019, and arrive in New York the following day. **BUTLER-SMALL** created a Facebook page for the trip.

2. **BUTLER-SMALL**, however, had not booked any Amtrak travel or services for the described trip.

3. At **BUTLER-SMALL**'s direction, individuals sent payments to **BUTLER-SMALL** for spots on the trip. Individuals paid **BUTLER-SMALL** in various ways, including by sending payments to PayPal accounts belonging to **BUTLER-SMALL**. These payments totaled approximately \$23,000 to \$26,000.

4. When the date of the trip was nearing, **BUTLER-SMALL** falsely represented to victims that Amtrak had canceled it. **BUTLER-SMALL** represented on the Facebook page that a passenger on the upcoming trip was involved in an altercation on June 8, 2019, with Amtrak employees after making a request to see her assigned room for the trip. **BUTLER-SMALL**

represented that this altercation included the assault of an Amtrak employee and a bomb threat by the passenger, resulting in the passenger's arrest. **BUTLER-SMALL** represented that, as a result of the incident, Amtrak officials cancelled the tickets for the trip. **BUTLER-SMALL** represented that she was fighting to get the trip restored or the passengers' money returned to them.

5. In truth, as **BUTLER-SMALL** knew, the purported June 8, 2019 incident never occurred. In the aftermath of the purported June 8, 2019 incident, **BUTLER-SMALL** falsely stated on the trip Facebook page that she was fighting Amtrak to get refunds for the victims.

**D. THE WIRE:**

On or about June 25, 2018, in the Eastern District of Louisiana, **BUTLER-SMALL**, for the purpose of executing the scheme described above, caused to be transmitted by means of wire communication in interstate commerce writings, signs, and signals, to wit: a PayPal payment to **BUTLER-SMALL** that was processed through a PayPal server located outside the state of Louisiana.

All in violation of Title 18, United States Code, Section 1343.

**COUNT 2**  
(Wire Fraud)

**A. AT ALL TIMES MATERIAL HEREIN:**

1. The defendant **KENYA BUTLER-SMALL** ("**BUTLER-SMALL**") resided in the Eastern District of Louisiana and was employed as an On-board Services Train Attendant with Amtrak.

2. **BUTLER-SMALL**'s employment with Amtrak made her eligible for benefits from the Railroad Retirement Board ("**RRB**"), including Sickness Insurance ("**SI**") benefits.

3. The **RRB** is an independent agency in the executive branch of the Federal government, which, among other things, administers unemployment-sickness insurance benefits

programs for the nation's railroad workers. The SI program provides for a daily benefit for days an employee cannot work due to illness.

4. As **BUTLER-SMALL** was informed and knew, to lawfully receive SI payments she had to, among other things: (A) be unable to work due to sickness, injury, pregnancy, or the birth of a child; (B) receive no wages, salary, or other remuneration from railroad or non-railroad employment for the days she claimed benefits; (C) report any such pay in her claims.

5. **BUTLER-SMALL** was employed by a health care provider from on or about September 18, 2017 through a date after December 2017.

**B. THE SCHEME:**

From in or about September 2017 to in or about December 2017, **BUTLER-SMALL** devised and intended to devise a scheme to defraud the RRB, and to obtain money and property by means of materially false and fraudulent pretenses, representations and promises.

**C. MANNER AND MEANS:**

1. **BUTLER-SMALL** filed approximately eight online SI claims during the SI Claim period beginning September 11, 2017 through the SI claim period beginning December 18, 2017, during which she was employed by a health care provider. **BUTLER-SMALL** completed each claim and indicated that she was ill and could not work.

2. As a result of her deliberate misrepresentations, **BUTLER-SMALL** obtained approximately \$4,679.71 in SI payments for days she falsely claimed to have been unable to work due to sickness, including for days she actually worked for the health care provider.

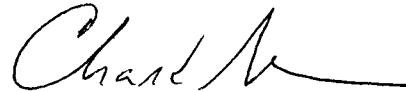
**D. THE WIRE:**

On or about September 24, 2017, in the Eastern District of Louisiana, **BUTLER-SMALL**, for the purpose of executing the scheme described above, caused to be transmitted by means of

wire communication in interstate commerce writings, signs, and signals, to wit: an SI claim **BUTLER-SMALL** submitted via the internet to the RRB's Sickness and Unemployment Benefits Division in Illinois.

All in violation of Title 18, United States Code, Section 1343.

DUANE A. EVANS  
UNITED STATES ATTORNEY

A handwritten signature in cursive script, appearing to read "Chandra Menon", written in black ink.

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CHANDRA MENON  
Assistant United States Attorney

New Orleans, Louisiana  
December 21, 2021