

**United States Attorney's Office  
Middle District of Pennsylvania**

# **2019 Annual Report**

**Accomplishments and Initiatives**



**David J. Freed  
United States Attorney**



## Message from U.S. Attorney David J. Freed

I am pleased to present the 2019 Annual Report of the United States Attorney's Office for the Middle District of Pennsylvania.

As the United States Attorney for the Middle District of Pennsylvania, I have reviewed the events of 2019, and I am proud of the dedicated service of the United States Attorney's Office employees and their exceptional performance in accomplishing the mission of the United States Attorney's Office and the Department of Justice.

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. This annual report is just a summary of the many accomplishments in 2019 and highlights the successes in each major area of the office.

Over the past year, we successfully prosecuted those engaged in drug trafficking, violent crime, public corruption, fraud, human trafficking, child exploitation, civil rights violations, immigration offenses, and various other federal crimes. The District also represented the interests of the government in civil matters. Finally, we supported various outreach programs designed to prevent recidivism and violence and build community relations.

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 look forward to continuing successes for the benefit of our district in 2020.

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 and @USAttyFreed.

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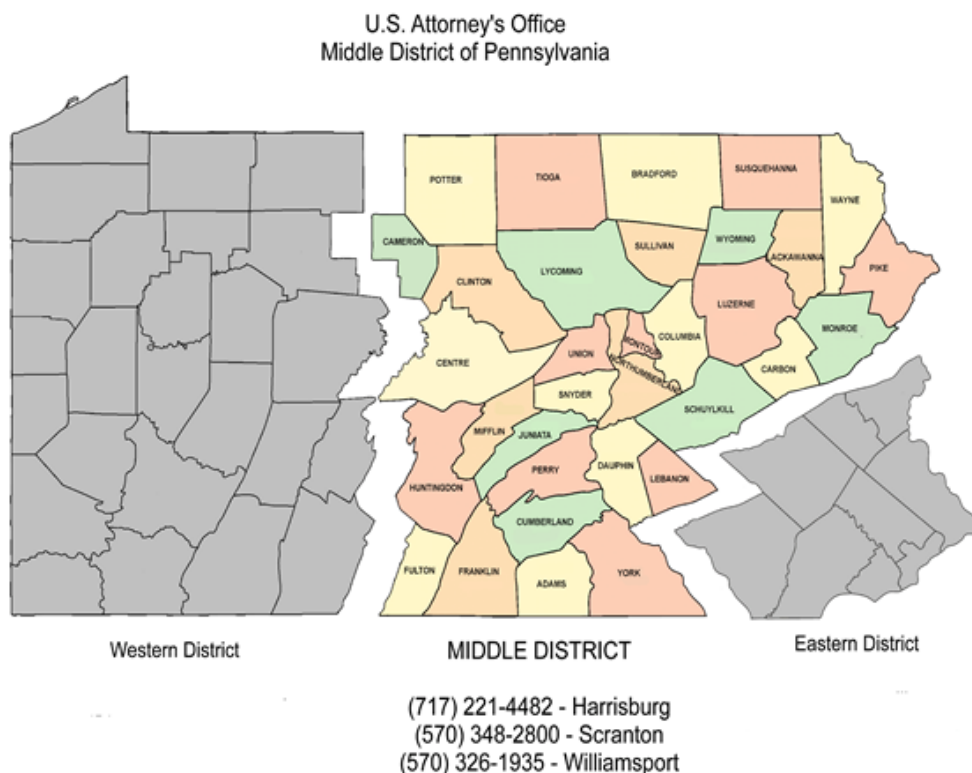
## Our Mission & Geographical Area of Responsibility

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 approximately 3.2 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 8,700 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 — At a Glance**

- The District is comprised of four offices: Harrisburg, Scranton, Williamsport and Wilkes-Barre (unstaffed)
- 82 Full Time Equivalent (FTE) positions and 11 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



# CRIMINAL DIVISION

## **Criminal Assistant United States Attorneys**

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

**Chief:**  
John Gurganus

**Deputy Chiefs:**  
Eric Pfisterer  
William Houser

**Appeals Chief:**  
Stephen Cerutti

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

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

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

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 326 cases involving 414 defendants, and handled 20 criminal trials in 2019.

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 July 2, 2019, a press conference was held announcing (Lackawanna County) Scranton Mayor William Courtright's guilty plea to three felony public corruption charges. Before entering his guilty pleas, Courtright resigned from his position as Mayor of Scranton. 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. He is awaiting sentencing.

- U.S. v. Edward Weidow. On July 22, 2019, a 65-year-old Scranton man was charged with making false statements to federal investigators in a public corruption investigation involving former Mayor of Scranton, William Courtright. The criminal information alleged that Weidow took cash from vendors and then transferred the cash to William Courtright. The information further alleged that on January 9, 2019, Weidow was interviewed by the FBI and denied giving cash to Courtright, when in fact on numerous occasions, he had done so.
- U.S. v. Steve Lukach. A 69-year-old Nesquehoning man pleaded guilty on August 8, 2019, to mail fraud and falsification of records. Lukach served as the Clerk of Courts for Schuylkill County for approximately 27 years. In 2013-2014, 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 a family member's credit card bill, paying for meals, making car payments, and other personal expenses. Lukach is awaiting sentencing.

### **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 of PA 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 implementing programs and 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. Clay Aaron Rasp. A 34-year-old McConnellsburg, Fulton County man was sentenced on September 20, 2019, to 210 months' imprisonment for distributing child pornography between January 2017 to July 2017.
- U.S. v. Fredrick Brown. A Monroe County man was convicted by a jury in March 2019, for sex trafficking by coercion and drug trafficking offenses. The evidence at trial proved that Brown, through acts of violence, fraud and threat of harm, coerced young women, including a 17-year-old, to engage in commercial sex acts. Brown was sentenced to 396 months' imprisonment on July 22, 2019.
- U.S. v. Andrew Novy. A 29-year-old Jim Thorpe, Carbon County man was sentenced on May 9, 2019, to 360 months' imprisonment for producing multiple videos and images of minors engaged in sexually explicit conduct. Novy previously pleaded guilty and was sentenced in Carbon County to state related sexual abuse crimes involving minors.

*"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."*

- David J. Freed  
U.S. Attorney

## Project Safe Neighborhoods (PSN) Works:

### Violent crimes reduced in MDPA.

PSN Neighborhoods: 2017–2018

Target Areas:

Wilkes-Barre



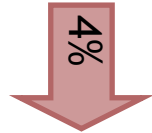
Harrisburg



Williamsport



York







**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 pilot 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. Maurice Ross. A 35-year-old Harrisburg, Dauphin County man, was sentenced on September 17, 2019, to 77 years' imprisonment for being in possession of a firearm as a previously convicted felon and for robbing a convenience store by gunpoint on three separate occasions.
- U.S. v. Akilees Hobson. A 21-year-old Wilkes-Barre, Luzerne County man, was sentenced to five years' imprisonment on October 29, 2019, for possessing a gun in furtherance of drug trafficking.
- U.S. v. Anthony Johnson. Following a two-day jury trial, a 51-year-old York man was convicted on May 16, 2019, for 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 in York. During the investigation, law enforcement officers recovered the gun used to shoot the victim from Johnson's co-conspirator during her arrest. Testimony established that the victim remained in a comatose state for at least four months following the shooting. Johnson is awaiting sentencing.
- U.S. v. Derek Pelker. A 29-year-old Reading, Berks County man was sentenced on July 10, 2019, to 533 months' imprisonment and ordered to pay \$318,000 in restitution for armed bank robbery. Pelker was convicted by a jury for the armed robbery of four banks.



## 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. Kevin Charles Brown. A 39-year-old Hazleton, Luzerne County man was sentenced to 20 years' imprisonment for distributing more than one kilogram of heroin, more than 280 grams of cocaine base, and fentanyl. Brown rented a residence in Hazleton where he and multiple other individuals distributed the drugs to customers on a daily basis.
- U.S. v. Fernandino Rodriguez-Colon. A 40-year-old York man was sentenced to 262 months' imprisonment on August 15, 2019, for distributing and being in possession of heroin and cocaine base, and for possession of a stolen firearm as a prohibited person, in furtherance of his drug trafficking activities.
- U.S. v. Anthony Navarro-Velez. A 34-year-old Shenandoah, Schuylkill County man was sentenced to 10 years' imprisonment for participating in a conspiracy to distribute between one to three kilograms of heroin.

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. Rodney Williams. A 36-year-old Wilkes-Barre, Luzerne County man, was sentenced on October 17, 2019, to 20 years' imprisonment for distributing fentanyl and heroin which resulted in the death of one of his drug customers.

- 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. James Mark Minichella. A 23-year-old Columbia County man pleaded guilty on June 3, 2019, to distribution of heroin and fentanyl resulting in the death of a 20-year-old man. Minichella is awaiting sentencing.



## Attorney General's Advisory Committee (AGAC)

The AGAC committee was created in 1973 and reports to the Attorney General through the Deputy Attorney General. AGAC represents the U.S. Attorneys and provides advice and counsel to the Attorney General on matters of policy, procedure, and management impacting the Offices of the U.S. Attorneys.

U.S. Attorney Freed and other members of the AGAC working group traveled to Vermont in August 2019, to discuss current heroin and opioid trends, prevention efforts and prosecution strategies.





On March 4, 2019, 300 medical professionals were notified that they were prescribing opioids in higher quantities or doses than their peers. The letters provided prescribers with information about their opioid practices relative to their peers and referred them to educational materials to assist them in adopting safe opioid practices.

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.
- U.S. v. Christopher Berezna. A 50-year-old Wyoming County dentist was convicted on August 13, 2019, on eight counts of distributing controlled substances without a legitimate medical purpose. The evidence showed that beginning in June 2016 and continuing into July 2016, 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. Berezna is awaiting sentencing.



#### Methamphetamines

- U.S. v. Anibal Luis Rodriguez, et. al. A 28-year-old Pottsville, Schuylkill County man was sentenced on July 31, 2019, to 20 years' imprisonment for conspiracy to distribute more than 500 grams of methamphetamine. The drug trafficking operation included the torture of a woman who was held captive by members of the conspiracy headed by Rodriguez. His four coconspirators were sentenced to sentences that ranged from 55 months' to 15 years' imprisonment.
- U.S. v. Gregory A. Jackson. A 54-year-old Philadelphia man was sentenced on September 23, 2019, to 121 months' imprisonment following his conviction for distributing over 100 grams of pure methamphetamine to another individual in York County.

#### Heroin, Cocaine and Marijuana

- U.S. v. Raul Cotto-Rivera. A 41-year-old York man was sentenced to 262 months' imprisonment on June 11, 2019, following his conviction for distributing heroin, cocaine and marijuana. The charges stemmed from a number of controlled buys of heroin that were made by and through Cotto-Rivera in 2015. Law enforcement executed a search warrant at Rivera's home and located approximately \$20,000 in U.S. currency, drug paraphernalia and distribution quantities of cocaine and heroin. While on release, Rivera continued to sell drugs from his store. A second search warrant located distribution quantities of marijuana and cocaine, drug packaging materials and a loaded stolen firearm.
- U.S. v. Robert Birch. A 46-year-old Allentown man was sentenced to 140 months' imprisonment on September 25, 2019, for obtaining between 100 and 400 grams of heroin from suppliers in New York and Allentown and distributing the drug in Carbon County and elsewhere.





**Police Misconduct.** The vast majority of law enforcement officers perform their very difficult jobs with respect for their communities and in compliance with the law. Even so, there are incidents in which this is not the case:

- U.S. v. Mark Icker. A press conference was held announcing that Icker, a 30-year-old former police officer of Ashley Borough Police Department, Luzerne County, pleaded guilty on November 26, 2019, to violating the rights of two females in his custody whom he coerced into engaging in unwanted sexual contact with him.



Pocono region utilizing illegal drug distribution proceeds. Counterman forfeited \$128,000 to the government. Four codefendants were also sentenced to a range of 55 to 121 months' imprisonment.



- U.S. v. Juan Rivera Marrero, et al. Marrero, a 57-year-old York man was sentenced on November 13, 2019, to 60 months' imprisonment for money laundering and conspiring with seven codefendants to distribute 500 grams or more of cocaine in York County. Marrero purchased bulk quantities of cocaine from a codefendant who obtained narcotics through the mail from Puerto Rico to York. Thus far, five codefendants were sentenced to a range of 12 to 84 months' imprisonment.
- U.S. v. Jamiell Sims, et. al. A 30-year-old Monroe County man was sentenced on January 17, 2019 to 151 months' imprisonment for sex trafficking by force and distributing heroin. Sims and his conspirators were members of the Black P-Stones gang who would "beat-in" male gang members to the gang and the females were "sexed-in" to the gang. The females were forced to engage in sex with male gang members, engage in prostitution, advertised as adult escorts on a website, provided with heroin and other drugs, and placed in various area hotels to work as prostitutes. The male gang members used threats, force, and intimidation to coerce females to engage in prostitution. Five other defendants have been sentenced thus far to sentences ranging from 60 months to 210 months' imprisonment.



**Organized Crime Drug Enforcement Task Force (OCDETF).** OCDETF is a joint federal, state, and local co-operative 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. James Counterman et al. Counterman, a 56-year-old Canadensis, Monroe County man was sentenced on August 21, 2019 to 144 months' imprisonment for trafficking 142 grams of highly pure methamphetamine. A financial investigation of his drug activities resulted in the discovery of a scheme by which Counterman acquired residential investment properties in and around the

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

- U.S. v. Cobin Kauffman. A 30-year-old Lehigh man was charged on April 1, 2019, 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. Kauffman is awaiting trial.



## 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:



*"Three people were executed simply because they impacted the business of drug dealers," said U.S. Attorney David Freed.*

- U.S. v. Christopher Johnson, et. al. A press conference was held on November 21, 2019, announcing Johnson's guilty plea to murder, drug trafficking and obstruction of justice. The charges were the result of a two and a half year investigation into three murders that occurred in a barn in Mercersburg, Franklin County. The murders were drug related and one of the victims was providing information regarding several of the defendants and others to federal/state law enforcement drug task forces in Maryland. The individuals involved in the murders also joined with others to obstruct the grand jury's investigation and to locate and kill an individual believed to be assisting federal investigators with the murder investigation. Ten coconspirators were charged in a superseding indictment in December 2018, and are awaiting trial. In relation to this case, Joshua Davis pleaded guilty to participating in the conspiracy to locate and kill an individual believed to be cooperating with federal authorities in the investigation of the triple murders. Davis was sentenced to 100 months' imprisonment. Several other individuals who were separately indicted on charges of obstructing the federal investigation into the triple murders have also pled guilty and are awaiting sentencing.



**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 260 defendants from around the globe who victimized more than two million Americans, most of them elderly. 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 March 2, 2020.
- U.S. v. Jenmariey Burchell. A 26-year-old Jamaican citizen was sentenced on November 12, 2019, to 51 months' imprisonment for her part in a scheme to defraud senior citizens, some of whom resided in the Middle District of Pennsylvania, that were falsely told they had won multi-million dollar international sweepstakes prizes. The purported winners were directed to send Western Union and MoneyGram money transfers, money orders and checks to persons known as "money mules," ostensibly to pre-pay taxes and other fictitious expenses, in order to collect the non-existent cash prizes. Burchell enlisted the "money mules" to receive and transfer the fraud proceeds to him and other conspirators in Jamaica.

- U.S. v. James Hocker. A Bellefonte 49-year-old insurance agent was sentenced on April 26, 2019, to 204 months' imprisonment for committing securities fraud. Hocker was also ordered to pay restitution to the victims in the amount of \$1,495,782. Hocker defrauded approximately thirty-eight investors of more than \$1.4 million from 2009 to 2018. Hocker told victims that he would invest their money in funds with guaranteed returns of up to thirty percent, but instead used the money for personal expenses. Many of the victims were elderly and liquidated their retirement accounts and insurance products in order to invest with Hocker.



**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.

#### Mail Fraud.

- U.S. v. Perry Santillo. A press conference was held announcing that 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.



### Consumer Fraud.

- U.S. v. Prince Edosa, et. al. A 54-year old dual citizen of both Nigeria and the United States, was sentenced on February 27, 2019, to 63 months' imprisonment for his role in the perpetration of bogus sweepstakes winnings, advance fee and internet purchase schemes between 2002 and 2010 that defrauded hundreds of consumers across the United States. A substantial portion of the fraud proceeds was diverted to Canada, Nigeria, and Romania by the defendant and his conspirators. Edosa owned and operated three MoneyGram and two Western Union outlets in Brooklyn between 2004 and 2009, and used the MoneyGram and Western Union money transfer systems to launder the fraud victims' proceeds. Three codefendants including his wife, Susan Osagiede, have been arrested, convicted and sentenced. Six other defendants remain fugitives. Edosa stipulated the losses sustained by 410 victims totaled \$1,458,224.



### Healthcare Fraud.

- U.S. v. Belinda Dietrich. A 63-year-old Marysville, Cumberland County woman was sentenced on October 28, 2019, to one year and a day of imprisonment for forging the signature of a dentist on 164 prescriptions for opioid drugs. Dietrich, a former receptionist for a solo dental practitioner forged the signature of her employer on a blank prescription form for oxycodone pills for her mother, a Medicare beneficiary, who was not a patient of the dentist. Dietrich then had the prescription filled at a Harrisburg area pharmacy and received 24 oxycodone pills, who then converted the drugs to her own use. The pharmacy billed the cost of the oxycodone pills to Medicare, which paid the claim.

- U.S. v. Mohamed Abdelhamed. A 68-year-old York man was sentenced on June 27, 2019, to two years' probation on Health Care Fraud charges. Abdelhamed applied for Medicaid and SNAP benefits with the York County Assistance Office even though he owned a four bedroom residence in York, a gas station in York, a 2008 Mercedes Benz E350 automobile, received \$1,124 a month in Social Security disability benefits, and held approximately \$58,500 in eight different bank accounts. Abdelhamed sold his gas station for \$172,883 and deposited \$87,016 of the sales proceeds into a bank account and he did not notify the York County Assistance Office of the sale or his receipt of the sales proceeds and continued to receive Medicaid and SNAP benefits and fraudulently obtained approximately \$29,337 in benefits, including approximately \$20,000 in Medicaid benefits.

### Tax Evasion.

- U.S. v. Al T. Hughes. A 60-year-old Scranton funeral home director was sentenced to 15 months' imprisonment and ordered to pay restitution of \$231,349 to the IRS for diverting approximately \$892,000 in corporate receipts to his personal benefit, and failed to report the diverted receipts as income on his federal tax returns. Hughes cashed hundreds of customer checks, intended for payment of funeral home services, at various financial institutions, including a check cashing service in Scranton. Hughes diverted corporate receipts from four area funeral homes, including the Thomas J. Hughes Funeral Home, the Eagan-Hughes Funeral Home, the McGoff-Hughes Funeral Home, and the Davies & Jones Funeral Chapel.



## Bankruptcy Fraud/Identity Theft.

- U.S. v. Michael Jackson. A 59-year-old Hershey, Dauphin County man was sentenced on March 11, 2019, to 145 months' imprisonment and to pay \$1,567,275 in restitution for defrauding his creditors, the Bankruptcy Court, and his wife by filing seven Chapter 13 and 11 bankruptcy petitions, five of which under Jackson's name, and two under his wife's name without her knowledge or consent. The petitions contained false information regarding Jackson's income, assets, and employment, and were filed in order to postpone multiple Sheriff's sales of his Hershey residence. Jackson also perpetrated a bogus business venture, loan fraud scheme between 2007 and 2017 that defrauded 22 victims out of approximately \$1.7 million.

## Identity Theft.

- U.S. v. Mario Valentine. A 35-year-old Shenandoah, Schuylkill County man was sentenced to 64 months' imprisonment on April 5, 2019, for money laundering and identity theft. Valentine and his co-defendant, Carrie Aker, laundered over \$218,000 of credit card fraud proceeds by using forged credit cards to purchase gift cards and other items, and then selling those items or converting them into cash. Valentine and Aker were charged with committing nearly \$270,000 worth of credit card fraud, using forged credit cards that they created. Valentine also was convicted of using other individuals' stolen identities during the course of his fraud.



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

- U.S. v. Shawn Christy. A 28-year-old Mcadoo, Schuylkill County man was convicted by a jury on November 26, 2019, for threats against the President of the United States, transmitting threatening communications, interstate transportation of stolen vehicles, interstate transportation of stolen firearms, interstate transportation of firearms while charged with a felony offense, and unlawful possession of a firearm as a fugitive and as a convicted felon. The evidence showed that arrest warrants were issued for Christy in early June 2018, for his failure to appear for court proceedings in Schuylkill and Northampton Counties, and that while a fugitive Christy posted threats in June 2018 to kill President Trump, Northampton County District Attorney John Morganelli, and any law enforcement officer that sought to detain him. Christy was apprehended in Ohio after a three-month manhunt by law enforcement from six states. Prosecutors presented evidence that Christy stole and transported two vehicles from Pennsylvania to New York State and West Virginia, stole firearms and transported them from Pennsylvania to Maryland and Kentucky, broke into businesses in Pennsylvania and Maryland, broke into a church in Maryland, and broke into residences in Butler Township, Pennsylvania, and Kentucky. Christy is awaiting sentencing.
- U.S. v. Jess Alan Blake. A 24-year-old New York man was indicted on August 22, 2019, for allegedly 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 trial.



**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 79 such cases in 2019.

### Appeals.

- U.S. v. Robert Cordaro. On August 5, 2019, the U.S. Court of Appeals for the Third Circuit denied former Lackawanna County Commissioner's latest appeal regarding his 2011 conviction on multiple public corruption charges. In a 26-page precedential opinion, the Court of Appeals affirmed the decision of U.S. District Court Judge A. Richard Caputo holding that the Supreme Court's 2016 decision in *McDonnell v. United States* was not grounds to overturn Cordaro's convictions.
- U.S. v. Myron Owens. On November 25, 2019, the Court of Appeals ruled that Judge Munley imposed a reasonable sentence based on Owens' status as a career offender under the sentencing guidelines, properly denied Owens a reduction in his sentence for being a minor participant in the drug conspiracy, and correctly determined that Owens was not entitled to a reduction in his sentence for acceptance of responsibility. Under the circumstances, the Court reasoned, the 140-month prison sentence was not unreasonable.

**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.



The USAO MDPA collected over \$15 million in criminal and civil actions in Fiscal Year 2019. Of this amount, \$2,431,898 was collected in criminal actions and \$12,817,433 was collected in civil actions. The \$15 million collected in FY 2019 far exceeded our office budget.

The USAO MDPA worked with other U.S. Attorney's Offices and components of the DOJ to collect an additional \$1.4 million in civil and criminal cases pursued jointly by these offices.

- U.S. v. PA Department of Human Services. The claim arose from the Department of Human Services (DHS) using federal funds to provide public benefits such as Medicaid, Supplemental Nutrition Assistance Program (SNAP), and Temporary Assistance to Needy Families (TANF) to non-citizens from January 1, 2004 through December 31, 2010. It was agreed in a 2015 civil settlement, that DHS would pay \$48,827,991 over a five-year period. Last payment was made on December 31, 2019 paying the debt in full.
- U.S. v. Joan Cicchiello. Restitution Order—\$151,122.17 to Centers for Medicare and Medicaid Services and a \$150,000 fine. On May 31, 2019, the restoration request was approved and granted by DOJ Money Laundering and Asset Recovery Section and on July 23, 2019, USAO MDPA received \$150,972.17.
- U.S. v. James Pilsner. Restitution Order—\$6,351,548 to Rite-Aid and IRS for vendor kick-back and tax evasion charges. USAO MDPA received \$144,685.09 on October 30, 2019 and \$300,000 on November 6, 2019.
- U.S. v. Clark Dunkle. Restitution Order—\$111,113.72 to the Volunteer Firefighter Insurance Services. A demand letter was sent to the defendant on November 20, 2019 stating that his balance owed was \$34,272.22 and payment was due immediately. On December 4, 2019, a payment of \$500.00 was posted and then the remaining balance of \$33,772.22 was paid on December 12, 2019 paying the debt in full.

# 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:**  
Carlo Marchioli

**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:

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

The civil division handled approximately 799 cases in 2019. A sample of these cases includes approximately 203 Social Security cases; approximately 192 prison litigation cases including 117 habeas petitions; 60 immigration cases; 47 Constitutional Claims and 28 Federal Tort Claims Act cases.

Highlights of the Civil Division's work in 2019 follow:

**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 60 such cases in 2019. There were also 2 mandamus actions regarding citizenship and 2 cases alleging constitutional violations against DHS/ICE and/or its officers.





**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.

- United States v. Pennsylvania. (March 2019). We received a complaint that Pennsylvania's truancy laws discriminated against individuals with disabilities because the law did not allow a disabled child to have a doctor's note on file that demonstrated the child would be absent from school because of that disability. Rather, the disabled child would have to seek a doctor's note every time he or she was absent after the tenth absence. After the initiation of our investigation, Pennsylvania changed its regulations, and now allows for this reasonable accommodation of allowing disabled children to have a doctor's note on file with the school. Hence, we closed our investigation.
- United States v. Tawsty Flower Bed & Breakfast. We initiated an investigation after receiving a complaint that Tawsty Flower did not allow an individual with service animal to book a room. The case settled in September 2019. Tawsty Flower agreed that it will not refuse to admit a person with a disability because that person uses a service animal. It also agrees that it will not charge a person with a disability any extra fee or ask a person with a disability to comply with any additional condition of service because they use a service animal. As a civil penalty, Tawsty paid \$200.00 to the United States and paid \$100.00 in civil damages.
- U.S. v. Millworks. The United States reached a settlement with Millworks after it violated the ADA by not being accessible to individuals in wheelchairs. After an investigation with the owner's complete cooperation, the U.S. Attorney's Office found architectural barriers

to access and violations of the relevant ADA Standards in the Millworks. Under the terms of the agreement, the Millworks agreed to remove those architectural barriers in their seating areas and lavatories. Any future alteration to the Millworks must also comply with federal disability law. The Millworks further agreed to pay a civil penalty of \$6,000 to the United States for this ADA violation.

- U.S. v. York County. A settlement was reached with York County in October 2019 under the Americans with Disabilities Act to ensure accessibility to polling places for individuals with disabilities. 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. York County is working collaboratively with the United States Attorney's Office to make all polling places accessible. Under the terms of the agreement, the county will use an evaluation form for each current and prospective polling place based on ADA architectural standards. The 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. PA Department of Education. The Pennsylvania Department of Education (PDE) agreed to resolve a federal civil rights investigation into Pennsylvania's system of alternative education programs, known as Alternative Education for Disruptive Youth (AEDY). Under Pennsylvania law, students in grades 6 through 12 can be referred to these programs for temporary placements when they meet statutory criteria establishing them as disruptive. These programs are separate from students' usual general education programs, and do not typically offer the same access to the instructional programs or activities. The United States Department of Justice received many complaints that AEDY programs discriminated against students based on disability and failed to provide appropriate services to English learner (EL) students.

In response, the U.S. Attorney's Office for the MDPA working jointly with the Offices for the Western and Eastern Districts of Pennsylvania and the Department of Justice's Civil Rights Division, investigated PDE's approval and oversight of these programs across Pennsylvania. Under the January 2019 settlement agreement, PDE will implement changes designed to remedy the complaints. The agreement requires PDE to ensure that students with disabilities receive individual assessments to determine whether their disruptive behavior results from a disability before they are placed in AEDY. The agreement also requires PDE to monitor AEDY students' progress to ensure timely transfer back to home schools, guarantee that local educational agencies attempt multiple interventions before referring students with disabilities to AEDY, and ensure that students are not placed in AEDY solely on the basis of disability. In addition, the agreement will require Pennsylvania to ensure that local educational agencies establish a service plan for EL students in AEDY to ensure that they receive appropriate language assistance services. Pennsylvania must also establish a system for parents and others to raise concerns about AEDY, to improve data monitoring, and to adopt non-discriminatory policies across the statewide system.

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

- Yatsko v. United States of America. (December 2019). The district court dismissed a wrongful death action against the United States. We successfully argued that the plaintiff's medical malpractice claims should be dismissed because the plaintiff did not support her claim with an expert opinion and did not exhaust her administrative remedies.
- Dellinger v. Richards et al. On September 10, 2019, the United States was dismissed from a multi-party medical malpractice action relating to surgical and wound infection complications. Following the initial dismissal of the United States from plaintiff's suit, a hospital co-defendant attempted to bring the government back into the lawsuit through third party contribution claim. The third party claim was dismissed against

the United States under the derivative jurisdiction doctrine, and remanded the remaining parties to state court.

- Williamsport Hospital v. Price et al. Hospital system filed lawsuit for injunctive and monetary relief against Department of Health and Human Services, seeking reclassification of Medicare reimbursement rates and damages of \$5 million per year for improper past classification. On January 18, 2019, the Third Circuit affirmed the District Court's dismissal of the lawsuit on jurisdictional grounds.
- F.E.I. Co. v. United States. A commercial cold food storage facility claimed USDA negligently detained 1 million pounds of meat following a freezer leak that exposed food to anhydrous (gaseous) ammonia for more than 6 days. Plaintiff argued USDA's actions caused lost profits in excess of \$2 million. Following a 4-day bench trial, the Judge ruled the USDA's initial detention was proper, and awarded the plaintiff just \$43,482 for lost revenue, the amount proposed by the government's expert on August 12, 2019.
- Senior Life York, Inc. v. Azar et al. Large healthcare provider filed preliminary injunction action seeking to quash a CMS sanction that suspended the provider's ability to enroll new Medicare patients due to repeated violations. Following an evidentiary hearing and oral argument, the Judge denied the injunction motion for failure to demonstrate likelihood of success on the merits on November 25, 2019.

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

- In re: administrative establishment inspection of Spa & Organic Essentials of Pennsylvania, LLC. Civil warrant obtained to permit FDA to inspect and sample mitragyna speciosa (kratom) products after a nationwide outbreak of salmonella that effected at least 41 states and over 50 people were hospitalized, was linked to a central PA supplier. The business moved to quash the warrant, which was denied in a decision with institutional value to the FDA on April 17, 2019. In particular, the Court affirmed the FDA's civil inspection warrant authority, an infrequently used but important tool for regulatory oversight.

**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 nine new investigations in 2019 and currently have 25 open investigations.

- **U.S. v. Dr. Charles Gartland.** While conducting an internal audit, WellSpan Health determined that its employee, Dr. Charles Gartland was writing Schedule II prescriptions in the name of his wife and daughter. WellSpan disclosed its findings to the DEA. The investigation determined that Gartland was writing the prescriptions for his personal use and neither his wife nor daughter were aware of his scheme. While there was no identifiable loss to a federal insurance program, Gartland's conduct violated the Controlled Substance Act. Following an ability to pay analysis, the USAO settled with Gartland for \$15,000 in April 2019.
- **U.S. v. RAAD Construction.** The USAO and the Army Criminal Investigative Command investigated whether a contractor and subcontractor violated the Buy America Act and FCA by purchasing and installing electrical fixtures in violation of the contract for the construction of a building at the Tobyhanna Army Depot. The Government's investigation determined that RAAD purchased light bulbs that had been manufactured in Mexico and instructed its subcontractor to place "Made in USA" stickers over the "Made in Mexico" printing on the boxes. The Government had paid RAAD \$56,000 for the lights manufactured in Mexico. The Government settled this case in June 2019 with RAAD under the FCA for \$112,000 (double damages) for violating the Buy American Act.

## The ACE Team Presented to State and Professional Groups:

### Pennsylvania Department of State

During the past year, the ACE team made presentations at the Pennsylvania Department of State's annual training conference regarding what the ACE Unit is about and collaboration opportunities between the ACE Unit and the Department of State.



### Pennsylvania Pharmacists Association

The ACE team joined colleagues from USAO-EDPA to present on the Controlled Substance Act at the Pennsylvania Pharmacists Association annual conference on September 21, 2019. The presentation included "Pills, Pads, and Penalties: Your Obligations as a Pharmacist Under the Controlled Substances Act."

### Health Care Fraud Conference

The ACE Team held its annual Health Care Fraud Conference on May 20, 2019, with topics including: Combatting the Opioid Epidemic; Collaboration: Successful Joint Federal & State Prosecution Case Studies; and PA Department of State Processes and Prosecution of Health Care Fraud Related Professional Licensing Cases.





**Prison Litigation.** The MDPA houses four major federal correctional complexes: Allenwood, Canaan, Lewisburg, and Schuylkill. With a population of approximately 8,700 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.

- Graham v. Connors. Inmate filed complaint seeking emergency injunction claiming that he was experiencing organ failure due to his hunger strike. USAO MDPA successfully argued that the inmate was properly treated during his hunger strike, offered food, and dietary supplements. Once the penitentiary's medical staff found the inmate was dehydrated, the staff properly force fed the inmate a dietary supplement. The Court, not only denied the request for emergent injunctive relief, but dismissed the complaint in October 2019.
- Shorter v. Samuels. Personal Representative on behalf of inmate filed suit alleging that several employees, including high-level officials and supervisors, of the Bureau of Prisons failed to protect the inmate from attack by his cellmate. USAO MDPA successfully moved for judgment on the pleadings as to the claims against these high-level officials and supervisors, arguing that no cause of action existed against individuals not alleged to be directly involved in an alleged constitutional deprivation.



*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.*

## 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.

In 2019, the Administrative Division created 22 vacancy announcements to fill a variety of attorney and support staff positions, four of which were newly-described positions. Four attorneys and six support staff were hired and two attorneys and five support staff were promoted. Two employees retired, two resigned, three transferred to other agencies/offices and one began a 14-month detail to OPDAT.

Five contract employees were hired, one of which was a brand new position, and we hosted seven legal interns.

With a budget of approximately \$9.9 million dollars, including \$7.2 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, from security to paint, carpet, furniture, and creating additional space as the office continues to grow.

The Administrative Department participated in the development of a Legal Assistant Manual, moved hundreds of closed files, created and updated policies, opened, updated and closed hundreds of cases in CaseView, brainstormed 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 process. 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.

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 reintegration 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.



# COMMUNITY OUTREACH

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 U.S. District Court 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. The length of time a person participates in the CARE Program depends upon the length of that person's term of supervised release. The intensive phase of the program is generally 12 months, followed by a period of regular supervision that varies depending on the length of the term of supervised release. For example, if a participant's term of supervised release is three years, then the participant is in the intensive phase for 12 months and on regular supervision for 12 months. If the participant successfully completes the first two phases of the program, then the last 12 months of the term of supervised release are terminated.

Some participants who graduate from the CARE Program and who are no longer under court supervision are invited to attend meetings to speak with current participants.

## Third Circuit Reentry Court Summit

On May 9, 2019, the Third Circuit Court of Appeals held a summit to discuss the development, implementation of improvement of re-entry courts. AUSA Michael Butler participated in a panel discussion regarding creative ideas for successful reentry. U.S. Attorney Freed attended the summit.

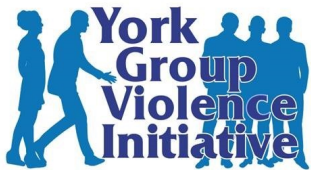


## CARES.

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 recently announced CARES Program. There is no established limit to the number of people who will be permitted to receive services under the recently announced CARES Program.



### 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.

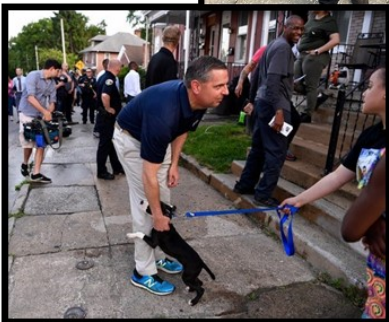
The support and outreach portion of GVI was concentrated upon in 2019, with an increase of 500 % more persons seeking and receiving financial and emotional support throughout the year. Statistically, a 10 % reduction in gun violence was measured with the retaliation shootings estimated at a 50 % reduction from 2018. Two outlier sets of incidents from chronic offenders constituted nearly 33 % of the total non-fatal shootings in 2019. Additionally, because of the decrease in retaliatory shootings and increase in support and outreach efforts, the focus for 2020 will be on reducing the initial shooting, instead of the original model of attempting to reduce only the retaliatory shootings.



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

## York City Community Walk.

The U.S. Attorney's Office organized a community walk to promote the dialogue between federal and local law enforcement and the York City community. The community walk held on May 22, 2019, was meant to demonstrate that law enforcement agencies are committed to working with each other and community organizations and residents to reduce crime in these areas. The Office joined with the York City Police Department, the York City Mayor, the York County District Attorney's Office, the York City Community Street Soldiers, FBI, DEA, and ATF.



## National Night Out.

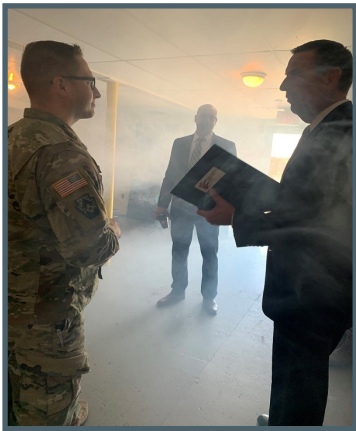
National Night Out is a national community-building campaign that promotes police-community partnerships. It enhances the relationship between neighbors and law enforcement while bringing back a true sense of community. National Night Out is held annually on the first Tuesday in August. This year, U.S. Attorney David Freed attended National Night Out in his hometown of Camp Hill. His community is well served by Mayor Mark Simpson and Police Chief Stephen Margeson.





## PA National Guard Counterdrug Joint Taskforce

U.S. Attorney Freed, District Attorney Dave Sunday, Intelligence Specialist Brad Riethmiller and Public Affairs Officer Dawn Clark met with the Pennsylvania National Guard Counterdrug Joint Task Force to discuss partnerships among our offices. A tour of the Northeast Counterdrug Training Center that local, state and federal law enforcement use for training was also taken. *Exciting programs are coming from this new partnership—stay tuned!!*



## Central PA Chapter of ASIS International Conference

U.S. Attorney Freed was asked to speak at the ASIS International Conference. Founded in 1955, ASIS International is the worlds largest security industry organization. The Central PA chapter operates as a non-profit entity and their mission is to advance the security industry.





# PUBLIC AFFAIRS



## Frank Andrews Show

U.S. Attorney David Freed was a guest on the Frank Andrews Show on October 30, 2019, to discuss a \$900,000 DOJ grant awarded to the Lackawanna County District Attorney's Office to facilitate a Comprehensive Opioid Abuse Site-based program.

**News release:** <https://www.justice.gov/usao-mdpa/pr/us-department-justice-awards-grant-funds-lackawanna-county-district-attorney-s-office>



## WILK Newsradio

U.S. Attorney Freed was also a guest on Wilk Newsradio Special Addition with Paula Reynolds and spoke about our progress in making communities safer through Project Safe Neighborhoods. Air date November 4, 2019.

**Link to Interview:** <https://wilknews.radio.com/articles/feature-article/special-edition-11-2-and-3-operation-safe-neighborhoods>

**News release:** <https://www.justice.gov/usao-mdpa/pr/us-attorney-david-j-freed-announces-progress-making-our-communities-safer-through>



## Smart Talk

U.S. Attorney Freed appeared on Smart Talk to lay out the principles of Project Guardian. There are no easy answers when it comes to predicting and preventing gun violence, but law enforcement and government agencies are tasked with finding solutions to this very complex problem. The federal government recently launched a nationwide plan aimed at reducing gun violence, called Project Guardian. Its focus is on the tougher enforcement of existing firearm laws, along with strengthening partnerships with state and local law enforcement agencies.

To listen to the interview: <https://www.witf.org/2019/12/04/solutions-to-gun-violence/>



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## DOJ awarded nearly \$150 million in grants for various projects in the Middle District of PA

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The U.S. Attorney's Office highlighted a few of these grants in October 2019:



A joint press conference was held on October 21, 2019 to announce a \$300,000 grant to support a continuing partnership between the U.S. Attorney's Office, the City of York, and York College with a common goal of sustainable reductions in violent crimes in York City. The grant will support the addition of a specialized GVI prosecutor, defray York County Police Department's GVI strategy contract and overtime costs, and fund a research partnership between York County Police Department and York College.



A joint press conference was held on October 24, 2019, to announce \$1,375,000 in grant funding by the DOJ to the YWCA Greater Harrisburg to assist victims of sex trafficking and to support transitional housing for victims of domestic violence, sexual assault, stalking and human trafficking.



A joint press conference was held on October 30, 2019, to announce a \$900,000 grant to support the Lackawanna County District Attorney's Office to facilitate a Comprehensive Opioid Abuse Site-based Program (COAP). COAP aims to reduce opioid abuse and the number of overdose fatalities, as well as to mitigate the impacts on crime victims by supporting comprehensive, collaborative initiatives.