



RHODE ISLAND FED

PARTNERS IN PROSECUTION: U.S. ATTORNEY, A.G. SHARE PROSECUTORS AND MISSION

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U.S. Attorney Peter F. Neronha and Rhode Island Attorney General Patrick C. Lynch have begun sharing prosecutors to enhance the cooperation between the two offices. Assistant U.S. Attorneys Stephen G. Dambruch and Adi K. Goldstein have been cross-designated as Special Assistant Attorneys General. State prosecutors Jim Baum and Pamela Chin have, in turn, been cross-designated as Special Assistant U.S. Attorneys.



U.S. Attorney Peter Neronha administers the oath to Jim Baum

“This can only help both offices execute our missions more efficiently, particularly in the areas where we directly share jurisdiction, such as guns

Two sent back to prison for gun offenses in Providence neighborhood – p. 2

and drugs,” U.S. Attorney Neronha said.

Dambruch and Baum will work together on violent street crime, primarily in Providence, while Goldstein and Chin will focus on drug trafficking offenses.

Cross-designation of prosecutors is not new. It has been used in the past for specific cases, notably a car-jacking and double homicide in Providence in 2000 — four defendants pleaded guilty to federal charges and one was convicted in state court. U.S. Attorney Neronha and Attorney General Lynch believe that a more systematic use of this tool will assist both offices in prosecuting crimes.



Pamela Chin is sworn in as a Special Assistant U.S. Attorney

“In this way, we will better serve the citizens and, I hope, make the job of police officers and federal agents easier,” Neronha said.

U.S. Attorney Neronha said that he anticipates additional cross-designations to deal with other types of crimes.

FEDERAL DRUG AND GUN CASES

Two returned to prison for gun violations

Joint prosecutions by state and federal prosecutors resulted in two violent gun offenders going back to state prison.

In one case, Providence Police Gun Task Force officers were pursuing a car driven by **Michael Stokes** and saw him toss a gun from the car. They recovered the gun, a loaded .22 caliber pistol, and later found the vehicle parked outside a residence, where they also found and arrested Stokes. Stokes pleaded guilty to possessing a stolen firearm and carrying a pistol without a license. A state judge sentenced him to serve 20 months in prison and also found him to be a probation violator from a prior offense.



In the other case, witnesses approached an officer on detail outside a Broad Street club and described a man they said was carrying a gun. An officer spotted that man, later identified as **Janyse Toucet**, a previously convicted felon. During a foot chase, Toucet tossed away a handgun, which officers recovered. He pleaded guilty to a state charge of possessing a firearm after being convicted of a crime of violence. A state judge sentenced him to serve nine years in prison and found him to be a probation violator from previous drug convictions.

Assistant U.S. Attorney Stephen G. Dambruch and Assistant RI Attorney General Jim Baum.

Marijuana robbery leads to guilty pleas



Pedro Cuadrado and **Robert Beuparlant, Jr.**, both of Woonsocket, went to Providence, purportedly to buy a half-kilo of marijuana. They met their contact at a house that he was working on for its owner. Instead of buying the half-kilo, they brandished a pistol and robbed him of the marijuana, a bank bag containing \$2,800 that was to pay for construction supplies,



and a jar of change. Both pleaded guilty to Hobbs Act robbery and related charges. *Assistant U.S. Attorney Richard W. Rose.*



FEDERAL DRUG AND GUN CASES

Last of four defendants sentenced in five-kilogram cocaine conspiracy

Eucraneo Severino agreed with **Estrodarcio Bernard** to transport \$500,000 in cocaine proceeds to New York. He delivered the cash. Severino later took delivery of five kilograms of cocaine at his place of business on Hathaway Street in Providence. DEA agents seized the drugs from Severino’s garage

later that same day. A federal judge recently sentenced Severino to 70 months in prison for drug trafficking conspiracy and money laundering. Three codefendants were previously sentenced for their roles in the scheme:

Estrodarcio Bernard, who ran a liquor store on Union Avenue in Providence and was to have sold the cocaine in the Providence area — 168 months in prison; **Fernando Gonzalez-Ramirez**, of Colorado, who arranged with Bernard to ship the cocaine to Rhode Island — 240 months in prison; and **Adalberto Bejarano-Gonzalez**, who drove the car carrying the cocaine from Colorado to Providence. *Assistant U.S. Attorney Mary E. Rogers.*



Felon admits gun possession


Dwayne Wheeler stashed a pistol under the hood of his car. While investigating reports of a potential street gang clash, Providence Police saw Wheeler close the hood of his car, jump into the driver’s seat and speed away.



When the car ran a stop sign, police stopped it for further investigation. Wheeler denied that there were any weapons in the car and allowed police to search it. They found a loaded .380 caliber pistol near the battery compartment under the hood.



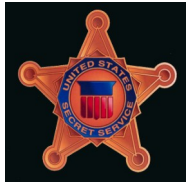
Wheeler had been convicted of felony assault in Rhode Island state court in 2000, and as a felon, is prohibited under federal law from possessing firearms. *Assistant U.S. Attorney Richard W. Rose*

 <p>NO FRIENDS. NO FAMILY. NO FREEDOM.</p>	<p>GUN CRIME MEANS HARD TIME.</p> <p>VERY HARD TIME.</p>
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CRIMINAL DOCKET SHEET

Eleven-year sentence for ID theft ringleader

Eric Snead ran an identity theft scheme in which he and coconspirators obtained duplicate credit cards of victims' accounts. Snead obtained account numbers, scanned credit reports, then ordered duplicate cards and manufactured temporary drivers' licenses in the victims' names but with coconspirators' pictures. They used ruses to intercept shipment of the duplicate cards, and then used the cards at casinos, auto club service centers, and stores to get cash and merchandise. A federal judge sentenced Snead to 11 years in prison. "This is one of the longest prison sentences imposed for identity theft crimes, and the scope of this conspiracy, coupled with the defendant's long criminal history, certainly justifies the sentence," U.S. Attorney Peter F. Neronha said. Snead had several prior convictions, ranking him at the top tier of criminal history under federal sentencing law. Coconspirators received sentences ranging from 12 to 24 months in prison and the conspirators have to make restitution totaling approximately \$470,000 to credit card companies. *Assistant U.S. Attorney Adi K. Goldstein.*



Guilty plea in armed bank robberies totaling \$270,000

Dwayne Lewis committed armed bank robberies in Rhode Island, Massachusetts, and New York, taking a total of nearly \$270,000. Lewis and two other men, all brandishing weapons, robbed tellers at a Sovereign Bank branch in Cranston in June 2007 and committed similar robberies in Chicopee, Massachusetts and Deer Park, New York, where they took more than \$215,000. Lewis was the getaway car driver at an attempted robbery in Holyoke and eluded police when his partners were arrested fleeing the bank. They were prosecuted in Massachusetts. Agents later arrested Lewis in Bridgeport, Connecticut and he was brought to Rhode Island for prosecution. *Assistant U.S. Attorney Gerard B. Sullivan.*



CIVIL DOCKET SHEET

Landfill owner to pay \$1.9 million for EPA cleanup of Johnston Superfund site

Louis Vinagro operated a landfill adjacent to Green Hill Road in Johnston that literally went up in smoke.

A company that Vinagro owned, New England Ecological



Development, Inc., dumped construction debris at the Green Hill Road site. In 2002, the waste pile, estimated at more than a million cubic yards of material, began to smolder and burn. According to a federal civil complaint, recurring fires within the smoldering debris pile discharged toxic

substances, including carcinogens, some at levels sufficient to trigger “immediate and acute human health effects.” Several of the substances discharged as a result of the fires are classified as hazardous substances under federal environmental law.



Workers battled recurrent fires at the Vinagro landfill (EPA)

In October 2002, the Johnston Fire Department and the Rhode Island Department of Environmental



Smoke billows out from smoldering debris (EPA)

Management asked for EPA’s help in suppressing the fires and hot spots in the waste pile. However, Vinagro would not allow EPA to enter the property, so the government obtained court approval to conduct the remediation, which continued into 2004. The response actions included constructing protective fire walls, extinguishing burning and smoldering portions of the waste, and capping the site with non-combustible material.

The government filed a civil complaint against

Vinagro in 2007, seeking payment for the cost of remediation. In January 2010, the United States entered into a consent decree with Vinagro, under which he is required to sell two parcels of land in Johnston and pay EPA the proceeds up to \$1,975,000. A federal judge approved the consent decree in February. *Rachel Hankey, Trial Attorney, Environment and Natural Resources Division, and Assistant U.S. Attorney Dulce Donovan.*



Ground temperature swelled to more than 350 degrees Fahrenheit (EPA)

FOLLOW THE MONEY

TAKING THE PROFIT OUT OF CRIME

ASSISTANT U.S. ATTORNEY MILIND M. SHAH



Asset forfeiture takes the profit out of crime and, in some cases, takes the tools of crime away from the criminals. With many offenses, criminal proceeds can be forfeited – the money and toys criminals obtain through their crimes. With certain offenses, primarily narcotics crimes, property used to facilitate the crime can be forfeited: the cars used to transport narcotics and other tools of the drug trade.

In determining what is subject to forfeiture, there is no substitute for a thorough financial investigation. But even routine street crimes, happened upon by chance, may yield property subject to forfeiture, as long as investigators pay careful attention to two central questions about the property they find:

- *Is the property derived from a crime?*
- *Who owns the property?*

With narcotics offenses, there is often a third question:

- *Was the property used to commit the crime?*

Car dealer who laundered drug money forfeits 44 vehicles, \$416,000

Where there is probable cause to believe that the property was derived from a crime or was used to facilitate a narcotics crime and the suspected criminal owns the property, there are grounds to seize it. Where

Cocaine Dealer Faces Forfeiture of Mercedes and \$100,000

someone other than the suspected criminal owns the property, it can be seized only if the owner knew or reasonably should have known that the property was obtained through crime or

was being used to facilitate a narcotics crime.

For example, where law enforcement observes a suspect dealing drugs from his car and law enforcement's past observation sees only the suspect driving the car, there is likely probable cause to believe that the car is forfeitable. When the suspect is arrested, the car should be seized and forfeited. The fact that the car is registered in someone else's name may not be an obstacle, as long as the suspect was the only person seen driving it. Any obstacle is lessened if the registered owner was present for the deal or knew about it.

Also, the cash the suspect acquired by virtue of selling drugs should also be seized and forfeited.

Questions about asset forfeiture?

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Every case will have its own particularities, and additional investigation may be necessary after the seizure. But generating and preserving evidence relating to the two central questions mentioned above, and the third, in cases of facilitation property, is where the forfeiture begins.

MONITORING THE MONEY

Stimulus Fraud Task Force

U.S. Attorney Peter F. Neronha has formed a Stimulus Fraud Prevention Task force to monitor and investigate allegations of misuse of federal stimulus funds in Rhode Island. The Task Force consists of several federal and state agencies. Among them are the Federal Bureau of Investigation, the inspectors general of federal agencies that are awarding stimulus funds, the Governor's Office, and the Rhode Island Attorney General's Office.



“With well over a billion dollars in stimulus funds expected to flow into Rhode Island, there may be some who look at this as an easy opportunity to misuse or steal taxpayer dollars,” U.S. Attorney Neronha said. “This task force will help ensure that stimulus money reaches the intended targets: the state’s infrastructure and Rhode Islanders who need jobs.”



U.S. Attorney Peter F. Neronha

Assistant U.S. Attorney Dulce Donovan, who coordinates the Affirmative Civil Enforcement Program, and Assistant U.S. Attorney Terrence P. Donnelly, who has extensive experience prosecuting financial crimes, will coordinate the Task Force.

For more information about the [Recovery Act](#), visit



RECOVERY.GOV

CHASING THE MONEY

Mortgage Fraud Task Force

U.S. Attorney Peter F. Neronha and Rhode Island Attorney General Patrick C. Lynch have formed the Rhode Island Mortgage Fraud Task Force, linking federal and state agencies combating mortgage fraud.

The task force will pool investigative and prosecutorial resources to target deceptive mortgage foreclosure schemes and loan modification operators.



“Mortgage fraud has reached crisis proportions in our country,” U.S. At-

Mortgage Fraud Hot Line
RI State Police
401-444-1201

torney Neronha said. “This Task Force will use every available tool to investigate and prosecute schemes. The goals are to protect families and communities, combat discrimination in lending markets, recover proceeds for fraud victims, and help restore confidence in our housing and financial markets.”

Objectives include: streamlining procedures for criminal mortgage prosecution; implementing a training program for state and federal investigators and prosecutors who handle mortgage fraud cases; pursuing the forfeiture of criminal assets and securing restitution for victims; and advising the public about common mortgage scams.

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