



FEDERAL NOTES

DEPARTMENTS

| | |
|-----------------------------------|---|
| <i>Federal drug and gun cases</i> | 2 |
| <i>Criminal Docket</i> | 4 |
| <i>Civil Docket</i> | 6 |
| <i>Partners at Work</i> | 7 |

POINTS OF INTEREST

| | |
|--|---|
| <i>Two sentenced in Woonsocket initiative</i> | 3 |
| <i>Russian national sentenced for ID theft</i> | 4 |
| <i>70-month sentence in electronics fraud</i> | 4 |
| <i>Guilty pleas in mortgage fraud scheme</i> | 5 |
| <i>Federal reentry initiative</i> | 7 |
| <i>U.S. Attorney collected \$10.5 million</i> | 6 |

A DECADE OF SENTENCING FOR GUN OFFENDERS: 1,100 YEARS

Ten years ago the Department of Justice started Project Safe Neighborhoods, focusing on firearms offenders. The U.S. Attorney's Office partnered with the Bureau of Alcohol, Tobacco, Firearms and Explosives, state prosecutors, and police departments to prosecute felons illegally possessing guns, gang members toting firearms, and drug dealers using guns to protect or advance their trade. As a result, hundreds of cases have been prosecuted and gun offenders have been sentenced to a cumulative 1,100 years in federal prison.

"Gangs, drugs and firearms are a volatile mix, plaguing our neighborhoods and putting residents in fear," said U.S. Attorney Peter F. Neronha, who as an Assistant U.S. Attorney, coordinated the Project Safe Neighborhoods initiative in Rhode Island. "That is why we strive to secure long prison sentences for those who illegally bring guns into our neighborhoods."

Some recent sentences imposed as the tally topped 1,100 years:



- **Johnny Souphida**, who admitted being a member of the Laos Pride street gang, was sentenced to six years in prison for drug trafficking and possessing firearms to further his drug deals.

- **Juan Funes** was sentenced to 70 months in prison after Providence Police seized heroin and a handgun from Funes and from a car in which he was riding.

- **Rickey L. Stevenson** was sentenced to six years in prison after admitting that he sold sawed-off shotguns to an undercover ATF agent. Stevenson, along with a codefendant, faces state charges for allegedly taking part in the robbery of Pawtucket store by using a shotgun.



FEDERAL DRUG AND GUN CASES

Robbery of hotel clerk leads to federal guilty plea



Craig A. Rich tried to rob two women at gunpoint in Middletown. Then he robbed a clerk of \$186 at a nearby hotel. Middletown Police responding to the robbery call spotted Rich, who fit the description of the robber, in the hotel parking lot. He fled but was found hiding in some bushes. He pleaded guilty to Hobbs Act robbery, being a felon in possession of a firearm, and using a firearm in a federal crime of violence. Rich is detained, awaiting sentencing. *Assistant U.S. Attorney Gerard B. Sullivan.*

Two-year sentence for drugs and a gun

David Rios, 60, sold prescription drugs — Percocet and Clonazepam pills — to an undercover Providence police officer. Rios, who has a prior felony conviction and is prohibited from possessing firearms, then expressed interest in buying a gun. Police arrested him after the undercover officer sold him a .380 caliber pistol and some pills.



Assistant U.S. Attorney Ly T. Chin.

300 kilos of marijuana

Geraldo Alavez, of California, and **Jose Luis Martinez-Garcia**, of New York, rode in a truck from Warwick to a Seekonk depot where they loaded two pallets of plastic bins into the truck and drove it



to Pawtucket. Pawtucket Police and DEA agents had been monitoring these activities, and a Pawtucket Police officer pulled the truck over for a traffic violation. Alavez was driving. Martinez-Garcia and another man fled the truck while the officer was questioning Alavez. They were detained by the officers conducting the surveillance. A search of the truck turned up 53 bales of marijuana in the plastic



bins, some of it hidden under layers of grease. Alavez and Martinez-Garcia pleaded guilty to trafficking in the marijuana, which weighted nearly 300 kilograms. They admitted that they had been hired to receive and help deliver the marijuana to Rhode Island and Massachusetts. A federal judge sentenced Alavez to 66 months in federal prison, and Martinez-Garcia to two years. A third defendant is awaiting trial. *Assistant U.S. Attorney Adi Goldstein.*

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FEDERAL DRUG AND GUN CASES

77-month sentence for marijuana and a gun

Providence Police Narcotics and Organized Crime detectives executed a state-authorized search warrant at the residence of **Sony Sanchez**. They found 1.1 kilos of marijuana, a loaded Hi-Point .380 caliber pistol, \$1,236 in cash and trafficking materials. The apartment is within 1,000 feet of the Alfred Lima Elementary School on Daboll Street. Sanchez pleaded guilty to trafficking in marijuana within 1,000 feet of an elementary school and being a felon in possession of a firearm. A federal judge sentenced him to 77 months in prison. *Assistant U.S. Attorneys Ly T. Chin and Richard W. Rose.*



Drug trafficker sentenced to 15 years in prison

ATF agents and Warwick Police detectives detained **Jose Luis Maldonado** as he left his Warwick apartment. They seized about 156 grams of crack cocaine and a digital scale. From his car and an apartment in Cranston linked to Maldonado, agents seized 73 grams of crack cocaine, about 20 ounces of powder cocaine and 25 ounces of heroin. They also seized about \$6,500 in cash and two loaded firearms that Maldonado said he used for protection. A jury found Maldonado, also known as Edward Nunez-Mejia, guilty of trafficking in cocaine, crack cocaine and heroin, and having a firearm in furtherance of drug trafficking. A federal judge sentenced him to 15 years in prison. ATF conducted the investigation, with assistance from the Providence, Cranston and Warwick Police departments, and the Massachusetts State Police. *Assistant U.S. Attorneys Milind M. Shah and Gerard B. Sullivan.*



Two sentenced in Woonsocket firearms, drug trafficking probe

Anthony Otero and **Aaron Swan** sold firearms on several occasions to undercover agents. Both were targets in a two-year initiative by ATF and Woonsocket Police into drug trafficking and illicit firearms activity in Woonsocket. When agents arrested Otero, he was in possession of a handgun, a shotgun and body armor. Both pleaded guilty to federal firearms charges. A federal judge sentenced Otero to 120 months in prison and Swan to 60 months. Otero and Swan were among 19 individuals who were charged federally in the Woonsocket initiative. Police Chief Thomas Carey requested federal assistance to prioritize criminals who he said were compromising the quality of life in Woonsocket neighborhoods. Agents seized more than three dozen firearms plus substantial amounts of crack cocaine, marijuana, ecstasy pills and other drugs. *Assistant U.S. Attorneys Gerard B. Sullivan and Richard W. Rose.*



CRIMINAL DOCKET SHEET

Four-year prison sentence for Russian national convicted of identity theft, fraud

A federal judge sentenced **Evgueni Tetioukhine** to 48 months in prison for identity theft and fraud. Tetioukhine lived in the United States for almost 20 years, posing as another man who has dual Irish and U.S. Citizenship. In 1991, as his U.S. visa was expiring,



Tetioukhine used information belonging to Fionghal S. MacEoghan to obtain a U.S. passport and Social Security number. He later obtained a mortgage and federal student loans in MacEoghan’s name.



In 2010, the real Fionghal MacEoghan, living in Ireland, discovered through Facebook that another person was using his identity.



Warwick police were notified and a subsequent investigation resulted in charges of identity theft, false statements on loan applications, false use of a Social Security number and passport fraud. A jury convicted Tetioukhine of all charges. “The investigation of this matter was an outstanding example of cooperation and coordination among law enforcement agencies at the local and federal level,” said U.S. Attorney Peter F. Neronha. Participating in the investigation: the U.S. Department of State, Diplomatic Security Service, the Warwick Police, the Social Security Administration, Office of Criminal Investigation, Immigration and Customs Enforcement, and the U.S. Department of Education, Office of Inspector General.



Assistant U.S. Attorneys Richard W. Rose and Ly T. Chin.

70-month sentence for consumer electronics fraud

David Whitaker took orders for millions of dollars worth of electronic equipment. However, his Providence-based company, Mixitforme, Inc., failed to deliver the merchandise to customers. He diverted mil-



lions of dollars for his personal use, deceived a credit card processing company with false income tax returns, and persuaded a bank vice president to issue unauthorized letters of credit. While a federal investigation was under way, Whitaker fled. He was arrested in California after being expelled from Mexico. He pleaded guilty to wire fraud, money laundering and bribery. A federal judge sentenced him to 70 months in prison and ordered him to pay \$10 million restitution to his victims.



A factor in Whitaker’s sentencing was his assistance to the government in an investigation of illicit pharmaceutical ads run by Google’s AdWords program, through which he had illegally sold pharmaceuticals. Google Inc. ultimately forfeited \$500 million to the government for running ads for rogue pharmacies.



Assistant U.S. Attorneys Andrew J. Reich and Lee H. Vilker.

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CRIMINAL DOCKET SHEET

Two guilty in mortgage fraud scheme



Miguel Valerio and **Juan Carlos Hernandez** formed a company called Latin American Investments. The ostensible purpose was to manage rental properties. However, they used the properties to secure mortgages for unqualified straw buyers. They also applied for mortgages in the name of Valerio or his ex-wife. Their purpose was to collect rent, flip the properties quickly, and split the proceeds. Valerio pleaded guilty to conspiracy to commit wire fraud, Hernandez to bank fraud, wire fraud and conspiracy. Both are awaiting sentencing. A third defendant is awaiting trial. *Assistant U.S. Attorney Luis M. Matos.*

30-month sentence for bookkeeper in LCN extortion scheme



Thomas Iafrate kept the books for several adult entertainment establishments and other businesses. In that position, he set aside extortion payments for New England La Cosa Nostra (LCN) figures. Iafrate pleaded guilty to conspiracy to participate in a racketeering enterprise, admitting that he was an LCN associate. A federal judge sentenced Iafrate to 30 months imprisonment. Seven other defendants, members or associates of the New England LCN, are also charged with participating in the extortion scheme. *Assistant U.S. Attorney William J. Ferland and Sam Nazzaro, Trial Attorney, Department of Justice Organized Crime and Gang Section.*



Ambulance company MedCare defrauded Medicare

John M. Almon owned MedCare Ambulance LLC. Over a two year period, he routinely transported patients for dialysis treatments and fraudulently obtained reimbursement from Medicare and Blue Cross. Almon wasn't eligible for reimbursement because trips for dialysis are not considered emergency or specialized transportation under health care regulations. To entice customers, Almon often waived patient co-payments. He pleaded guilty to health care fraud and related charges. A federal judge sentenced him to two years in prison and ordered him to repay Medicare \$626,000 and Blue Cross \$78,000 for the improper reimbursements. *Assistant U.S. Attorneys Luis M. Matos and Dulce Donovan.*



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CRIMINAL DOCKET SHEET

Guilty plea in kidnapping of college student

In a plot to steal a luxury sport utility vehicle from a fellow college student, **Zhengpen Hu** and another man attacked the owner of the vehicle and a woman in a Providence apartment. They bound her and stashed her in a suitcase, warning her not to call police. They blindfolded the owner of the vehicle, forced him into a large storage bag, and loaded him into his 2011 Porsche, valued at \$80,000. He was later put into another vehicle and driven to an apartment in Malden, Massachusetts, where he was confined and trussed up with duct tape and plastic ties. He freed himself after about two hours and sought help. Malden Police, responding to a call, found Zhengpeng Hu on the roof of the apartment building and arrested him. Meanwhile, the female victim in the Providence apartment had freed herself and had sought help from a neighbor. Zhengpeng Hu pleaded guilty to federal kidnapping charges and is detained, awaiting sentencing. A federal warrant has been issued for the arrest of a codefendant, Zhengfeng Cui, who is believed to have fled the country. *Assistant U.S. Attorney Gerard B. Sullivan.*



CIVIL DOCKET SHEET

U.S. Attorney collected \$10.5 million in FY 2011



The Rhode Island U.S. Attorney's Office collected \$10.5 million during fiscal year 2011. By contrast, the operating budget for the office in FY 2011 was approximately \$4.2 million. Collections were in the form of civil and criminal fines, asset forfeitures, and victim restitution. Notably, Chinese drug manufacturer Genescience Pharmaceutical and its CEO jointly forfeited \$4.5 million for illegally marketing Human Growth Hormone in the U.S. That amount was in addition to a previous \$2.7 million civil forfeiture from Gensci.

Of the \$10,518,096 in total collections, \$8,970,628 was collected in criminal and civil forfeitures, \$763,025 in criminal actions and \$784,442 in civil actions

"This office remains committed to its work protecting the public, whether that be through criminal prosecution or ensuring that those who owe a financial debt to victims or taxpayers are held accountable," said U.S. Attorney Peter F. Neronha. Nationally, U.S. Attorneys collected \$6.5 billion last year.

The fiscal 2011 collections do not include a record \$500 million forfeiture from Google Inc. for improper advertisements for rogue foreign pharmacies selling unregulated medications. That will be reflected in the Fiscal 2012 collections. *Financial Litigation Unit: Assistant U.S. Attorney Leslie J. Kane, Paralegal Specialist Sandra L. Mascola, Auditor Danny L. Saccoccio, Data Analyst April Ovia.*

PARTNERS AT WORK

SOME THOUGHTS ON REENTRY

BARRY J. WEINER, CHIEF U.S. PROBATION OFFICER, DISTRICT OF RHODE ISLAND

The United States has the highest incarceration rate in the world. Over two million adults are incarcerated in our federal and state prisons, and county jails. And every year, approximately 650,000 of them leave those facilities and reenter society facing more obstacles than opportunities.



The Second Chance Act of 2008 authorizes \$165 million for federal grants to the states to support efforts to reintegrate released inmates. The act focuses not on how to “lock them up” but on how to “let them out;” how to identify what needs to be done to prepare offenders to return home as pro-social members of their communities, thereby reducing the likelihood they will return to criminality.

The federal probation office in Rhode Island has received a small amount of money each of the last two years to assist federal offenders with emergency and transitional needs. There are many success stories where a small financial investment in an individual has helped launch a successful reentry: for example, buying steel toed boots so an offender can qualify for a construction job, or purchasing books for a job training course.

Each of the 119 Bureau of Prisons facilities has a reentry coordinator. In Rhode Island, many months before an

The offenders we supervise came from our communities and have now returned to our communities.

inmate is scheduled for release, we will assign a probation officer to work with that coordinator. The officer will then conduct a visit to the proposed home of the released inmate, meet with family members, begin to realistically evaluate the release plan, and offer practical assistance to increase the likelihood of success. The goal is to provide offenders with the tools and resources they need to succeed during prerelease, the term of supervision, and beyond.

Readjusting to life outside a correctional facility can be stressful and difficult for ex-offenders, and many who are unable to cope with their new realities often manifest their anxieties by reoffending.

Studies of re-entry patterns showed that often defendants were released from a custodial situation with an almost 100% employment rate, but six months later that rate was reduced to almost 0%. Problems with appropriate housing, obtaining identification, unmet health care needs, child care issues, etc., must be addressed if that employment is to be successful long-term.

In Rhode Island, federal probation officers work closely with the RI Department of Corrections as well as an array of agencies that provide services to ex-offenders.

The offenders we supervise came from our communities and have now returned to our communities. They are not going away. Helping them to successfully reintegrate has clear and obvious benefits for the offender, his/her family, the local community, and society as a whole.

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