

AO 91 (Rev 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

District of Connecticut

United States of America

v.

Melissa Meole

Defendant(s)

SEP 16 2019 PM 12:11 FILED-USDC-CT-NEW.HAVEN

Case No.

3:19-mj-1386 (RMS)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 2018 to February 2019 in the county of New Haven in the District of CT, and elsewhere, the defendant(s) violated:

Table with 2 columns: Code Section, Offense Description. Rows include 18 U.S.C. § 669 (Theft and embezzlement from a health care benefit program), 18 U.S.C. § 1343 (Wire fraud), 18 U.S.C. § 1344 (Bank fraud), 18 U.S.C. § 1347 (Health care fraud), and 18 U.S.C. § 1028A (Aggravated identity theft).

This criminal complaint is based on these facts:

See attached Affidavit of U.S. Department of Labor, Office of Inspector General Special Agent Lynn E. Allen, which is incorporated herein by reference.

[X] Continued on the attached sheet.

[Handwritten signature]

Complainant's signature

Lynn E. Allen, Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 09/16/2019

/s/ Robert M. Spector

Judge's signature

City and state: New Haven, CT

Hon. Robert M. Spector, U.S. Magistrate Judge

Printed name and title

STATE OF CONNECTICUT

Filed Under Seal

SEP 16 2019 07:11
FLD 0100 CT-19-0001

ss: New Haven, Connecticut

COUNTY OF NEW HAVEN

September 16, 2019

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT

I, Lynn E. Allen, being duly sworn, depose and state as follows:

INTRODUCTION AND BACKGROUND OF AFFIANT

1. I am a Special Agent of the U.S. Department of Labor, Office of Inspector General (“DOL-OIG”), and have been so employed since December 2003. Prior to joining DOL-OIG, I was a Special Agent with the U.S. Department of Agriculture, Office of Inspector General, for 6 years. While being trained as a Special Agent, I received basic investigative training on conducting fraud investigations at the Federal Law Enforcement Training Center in Georgia. Additionally, in June 2007, I attended training on the criminal enforcement of violations of the Employee Retirement Income Security Act of 1974 (“ERISA”), which discussed fraud schemes involving employee benefit plans. I am currently assigned to the Meriden, CT, Field Office of the DOL-OIG. My job duties include the investigation of federal criminal offenses, including health care fraud, wire fraud and identity theft. As a Special Agent, I have conducted and participated in numerous such investigations.

2. I make this affidavit in support of a criminal complaint and arrest warrant charging adult female named Melissa Meole (the “TARGET”), who was born in 1984 and whose social security number ends in 3680,¹ with the following criminal offenses (collectively, the “TARGET OFFENSES”): theft and embezzlement from a health care benefit program, in violation of 18

¹ The TARGET’s full date of birth and social security number are known to me.

U.S.C. § 669; wire fraud, in violation of 18 U.S.C. § 1343; bank fraud, in violation of 18 U.S.C. § 1344; health care fraud, in violation of 18 U.S.C. § 1347; and aggravated identity theft, in violation of 18 U.S.C. § 1028A.

3. At the time of the offense conduct set forth below, the TARGET was living in Connecticut.

4. Based on the information set forth in this affidavit, I believe there is probable cause to believe and I do believe that the TARGET committed the TARGET OFFENSES in the District of Connecticut.

5. The statements contained in this affidavit are based in part on information provided by other members of local, state, and federal law enforcement; publicly available court records; my own investigation to include interviews of witnesses, personal observations, documents and other investigative materials which I have reviewed, as well my training and experience as a law enforcement officer. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause for the requested criminal complaint and arrest warrant.

RELEVANT STATUTES

6. 18 U.S.C. § 669 (theft or embezzlement in connection with health care) prohibits a person from knowingly and willfully embezzling, stealing, or otherwise without authority converting to the use of any person other than the rightful owner, or intentionally misapplying any of the moneys, funds, securities, premiums, credits, property, or other assets of a health care benefit program. The term “health care benefit program” is defined in 18 U.S.C. § 24(b), as incorporated by 18 U.S.C. § 669(b), as “any public or private plan or contract, affecting commerce, under which

any medical benefit, item, or service is provided to any individual, and includes any individual or entity who is providing a medical benefit, item, or service for which payment may be made under the plan or contract.”

7. 18 U.S.C. § 1347 (health care fraud) prohibits a person from knowingly and willfully executing a scheme or artifice to defraud any health care benefit program or to obtain, by means of false or fraudulent pretenses, representations, or promises, any of the money or property owned by, or under the custody or control of, any health care benefit program. The term “health care benefit program” has the same definition as set forth above. *See* 18 U.S.C. § 24(b).

8. 18 U.S.C. § 1343 (wire fraud) prohibits a person who, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmits or causes to be transmitted by means of wire communication, in interstate or foreign commerce, any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice.

9. 18 U.S.C. § 1344 (bank fraud) prohibits a person from executing a scheme or artifice to defraud a financial institution or to obtain any of the moneys, funds, credits, assets, securities, or other property owned by, or under the custody or control of, a financial institution, by means of false or fraudulent pretenses, representations, or promises. A financial institution includes any FDIC-insured depository institution or holding company.²

10. 18 U.S.C. § 1028A (aggravated identity theft) prohibits a person, during and in relation to certain enumerated felonies, from knowingly transferring, possessing, or using, without

² FDIC refers to the Federal Deposit Insurance Corporation. As relevant to this affidavit, based on my training and experience and publicly available information, I am aware that the following banks are (and were at all times relevant to this affidavit) all FDIC insured: Bank of America N.A. (“Bank of America”), Citizens Bank N.A. (“Citizens Bank”), Liberty Bank, TD Bank N.A. (“TD Bank”), and Wells Fargo Bank N.A. (“Wells Fargo Bank”).

lawful authority, a means of identification of another person. The enumerated felonies include any violations of Chapter 63, which, in turn, includes violations of 18 U.S.C. §§ 1343 (wire fraud) and 1344 (bank fraud). The term “means of identification” includes, among other things, any name or number that may be used, alone or in conjunction with any other information, to identify a specific individual, including, among other things, a name, social security number, or unique electronic identification number or address.

THE INVESTIGATION AND PROBABLE CAUSE

Background on Bridgeport Health Care Center

11. Bridgeport Health Care Center Inc. (“BHCC-INC”) is a privately owned Connecticut corporation that operates a nursing and rehabilitation facility in Bridgeport, Connecticut known as Bridgeport Health Care Center (“BHCC”). Prior to November 2018, BHCC-INC also operated a second nursing and rehabilitation facility in Bridgeport, Connecticut known as Bridgeport Manor.

12. At all times relevant to the TARGET OFFENSES, BHCC and Bridgeport Manor (before it closed) provided its residents with medical benefits, items, and services, which were paid, in part, through public and private plans and contracts, including, but not limited to, pensions, Social Security benefits, and Medicaid benefits. As such, BHCC and Bridgeport Manor were each a “health care benefit program” as defined under 18 U.S.C. § 24(b).

13. As part of their obligations under Connecticut state law and federal regulations, operators of nursing home facilities such as BHCC and Bridgeport Manor are required to create and maintain resident trust accounts when requested by residents. Resident trust accounts contain personal funds held in trust by the facilities for use by the residents of the nursing homes, typically to be used for small personal expenses, and are commonly disbursed via petty cash. Funds

deposited into resident trust accounts typically come from a variety of sources, including residents' private pensions, Social Security, Medicaid, Veterans Affairs benefit programs, or contributions from family members. If a resident is a Medicaid client (as many, if not most, nursing home residents are), then the amount that the resident may maintain in his/her resident trust account is capped. Any amount above the cap is applied toward costs of the resident's care.

14. Under Connecticut state law and federal regulations, a resident trust account is required to be a separate bank account from the facility's operating accounts. However, a facility can maintain one main bank account in which all the resident trust funds for all of its residents are held, and then separately track the balances for each resident.

15. BHCC-INC maintained two main resident trust bank accounts: one for residents of BHCC and the other for residents of Bridgeport Manor, and then separately tracked the balances for the residents of each facility. As of June 2017, both accounts were at TD Bank. The BHCC resident trust account had an account number ending in 5035 (the "BHCC Resident Trust Account"). The Bridgeport Manor resident trust account had an account number ending in 5043 (the "Bridgeport Manor Resident Trust Account").

16. In April 2018, BHCC-INC filed for bankruptcy in the United States Bankruptcy Court for the District of Connecticut (the "Bankruptcy Court"). The Bankruptcy Court appointed a trustee ("Trustee"), whose identity is known to me, to oversee and manage BHCC-INC and the two facilities while the bankruptcy case was pending. The trustee, in turn, appointed an individual, whose identity is known to me, to serve as Chief Operating Officer ("COO") of BHCC-INC and the two facilities. In October 2018, the Bridgeport Manor facility was closed. The BHCC facility is still operating. The bankruptcy case is still open.

The TARGET's Theft of Funds from Resident Trust Accounts

17. The TARGET was an employee of BHCC-INC from approximately early 2012 to on or about October 31, 2018. The TARGET worked in BHCC-INC's business office and was responsible for payroll and the resident trust account for Bridgeport Manor. As explained below, during her employment at BHCC-INC the TARGET embezzled funds from the resident trust accounts for both BHCC and Bridgeport Manor.

18. As part of her job responsibilities, the TARGET was responsible for handling the finances of the Bridgeport Manor Resident Trust Account. The TARGET handled deposits and withdrawals for the account and had access to the checkbook for the account. At times, she also handled the BHCC Resident Trust Account.

19. Both Bridgeport Manor and BHCC had petty cash boxes for the resident trust accounts. If cash was needed for a resident's personal expenses, the TARGET or another authorized staff member would distribute cash from the petty cash box to the resident as requested. The withdrawals were supposed to be tracked using receipts signed by residents and the withdrawals would be posted to the system that BHCC-INC used to track each resident's account balance. The TARGET or another authorized staff member would write a check against the resident trust bank account and then cash the check at a bank in order to replenish the cash in the petty cash box.

20. In addition, prior to May 2018, Bridgeport Manor and BHCC paid larger resident expenses with a bank check to ensure the vendor received payment.³ To do so, the TARGET or another authorized staff member wrote a check payable to cash against the resident trust account and

³ Large vendor expenses for residents that were paid from the resident trust accounts included, for example, prepaid funeral expenses. In addition, often times the facility arranged for a hair salon representative to come to the facility to provide services for a number residents. The representative would then be paid with a bank check.

then cashed the check at a bank. Once cashed, the TARGET or another staff member then obtained an official check or bank check from the bank made payable to the specific vendor as payee. The official checks or bank checks were supposed to be copied, with a copy held in the resident trust account records. The withdrawals were also supposed to be posted to the system that BHCC-INC used to track the resident trust accounts.

Theft from Bridgeport Manor Resident Trust Account

21. After BHCC-INC filed for bankruptcy in April 2018, the newly-appointed COO found that the TARGET, who had responsibility for the finances of the Bridgeport Manor Resident Trust Account, had performed little accounting and reconciliation of the account. The COO asked another staff member to conduct an accounting of the Bridgeport Manor Resident Trust Account, but the staff member found that records were missing and a reconciliation would be very difficult.

22. On or about October 31, 2018, the COO terminated the TARGET's employment at BHCC-INC.

23. On or about November 5, 2018, after the TARGET was terminated from BHCC-INC, two checks were deposited into the Bridgeport Manor Resident Trust Account totaling \$1,500.00. The checks showed the payor on the account to be an individual with initials J.M., whose identity is known to me and who is the daughter of a Bridgeport Manor resident.

24. On or about November 6, 2018, the two checks did not clear, as the account on which the checks were written had insufficient funds. A BHCC-INC employee contacted J.M. about the checks, and J.M. informed the employee that she did not provide any checks to Bridgeport Manor. The employee also spoke with a representative from TD Bank, which was the bank listed on the check, and learned that the checks were written on an account in the TARGET's name.

25. The COO requested that BHCC-INC staff members conduct a full accounting and

review of the Bridgeport Manor Resident Trust Account starting in January 2018. Based on the review, the COO and staff determined that checks totaling \$141,060.56 were made payable to cash from the Bridgeport Manor Resident Trust Account but were not posted to BHCC-INC's tracking system and could not be verified as authorized withdrawals.

26. I have obtained records from BHCC-INC from its review of the Bridgeport Manor Resident Trust Account. Based on my review of these records, as well as other records I obtained during my investigation, including bank records, I believe the TARGET embezzled money from the Bridgeport Manor Resident Trust Account.

27. For example, one of the checks written against the Bridgeport Manor Resident Trust Account was check #774, dated April 30, 2018, made payable to cash in the amount of \$1,288.95. The check was endorsed on the back with the TARGET's name and cashed on or about May 4, 2018. The memo section on the check states "DAS" followed by the last name of a resident at Bridgeport Manor. Based on my training and experience and my investigation in this case, I believe DAS is short for the Connecticut Department of Administrative Services ("DAS"). Based on information provided by BHCC-INC, I am aware that BHCC-INC staff contacted DAS and learned that although DAS requested funds for the resident listed in the memo section of the check, DAS never received payment.

28. Another check written against the Bridgeport Manor Resident Trust Account was check #776, dated April 30, 2018, made payable to cash in the amount of \$2,216.00. The check was endorsed on the back with the TARGET's name and cashed on or about May 4, 2018. The memo section on the check lists the last name of a resident at Bridgeport Manor followed by the letters "AI." Based on my training and experience and my investigation in this case, I believe AI is short for "applied income." The Medicaid program requires nursing home benefit recipients to

share in the monthly cost of their care. The amount the resident must contribute to the cost of care is known as “applied income” or the Medicaid co-payment. Applied Income for residents should have been deposited into Bridgeport Manor’s operating account. However, a review of deposits into the Bridgeport Manor and BHCC operating accounts show no corresponding deposit for the resident listed in the memo section of the check.

29. According to bank records obtained from TD Bank, on the same date that checks 774 and 776—totaling \$3,504.90—were cashed, a cash deposit of \$3,433.19 was made into a TD Bank account in the TARGET’s name, with account number ending in 1499 (“TD Account 1499”).

30. Another check written against the Bridgeport Manor Resident Trust Account was check #764, dated April 4, 2018, made payable to cash in the amount of \$3,490.00. The check was endorsed on the back with the TARGET’s name and cashed on or about April 4, 2018. The memo section on the check states “resident trust” but provides no other information, such as a resident’s name. BHCC-INC’s review of records related to the Bridgeport Manor Resident Trust Account showed no corresponding posting of this withdrawal in its tracking system and no back up documentation to support the withdrawal. The next day, on or about April 5, 2018, a cash deposit of \$3,200.00 was made into TD Account 1499.

31. Many other checks written against the Bridgeport Manor Resident Trust Account and made payable to cash similarly did not indicate any specific resident or vendor in the memo section. Instead the checks merely listed “resident cigarettes,” “resident trust” or “resident trust box.” During the BHCC-INC’s review of the account after the TARGET was terminated, employees attempted to reconcile these withdrawals with receipts or postings to the account, but there was often no corresponding information to verify.

32. For the time period January 2018 to October 2018, the total amount of checks from

the Bridgeport Manor Resident Trust Account that were made payable to cash but that BHCC-INC employees were unable to verify as authorized withdrawals was \$141,060.56.

33. Based on my review of bank records, between January 2018 and October 2018, approximately \$133,701.90 in cash was deposited into various bank accounts in the TARGET's name.

34. However, according to wage records I obtained from the Connecticut Department of Labor, the TARGET only earned \$27,865.31 in gross wages in the year 2018.

Theft from BHCC Resident Trust Account

35. While the TARGET was responsible for handling the Bridgeport Manor Resident Trust Account, another BHCC-INC employee ("Employee-A"), whose identity is known to me, was responsible for handling the finances for the BHCC Resident Trust Account. However, at times, Employee-A relied on the TARGET to cash checks written against the BHCC Resident Trust Account in order to replenish funds in the petty cash box or to obtain bank checks for vendor payments for large resident expenses.

36. On or about February 15, 2018, Employee-A cashed a check payable to cash for \$8,719.16 from the BHCC Resident Trust Account. Employee-A provided the money to the TARGET to purchase bank checks to pay various vendors. Although the TARGET took the cash from Employee-A, the TARGET never provided Employee-A with the bank checks or receipts evidencing the purchase of bank checks. Employee-A asked the TARGET about the bank checks, and the TARGET told Employee-A that the TARGET mailed the checks directly to the vendors. On or about February 15 and February 16, 2018, several cash deposits totaling \$6,340 were made into TD Account 1499.

37. One vendor later contacted BHCC-INC indicating they did not receive payment. The

TARGET subsequently issued two checks from the Bridgeport Manor Resident Trust Account totaling \$4,400 to pay the vendor.

38. Other vendors reported never receiving checks that were to be written from the \$8,719.16.

The TARGET's Admissions to Law Enforcement

39. On or about January 16, 2019 and January 18, 2019, the TARGET agreed to voluntary interviews with me and another law enforcement agent.⁴ During the interviews, the TARGET admitted to taking money from the Bridgeport Manor Resident Trust Account beginning in 2016 or 2017. She stated that she initially increased the amount of the check beyond what was needed for the resident trust petty cash box so that she could take the excess for herself. She then began writing checks out to cash solely to take the money for herself. The TARGET stated that did not know how much she had stolen from the Bridgeport Manor Resident Trust Account, but she estimated that if she cashed five checks in a day, she used two for the trust and kept three for herself.⁵

40. Based on the foregoing, I believe there is probable cause that the TARGET committed theft and embezzlement from a health care benefit program, in violation of 18 U.S.C. § 669, and health care fraud, in violation of 18 U.S.C. § 1347.

The TARGET's Theft of Bridgeport Manor Payroll Checks

41. In addition to stealing money from the resident trust accounts, the TARGET also

⁴ The January 16 interview took place at the TARGET's residence and the January 18 interview took place at the DOL-OIG office in Meriden, Connecticut. At the beginning of both interviews, the TARGET was told she could terminate the interview at any time and that the interview was voluntary.

⁵ In December 2018 and January 2019, the TARGET wrote four checks from her Bank of America bank account that appear to be attempts to re-pay checks taken from Bridgeport Manor. Three of the checks were returned due to insufficient funds. The only check that cleared was one for \$27.03.

stole money from BHCC-INC in the form of payroll checks.

42. In 2018, BHCC-INC paid its employees working at Bridgeport Manor and BHCC with payroll checks drawn on a bank account in the name of BHCC-INC held at TD Bank, with an account number ending 5051 (the "Payroll Account").

43. As discussed above, as part of the TARGET's employment responsibilities, the TARGET was responsible for the payroll for Bridgeport Manor employees. She was responsible for inputting figures into the payroll system for employees. She also physically delivered the printed checks to an administrative staff member at Bridgeport Manor, who then delivered the checks to the employees.

44. On or about August 7, 2018, a bank account in the TARGET's name, with account number ending in 6755, was opened at TD Bank ("TD Account 6755"). Between August 15, 2018, and November 1, 2018, 48 payroll checks from the Payroll Account were deposited into TD Account 6755. Of the 48 checks, only seven checks were payable to the TARGET or to MELISSA MARTINEZ, which I believe based on publicly available information is another name used by the TARGET. The other 41 checks were made payable to twelve former employees of Bridgeport Manor. These 41 checks totaled \$29,392.33. After the funds were deposited into Account 6755, the money was used to pay the TARGET's personal expenses.

45. I have interviewed ten of the twelve former employees and reviewed the payroll checks made payable to them that were deposited into TD Account 6755. Each of them stated he/she never authorized anyone to deposit the checks made payable to him/her into TD Account 6755; that the signatures on the back of the checks did not match the employee's signature; and that the employee did not believe the paychecks were for work he/she actually performed. Typically, the paychecks were written after the employee had stopped working at Bridgeport

Manor. Two of the employees were on leave and out of the country at the time most of the checks made payable to them were written and deposited.

46. Seven of the 41 checks were deposited into TD Account 6755 in October and November 2018 using mobile deposit. Based on my training and experience and information from TD Bank's website, I am aware that TD Bank offers a mobile deposit service through its mobile application for smartphone and tablet users. Customers with the mobile application can deposit checks by simply taking a picture of the check and transmitting the picture through TD Bank's mobile application. Based on my training and experience, I am aware that the pictures are transmitted electronically via the internet. I am further aware that TD Bank is headquartered in New Jersey.

47. Several of the remaining 41 checks were deposited at ATMs in Connecticut.

48. I know from my training and experience that in making an ATM deposit, information about the deposit is transmitted electronically to the bank at the time of the deposit.

49. Based on the foregoing, I believe there is probable cause that the TARGET committed wire fraud, in violation of 18 U.S.C. § 1343, and aggravated identity theft, in violation of 18 U.S.C. § 1028A. Specifically, there is probable cause that the TARGET devised and executed a scheme to defraud BHCC-INC and to obtain money from BHCC-INC by means of false or fraudulent pretenses, representations, or promises in that she caused false payroll checks to be issued in the names of former employees for work they did not perform. The TARGET then executed the scheme by depositing the checks into her own bank account, which caused information to be electronically transmitted in interstate commerce to TD Bank. She also used the names of the former employees in furtherance of the fraud.

The TARGET's Theft of Funds from Company-A

50. After the TARGET was terminated from BHCC-INC, she began working for another company, and then began stealing money from that company.

51. In December 2018, the TARGET began working for a temporary agency that placed her as a payment operations specialist at a company ("Company-A") whose identity is known to me. Company-A has offices in Connecticut and provides digital payment and money movement services to financial institutions and customers. As part of these services, Company-A processes bill payments for its customers.

52. The TARGET was responsible for opening checks that had been returned to Company-A (often for incorrect addresses), logging the information, and securing the checks in the company's safe.

53. However, instead of securing the returned checks into Company-A's safe, between December 2018 and January 2019, the TARGET deposited 15 of the returned checks into bank accounts in her name at Bank of America, TD Bank and Citizens Bank. The checks were made from various payors to various payees and totaled \$9,305.32. The checks were deposited into the TARGET's accounts via ATMs in Connecticut.

54. As discussed above, I know from my training and experience that in making an ATM deposit, information about the deposit is transmitted electronically to the bank at the time of the deposit. Based on publically available information, I am further aware that Bank of America is headquartered in North Carolina, that Citizens Bank is headquartered in Rhode Island, and that TD Bank is headquartered in New Jersey.

55. In January 2019, Company-A learned of the TARGET's theft and confronted her. In response, the TARGET agreed to provide the company access to her bank accounts to review deposits. Prior to being confronted with the theft, the TARGET had written five checks from her

account at Bank of America that appeared to be replacement checks for some of the returned checks she took from Company-A. However, only three of the checks cleared. These three checks totaled \$825.43. The other two bounced due to insufficient funds in her account.

56. Based on the foregoing, I believe there is probable cause that the TARGET committed wire fraud, in violation of 18 U.S.C. § 1343. Specifically, there is probable cause that the TARGET devised and executed a scheme to defraud Company-A and its clients and to obtain money by means of false or fraudulent pretenses, representations, or promises in that she took, without authorization, checks from Company-A payable to various payees and deposited the checks into her own bank accounts, which caused information to be electronically transmitted in interstate commerce to various banks.

The TARGET's Commission of Bank Fraud

57. Finally, in addition to the offenses described above, the TARGET engaged in bank fraud by defrauding several banks through a check kiting scheme.

Liberty Bank

58. On or about September 5, 2018, Liberty Bank received an online application for a bank account in the name of the TARGET's mother (the "Target's Mother"), whose identity is known to me. The application listed an address in North Branford, Connecticut (the "North Branford Address"), a phone number ending in 3862, and the TARGET's work email address from BHCC-INC. The application also listed a social security number, a date of birth, and a driver's license number for the Target's Mother. The opening deposit for the account was to be funded with a deposit from TD Account 6755. However, Liberty Bank rejected the application because the social security number for the Target's Mother was incorrect.

59. On or about December 13, 2018, a bank account in the name of the Target's Mother

was opened online at Liberty Bank, with an account number ending in 8431 (“Liberty Account 8431”). The account listed an address in North Haven, Connecticut (the “North Haven Address”), a phone number ending in 3862, and an email address (“Email-Address-A”) which is known to me. The application for the account listed the correct social security number for the Target’s Mother, as well as a correct date of birth, and a correct driver’s license number for the Target’s Mother.

60. Based on my investigation, the North Haven Address is not and has never been an address for the Target’s Mother. According to background databases that are available to law enforcement, the North Haven Address is a former address for the TARGET. The background databases also identify Email-Address-A as being associated with the TARGET.

61. On or about July 25, 2019, another law enforcement agent and I interviewed the Target’s Mother. The Target’s Mother stated she has never lived at the North Haven Address, and she indicated that the North Haven Address is the former address of the TARGET, who she indicated was her daughter. The Target’s Mother further confirmed that the phone number ending in 3862 is a cell phone number used by the TARGET. The Target’s Mother stated that she did not open a Liberty Bank account in December 2018 and did not attempt to open one in September 2018. She further stated that she does not maintain a bank account at Liberty Bank and is not familiar with Liberty Account 8431.

62. According to records provided by Liberty Bank, on or about March 21, 2019, a check in the amount of \$895 was deposited into Liberty Account 8431. The deposit was made at a Liberty Bank ATM in North Haven, Connecticut. On or about March 22, 2019, a second check in the amount of \$500 was deposited into the same account at the same ATM. I reviewed surveillance footage for both ATM deposits, which show the TARGET making the deposits into the account.

63. The check for \$895 was drawn on a Citizens Bank account, with an account number

ending in 6644 (“Citizens Account 6644”), in the TARGET’s name. The check was dated February 8, 2019. At the time of the deposit, Citizens Account 6644 had been locked by Citizens Bank due to fraudulent activity in the account. As a result, the check did not clear.

64. On or about March 22, 2019, Liberty Bank received a phone call from a person who identified herself as the Target’s Mother. The caller asked why her deposits from March 21 and March 22 had not cleared. Though the caller identified herself as the Target’s Mother, I have listened to the call, and based on my prior interviews of both the TARGET and her mother, I believe the voice is that of the TARGET.

65. On or about March 23, 2019, Liberty Bank received another phone call from a person who identified herself as the Target’s Mother. The caller again asked why one of the deposits had not cleared. Though the caller identified herself as the Target’s Mother, I have listened to the call, and based on my prior interviews of both the TARGET and her mother, I believe the voice is that of the TARGET.

66. In March 2019, there were additional withdrawals and point-of-sale purchases made on Liberty Account 8431. Because the \$895 deposit did not clear, Liberty Bank was left with a loss of \$541.24.

Wells Fargo and TD Bank

67. On or about November 1, 2018, a bank account in the TARGET’s name was opened in person at Wells Fargo Bank, with an account number ending in 6009 (“Wells Fargo Account 6009”). The account application listed Email-Address-A and the North Haven Address. The application also listed the TARGET’s employer as BHCC-INC even though she was terminated from BHCC-INC on or about October 31, 2018.

68. On November 2, 2018 and November 5, 2018, a total of five checks drawn against TD

Account 6755—which, as discussed above, were in the TARGET’s name—were deposited into Wells Fargo Account 6009. These checks totaled \$3,600.00. Aside from a cash deposit of \$217.00 on November 2, 2018, these checks were all of the deposits made into Wells Fargo Account 6009 on those dates.

69. Between November 2, 2018 and November 5, 2018, \$2,322.32 was withdrawn from Wells Fargo Account 6009 through cash withdrawals, ATM withdrawals, and other purchases.

70. Between November 5, 2018 and November 9, 2018, the deposited checks from TD Account 6755 were returned for insufficient funds, leaving the Wells Fargo Account 6009 with a negative balance of -\$1,212.56 (including bank fees) as of November 20, 2018. Wells Fargo charged off the negative balance in January 2019 when the account was closed, resulting in a loss (excluding bank fees) to Wells Fargo of \$1,093.56.

Citizens Bank

71. On or about February 14, 2019, Citizens Account 6644, discussed above, was opened at Citizens Bank in the TARGET’s name. The account listed an address in Northford, Connecticut (the “Northford Address”) as the TARGET’s address.

72. On February 15, 2019, two checks totaling \$1,375.00 were deposited into the Citizens Account 6644. These checks were drawn on a TD Bank account ending in 7539 (“TD Account 7539”) in the name of the TARGET’s stepfather (the “Target’s Stepfather”), whose identity is known to me. Records for TD Account 7539 list the account holder’s address as the North Haven Address. Aside from \$40 in cash deposits, these two checks represent the only actual deposits into Citizens Account 6644 for February 2019.

73. On or about July 25, 2019, another law enforcement agent and I interviewed the Target’s Stepfather. He indicated that the signatures on the checks drawn on TD Account 7539

were not his and that he never lived at North Haven Address. He stated that the North Haven Address is the TARGET's prior address.

74. On or about February 19, 2019, a cash withdrawal from Citizens Account 6644 was made in the amount of \$1,350.00. On or about February 20, 2019, the two checks written on TD Account 7539 and deposited into Citizens Account 6644 were returned due to insufficient funds, leaving Citizens Account 6644 with a negative balance of -\$1,890.00 at the end of the day.

75. There were two checks written against Citizens Account 6644. Check #125 was written for \$500 and check #5001 was written for \$184.14. Check #5001 was made payable to The Dancers Boutique and did not clear due to insufficient funds in Citizens Account 6644. Check #125 was made payable to the Target's Stepfather and deposited into TD Account 7539. This check also did not clear due to insufficient funds in Citizens Account 6644.

76. Based on the foregoing, I believe there is probable cause that the TARGET committed bank fraud, in violation of 18 U.S.C. § 1344, and aggravated identity theft, in violation of 18 U.S.C. § 1028A. Specifically, there is probable cause that the TARGET devised and executed a scheme to defraud several banks and to obtain money from those banks by means of false or fraudulent pretenses, representations, or promises in that she falsely opened the accounts in the names of other people, she deposited checks into the accounts that would not clear, she withdrew funds from the accounts before the deposited checks were returned for insufficient funds, causing the banks to suffer losses.

CONCLUSION

77. Based on the foregoing, there is probable cause to believe, and I do in fact believe, that from about January 2018 to February 2019, in the District of Connecticut and elsewhere, the TARGET committed the TARGET OFFENSES. Therefore, I respectfully request that a criminal

complaint and arrest warrant be issued to support the arrest of and to charge the TARGET with the TARGET OFFENSES.



Special Agent Lynn E. Allen
U.S. Department of Labor,
Office of Inspector General

Subscribed and sworn to before me this 16th day of September, 2019

/s/ Robert M. Spector

HON. ROBERT M. SPECTOR
UNITED STATES MAGISTRATE JUDGE