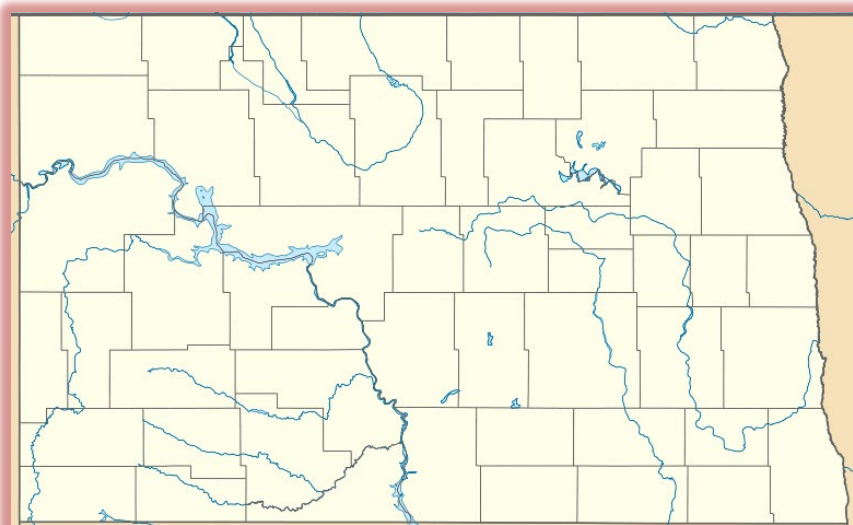


2023 COMMUNITY REPORT

UNITED STATES ATTORNEY'S OFFICE
DISTRICT OF NORTH DAKOTA

MAC SCHNEIDER
UNITED STATES ATTORNEY





THE DISTRICT OF NORTH DAKOTA

"Theodore Roosevelt National Park" (page 1) by neighborhoods.org is licensed under CC BY-SA 2.0. "USA North Dakota location map" (page 2) by Aleck2 is licensed under CC BY 3.0.

- ★ The District of North Dakota encompasses the state of North Dakota and its population of over 780,000 people.
- ★ The U.S. Attorney's Office, with locations in Bismarck and Fargo, employs 27 Assistant United States Attorneys (AUSAs) and over 30 support staff.
- ★ The office is organized into two divisions: Criminal and Civil.

SUMMARY

Whether it is protecting children, combatting dangerous drugs, or enforcing federal laws that ensure fair treatment of North Dakotans, the attorneys and staff of the United States Attorney's Office for the District of North Dakota (USAO-ND) are committed to upholding the rule of law, keeping our country safe, and protecting civil rights.

This report highlights just some of their hard work and the impact it had in communities across the District of North Dakota in 2023.



U.S. Attorney General Merrick Garland visits USAO-ND's Bismarck office in August of 2023.

USAO-ND strives to be a strong and reliable federal partner to state, local, and tribal law enforcement as they serve on the front lines of public safety, utilizing federal statutes and resources to target the drivers of violent crime. As it has been for decades, one of the hallmarks of the office in 2023 was its work in Indian country. Our career prosecutors not only pursue justice in the courtroom on behalf of children and victims of violent crime, they also serve as multi-disciplinary team leaders on each of the four major reservations in North Dakota. Additionally, USAO-ND embraces its role under Savanna's Act, leading efforts to prevent and rapidly respond to missing person cases in Indian country.

To combat the scourge of fentanyl, AUSAs based in Bismarck and Fargo relentlessly prosecute the leaders of criminal enterprises who are driving the drug trade and leaving death and violent crime in their wake. As in years past, out-of-state and international traffickers faced justice in 2023 for targeting the District of North Dakota, frequently receiving multi-decade sentences.

USAO-ND also plays an important role in protecting North Dakota kids. In concert with the Department of Justice's Project Safe Childhood initiative, USAO-ND AUSAs worked closely with federal and state law enforcement to stop predators online and in the community, securing numerous convictions of dangerous offenders in 2023.

The office also continued to vigorously prosecute fraud, protecting taxpayers and consumers, and successfully pursued cases against human smugglers who endanger lives along the northern border. In USAO-ND's Civil Division, experienced litigators, working alongside talented staff, represented the United States in complex litigation, protected the rights of North Dakotans with disabilities, and recovered millions in civil collections and criminal restitution to benefit taxpayers and victims of crime.

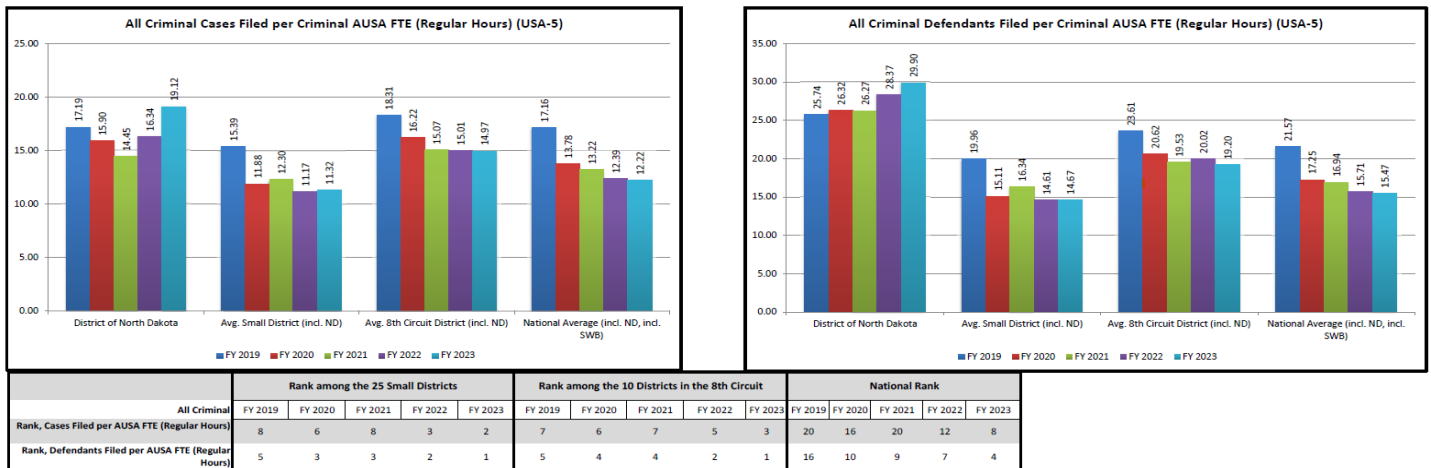
2023 was a challenging year. As new challenges arise in the months ahead, we will continue to improve upon our work to better serve our law enforcement partners and our communities and ensure justice is fairly administered in the District of North Dakota.

*Mac Schneider
United States Attorney
District of North Dakota*

BY THE NUMBERS

USAO-ND works:

- ★ In 2023, USAO-ND was number one among small districts in defendants per AUSA and number four out of 94 districts nationally.



USAO-ND gets it done:

- ★ USAO-ND's 2023 conviction rate was 93.3%.

USAO-ND gets it right:

- ★ 96% (27/28) of criminal appeals involving USAO-ND were decided in favor of the United States in 2023.

KEEPING NORTH DAKOTA SAFE

Targeting the drivers of violent crime:

Seeking to be a strong and reliable federal partner to state and local law enforcement in protecting public safety, USAO-ND utilizes federal statutes and resources to target the individuals driving violent crime in North Dakota communities.

U.S. v. Abdullahi: In October of 2021, Sarmake Mohamed Abdullahi kidnapped a woman at gunpoint as she was driving in Fargo, forcing her to drive him to a bank in Moorhead. Following a three-day jury trial in December of 2022, Abdullahi was found guilty of kidnapping and attempted witness tampering. Abdullahi was sentenced to 15 years in federal prison in September of 2023.



ATF Director Steven Dettelbach speaks with USAO-ND attorneys and staff in June of 2023 before announcing the establishment of a gun crime intelligence center in Fargo.

U.S. v. Larkin: In May of 2023, Shawn Larkin of Fargo was sentenced to 57 months in federal prison after pleading guilty to being a felon in possession of a firearm and ammunition. In September of 2020, Larkin drew a loaded .40 caliber handgun out of his waistband and pointed it at officers.

U.S. v. Wolter: On January 15, 2019, Robert Andrew Wolter of San Jose, California, robbed the Expressway Avenue branch of U.S. Bank in Bismarck. He fled the bank and was apprehended three weeks later at the Newark, New Jersey, airport where he intended to fly to Ghana. After a two-day jury trial in January of 2023, Wolter was convicted of bank robbery.

Partnering for public safety in Indian country:

For decades, a hallmark of the office has been its role in promoting public safety in “Indian country,” a term defined by 18 U.S.C. § 1151. USAO-ND takes this important obligation very seriously, both in and outside of the courtroom.



USAO-ND attorneys and staff meet with law enforcement partners and tribal leadership at Spirit Lake.

In addition to its leadership role in holding regular multi-disciplinary team meetings between federal, state, and local law enforcement and service providers and implementing the provisions of Savanna’s Act, USAO-ND aggressively prosecutes violent crime, domestic violence, sexual assault, and child abuse arising in Indian country.

U.S. v. Ducharme: A Huntsville, Alabama, man who formerly resided on the Turtle Mountain Reservation, Whitehorse Ducharme (a/k/a/ Stanley Ducharme), was sentenced to life in federal prison in May of 2023 for abusive sexual contact with a child under the age of 12.

U.S. v. Belgarde: After eight days of trial and over 30 witnesses, a jury convicted Cody Belgarde of second-degree murder and arson that occurred on the Spirit Lake Reservation in November of 2023. Belgard shot and killed a boy who was two weeks past his 17th birthday, thereafter setting fire to the house where the murder took place.

U.S. v. Good Left: In a case arising on the Standing Rock Reservation, Ian Good Left was sentenced to concurrent terms totaling 150 months of imprisonment for assault of an intimate partner by strangulation and domestic assault by a habitual domestic violence offender.

U.S. v. Featherman: A jury found Ash Featherman guilty of sexual abuse of an incapacitated victim and abusive sexual contact in September of 2023. The crimes occurred on the Fort Berthold Reservation.

U.S. v. Azure: After a seven-day trial in December of 2023, a jury convicted Nathaniel Patrick Azure for his role in a non-fatal shooting on the Spirit Lake Reservation in January of 2021. Azure was also convicted for assaulting another person while brandishing a firearm and for a non-fatal shooting of a third person in May of 2022.

Protecting children:

Keeping our country safe starts with protecting kids. Together with our law enforcement partners, child advocacy organizations, and nonprofits in North Dakota and across the country, USAO-ND works tirelessly to protect victims and relentlessly prosecutes crimes against children.

U.S. v. O’Hara: A Cavalier man was sentenced to 29 years of imprisonment for receipt of materials containing child pornography and failure to register as a sex offender. John O’Hara was previously convicted in 2012 of possession and receipt of materials involving the sexual exploitation of minors. While on probation for the 2012 conviction, a United States Probation Officer found nearly 500 images and videos of child pornography. Homeland Security Investigations later determined that one of the children depicted in the images was a child located in Minnesota, whom O’Hara was sexually abusing.

U.S. v. Gregor: A 29-year-old resident of Lisbon, Craig Gregor, was sentenced to 40 years in federal prison followed by lifetime supervised release for sexual exploitation of minors and related charges after he repeatedly filmed himself sexually abusing a six-year-old child and later shared the videos with others on the internet.

U.S. v. Robinson: Christopher Robinson was sentenced to 100 months imprisonment and required to register as a sex offender after pleading guilty to traveling in interstate or foreign commerce with intent to engage in illicit sexual conduct with a 14-year-old child. This case was prosecuted as part of Project Safe Childhood, a nationwide initiative designed to protect children from online exploitation and abuse.

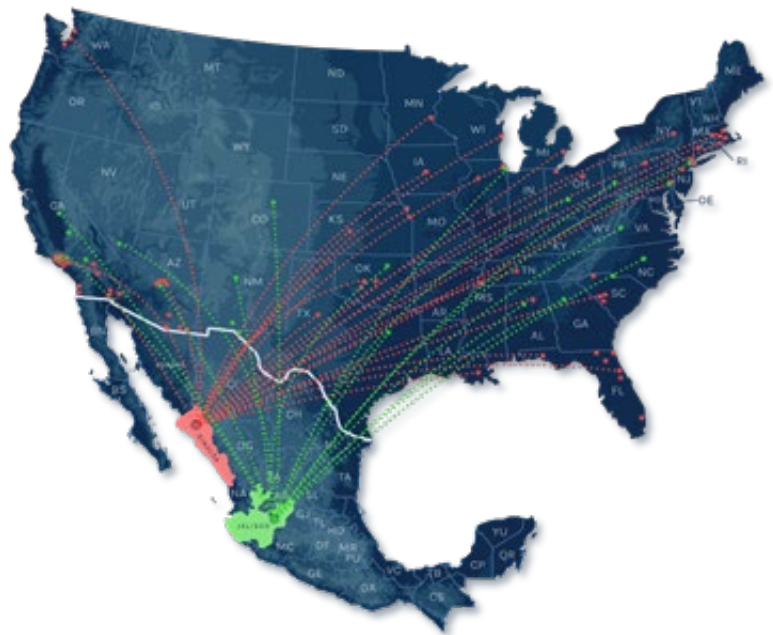


Combating dangerous drugs:

Drugs like fentanyl are driving crime and devastating North Dakota families, just as they are in communities across the country. USAO-ND works closely with its partners in federal, state, local, tribal, and international law enforcement to relentlessly pursue organized drug traffickers when they target the District of North Dakota.

U.S. v. Linscomb et al.: The leaders of a conspiracy with connections to the Detroit, Michigan area received sentences totaling over 440 months for their roles in distributing fentanyl and other dangerous drugs in Bismarck, Minot, and the Fort Berthold Indian Reservation.

U.S. v. Dabney et al.: A multi-agency investigation led by the Bureau of Indian Affairs Division of Drug Enforcement revealed that a drug trafficking organization affiliated with the 5674 Reub Gang, a violent street gang operating out of Michigan, was involved in transporting thousands of oxycodone/fentanyl pills to North Dakota for distribution in Bismarck, Minot, the Fort Berthold Reservation, and the Spirit Lake Reservation. After pleading guilty to drug charges that included operating a continuing criminal enterprise, Devonsha Dabney and co-conspirator Jonathan Walker were each sentenced to 180 months incarceration in October of 2023.



U.S. v. Um: Following two weeks of trial in April of 2023, a jury found Marie Um of Montreal, Quebec, guilty of conspiracy to possess with intent to distribute controlled substances and other drug-related charges. Um was sentenced to 23 years in prison in September of 2023. The case was part of Operation Denial, an OCDETF investigation, which started in January of 2015 following the overdose death of Bailey Henke in Grand Forks. In July of 2023, Daniel Vivas Ceron, a Colombian national, and Jason Berry of Cornwall, Ontario, were also sentenced to 27 and 24 years, respectively, for their roles in the enterprise.

U.S. v. Britton: Antjuan Britton, an individual with three prior convictions in state court in North Dakota and Minnesota for serious drug felonies, was sentenced to 240 months in prison for possession with intent to distribute methamphetamine.

Fighting fraud:

Protecting taxpayers and consumers is at the heart of USAO-ND's work to combat fraud. Whether its home-grown financial crime or international fraudsters, USAO-ND works closely with federal law enforcement to ensure white collar criminals face justice.

**WHITE
COLLAR
CRIME**



Credit: Shutterstock.com/istockphoto/123456789

U.S. v. Torgerson: In February of 2023, Brady Torgerson of Beulah was sentenced to 24 months in federal prison following a guilty plea to two separate counts of bank fraud against financial institutions. Most notably, while employed at Union Bank in Beulah, Torgerson created fraudulent loan obligations in amounts totaling over \$450,000 in the names of three individuals who neither knew about the creation of these loans nor received the funds described in the obligations.

U.S. v. Tarr: Thompson Tarr of Fargo pled guilty on March 14, 2023 to aiding and assisting in the preparation and presentation of a false and fraudulent tax return after an IRS investigation discovered approximately 30 false tax returns prepared by Tarr for 13 taxpayers. He received a prison sentence and was ordered to pay over \$105,000 in restitution.

U.S. v. Akande: Kolawole Bamidele Akande, a Nigerian national, was sentenced to serve 30 months in federal prison and ordered to pay \$348,000 in restitution for committing mail fraud against a Dickinson, North Dakota, company as part of a sophisticated computer intrusion scam. The case, in which Akande was extradited from the United Kingdom, was a collaborative effort between USAO-ND, various law enforcement agencies, the USAO for the Northern District of Texas, and the USAO for the Eastern District of Texas.

Keeping people safe along the northern border:



USAO-ND collaborates with our interagency partners in the United States Border Patrol and Homeland Security Investigations as well as local law enforcement along our country's northern border to enforce federal law and keep people safe.

U.S. v. Arzola-Carrillo: Rodolfo Arzola-Carrillo conspired, coordinated, and partially carried out the smuggling of a group of seven undocumented noncitizens from Mexico, including two minor children, across the United States-Canada border into North Dakota.

The plan fell apart when weather conditions deteriorated, putting lives at risk. The harsh temperature, snow, and wind caused the group to seek assistance from the Pembina County Sheriff's Office, who responded to aid the nine individuals and then alerted the U.S. Border Patrol. Arzola-Carrillo pled guilty to conspiracy to transport unauthorized aliens and was sentenced to 18 months in federal prison.

U.S. v. De Dios-Carrillo: In July of 2023, Mexican nationals Armando De Dios-Carrillo and Victor Manuel Perez-Aguilera were sentenced, respectively, to 24 months and 18 months in federal prison for conspiracy to transport illegal aliens into the United States. As noted in court documents, De Dios-Carrillo, Perez-Aguilera, and others partially carried out the smuggling of a group of nationals of Mexico across the United States-Canada border into North Dakota in late March 2023, planning to move them further into the United States in exchange for payment of thousands of dollars per person. The plan fell apart when a pickup truck they were using got stuck in the snow. The pickup had to be towed from the drifted snow and was discovered by Border Patrol agents later at a Langdon, North Dakota, hotel where the smugglers and some of the people they smuggled were staying.

PROTECTING TAXPAYERS AND THE CIVIL RIGHTS OF NORTH DAKOTANS

Whether it is prosecuting violations of civil rights statutes, upholding the rule of law by representing the United States in complex litigation, or recovering fines and restitution on behalf of victims and taxpayers, the litigators and support staff of USAO-ND's Civil Division perform their critical duties with legal skill and a commitment to justice.

U.S. v. Hampton Corporation, Inc.: A federal lawsuit, filed in March 2020 by the Department of Justice in partnership with USAO-ND's Civil Division, alleged that Hampton Corporation, Inc. and several other individuals and entities violated the Fair Housing Act and Americans with Disabilities Act by failing to design and construct multifamily residential properties so they are accessible to people with disabilities. As part of settlement agreements resolving this lawsuit, a settlement fund totaling \$120,000 was formed to benefit people who suffered harm. Compensation distributions from this fund began in April of 2023.

U.S. v. DL Farms and Darren Tronson: USAO-ND affirmatively pursued a civil fraud case involving a Red River Valley potato farmer who made false and fraudulent federal crop insurance claims. The suit was successfully resolved by an agreement which requires partial restitution from the defendants and prohibits their participation in federal programs for 10 years.



Civil Division AUSAs Melissa Burkland and Tara Iversen after hosting a discussion on the Americans with Disabilities Act at Freedom Resource Center in Fargo.

Olmstead settlement compliance: In December 2020, the State of North Dakota entered into a pre-litigation settlement agreement with the Department of Justice, thereby resolving complaints alleging the state unnecessarily institutionalized individuals with disabilities in nursing facilities instead of providing them with the services they need to live in the community. Attorneys from USAO-ND's Civil Division continue to conduct compliance monitoring throughout the District of North Dakota, working to connect people with disabilities with home and

community-based services so they can remain in their homes instead of moving to nursing facilities to receive care.

Civil and criminal collections: In FY 2023, USAO-ND's Financial Litigation Unit and its partners within the Department of Justice obtained \$2,635,785.32 in total civil collections. During the same one-year period, criminal collections in the form of restitution or fines totaled over \$4,108,441.57. For perspective, these combined recoveries are solidly in excess of USAO-ND's 2023 budget.

PARTNERING IN OUR COMMUNITIES

First, last, and always, USAO-ND's lawyers are trial attorneys and civil litigators who are committed to justice and excellence when representing the United States. In addition to their core duties, these attorneys and their staff colleagues are also leaders in communities across the District of North Dakota, working to build partnerships with and cooperation between law enforcement entities, nonprofits, and the citizens we serve.



Savanna's Act:

USAO-ND eagerly embraces its duties under Savanna's Act, which was signed into law in October of 2020 with the goal of improving the federal response to missing or murdered indigenous persons. The law is named after Savanna LaFontaine-Greywind, a resident of Fargo and member of the Spirit Lake Nation who was murdered while she was eight months pregnant in 2017. Along with important duties related to data collection, reporting, and law enforcement training, USAO-ND hosted multi-jurisdictional Savanna's



Act meetings on each of the four major reservations in the District of North Dakota in 2023 and provided resource assistance in 46 missing person cases, 45 of which were resolved.

Project Safe Neighborhoods:

In 2023, USAO-ND worked with the North Dakota Office of Attorney General to reduce violent crime activity in the Fargo area as part of Project Safe Neighborhoods (PSN). A PSN task force was created to further develop and maintain ongoing coordination among federal, state, and local partners with an emphasis on prevention, tactical intelligence gathering, more vigorous and strategic prosecutions, and enhanced accountability. At PSN task force meetings hosted at USAO-ND's Fargo office, managers, residents, and community leaders of The Arbors at McCormick Park had multiple face to face meetings with federal, state, and local law enforcement to discuss concerns and identify strategies to increase public safety. In interventions this fall, local law enforcement towed away 22 vehicles, cleared vacant apartments of trespassers, and made numerous arrests at The Arbors.



Partnering to fight human trafficking:

USAO-ND has a history of successfully prosecuting human traffickers in federal court, and the office's First Assistant United States Attorney shares the office's expertise as an advisory board member to the North Dakota Human Trafficking Task Force and a member of the Red River Valley Human Trafficking Response Team.



United Against Hate:

As part of the Department's nationwide United Against Hate initiative, USAO-ND held more than 15 meetings with law enforcement, community leaders, and members of the clergy to discuss actions they can take to identify, report, and prevent unlawful acts of hate. These efforts culminated in a communitywide discussion at the Fargo Library in May of 2023 on protecting houses of worship and the First Amendment's guarantee of the free exercise of religion.