

CRIME AWARENESS NEWSLETTER

Volume 99-15

December 1999

Courtesy of the

**Department of Defense
Office of the Inspector General
Defense Criminal Investigative Service
Central Field Office**



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Indictments

Witness Tampering

A 38-count indictment was returned in Louisville, KY, charging five individuals with conspiracy, mail fraud, money laundering, kickbacks, racketeering, aiding and abetting, and obstruction of justice. AM-AR International (AM-AR) corporate officers Gary Douglas Burks, president; Larry May, vice president; and David Klemenz, chief financial officer, were allegedly engaged in the payment of kickbacks and laundering of such payments to off-shore bank accounts. The AM-AR officers allegedly engaged in obstructive conduct

through improperly influencing grand jury witnesses and destroying records that were the subject of grand jury proceedings. In addition, Burks, May and Klemenz and a Saudi Arabian sales representative allegedly extorted \$2 million from a Milwaukee, WI, based company under threat of having their shipments rejected on delivery to Saudi air bases. Burks, May and Klemenz supplied military aircraft parts and equipment to the Kingdom of Saudi Arabia under commercial contracts and contracts awarded under the Foreign Military Sales (FMS) Program administered by the DoD. Charles Knoblach, a former employee of Science Applications International Corporation, and



John DeMeritt, a former employee of UNC Lear Siegler allegedly accepted kickbacks from AM-AR officers in exchange for awarding business to AM-AR under FMS contracts in support of the Kingdom of Saudi Arabia. The Dayton Resident Agency (RA) is conducting the investigation with the Federal Bureau of Investigation (FBI) and the Internal Revenue Service (IRS).

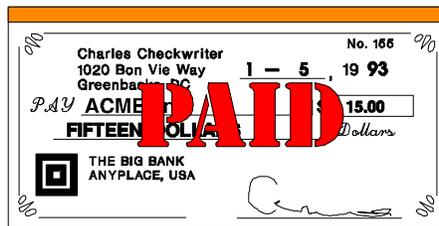
False Claims

A one-count indictment was returned against Walter Anthony Adams, a general supply specialist at the Defense Logistics Information Service, Battle Creek, MI, charging him with submitting a false claim to the Government. Adams allegedly submitted a false claim for reimbursement of moving expenses in connection with his relocation from Columbus, OH, to Battle Creek, MI. During his permanent change of station relocation, Adams claimed his wife and children accompanied him on various dates from May 1998 to August 1998, thereby entitling him to a larger per diem or daily living expense reimbursement. He also claimed to be paying rent and a breach of lease penalty on an

apartment in Ohio. An investigation disclosed Adams' wife and children allegedly did not accompany him on many dates listed in his claim and he had not been paying rent or a breach of lease penalty. The estimated loss to the DoD exceeds \$10,000. The Chicago Post of Duty (POD), is conducting the investigation with the Defense Logistics Agency (DLA) Criminal Investigations Activity.

Healthcare

An indictment was returned against Daniel Franklin Stacy, a marriage, family, child counselor, charging him on 21 counts of mail fraud and 26 counts of submitting false claims. An investigation disclosed that Stacy, former owner of the Coronado Counseling Center, Coronado, CA, allegedly submitted hundreds of fraudulent psychotherapy claims to the TRICARE and Blue Shield health insurance programs for services never provided to his patients. The alleged fraudulent claims included billing for psychotherapy services long after the patient's actual treatment by Stacy had terminated and billing for services after the patient had moved from the San Diego, CA, area and was living in another state. The amount of the claims exceeds \$300,000. The San Diego RA is conducting the investigation.



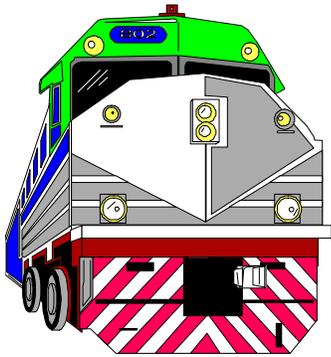
Theft

An indictment was returned in U.S. District Court, Los Angeles, CA, against Stan W. Doidge charging him with 13 counts of theft and embezzlement and 1 count of making a false statement to an agency of the United States. An investigation disclosed Doidge allegedly continued to receive Federal retirement benefits destined for his mother, Marie K. Doidge, the surviving wife of a deceased U.S. Army veteran, for 18 months after her death in February 1998. The monthly benefit was paid to Marie Doidge by the Defense Finance and Accounting Service (DFAS). However, in early 1998, DFAS had suspended Marie Doidge's account for several months when she failed to return a "Certificate of Eligibility" (COE). On January 7, 1999, a Certificate of Eligibility containing Marie Doidge's apparent signature was both dated and faxed to DFAS, almost a year after her death. Based on this document, DFAS resumed making monthly payments to Marie Doidge's bank account

through electronic funds transfer. The loss to DFAS is estimated to be \$20,096.50. The Western Field Office (FO) is conducting the investigation with investigative support from the DFAS "Operation Mongoose" members and the Defense Manpower Data Center, which are located in Seaside, CA.

Theft

An information was filed against Jacques Dimitrie Glover, a supply technician for the Defense Logistics Information Service, Battle Creek, MI, charging her with theft and conversion of public funds. Glover allegedly submitted a false claim for reimbursement of moving expenses in connection with her relocation from Dayton, OH, to Battle Creek, MI. During a permanent change of duty station relocation, Glover allegedly claimed her husband accompanied her on various dates from June 1998 to September 1998, thereby entitling her to a larger daily living expense reimbursement. An investigation revealed Glover's husband allegedly did not accompany her on many of the dates listed in her claim. The Chicago POD is conducting the investigation with the Defense Logistics Agency (DLA) Criminal Investigations Activity.



Theft

An information was filed against Lloyd G. Paige, Newark, DE, charging him with theft of Government property. Paige was employed as a material coordinator for AMTRAK. He also served as an authorized screener and could take possession of DoD surplus property from the Defense Reutilization and Marketing Office (DRMO) for use at AMTRAK. Paige signed for DRMO surplus property, then allegedly removed the property from the AMTRAK premises and took it to his residence for personal use. The Northeast FO is conducting the investigation jointly with the AMTRAK.

Healthcare

A 2-year, multiagency Federal task force investigating health care fraud in northeast Florida resulted in the following:

A one-count information charging John M. Sutherland, Cocoa Beach, FL, with filing a false claim against the Government in connection with

health care claims made to TRICARE, Medicare and private insurance carriers. Sutherland, owner and operator of National Vascular Corporation, operated clinics throughout Florida, including one in Jacksonville, FL. He allegedly filed claims against the Government for tests that were never administered or were not medically necessary. The estimated loss to Government health care programs is \$500,000.

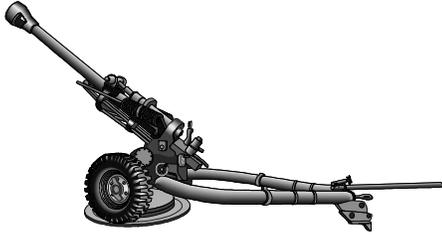
A one-count information charging Samir Najjar, M.D., Jacksonville, with making a false statement to the DoD in connection with TRICARE. Najjar, allegedly in an attempt to substantiate claims and mislead Government auditors, created fraudulent patient progress notes that contained embellishments and expanded representations concerning patient treatments and diagnoses. The estimated loss to the Government and private insurance programs is \$3.2 million.

A one-count information charging Floyd Joseph Warwick, Jr., Jacksonville, with paying a kickback to a physician for a patient referral. Warwick is a licensed pharmacist in Jacksonville, who owns and operates an independent pharmacy, Highland Drug Company, and a home oxygen company, Aurex, Incorporated. Warwick allegedly offered to pay a physician a monetary kick-

back for every time a patient was referred to him for home oxygen care. The patients were enrolled in different Federal health care programs, including Medicare and TRICARE.

A one-count information charging David L. Dugas, Jacksonville, with offering to pay a kickback to a physician for a patient referral. Dugas acted as a broker of various medical services, to include diagnostic testing. Dugas would solicit these services to a doctor and make the necessary arrangements with the diagnostic company or medical supply company. Dugas then allegedly would offer to pay a portion of his commission as a kickback to the physician for the patient referral. The patients were enrolled in different Federal health care programs, including Medicare and TRICARE. The Jacksonville POD is conducting these investigations with the FBI and the Navy Criminal Investigative Service (NCIS), with audit assistance from the Defense Contract Audit Agency (DCAA).





False Certifications

An information was filed against BMY Combat Systems (BMY), a former division of Harsco Corporation, located in York, PA. The information charges BMY with submission of false certifications to the DoD to obtain advance payments under a contract to supply 76 122mm self-propelled howitzers to the Arab Republic of Egypt. The acquisition of the howitzers was funded by a grant from the Defense Security Assistance Agency (DSAA), an agency of the DoD. The grant covered the cost of design, manufacture and delivery of the weapons to Egypt. In addition a plea agreement was filed in which BMY has agreed to plead guilty and to pay the United States \$9.8 million in compensatory damages, a \$200,000 criminal fine and \$1 million to cover the costs of the investigation for a total payment of \$11 million. During the 1980s and 1990s, BMY participated in a DSAA FMS program to provide military materiel and services to friendly foreign countries. Participation in the military assistance program required U.S. based Defense

contractors to adhere to a published set of guidelines for participation. On June 17, 1991, BMY and the Egyptian Government entered into a \$96,620,000 contract for the purchase of 76 122mm self-propelled howitzers. The contract was approved and funded by the DSAA. To maximize an allowable initial \$19,324,000 down payment and a subsequent \$19,324,000 progress payment under the Egyptian contract, BMY falsely certified to the amount of costs and liabilities it had included within its billing invoices. BMY was permitted to bill for costs actually incurred and costs BMY was liable for under agreements with subcontractors. The investigation revealed that BMY allegedly had received a significant portion of their initial down payment and progress payment in advance of when BMY was entitled to receive the funds through billings and certifications that falsely represented incurred costs and contractor liabilities. The Northeast FO is conducting the investigation with audit assistance from the DCAA.



Healthcare

A civil complaint was filed against Dr. Patsy Vargo charging her with violating the False Claims Act in relation to submitting health care claims to the Civilian Health and Medical Program of the Uniformed Services (now known as TRICARE). Between fiscal years 1991 and 1995, while participating in a medical partnership agreement with Malmstrom Air Force Base, MT, Vargo allegedly submitted claims that did not accurately represent the medical services she provided. The Government's alleged overpayment to Vargo as a result of these claims is to be determined at trial. The Seattle RA is conducting the investigation with the Air Force Office of Special Investigations (AFOSI).

Bribery

Oscar Fernandez, San Antonio, TX, pled guilty to one count of bribery. Fernandez, a DoD employee at the Defense Megacenters, Kelly Air Force Base, was tasked to work on a source evaluation committee for a \$5 million contract. He sought a bribe from Rothe Development, Incorporated (Rothe), a DoD contractor bidding on the contract, in return for guaranteeing a favorable recommendation to accept Rothe's contract proposal. The DCIS San Antonio POD was contacted and in conjunction with

the AFOSI, initiated an investigation. In response to Fernandez' request, an undercover DCIS agent posed as a Rothe official and paid a bribe to Fernandez. The Houston RA is conducted the investigation jointly with the AFOSI.



Computer Crimes

David L. Smith, Matawan, NJ, pled guilty to knowingly transmitting a computer virus. Smith also pled guilty to similar State charges. An investigation revealed Smith, who created the "Melissa" computer virus, knowingly transmitted it over the Internet on March 26, 1999. "Melissa," which is a Microsoft Word macro virus, propagates itself over the Internet by using the electronic mail (e-mail) programs of computers it has infected. By subverting e-mail in this manner, the virus overloaded and caused the shutdown of the computer networks of numerous companies and Government agencies, to include the DoD, which caused over \$80

million in total damages. "Melissa" cost the DoD alone in excess of 33,000 man-hours and a loss in excess of \$1.2 million. The New Jersey RA conducted the investigation with the FBI and the New Jersey State Police.

Sentences

False Tax Returns

Henry Blume Loe, sales manager, Loe's Highport, Inc., Pottsboro, TX, was sentenced to 24 months incarceration, 3 years supervised probation on release, a \$50,000 fine, a \$250 special assessment, and to pay \$74,354.21 to reimburse the Government for prosecution costs. Loe was previously found guilty of filing false tax returns amounting to about \$450,000 in unreported income and filing a false monetary transaction report by failing to report a cash transaction over \$10,000. The defendant has also been found guilty of other charges currently pending appeal. This concludes a series of three trials that substantiated a conspiracy by the Loe family to defraud the Government through schemes to conceal substantial amounts of income. Loe's Highport, Inc., leased land on Lake Texoma from the Tulsa District COE where they owned a commercial concession that included over 950 boat slips, nightclubs, and retail stores, as

well as boat sales and repair services. This COE marina is the largest inland marina in the continental United States. Under terms of the lease contract, Loe's Highport, Inc., was required to pay the COE a percentage of total receipts (gross income) from the business operations conducted on the premises. Between 1990 and 1995, Loe's Highport, Inc., and the corporate principals, Babo Loe and C.D. Loe, Jr., conspired to under-report more than \$18 million in boat sales and other gross income to the COE. The under-reporting of income also resulted in the filing of false income tax returns on the part of these subjects. Babo Loe is currently serving a 6½-year sentence in Federal prison and C.D. Loe is serving a 2-year sentence. They were also ordered to pay fines, restitution, penalties and forfeitures of approximately \$13 million. The Tulsa POD conducted the investigation jointly with the FBI, the IRS and with DCAA audit assistance.



Conversion

Joseph R. Croce, Jr., Cranston, RI, was sentenced to 6 months home confinement, 3 years probation, a \$100 special assessment and ordered to pay \$38,225.50 restitution. Croce previously pled guilty to converting to his own use, and then selling, Government property worth approximately \$35,000. Croce, a civilian employee of the Rhode Island Wing of the Civil Air Patrol (RI-CAP), held the position of RI-CAP Wing Vice Commander. The CAP is a nonprofit volunteer civilian auxiliary of the U.S. Air Force and, as such, eligible to receive DoD excess property from the Defense Personal Property Utilization and Disposal Program. The Boston RA conducted the investigation with the General Services Administration.

Healthcare

Robert W. Whiteside, director of reimbursement, Columbia Healthcare Corporation, Nashville, TN, was sentenced in U.S. District Court, Tampa, FL, to 2 years incarceration, 3 years probation, and ordered to pay \$675,000 restitution, \$75,000 in fines and a \$300 special assessment. On a separate date, Jay A. Jarrell, chief executive officer of the Southwest Florida Division, Columbia Healthcare Corporation, Nashville, TN, was sentenced to 33 months incarceration, 3

years probation, to pay \$1,683,417 in restitution, \$10,000 in fines and a \$300 special assessment. Whiteside and Jarrell each were previously convicted on two counts of false statements with respect to TRICARE, one count of conspiracy, two counts of Medicare fraud, and one count of Medicaid fraud. An investigation determined that since 1987, Whiteside and Jarrell had defrauded TRICARE, Medicaid and Medicare by filing fraudulent cost reports for Columbia's Fawcett Memorial Hospital, Fort Myers, FL. The Orlando RA conducted the investigations with the FBI and the Health and Human Services (HHS), with DCAA audit assistance.



Forgery

William L. Stanton was sentenced in U.S. District Court, Chicago, IL, to 6 months home confinement, 5 years probation, and ordered to pay \$75,000 in restitution. Stanton previously pled guilty to forging a signature on two U.S. Treasury checks that were intended for a DoD contractor. He then negotiated the checks, which were is-

sued in the amounts of \$62,400 and \$12,600. Stanton has returned \$15,000 and has agreed to reimburse the DoD the remaining \$60,000. The Chicago POD conducted the investigation jointly with the U.S. Postal Inspection Service.



Kickbacks

Rodney Raymond Bradley, owner, Fire Protection Services (FPS), Houston, TX, and his company, FPS, pled guilty to paying kickbacks in return for contract awards and were sentenced. Bradley was sentenced to 1 year's probation, a \$2,000 fine, 50 hours of community service and a \$50 special assessment. The FPS was sentenced to 3 years probation, a \$100,000 fine, 100 hours of community service and a \$400 special assessment. The FPS performed subcontract work on Military Sealift Command (MSC) ships that were managed by Bay Ship Management, Incorporated (Bay Ship), Englewood Cliffs, NJ. In return for contract awards, Bradley paid kickbacks in the form of cash and other items of value to a port

engineer employed by Bay Ship. These actions were identified during a 4-year undercover operation of the maritime industry. The investigation disclosed widespread corruption in the repair and maintenance of Government ships in the DoD MSC fleet and the Department of Transportation (DOT) Maritime Administration. These two fleets operate and maintain several hundred ships that are used in case of war or National emergency. The Houston RA conducted the investigation with the FBI, the NCIS and the DOT.



Explosives

Stratton Robert Maxey, Federal Way, WA, was sentenced to 46 months imprisonment, 3 years of supervised release and a \$1,500 special assessment fee. Maxey previously pled guilty to 15 firearms and explosive violations. An explosion on April 14, 1999, at Maxey's residence caused him to lose his left hand. An investigation determined the explosion was caused when Maxey tamped down flash powder into a

37mm casing with a meat tenderizer. Investigators also found several improvised explosive devices, military paraphernalia, ammunition and miscellaneous weapons in Maxey's home and storage areas. Weaponry and other items were compared to items and devices available through the DRMO Fort Lewis, WA. Some property and ammunition is suspected of being removed from within DoD channels prior to being demilitarized in accordance with DoD directives and regulations. It was determined Maxey is not a federally licensed firearms dealer. The Seattle RA conducted the investigation with the Bureau of Alcohol, Tobacco and Firearms.

Kickbacks

Donna L. LeMaire, president of Triplex Marine Maintenance, Incorporated (Triplex), Port Arthur, TX, and Keith Courville, a superintendent for Triplex, were sentenced for paying kickbacks. LeMaire was sentenced to 3 months home detention, 3 years probation, to pay \$67,185 in restitution, a \$10,000 fine and a \$100 special assessment. Courville was sentenced to 3 months home detention, 3 years probation, to pay \$67,385 in restitution, a \$10,000 fine and a \$100 special assessment. In addition, Danny Weldon, an estimator for Triplex, was sentenced to 3 months home

detention, 3 years probation, to pay \$66,185 in restitution, a \$5,000 fine and a \$50 special assessment for theft of Government funds. An investigation disclosed LeMaire and Courville paid kickbacks in the form of secretarial services, entertainment and travel expenses, and other gratuities to port engineers in New Orleans, LA, who were employed by Bay Ship, a prime DoD contractor. These kickbacks ensured favorable treatment that included the receipt of various subcontracts for work under the DoD MSC ship management contracts awarded to Bay Ship, as well as reimbursement of the kickbacks through falsified invoices charged to the MSC. These actions were identified during a 4-year undercover investigation of the maritime industry. The operation uncovered widespread corruption in the repair and maintenance of Government ships in the DoD MSC fleet and the DOT Maritime Administration fleet. The Houston RA conducted the investigation with the FBI, the NCIS and the DOT.





To report suspected criminal activity involving the Department of Defense please contact the nearest Defense Criminal Investigative Service office.

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