

UNITED STATES DISTRICT COURT

for the District of Maryland

DEC 20 2010

AT GREENBELT CLERK, U.S. DISTRICT COURT DISTRICT OF MARYLAND

DEPUTY



United States of America v. PETER F. ROUSE

BY

Case No. 10- 4791 WC

Defendant(s)

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 8/15/2009 through 12/8/2010 in the county of Prince George's and elsewhere in the District of Maryland, the defendant(s) violated:

Table with 2 columns: Code Section (18 U.S.C. § 641) and Offense Description (did knowingly, intentionally and unlawfully embezzle, steal, and/or knowingly convert to his use and the use of another, without authority, a thing of value of the United States, to wit: monies belonging to the United States Marshals Service, an agency of the United States Department of Justice, having a value of more than \$1,000, in violation of Title 18 U.S.C. § 641.)

This criminal complaint is based on these facts:

Continued on the attached sheet.

Handwritten signature of Harry A. Lidsky

Complainant's signature

Harry A. Lidsky, Special Agent

Printed name and title

OIG, U.S. Department of Justice

Sworn to before me and signed in my presence.

Date: December 14, 2010 2:00 p.m.

Handwritten signature of William Connelly

Judge's signature

William Connelly, U.S. Magistrate Judge

Printed name and title

City and state: Greenbelt, Maryland

Case No. 479100
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LOGGED
RECEIVED

DEC 20 2010

AT GREENBELT
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

BY

DEPUTY

I, Harry A. Lidsky, being duly sworn, depose and state the following:

INTRODUCTION

1. I am a Special Agent (SA) with the United States Department of Justice (DOJ) Office of the Inspector General (OIG), Washington Field Office. I graduated from the Drug Enforcement Administration (DEA) Basic Agent Training Academy program in February 1999. During my tenure at the Academy, and through subsequent in-service and add-on training courses, I received legal instruction and formal training on many forms of criminal activity, including employee misconduct and the transport, obfuscation, and theft of illicit material and government property and/or services.
2. As part of my duties as a DOJ-OIG agent, I investigate criminal violations relating to the embezzlement, theft, and/or conversion of property belonging to the United States, the Department of Justice, and/or agencies thereof, as more fully described below, in violation of Title 18, United States Code Section 641.
3. This affidavit is submitted in support of a criminal complaint charging that PETER ROUSE did knowingly, intentionally and unlawfully embezzle, steal, and/or knowingly convert to his use or the use of another, without authority, a thing of value of the United States, the Department of Justice, and/or the United States Marshals Service (USMS), an agency thereof, in violation of Title 18 U.S.C. § 641.
4. I am familiar with the information contained in this affidavit based upon the investigation I have conducted to date and based on my conversations with other law enforcement officers who have engaged in numerous investigations involving the embezzlement of United States Government property.

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5. Since early 2009, ROUSE's assigned fleet charge card usage was observed by his administrative and/or supervisory personnel at the USMS to be noticeably high given his commutation distance to work and duty assignment in contrast to other employees in the Washington, D.C. area. Additionally, since early 2009, ROUSE had routinely failed to provide all receipts and full accountability of his fleet card usage on his USMS monthly motor vehicle reporting.
6. An analysis of the transactions and charges incurred on ROUSE's fleet charge card between mid-2009 and November 2010 showed purchases of fuel and automotive services on weekends, holidays, during times outside of ROUSE's scheduled duty hours, in areas outside of ROUSE's assigned duty location, on successive days, in amounts inconsistent with the mileage reported, and in amounts that exceeded the posted fuel-tank capacity of ROUSE's assigned Government Owned Vehicle (GOV).
7. During this time frame, ROUSE had not reported his assigned GOV to have any mechanical issues or malfunctions which might cause it to perform substantially below its stated or expected fuel efficiency, or to leak or otherwise lose fuel. ROUSE has been assigned a 2004 Ford Crown Victoria since mid-2009, with a stated fuel tank capacity of 19 gallons. ROUSE's assigned GOV has not been modified to accept more fuel to your affiant's knowledge or to that of the USMS. ROUSE has not reported his assigned fleet charge card to have ever been missing or otherwise out of his possession, nor has he reported any potentially fraudulent charges having been incurred on the card since it was assigned to him. ROUSE's personally owned Ford F-150 has a stated fuel tank capacity of 26 – 30 gallons, depending on model and options.
8. On Saturday, June 12, 2010, ROUSE's fleet charge card was used to purchase 24.49 gallons of fuel for \$67.58 at 8:58 p.m. from a Shell Oil station in New Market, Maryland. Inspectors from the USMS Office of Internal Investigations (OII) contacted the station

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management and obtained video and photographic images of the pump at the time that it was used to transact a fuel purchase onto ROUSE's assigned fleet charge card. The video and photos depict a fuel transaction by a person matching ROUSE's physical appearance and into a vehicle matching his personally owned Ford F-150. ROUSE did not report any work event or record any duty hours during this time frame. No vehicle matching ROUSE's GOV was observed on the video during the time of the fuel purchase.

9. On Thursday, August 5, 2010, ROUSE's fleet charge card was used to purchase 20.58 gallons of fuel for \$55.55 at 9:14 a.m. from the Davis Exxon-Mobil Travel Center station in Stony Creek, Virginia. Your affiant and Senior Inspector (SI) Jeremy Honaker of the USMS OII contacted the station management and obtained video and photographic images of the pump at the time that it was used to transact a fuel purchase onto ROUSE's assigned fleet charge card. The video depicts a fuel transaction by a person matching ROUSE into a vehicle matching his personally owned Ford F-150. Subsequent video images from inside of the service station show ROUSE using the restroom and adding condiments to a beverage. SI Honaker was able to positively identify ROUSE on the video. ROUSE did not report any work event or record any duty hours during this time frame. ROUSE was on a combination of sick and annual leave at the time of the transaction. No vehicle matching ROUSE's GOV was observed on the video during the time of the fuel purchase.
10. On Sunday, November 7, 2010 ROUSE'S fleet charge card was used to purchase 16.90 gallons of fuel for \$49.02 at 3:03 a.m. from a Sheetz service station in Frostburg, Maryland. SI Honaker contacted Sheetz and obtained video images of the pump at the time that it was used to transact the fuel purchase onto ROUSE's assigned fleet charge card. The video depicts a fuel transaction into a vehicle matching ROUSE's personally owned Ford F-150. ROUSE did not report any work event or record any duty hours during this time frame. No vehicle matching ROUSE's GOV was observed on the video during the time of the fuel purchase.
11. Based on the events described above, and in an effort to confirm the allegations against

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ROUSE, law enforcement installed a Global Positioning System (GPS) tracking device on his assigned GOV, consistent with DOJ and USMS policy. Investigators also sought and received a search warrant for the installation and monitoring of a GPS electronic tracking device on ROUSE's personally owned Ford F-150, issued by the United States District Court for the District of Maryland.

12. Between November 16, 2010, the date of the first GPS installation, and December 8, 2010, investigators determined that ROUSE's fleet charge card was used on five separate occasions where the GPS devices showed ROUSE's personally owned Ford F-150 within proximity of the fuel station, and his GOV within proximity of his residence, all contemporaneously to the recorded fuel transactions.
13. On November 16, 2010, ROUSE'S fleet charge card was used to purchase 17.65 gallons of fuel for \$51.01 at 10:59 p.m. at a Shell Oil service station in College Park, Maryland. SI Honaker contacted the station management and obtained video images of the pump at the time that it was used to transact the fuel purchase onto ROUSE's assigned fleet charge card. The video depicted ROUSE's personally owned Ford F-150 arriving at the service station and being parked at the fuel pump, identifiable by his registration plate, visible on the video. The video further showed clear images of ROUSE entering the service station and making a purchase. ROUSE did not report any work event or record any duty hours during this time frame. No vehicle matching ROUSE's GOV was observed on the video during the time of the fuel purchase, and the GPS on ROUSE's GOV recorded its location within proximity of his residence in Reisterstown, Maryland.
14. On December 8, 2010, investigators obtained ROUSE's USMS Form-76 monthly vehicle expense report for the month of November 2010. On the report, ROUSE listed six transactions, one of which included the Sunday, November 7, 2010 transaction, described above and believed to have been an unauthorized and illegal transaction for personal gain or benefit.

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15. Payment for charges on the fleet charge card is made by the United States Marshals Service, an agency of the United States Department of Justice. The unauthorized charges during this period of time between August 2009 and through December 8, 2010, total more than \$1,000.
16. Based on the aforementioned factual information, I respectfully submit that there is probable cause to believe that beginning in approximately August 2009 and continuing to December 8, 2010, in the District of Maryland, PETER ROUSE did knowingly, intentionally and unlawfully embezzle, steal, and/or knowingly convert to his use or the use of another, without authority, a thing of value of the United States, to wit: monies belonging to the United States Marshals Service, an agency of the United States Department of Justice, having a value of more than \$1,000, in violation of Title 18 U.S.C. § 641.



Harry A. Lidsky
Special Agent
U.S. Department of Justice – Office of the Inspector General

SUBSCRIBED and SWORN
before me this 14th day of December, 2010, in the city of Greenbelt, Maryland



WILLIAM CONNELLY
UNITED STATES MAGISTRATE JUDGE