

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA

v.

HARRESCIA HOPKINS

Criminal Action No.

1:22-CR-284-SEG

Sentencing Memorandum

The United States of America, by Ryan K. Buchanan, United States Attorney, and Garrett L. Bradford, Assistant United States Attorney for the Northern District of Georgia, files this Sentencing Memorandum. For the reasons stated below, the government requests that the Court impose a sentence of six months of imprisonment.

At the time of the offense, Defendant Harrescia Hopkins was an employee of the United States Department of Justice's Federal Bureau of Prisons. As a correctional officer, she was charged with safeguarding our community as well as the lives and rehabilitation of the inmates at the United States Penitentiary-Atlanta. She enjoyed a stable job earning a salary of \$61,000 and federal benefits. (See Presentence Investigation Report ("PSR") ¶ 68). Nevertheless, when the COVID-19 pandemic hit and Congress authorized emergency programs to enable struggling businesses to continue paying employees who would otherwise be at risk of losing their jobs, Hopkins sought to exploit that program for her own greed. While countless workers were losing their jobs and families

were being thrown into dire financial straits, Hopkins decided to make up a business that didn't exist – Hopkins Towing and Storage – in order to claim a share of those emergency funds through the Paycheck Protection Program (“PPP”).

To do so, Hopkins fabricated details about the fake business, including claiming that it was in operation before the pandemic and needed the money so that it could continue paying its workers. She also created and submitted a fake tax form that said the business received over \$100,000 in revenues in 2019. She signed and submitted multiple documents, attesting that the information she was providing was true and subject to criminal prosecution for false statements. As a result, she expeditiously received \$19,100 deposited into her bank account in August 2020. Not satisfied with these ill-gotten gains, she used the same information on a new set of forms and got a second PPP distribution of \$19,100 in February 2021.

Instead of using the PPP money to sustain a business or employ workers who badly needed a job, Hopkins spent it on personal expenses including a Caribbean cruise and other travel, a down payment and other expenses related to purchasing a new Chevrolet Blazer, landscaping for her house, restaurant meals, and retail goods. (Doc. 19-1 ¶ 12(d)).

While Hopkins enjoyed her two PPP distributions for a business that didn't even exist, in May 2021 the PPP program abruptly ended early due to its funding

being exhausted.¹ Millions of businesses who needed funding were shut out of the program.²

A significant sentence is warranted because Hopkins' conduct is particularly brazen given that she was a Department of Justice employee. Further, instead of being an isolated lapse of judgment, after months of time to reflect on her greed and second guess her exploitation of the emergency program, Hopkins doubled down and committed more fraud before funding ran out. Neither of these aggravating factors are accounted for in the calculation of her Guidelines range and could justify a sentence at the top of the Guidelines range.³ Nevertheless, the government believes that a sentence of six months (a variance of two months below the bottom of her Guidelines range) is warranted because Hopkins pled guilty expeditiously and has agreed to pay full restitution, saving the government and Court significant resources and demonstrating a strong and clear acceptance of responsibility that evidences her remorse, rehabilitation,

¹ See Stacy Cowley, *The Paycheck Protection Program is out of money*, N.Y. TIMES, May 4, 2021, available at <https://www.nytimes.com/2021/05/04/business/paycheck-protection-program-closes.html> (last visited March 14, 2023).

² See Stacy Cowley, *As Paycheck Protection Program Runs Dry, Desperation Grows*, N.Y. TIMES, May 20, 2021, available at <https://www.nytimes.com/2021/05/20/business/paycheck-protection-program.html> (last visited March 14, 2023).

³ It is also concerning that Hopkins violated additional laws and the terms of her pretrial release by consuming marijuana while on bond in this case. (PSR ¶ 65).

effort to make amends for her crimes, and decreased chance of recidivism. This recommendation also takes into consideration mitigating circumstances from Hopkins' history. (*See* PSR ¶¶ 57, 61).

Conclusion

For the reasons stated above, the government recommends that the Court sentence Hopkins to a term of imprisonment of six months.

Respectfully submitted,

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March 15, 2023

/s/ GARRETT L. BRADFORD

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