STATE OF CONNECTICUT ss: New Haven, Connecticut

COUNTY OF NEW HAVEN Date: November 3, 2021

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Christopher Cieplik, having been duly sworn, depose and state the following:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI). I have been employed by the FBI for over twenty-two years. Prior to becoming a Special Agent with the FBI, I was a commissioned officer in the United States Coast Guard for approximately six years. I graduated from the FBI Academy in Quantico, Virginia, and have attended numerous other law enforcement training programs. Since June 2008, I have been assigned to the FBI New Haven Field Office. My primary duties have been to identify, investigate and assist in the prosecution of individuals who violate federal laws involving public corruption and financial fraud. I have attended numerous specialized training courses and seminars, where I have received additional training on how to investigate various types of criminal violations, including fraud, money laundering, and public corruption. During my employment with FBI, I have initiated and/or participated in numerous criminal investigations, initiated and/or participated in the arrest of numerous defendants, initiated and/or participated in numerous search warrants, and initiated and/or participated in the interview of numerous of witnesses, defendants, and subjects involved in various criminal violations.

2. I submit this affidavit in support of an application for a criminal complaint and arrest warrant for JOHN BERNARDO for a violations of Title 18, United States Code, Sections 1349 (Conspiracy to Commit Wire Fraud) and 1343 (Wire Fraud). Based upon the facts set forth

below, there is probable cause to believe, and I do believe, that JOHN BERNARDO has violated the above-referenced criminal statute.

3. The information provided herein is based upon my own knowledge and experience, as well as information provided to me by other law enforcement officers, including members of the United States Department of Housing and Urban Development-Office of Inspector General for Investigations. Because this affidavit is submitted for the limited purpose of establishing probable cause for the requested criminal complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. Rather, I have set forth herein only those facts that I believe are necessary to establish probable cause to support the requested criminal complaint and arrest warrant.

Background

4. JOHN BERNARDO is listed in the City of West Haven Employee Directory as a Housing Specialist in the office of Community Development Administration. Upon information and belief, he is currently on administrative leave from his position.

5. MICHAEL DIMASSA was employed as an Administrative Assistant to the City Council and was a Connecticut State Representative elected to represent West Haven and New Haven. Upon information and belief, he has resigned from both of those positions. On October 20, 2021, he was arrested on a criminal complaint charging him with wire fraud for the scheme described in the affidavit. *See* United States v. Michael Dimassa, 3:21mj1036(RMS).

6. According to records at the State of Connecticut-Office of the Secretary of State, the business COMPASS INVESTMENT GROUP, LLC was formed January 27, 2021. The business has two principals, JOHN BERNARDO and MICHAEL DIMASSA. The listed business address appears to be the home address of JOHN BERNARDO.

7. On February 5, 2021 a bank account for COMPASS INVESTMENT GROUP, LLC was established at Webster Bank. The listed address appears to be the residence of JOHN BERNARDO. Both MICHAEL DIMASSA and JOHN BERNARDO are listed as authorized signatories.

8. A review of the bank account was conducted for the period of February 5, 2021 through April 30, 2021. This review revealed that from February 12, 2021 through April 30, 2021, seven checks that were made payable to COMPASS INVESTMENT GROUP, LLC from the City of West Haven and were deposited to the business account The checks ranged in value from $11,847.50 to $87,650.0. These funds were then used for twenty-one cash withdrawals that were conducted by MICHAEL DIMASSA, ranging from $8,000 to $10,000, for a total of $178,150. Nine of the withdrawals were in the form of checks made out to himself and twelve were via withdrawal slips.

Examples of Fraudulent Claims for Payment involving John Bernardo

1. Voucher 602250

9. On or about February 17, 2021 City of West Haven Payment Voucher No. 602250 was submitted for payment by the "COVID Department." Attached to this voucher was an invoice listing alleged services provided to the West Haven Health Department. The voucher described the services as "COVID-19 Legal + Site work". The invoice listed charges that included 180 hours of Consulting Service-COVID 19 Site Support, 24 hours of Consulting Service-Legislative Review Executive Orders COVID-19, and 38 hours of Consulting Service-Support Staff Services. The amount billed to the City of West Haven was $14,256.00

10. The next day, February 18, 2021, Check Number xxxxx7092 was issued by the City of West Haven Accounts Payable bank account in the amount of $14,256.00. The check was

issued to COMPASS INVESTMENT GROUP LLC. On February 19, 2021, the check was deposited into the Webster Bank account of Compass Investment Group. This transaction caused the transmission of an interstate wire.

11. On February 22, 2021, a check made payable to MICHAEL DIMASSA was negotiated for $8,000 cash. On February 26, 2021, a second check made payable to MICHAEL DIMASSA was negotiated for $8,000 cash.

12. On February 26, 2021, a cash deposit of $3,000.00 was made into the personal bank account of JOHN BERNARDO.

2. Voucher 602231

13. On February 24, 2021 West Haven Payment Voucher No. 602231 was submitted for payment by the "COVID-19 Department". Attached to this voucher was an invoice listing alleged services provided to the West Haven Health Department. The voucher described the services as "COVID-19 Site work + legal work consulting services". The invoice listed items which included 225 hours of Consulting Service-COVID 19 Site Support, 164 hours of Consulting Service-Legislative Review Executive Orders COVID 19, and 74 hours of Consulting Service-Support Staff services. The amount billed to the City of West Haven was $41,667.50.

14. On March 1, 2021 Check Number xxxxx7222 was issued by the City of West Haven Accounts Payable bank account in the amount of $41,667.50. The check was issued to COMPASS INVESTMENT GROUP LLC. On March 1, 2021, the check was deposited into the Webster Bank account of Compass Investment Group. This deposit caused the transmission of an interstate wire.

15. On March 4, 2021, $10,000 was withdrawn from the Webster Bank account by MICHAEL DIMASSA. On that same date, a Webster Bank Official check in the amount of

$10,000 was issued made payable to JOHN F. BERNARDO. On March 5, 2021, the official check was deposited into the personal Wells Fargo bank account of JOHN BERNARDO. This transaction caused the transmission of an interstate wire.

3. Vouchers 60300 and 60321

16. On June 15, 2021 City of West Haven Payment Voucher No. 603000 was submitted for payment by the "COVID -19 Grant Department". Attached to this voucher was an invoice listing alleged services provided to the West Haven Health Department. The voucher described the services as "COVID-19 Grant Services IT Transport + Clinic Services Cleaning/Lobby work". The invoice listed charges that included 205 hours of Consulting Service-Legislative Review Opening Guidelines, 125 hours of Consulting Service-Support Staff Services, 180 hours of Consulting Service-Lobbying Service COVID 19 Federal, and135 hours of Economic Consulting-Economic Site Plan Assessment/Review. The amount billed to the City of West Haven was $85,225.00.

17. On June 17, 2021 Check Number xxxxx0075 was issued by the City of West Haven Accounts Payable bank account in the amount of $85,225.00. The check was issued to COMPASS INVESTMENT GROUP LLC. On June 21, 2021, the check was deposited into the Webster Bank account of Compass Investment Group. This deposit caused the transmission of an interstate wire.

18. On August 19, 2021 City of West Haven Payment Voucher No. 603321 was submitted for payment by the "COVID -19 Department". Attached to this voucher was an invoice listing alleged services provided to the West Haven Health Department. The voucher described the services as "COVID-19 Public Health Services Legal Review +Outdoor dining regulations support". The invoice listed charges that included 50 hours Consulting Service-Legislative Review Mask Guidelines, 375 hours of Consulting Service-Support Staff Services, 10 hours of

Consulting Service-Legislative Review-Boost Shots, and 45 hours of Economic Consulting-Business Plan Development-ARPA Program Outdoor Dining Regulations Review. The amount billed to the City of West Haven was $20,200.00.

19. On August 20, 2021 Check Number xxxxx1696 was issued by the City of West Haven Accounts Payable bank account in the amount of $20,200.00. The check was issued to COMPASS INVESTMENT GROUP LLC. On August 23, 2021, the check was deposited into the Webster Bank account of Compass Investment Group. This deposit caused the transmission of an interstate wire.

20. On August 27, 2021, an automated withdrawal for an ADP wage pay was made from the Webster Bank account of Compass Investment Group in the amount of $64,454.50. On that same day, a wire deposit of $32,227.25 was made into the personal bank account of JOHN BERNARDO. Also on that same day, a wire deposit of $32,227.25 was made into the personal bank account of MICHAEL DIMASSA.

Compass Investment Group Never Provided Any Services to the West Haven Public Health Department

21. The invoices requesting payment to COMPASS INVESTMENT GROUP LLC refer to services provided to "City of West Haven, Health Department." According to the West Haven Corporation Counsel, the West Haven Health Director never used, selected, approved, or otherwise engaged Compass Investment Group for any work or services concerning the West Haven Public Health Department.

22. From in or about February, 2021 through September, 2021, a total of $636,783.70 was paid to the COMPASS INVESTMENT GROUP LLC by the City of West Haven.

Conclusion

23. For the reasons set forth herein, I submit that there is probable cause to believe, and I do believe, that JOHN BERNARDO committed a violation of Title 18, United States Code, Sections 1349 (Conspiracy to Commit Wire Fraud) and 1343 (Wire Fraud). I respectfully request the issuance of the requested criminal complaint and arrest warrant.

24. I also request that this affidavit, the requested criminal complaint and the requested warranted be placed under seal by the Court until the time of the initial appearance because the defendant has not yet been arrested.

Respectfully submitted,

CHRISTOPHER CIEPLIK
Digitally signed by CHRISTOPHER CIEPLIK
Date: 2021.11.03 09:37:47 -04'00'

Christopher Cieplik
FBI Special Agent

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone me this 3rd day of November, 2021.

Robert M. Spector
Digitally signed by Robert M. Spector
Date: 2021.11.03 15:33:50 -04'00'

THE HON. ROBERT SPECTOR
UNITED STATES MAGISTRATE JUDGE