UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA v. FRANCOIS PARKER, Defendant.	Cr. No. 1:21-CR-109 MSM PAS In violation of 18 U.S.C. § 1343 (Wire Fraud); 18 U.S.C. § 641 (Theft of Public Money); and 18 U.S.C. § 922(g) (Possession of Firearm by Prohibited Person) Forfeiture

INDICTMENT

The Grand Jury charges that:

COUNTS ONE and TWO

(Wire Fraud - 18 U.S.C. § 1343)

Introduction

At all times relevant to this Indictment:

1. Defendant FRANCOIS PARKER resided in Rhode Island.

2. The Unemployment Insurance Program ("UI Program) was a joint federal-state partnership administered on behalf of the U.S. Department of Labor by agencies in each state. In Rhode Island, the UI Program is administered by the Rhode Island Department of Labor and Training (RIDLT). In California, Arizona, Louisiana, Colorado, New York, Texas, Virginia, Wisconsin, Nevada, and Massachusetts, the UI Programs were administered by the (CAEDD), the Arizona Department of Economic Security (AZDES), the Louisiana Workforce Commission (LAWC), the Colorado Department of Labor and Employment (CODLE), the New York State Department of

Labor (NYSDOL), the Texas Workforce Commission (TXWC), the Virginia Employment Commission (VAEC), the Wisconsin Department of Workforce Development (WIDWD), the Nevada Department of Employment, Training and Rehabilitation (NVDETR), and the Massachusetts Department of Unemployment Assistance (MADUA), respectively.

3. In March 2020, the Families First Coronavirus Response Act (FFCRA) and Coronavirus Aid, Relief, and Economic Security (CARES) Act provided additional funding for state UI agencies to respond to the COVID-19 pandemic. The CARES Act allowed states to expand the scope of workers who were eligible to receive state UI benefits, to extend the period of time for which workers could be eligible for UI benefits, and to allow workers who may have exhausted UI benefits under traditional programs to receive benefits. The CARES Act further expanded the ability of states to provide benefits to unemployed workers by creating three new unemployment programs, namely, the Pandemic Unemployment Assistance (PUA) program, which permitted states to provide benefits to individuals who were self-employed, seeking part-time employment, or otherwise would not qualify for regular unemployment benefits, the Federal Pandemic Unemployment Compensation (FPUC) program, which provided an additional benefit, initially in the amount of $600 and later, in the amount of $300, in federal benefits to individuals collecting traditional UI program benefits or PUA benefits, and the Pandemic Emergency Unemployment Compensation (PEUC) program, which provided additional weeks of benefits for individuals who had otherwise exhausted their entitlement to regular UI benefits (collectively referred to

herein as "expanded pandemic UI benefits") PUA and FPUC benefits were 100% federally funded benefits paid through state UI agencies.

4. To receive regular UI and expanded pandemic UI benefits from a state UI agency, an applicant could file a claim, via the internet, with the state UI agency from which he was eligible to seek benefits or could file an application by downloading or requesting an application and mailing it into the state UI agency. An applicant is not permitted to seek regular UI and expanded pandemic UI benefits in more than one state at the same time.

Scheme to Defraud and to Obtain Monies

5. From at least in or about April 2020, and continuing until in or about October of 2020, in the District of Rhode Island and elsewhere, the Defendant,

FRANCOIS PARKER,

attempted to commit and did commit wire fraud, that is, did knowingly and with intent to defraud, devise and intend to devise a scheme to defraud and to obtain money from multiple state UI agencies, by means of materially false and fraudulent pretenses, representations, and promises, knowing that they were false and fraudulent when made, through the transmission in interstate commerce of wire communications.

The Object of the Scheme to Defraud and to Obtain Monies

6. The object of the scheme was for PARKER to unlawfully enrich himself by filing claims for PUA benefits with RIDLT, and while seeking and receiving benefit payments from RIDLT, filing applications for benefits with other state UI agencies, and in those applications, falsely claiming that he had resided and worked in states other

than Rhode Island and that he was eligible for regular UI or expanded pandemic UI benefits in those states.

Manner and Means of the Scheme

7. Beginning in April 2020, PARKER filed a claim for expanded pandemic UI benefits with RILDT. In his application and continued certifications, PARKER claimed that he resided in Rhode Island and that he had been employed in Rhode Island from May 20, 2019 to March 17, 2020 as a babysitter. RIDLT records indicate that PARKER was paid approximately $15,273 in expanded pandemic benefits from RIDLT.

8. It was further part of the scheme and artifice to defraud that on or about May 13, 2020, PARKER began filing fraudulent applications to obtain regular UI and expanded pandemic UI benefits in other states, including the following applications:

a. On or about May 13, 2020, PARKER filed an online application with the MADUA, falsely claiming that he was entitled to expanded pandemic UI benefits in Massachusetts. MADUA did not pay this claim.

b. On or about June 15, 2020, PARKER filed an online application with the AZDES, and in that application, he falsely claimed that he had worked in Arizona and that he had not worked in any other state for the past two years. ADES records indicate that PARKER was paid approximately $5,736 in expanded pandemic UI benefits from AZDES.

c. On or about June 22, 2020, PARKER filed an online application with the NVDETR, and in that application, he falsely claimed that he had worked in Nevada in 2019 and had made approximately $6,950 in each of the four quarters of 2019. NVDETR initially made payment of $11,370 in expanded pandemic UI benefits to an account designated by PARKER, but later cancelled the payment.

d. On or about July 1, 2020, PARKER filed an online application with the CODLE. In the application, he falsely claimed that he was entitled to benefits from Colorado because he had worked in that state. CODLE records indicate that PARKER was paid approximately $3,292 in expanded pandemic UI benefits.

e. On or about July 24, 2020, PARKER filed an online application with the TXWC, and in that application, he falsely claimed that he was self-employed in Texas and worked construction in Texas from February 4, 2018 through March 16, 2020, and provided a local residential address in Austin, Texas. PARKER was paid approximately $5,298 in expanded pandemic UI benefits from the TXWC.

f. On or about July 23, 2020, PARKER filed an online application with the CAEDD, and in that application he falsely claimed that he had worked in California, was self-employed as a lawn care specialist, had worked for one month in customer service, and had an annual income of $80,000. CAEDD records indicate that PARKER was paid approximately $30,810 in expanded pandemic UI benefits from CAEDD.

g. On or about August 4, 2020, PARKER filed an online application with the LAWC, falsely representing that he lived and worked in Louisiana.

PARKER was paid approximately $13,798 in expanded pandemic UI benefits from the LAWC.

h. On or about August 16, 2020, PARKER filed an online application for UI benefits with the VAEC, falsely claiming that he was entitled to benefits in Virginia. The claim was not paid.

i. On or about October 7, 2020, PARKER filed an online claim for expanded pandemic UI benefits with the NYSDOL, falsely claiming that he worked and lived in New York. This claim was not paid.

j. On or about October 21, 2020, PARKER filed an online claim for expanded pandemic UI benefits with the WIDWD, falsely claiming that he worked in Wisconsin and was entitled to benefits in Wisconsin. The claim was not paid.

Execution of the Scheme

9. On or about the dates listed below, in the District of Rhode Island and elsewhere, the Defendant,

FRANCOIS PARKER,

for the purpose of executing aforesaid scheme and artifice to defraud and to obtain money, and attempting to do so, knowingly transmitted and caused to be transmitted by means of wire communication in interstate commerce to wit, using a device accessing the internet, the filing of an online application for regular UI and expanded UI pandemic benefits from the listed state UI agencies.

Count	Date of Application	State UI Agency
1	May 13, 2020	MADUA
2	July 23, 2020	CAEDD

All in violation of 18 U.S.C. § 1343.

COUNT THREE

(Theft of Government Money – 18 U.S.C. § 641)

10. The allegations contained in paragraphs 1 through 9 of this Indictment are re-alleged and incorporated by reference as though fully set forth herein.

11. From at least in or about May 2020, and continuing until in or about April 2021, in the District of Rhode Island and elsewhere, the Defendant,

FRANCOIS PARKER,

did willfully and knowingly attempt to and did steal and purloin money belonging to the United States, in an amount exceeding $1,000, to wit, funds paid as expanded pandemic UI benefits, specifically, PUA and FPUC benefits.

All in violation of 18 U.S.C. § 641.

COUNT FOUR

(Possession of Firearm by a Prohibited Person - 18 U.S.C. § 922(g)(1))

12. On or about April 6, 2021, in the District of Rhode Island, the Defendant,

FRANCOIS PARKER,

knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, a Glock 44 .22 LR handgun, serial number ADPE 983, loaded with a magazine containing 10 rounds of .22 LR ammunition and capable of expelling a projectile, a second magazine containing 10 rounds of .22 LR ammunition, an additional 133 live rounds of .22 LR ammunition, and approximately 89 rounds of 9 mm ammunition, said firearm and ammunition having been shipped and transported in interstate commerce, all in violation of 18 U.S.C. § 922(g)(1).

COUNT FIVE

(Possession of Firearm by a Prohibited Person - 18 U.S.C. § 922(g)(1))

13. On or about April 6, 2021, in the District of Rhode Island, the Defendant,

FRANCOIS PARKER,

knowing that he had been previously convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess a firearm, a Kahr Arms CW45 pistol, serial number SE 715 loaded with six rounds of .45 caliber ammunition and capable of firing a projectile, said firearm and ammunition having been shipped and transported in interstate commerce in violation of 18 U.S.C. § 922(g)(1).

FIRST FORFEITURE ALLEGATION

14. Upon conviction of the wire fraud offenses alleged in this Indictment, Counts One and Two, Defendant FRANCOIS PARKER shall forfeit to the United States of America, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all right, title, and interest in any and all property, real or personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C. § 1343, including but not limited to the following:

15. A sum of money equal to the total amount of any property, real or personal, which constitutes or is derived from proceeds and/or traceable to a violation of 18 U.S.C. § 1343.

16. If any of the above-described forfeitable property, as a result of any act or omission of the Defendant, cannot be located upon the exercise of due diligence, has been transferred, sold to, or deposited with a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), to seek forfeiture of any other property of said Defendant up to the value of the forfeitable property described above.

All in accordance with 18 U.S.C. § 981(a)(1) as incorporated by 28 U.S.C. § 2461(c), and Rule 32.2(a), Federal Rules of Criminal Procedure.

SECOND FORFEITURE ALLEGATION

17. Upon conviction of Counts 4 and 5 alleged in this Indictment, Defendant FRANCOIS PARKER, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), a Glock 44 22LR pistol, serial number ADPE 983, a Kahr Arms CW45 pistol, serial number SE 715 153 live rounds of .22 LR ammunition, 89 live rounds of .9 ammunition, 6 rounds of .45 caliber ammunition, and 3 magazines (one capable of holding .45 caliber ammunition and two capable of holding .22 ammunition).

All in accordance with 18 U.S.C. § 924.

A TRUE BILL:

10-27-21

Grand Jury Foreperson

RICHARD B. MYRUS
ACTING UNITED STATES ATTORNEY

Stacey P. Veroni

STACEY P. VERONI

DENISE MARIE BARTON
G. MICHAEL SEAMAN
Assistant U.S. Attorneys
JOHN MOREIRA
Special Assistant U.S. Attorney

Lee Vilker

LEE H. VILKER

Assistant U.S. Attorney
Deputy Criminal Chief

Date: October 27, 2021

PER 18 U.S.C. 3170

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: ☐ INFORMATION ☒ INDICTMENT ☐ COMPLAINT

Matter Sealed: ☐ Juvenile ☐ Other than Juvenile

☐ Pre-Indictment Plea ☐ Superseding ☐ Defendant Added
☐ Indictment ☐ Charges/Counts Added
☐ Information

Name of District Court, and/or Judge/Magistrate Location (City)

UNITED STATES DISTRICT COURT RHODE ISLAND
DISTRICT OF RHODE ISLAND Divisional Office

Name and Office of Person Furnishing Information on THIS FORM: ACTING RICHARD B. MYRUS
☒ U.S. Atty ☐ Other U.S. Agency
Phone No. (401) 709-5000

Name of Asst. U.S. Attorney (if assigned): STACEY P. VERONI

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)
Federal Bureau of Investigation

☐ person is awaiting trial in another Federal or State Court (give name of court)

☐ this person/proceeding transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:
☐ U.S. Atty ☐ Defense

☐ this prosecution relates to a pending case involving this same defendant. (Notice of Related Case must still be filed with the Clerk.)

SHOW DOCKET NO.

☑ prior proceedings or appearance(s) before U.S. Magistrate Judge regarding this defendant were recorded under

MAG. JUDGE CASE NO. 21MJ38/45PAS

Place of offense: RHODE ISLAND County

CASE NO. 1:21-CR-109 MSM PAS

USA vs.

Defendant: Francois Parker

Address: 57 Ashmont St.
Providence, RI

☐ Interpreter Required Dialect:

Birth Date 8/21/1987 ☑ Male ☐ Female ☐ Alien (if applicable)

Social Security Number 039-58-0860

DEFENDANT

Issue: ☐ Warrant ☐ Summons

Location Status:

Arrest Date ____ or Date Transferred to Federal Custody ____

☐ Currently in Federal Custody
☐ Currently in State Custody
☐ Writ Required
☑ Currently on bond
☐ Fugitive

Defense Counsel (if any): Kevin Fitzgerald, Esq.

☐ FPD ☑ CJA ☐ RET'D
☐ Appointed on Target Letter

☑ This report amends AO 257 previously submitted

OFFENSE CHARGED - U.S.C. CITATION - STATUTORY MAXIMUM PENALTIES - ADDITIONAL INFORMATION OR COMMENTS

Total # of Counts 5

Set	Title & Section/Offense Level (Petty = 1 / Misdemeanor = 3 / Felony = 4)	Description of Offense Charged	Felony/Misd.
1 and 2	18 USC 1343	Wire Fraud	☒ Felony ☐ Misdemeanor
Max	Penalty: 20 yrs imprisonment; 3 yrs S/R	fine of twice gross gain/loss $100 assessment	☐ Felony ☐ Misdemeanor
3	18USC641 Penalty:max 10 yr imprison.,$100	Theft/Government Money/3 yr S/R/$250,000 or twice gain	☒ Felony ☐ Misdemeanor
4 and 5	18 USC 922(g) Penalty: max 10 yrs imprison.	Possession firearm/prohibited person/ 10 years, 2 yrs S/R	☐ Felony ☐ Misdemeanor
	forfeiture allegation	$250,000, $100 assessment Estimated Trial Days: 3	☒ Felony ☐ Misdemeanor

United States v. Francois Parker

INDICTMENT COVER SHEET ATTACHMENT

Counts 1 and 2: (Wire Fraud, 18 U.S.C. § 1343)

MAX PENALTY FOR EACH COUNT

a. 20 years imprisonment;
b. Fine of twice the gross gain/loss;
c. 3 years supervised release;
d. $100 special assessment.

Counts 3: (Theft of Government Money, 18 U.S.C. § 641)

MAX PENALTY

a. 10 years imprisonment;
b. $250,000 fine or a fine of twice the gross gain/loss;
c. 3 years supervised release; and
d. $100 special assessment.

Counts 4 and 5: (Possession of Firearm by a Prohibited Person - 18 U.S.C. § 922(g)(9))

MAX PENALTY

a. 10 years imprisonment;
b. $250,000 fine;
c. 3 years supervised release; and
d. $100 special assessment.

Forfeiture Allegation

RETURN OF INDICTMENT

Please present this form to the Magistrate Judge or the Deputy Clerk at the time your return is made.

GRAND JURY TERM: APRIL 2021-B

DATE OF RETURN: OCTOBER 27, 2021

CRIMINAL	DEFENDANT	WARRANT/SUMMONS	ASSIGNED AUSA
1:21-CR-109 MSM PAS	FRANCOIS PARKER	RELEASE/SUMMONS	SPV, DMB, GMS

NAME OF MAGISTRATE JUDGE RETURNED BEFORE: LINCOLN D. ALMOND

IF APPLICABLE, SUMMONSES TO BE RETURNED BEFORE:

____

DATE AND TIME SUMMONSES TO BE RETURNED: ____________________

Please return this form to TARA MONIZ in the U.S. Attorney's Office with the pertinent information or call him with the information at 709-5028.