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OPERATION SAFE PILOT

40 AIRPLANE PILOTS CHARGED ACROSS 5 MAJOR CALIFORNIA CITIES IN CRIMINAL AIR TRAFFIC SAFETY INVESTIGATION JOINTLY SUPERVISED BY THE UNITED STATES ATTORNEYS IN EASTERN AND NORTHERN DISTRICTS OF CALIFORNIA

Defendants Charged With Lying To The Federal Aviation Administration About Disqualifying Medical Conditions And Criminal Histories In Order To Obtain Pilot's Licenses

Operation Targeted "Most Blatant" Instances Of Fraud

SAN FRANCISCO - Kevin V. Ryan, United States Attorney for the Northern District of California; McGregor W. Scott, United States Attorney for the Eastern District of California; Kenneth M. Mead, Inspector General, U.S. Department of Transportation; Patrick P. O'Carroll, Jr., Inspector General, Social Security Administration and Marion C. Blakey, Administrator of the Federal Aviation Administration announced today the results of Operation Safe Pilot, an 18-month investigation into the falsification of medical records required by the Federal Aviation Administration to secure airplane pilot's licenses. While claiming to be medically fit to fly an airplane, the defendants were also collecting disability benefits from the Social Security Administration based on serious medical and psychological conditions, which would have prevented them from operating an aircraft.

This operation is the product of an extensive investigation jointly conducted by the U.S. Department of Transportation's Office of Inspector General and the Social Security Administration's Office of Inspector General - San Francisco Region. The Federal Aviation Administration and the Social Security Administration assisted the two criminal investigative agencies. In the Eastern District of California, Assistant United States Attorneys Carolyn K. Delaney and Marlon Cobar are the prosecutors in this operation. In the Northern District of California, Assistant United States Attorneys Jeffrey R. Finigan and Gary G. Fry and Special Assistant United States Attorney Candice Jan are the prosecutors assigned to the operation.

Comments from the Operation's Leadership

Kevin V. Ryan, United States Attorney for the Northern District of California, said, "Air transportation safety and the protection of our airspace are of paramount importance to our security. As demonstrated in Operation Safe Pilot, the Department of Justice and my office remain committed to ensuring safe skies through productive collaborations with other federal agencies. I wish to thank all of the federal agencies, U.S. Attorney's Office for the Eastern District of California, U.S. Department of Transportation's Office of Inspector General, Social Security Administration's Office of the Inspector

General, the Federal Aviation Administration involved in this operation."

Said United States Attorney for the Eastern District of California, McGregor W. Scott, "this operation underscores the Department of Justice efforts to ensure transportation safety as one component of homeland security." United States Attorney Scott added, "in conjunction with our federal law enforcement partners, this office is committed to safeguarding the integrity of our air traffic safety system."

Said U.S. Department of Transportation's Office of Inspector General Kenneth M. Mead, "safety is the Department of Transportation's top priority." Mead added that, "pilots who provide false information about their health to the FAA on their medical certification not only violate the law, but could pose potential threats to safety as well."

Said Social Security Administration Inspector General Patrick P. O'Carroll, Jr., "As one participant in the national law enforcement effort to maintain homeland security, the SSA-OIG is gratified to see this operation come to a successful conclusion." O'Carroll added that, "The SSA-OIG will continue to work with U.S. Attorneys and our law enforcement partners on similar projects to ensure that misused Social Security numbers do not aid those seeking to commit other crimes or threaten the security of our nation."

FAA Associate Administrator for Aviation Safety, Nicholas Sabatini said, "The fraud and falsification allegedly committed by these individuals is extremely serious and adversely affects the public interest in air safety." Sabatini added that, "The FAA has cooperated closely with the Department of Transportation's Office of Inspector General at every phase of its investigation and has begun revoking the Airman and Medical Certificates of those individuals found to have falsified their certificate applications."

The Charges

Grand Juries for the Eastern and Northern federal judicial districts of California, sitting in the cities of Sacramento, Fresno, San Francisco, Oakland and San Jose, returned indictments charging 30 defendants with violations of Title 18, United States Code, Section 1001 - False Statements to a Government Agency. Federal prosecutors have also charged 10 additional defendants with similar criminal violations, including Title 18, United States Code, Section 1018 - Making and Delivering a False Official Writing. As appropriate, arrest warrants or summonses to appear for initial appearances in the coming days have been variously issued by the U.S. District Courts in the Eastern and Northern Districts of California. The charges arising from this operation are only allegations and the defendants are presumed innocent until and unless proven guilty beyond a reasonable doubt.

The Investigation

Beginning in July 2003, Department of Transportation Office of Inspector General (DOT-OIG) and Social Security Administration Office of Inspector General (SSA-OIG) initiated a joint effort to identify the misuse of Social Security numbers by pilots operating with Federal Aviation Administration (FAA) certificates in the interest of promoting both safety and security. During the investigation, agents identified numerous pilots who were receiving Social Security disability benefits. Concerned for aviation safety and fraud implications with the Social Security disability benefits program, DOT-OIG and SSA-OIG launched Operation Safe Pilot in coordination with the United States Attorney's Offices for the Eastern and Northern Districts of California.

Operation Safe Pilot began with a review of 40,000 pilots residing in the northern half of the State of California. Federal agents identified numerous pilots with current flight medical certificates, who were receiving disability benefit payments. Although the operation identified pilots who claimed to be suffering from an array of illnesses, agents focused only on the most egregious claims of disabilities. The illnesses ranged from schizophrenia, bipolar disorder, drug or alcohol addiction, disabling back condition, or the presence of severe heart condition.

Federal Agents selected the most blatant instances of fraud which totaled 40 pilots. Of those 40 pilots, a number were airline transport and commercial pilots, as well as medical doctors. DOT-OIG and SSA-OIG then presented this list to the United States Attorneys Offices for the Eastern and Northern Districts of California for criminal charges. These pilots committed fraud when they failed to report on their FAA Medical Airman's Certificates that they suffered from a disabling condition. The Medical Airman Certificate is the key document to obtaining and maintaining an active FAA pilot's license. In addition to those pilots claiming they had disabling conditions, other pilots were identified for having failed to report that they had prior criminal convictions. This too constituted fraud committed by these pilots.

In every case, the pilots failed to notify the FAA about their medical conditions when completing their FAA medical applications. In addition, the pilots failed to disclose their flight medical examination results to the SSA. Through this failure to disclose FAA's determination that they were fit to fly, some of the defendants also fraudulently obtained disability benefits from SSA. To insure that the disabilities claimed by the 40 pilots would have disqualified them from obtaining an FAA Medical Airman's Certificate, investigators coordinated their findings with the FAA's Western Pacific Region Aerospace Medicine Division. FAA's medical staff determined that all disabilities claimed by the pilots might or would have disqualified them from obtaining a Medical Airman Certificate had they disclosed those medical conditions to the flight surgeons during their FAA medical evaluations.

Following the Aerospace Medicine Division's review, FAA has performed administrative immediate Emergency Revocations of 14 pilots' licenses and medical certificates. In addition to the 14, FAA has notified the remaining pilots in this operation that their pilots' licenses and medical certificates may be suspended based on the falsification of their FAA Medical Airman Certificate by failing to report their disabling conditions to FAA flight surgeons and on their FAA Medical Certificates. In addition to the 40 defendants criminally charged in this operation, DOT-OIG and SSA-OIG have referred two pilots for prosecution to the United States Attorney's Office for the District of Nevada in both Las Vegas and Reno.

The Defendants

The pilots charged in this operation are listed below.

- Jorma Aaltonen, Rocklin, CA, 69
- Michael Ascarte, Fresno, CA, 30
- Amy Aucutt, San Francisco, CA, 36
- Calvin Bartholomew, Salinas, CA, 55
- Daniel Battershell, Brownsville, CA, 52
- Mark Boyd, Antioch, CA, 41
- Frank Buckenmeyer, Galt, CA, 26
- Edward Calcote, Chico, CA, 64
- Stanmore Cooper, San Francisco, CA, 63
- David Cunningham, Salinas, CA, 25

- Thomas Darrow, Pacifica, CA, 56
- Kenneth DeBolt, Sonora, CA, 58
- Arnold Dolgins, Felton, CA, 61
- John D'Onofrio, Caliente, CA, 36
- Walter Fraser, Lower Lake, CA, 55
- Kenneth Gulick, St. Helena, CA, 61
- Darrell Haskin, Georgetown, CA, 59
- Kenneth Ingram, Kauai, HI, 51
- Robert Jameson, Wasco, CA, 61
- Russell Johansen, Sacramento, CA, 61
- Ward Joiner, Loomis, CA, 54
- Kenneth Jones, Pittsburg, CA, 52
- Raymond Jones, Sacramento, CA, 56
- Lynn Jorgensen, Blackhawk, CA, 52
- Dr. James Katzel, Ukiah, CA, 59
- Roger Lebichuck, Santa Rosa, CA, 56
- Robert Lessman, Sacramento, CA, 68
- Gregory Moeller, Rescue, CA, 58
- Dr. Roger Musso, Greenwood, CA, 60
- Michael Pennington, Susanville, CA, 55
- Karl Redmon, San Leandro, CA, 40
- Harold Sanborn, Wasco, CA, 54
- Kirk Smeltzer, Fresno, CA, 46
- Robert Silva, Roseville, CA, 45
- Althea Stevens, Corning, CA, 62
- Jeff Stump, Kentfield, CA, 39
- Susan Tobin, Pacifica, CA, 58
- Timothy Voors, Grass Valley, CA, 55
- Leroy Wachsmuth, Trinity Center, CA, 71
- Daniel Woodhurst, Red Bluff, CA, 61

Further Information:

A copy of this press release may be found on the U.S. Attorney's Office's website at www.usdoj.gov/usao/can.

Electronic court filings and further procedural and docket information are available at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

Judges' calendars with schedules for upcoming court hearings can be viewed on the court's website at www.cand.uscourts.gov.

All press inquiries to the U.S. Attorney's Office should be directed to Luke Macaulay at (415) 436-6757 or by email at Luke.Macaulay@usdoj.gov.

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