COMMONWEALTH OF PENNSYLVANIA POLICE CRIMINAL COMPLAINT COUNTY OF: CAMBRIA COMMONWEALTH OF PENNSYLVANIA Magisterial District Number: 47-1-02 VS. MDJ: Hon. Susan Gindlesperger (NAME and ADDRESS): Address: 701 Belmont Street JOHNNIE WII SON BARTO Johnstown, PA 15904 First Name Middle Name Last Name Ge 201 Delta Drive Telephone: (814)266-1066 Johnstown, PA 15904 NCIC Extradition Code Type □ 1-Felony Full ☐ 5-Felony Pending Extradition ☐ C-Misdemeanor Surrounding States 2-Felony Limited ☐ Distance: ☐ 6-Felony Pending Extradition Determ. ☐ D-Misdemeanor No Extradition ☐ 3-Felony Surrounding States ☐ A-Misdemeanor Full ☐ E-Misdemeanor Pending Extradition ☐ 4-Felony No Extradition ☐ B-Misdemeanor Limited ☐ F-Misdemeanor Pending Extradition DEFENDANT IDENTIFICATION INFORMATION Docket Number Date Filed OTN/LiveScan Number Request Lab Complaint/Incident Number Services? 63-431 ☐ YES ☐ NO GENDER ров 10/24/1947 POB Add'I DOB Co-Defendant(s) Male Male First Name Middle Name Last Name Gen. Female AKA **JACK** RACE White ■ Asian Black ■ Native American ETHNICITY Unknown ☐ Hispanic Unknown Non-Hispanic GRY (Gray) RED (Red/Aubn.) SDY (Sandy) BLU (Blue) ☐ PLE (Purple) Hair BRO (Brown) BLK (Black) ONG (Orange) Color ☐ WHI (White) XXX (Unk./Bald) GRN (Green) PNK (Pink) BLN (Blonde / Strawberry) BLK (Black) Eye BLU (Blue) BRO (Brown) GRN (Green) GRY (Gray) Color ☐ HAZ (Hazel) MAR (Maroon) PNK (Pink) ☐ MUL (Multicolored) XXX (Unknown) DNA ☐ YES ☐ NO **DNA Location** WEIGHT (Ibs.) FBI Number **MNU Number** 155 Defendant Fingerprinted ☐ YES ☐ NO Ft. HEIGHT In. Fingerprint Classification: 6 0 DEFENDANT VEHICLE INFORMATION State Haz Registration Comm'l Veh. School Veh. Oth. NCIC Veh. Code Reg. Plate # mat Ind. Sticker (MM/YY) same VIN as Def. Year Make Model Style Color Office of the attorney for the Commonwealth Approved Disapproved because: (The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507). (Name of the attorney for the Commonwealth) (Signature of the attorney for the Commonwealth) (Date) I. SSA GREGORY MATTHEWS **BADGE #521** (Name of the Affiant) (PSP/MPOETC -Assigned Affiant ID Number & Badge # Pennsylvania Office of Attorney General PA0222400 (Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number) do hereby state: (check appropriate box) 1. I accuse the above named defendant who lives at the address set forth above $\hfill \square$ I accuse the defendant whose name is unknown to me but who is described as ☐ I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have

in CAMBRIA County

therefore designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at [222]

(County Code)

[11]

323 Budfield Street Johnstown, Pa

(Place-Political Subdivision)

Subdivision Code)

on or about JULY 2012 THROUGH FEBRUARY 2018

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POLICE CRIMINAL COMPLAINT Docket Number: Date Filed: OTN/LiveScan Number Complaint/Incident Number 63-431 First: Middle: Last: Defendant Name: JOHNNIE WILSON **BARTO** Inchoate ☐ Attempt ☐ Solicitation ☐ Conspiracy Number of Victims Age 60 or Older _ Offense 18 901 A 18 902 A 18 903 4304 (a)(1)of the PACC 1 F-3 Lead? Offense# Section Subsection PA Statute (Title) Counts Grade NCIC Offense Code UCR/NIBRS Code PennDOT Data Accident ☐ Interstate ☐ Safety Zone ☐ Work Zone (if applicable) Number Statute Description (include the name of statute or ordinance): PACC 4304(A)(1) ENDANGERING THE WELFARE OF CHILDREN Acts of the accused associated with this Offense: PACC 4304(a)(1) Endangering the Welfare of Children The actor being a parent, guardian, or person supervising the welfare of a child namely, VICTIM#2, under 18 years of age, or a person that employs or supervises such a person, knowingly endangered the welfare of said child or children by violating a duty of care, protection or support, namely, had digitally penetrated VICTIM#2's vagina, and the child or children were under 6 years of age, in violation of 18 Pa. C.S. §4304(a)(1)(b)(2).5 Inchoate ☐ Attempt ☐ Solicitation Conspiracy Number of Victims Age 60 or Older Offense 18 901 A 18 902 A 18 903 5 П 3126 (a)(7) of the PACC 1 F-3 Lead? Offense# Section Subsection PA Statute (Title) Counts Grade NCIC Offense Code UCR/NIBRS Code PennDOT Data Accident ☐ Interstate ☐ Safety Zone ☐ Work Zone (if applicable) Number Statute Description (include the name of statute or ordinance): PACC 3126(A)(7) INDECENT ASSAULT Acts of the accused associated with this Offense: PACC 3126(a)(7)The actor had indecent contact with, or caused VICTIM#3 to have indecent contact with the actor or intentionally caused VICTIM#3 to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant when that person was less than 13 years of age, in violation of 18 Pa. C.S. §3126 (a) (7).

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Statute Description (include the name of statute or ordinance): PACC 4304(A)(1) ENDANGERING THE WELFARE OF CHILDREN

Acts of the accused associated with this Offense: PACC 4304(a)(1) Endangering the Welfare of Children The actor being a parent, guardian, or a person supervising the welfare of a child namely, VICTIM#3, under 18 years of age, or a person that employs or supervises such a person, knowingly engaged in a course of conduct that endangered the welfare of said child or children by violating a duty of care, protection or support, namely, had indecently assaulted the VICTIM#3 on more than one occassion in violation of 18 Pa. C.S. §4304(a)(1)(b)(ii).Children-

POLICE CRIMINAL COMPLAINT Docket Number: Date Filed: OTN/LiveScan Number Complaint/Incident Number BU/20 63-431 First: Middle: Last: Defendant Name: **JOHNNIE** WILSON BARTO Inchoate ☐ Attempt ☐ Solicitation ☐ Conspiracy Number of Victims Age 60 or Older 18 901 A Offense 18 902 A 18 903 7 3126 of the PACC (a)(7)1 M-1 Lead? Offense# Section Subsection PA Statute (Title) Counts Grade NCIC Offense Code UCR/NIBRS Code PennDOT Data Accident ☐ Interstate ☐ Safety Zone ☐ Work Zone (if applicable) Number Statute Description (include the name of statute or ordinance): PACC 3126(A)(7) INDECENT ASSAULT Acts of the accused associated with this Offense: PACC 3126(a)(7) Indecent Assault The actor had indecent contact with, or caused VICTIM#4 to have indecent contact with the actor or intentionally caused VICTIM#4 to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant when that person was less than 13 years of age, in violation of 18 Pa. C.S. §3126 (a) (7). Inchoate ☐ Attempt ☐ Solicitation ☐ Conspiracy Number of Victims Age 60 or Older Offense 18 901 A 18 902 A 18 903 8 4304 (a)(1)of the PACC 1 M-1 Lead? Offense# Section PA Statute (Title) Subsection Counts Grade NCIC Offense Code UCR/NIBRS Code PennDOT Data Accident ☐ Interstate ☐ Safety Zone ☐ Work Zone (if applicable) Number Statute Description (include the name of statute or ordinance): PACC 4304(A)(1) ENDANGERING THE WELFARE OF CHILDREN Acts of the accused associated with this Offense: PACC 4304(a)(1) Endangering the Welfare of Children The actor being a parent, guardian, or person supervising the welfare of a child namely, VICTIM#4, under 18 years of age, or a person that employs or supervises such a person, knowingly endangered the welfare of said child or children by violating a duty of care, protection or support, namely, had digitally penetrated VICTIM#4's vagina in violation of 18 Pa. C.S. §4304(a)(1)(b)(1)(i).

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Acts of the accused associated with this Offense: PACC 3126(a)(7) Indecent Assault The actor had indecent contact with, or caused VICTIM#5 to have indecent contact with the actor or intentionally caused VICTIM#5 to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant when that person was less than 13 years of age, in violation of 18 Pa. C.S. §3126 (a) (7).

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Docket Number:
CR-255-18
Defendant Name:

Date Filed:
OTN/LiveScan Number
Complaint/Incident Number
63-431

Middle:
WILSON

Defendant Name:

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	13		3126		(a)(7)	of the	PACC		1	M-1		
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Lead?	Offer			Section	Subsection		PA Statute	(Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
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 (if applicable)
 Number
 ☐ Interstate
 ☐ Safety Zone
 ☐ Work Zone

 Statute Description (include the name of statute or ordinance): PACC 4304(A)(1) ENDANGERING THE WELFARE OF CHILDREN

Acts of the accused associated with this Offense: PACC 4304(a)(1) Endangering the Welfare of Children-The actor being a parent, guardian, or a person supervising the welfare of a child namely, VICTIM#7, under 18 years of age, or a person that employs or supervises such a person, knowingly engaged in a course of conduct that endangered the welfare of said child or children by violating a duty of care, protection or support, namely, had indecent contact with both VICTIM#6 and VICTIM#7 in violation of 18 Pa. C.S. §4304(a)(1)(b)(ii).

PA Statute (Title)

Counts

Grade

NCIC Offense Code

Offense#

PennDOT Data

Section

Accident

Subsection

Lead?

UCR/NIBRS Code



Docket CR-25	Numb	er:		e File	Y	0	ΓN/LiveSca	n Numb			olaint/Incident Nu	mber
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AOPC 412A - Rev. 7/18

Page __ of __

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Docket Number:

OTN/LiveScan Number

Complaint/Incident Number

Complaint/Incident Number

63-431

Defendant Name:

Defendant Name:

Docket Number:

OTN/LiveScan Number

Complaint/Incident Number

63-431

Middle:

WILSON

BARTO

Defenda		-		0/30/8						63-43		
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the perso	n or th	ne complainar	nt when tha	at person was less	than 13 y	ears of age, in vi	olation	of 18 Pa. C	.S. §3	126 (a) ((7).	
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Defendant Name:	First: JOHNNIE	Middle: WILSON	Last BAR	

- 2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
- 3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
- 4. This complaint consists of the preceding page(s) numbered $\underline{1}$ through $\underline{\hspace{1cm}}$.
- 5. I certify that this filing complies with the provisions of the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania that require filing confidential information and documents differently that non-confidential information and documents.

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited.

(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the

issuing authority, and a	ittached.) 7/30	118
(Data)	(Year)	(Signature of Affiant)
(Date)		
AND NOW, on this date	730/18	I certify that the complaint has been properly completed and verified
An affidavit of probable cau	se must be completed before a	warrant can be issued.
#47-1- (Magisterial District Court N	00 umber) (Is	Wan Yn, Windlegengt, suing Authority)



Docket Number:	Date Filed:	OTN/LiveScan Number	Complaint/Incident Number 63-431
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Defendant Name:	JOHNNIE	WILSON	BARTO

AFFIDAVIT of PROBABLE CAUSE

- 1. Your Affiant, Gregory Matthews, is currently employed as a Special Agent with the Pennsylvania Office of Attorney General, Bureau of Criminal Investigations. Prior to employment with the Pennsylvania Office of Attorney General, Special Agent Gregory Matthews had obtained approximately 28 years of law enforcement experience with the Allegheny County Police Department and was assigned as a criminal investigator for 25 years. Of those 25 years with the Allegheny County Police, this Affiant was assigned to the Allegheny County Child Abuse Unit for approximately 9 years with additional training in these types of criminal investigations. This Affiant is a Law Enforcement Officer assigned to the Western Regional Office located in Pittsburgh, Pennsylvania 15219. In the course of this Affiant's duties as a Special Agent with the Pennsylvania Office of Attorney General, Bureau of Criminal Investigations has conducted other criminal investigations, including but not limited to cases corruption, sexual assaults, and criminal homicides. As such, your Affiant is empowered to conduct investigations into violations of the various laws of the Commonwealth of Pennsylvania including violations of both Act 64 (the Controlled Substances, Drug, Device and Cosmetic Act) and Title 18.
- 2. Your Affiant's law enforcement duties and responsibilities, in part, arise from the governing provisions of the Commonwealth Attorney's Act in regard to criminal investigation referrals from Commonwealth agencies, to include any such referral(s) from any/all District Attorneys within the Commonwealth. The information contained in this affidavit was learned directly by your Affiant, or relayed by other law enforcement officers and/or other individuals who are known to your Affiant and will be available to testify at any necessary court proceeding.
- 3. During the course of this investigation, both victims and witnesses have provided information that will be contained in this affidavit. Your Affiant has specifically ascertained these victims and witness identities. Your Affiant has verified the witness identities through positive proof of identification. These witnesses have indicated below that they have personal knowledge regarding the criminal incident that transpired or information that they have relayed and provided to Agents and your Affiant as more fully detailed below. Because of the victim's tender years and they are victims of a sexual assault, their identities are being withheld for the purpose of this affidavit to preserve the integrity of the investigation. The victims will be referred to as Victim followed by a numerical indicator corresponding with that particular victim.
- 4. On January 5, 2018, Cambria County District Attorney Kelly Callihan sent a letter to Executive Deputy Attorney General Jennifer Selber of the OAG, requesting that the OAG assume jurisdiction of a case, pursuant to 71 P.S. Sec. 732-205(a)(3) of the Commonwealth Attorneys Act. This criminal referral pertained to allegations that a Dr. Johnnie Barto, age 70, is a physician practicing in Cambria County Laurel Pediatrics, located at 323 Budfield Street, in Richland Township, Johnstown, Cambria, PA 15904 and had inappropriately touched the genital area of another female, age 12. On December 21, 2017, this complaint was initially received by the Richland Township Police Department and Detective Thomas Keirn initiated a criminal investigation.
- 5. This Affiant received information of Victim#1,a 13 year-old male, who was examined by the defendant for a complaint of influenza when Victim#1 was 12 years-old in 2017. On February 26, 2018, this Affiant, along with Richland Township Police Detective Thomas Keirn were present for a scheduled forensic interview at Cambria County Circle of Support Child Advocacy Center (CAC) located at 865 Eisenhower Boulevard, Suite 2 Johnstown, PA 15904. This Affiant met with the forensic interviewer, Executive Director Diana Grosik, who conducted the forensic interview with Victim#1. During the forensic interview with Victim#1 and a follow-up interview with Victim#1's mother, it was learned that mother was asked by the defendant to step out of the exam room briefly while the defendant conducted a genital exam of her son. The mother stepped out briefly but returned to the room questioning as to why her son's genitals needed to be examined for symptoms of influenza. Upon her return, she observed the defendant fondling her son's testicles while the defendant's face was in close proximity to her son's genitals. She further described her son as laying supine on the exam table with his genitals exposed. She immediately confronted the defendant who responded by leaving the room without any explanation. After the



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exam, her son explained that he was very uncomfortable because he has never had his genitals examined in such a manner. He described the reason for him being uncomfortable was because he felt as though the defendant had been fondling his testicles for an extended time and it was not consistent with other actual physical examinations that he has received in the past.

- 6. This Affiant interviewed Victim#2's mother because Victim#2 is under the age of 2. Victim#2's mother reported that when her daughter was approximately 2 weeks old in the summer of 2016, she took Victim#2 to the defendant for her first Wellness Check after being born. The mother reported that both the father and she were present when the defendant removed their daughter's diaper and placed her on the exam table. The defendant then inserted his finger into their daughter's vagina causing Victim#2 to cry out in pain. The father became upset and the defendant commented, "This is routine. I need to do this to make sure everything is OK." Mother further explained that the defendant conducted the vaginal exam on a subsequent visit when the baby was several months old to about 6 months old. She noted on subsequent visits with other doctors from the same office, these doctors never examined their daughter in this manner.
- This Affiant received information of Victim#3, a 15 year-old female, who was examined by the defendant for follow-up visits related to her experiencing seizures and her related medications when Victim#3 was 10 yearsold in July of 2012. On February 8, 2018, this Affiant, along with Richland Township Police Detective Thomas Keirn were present for a scheduled forensic interview at Cambria County Circle of Support Child Advocacy Center (CAC) located at 865 Eisenhower Boulevard, Suite 2 Johnstown, PA 15904. This Affiant met with the forensic interviewer, Executive Director Diana Grosik, who conducted the forensic interview with Victim#3. During the forensic interview with Victim#3 and a follow-up interview with Victim#3's parents, it was learned from the parents that Victim#3 had a neurologist that was treating their daughter for her seizures. In July of 2012, Victim#3 began seeing the defendant for follow-up care for the seizures. The parents recalled being present in the room when the defendant had their daughter lie on the exam table and the defendant would either pull down both her pants and underwear or he would assist in the process. While her clothing was down exposing her vaginal area, the defendant would conduct an exam of her vagina commenting about the color and talking about her reaching puberty. He was observed conducting the vaginal exam without any gloves, as he was manipulating her vaginal area. Throughout both visits, the parents thought it was very odd that he would be examining her vaginal area during her visit for follow-up to her seizures and related medications. They both stated that neither has ever observed any other doctors conduct a vaginal exam for her seizure follow-up visits.
- 8. This Affiant had received information of Victim#4, an 8 year-old female, who was examined by the defendant for concerns of flu like symptoms including an earache. This visit with Victim#4 would have occurred in February of 2017 while she was still 8 years-old. On February 12, 2018, this Affiant, along with Richland Township Police Detective Thomas Keirn were present for a scheduled forensic interview at Cambria County Circle of Support Child Advocacy Center (CAC) located at 865 Eisenhower Boulevard, Suite 2 Johnstown, PA 15904. This Affiant met with the forensic interviewer, Executive Director Diana Grosik, who conducted the forensic interview with Victim#4. During the forensic interview with Victim#4 and a follow-up interview with Victim #4's mother, it was learned that the visit occurred at the Laurel Pediatric office located in Somerset, PA. Somerset County District Attorney Lisa Lazzari-Strasiser pursuant to 71 P.S. Sec. 732-205(a) (3) of the Commonwealth Attorneys Act requested that the PA Office of Attorney General assume jurisdiction of the case. Victim #4's mother provided the following information.
- 9. Victim #4's mother recalled the defendant having her daughter sit on his lap as he used an instrument to look into her ears. During this portion of the exam, the defendant stated that he was going to do a "full" exam and had her daughter lie down on the exam table. He then proceeded to pull down both her daughter's pants and



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underwear and proceeded to conduct a vaginal exam with his ungloved hands. Victim#4's mother described how he had used his fingers to pry open her daughter's vagina as he was examining her internally. The defendant did not explain what he was doing nor did he explain why he was conducting this vaginal exam. She stated that her daughter did not have any prior complaints to justify this vaginal exam especially since she was there for the flu and an earache. Victim#4's mother added that no other doctor had ever conducted a vaginal exam of her daughter like the one the defendant had conducted on this visit.

- 10. On March 26, 2018, this Affiant along Supervisory Special Agent Gary Tallent interviewed Victim #5's parents at the Richland Township Police Department. Victim #5's parents described they had their daughter, a 21 month old female, examined by her pediatrician, the defendant. The parents described how during seven (7) of the visits with the defendant, he would always conduct a vaginal examine of their 21 month old daughter by claiming he needed to check her "lady parts" and to make sure everything was "attached" by spreading open her labia. They noted the defendant never wore gloves during any of his exams. The parents explained the visits consisted mostly of Wellness Visits, rashes, and ear infections, except for the last visit on January 16, 2018 when they believed their daughter was suffering from a urinary tract infection (UTI). It was during this visit that the defendant conducted the same vaginal exam by opening their daughter's labia and examining her vaginal area. Ultimately, the defendant sent the parents' home with a home kit to collect a urine sample to determine if she had a UTI. Once they performed the test at home, the parents took a picture of the results and texted it to the defendant's personal cellphone to read the results. It was determined she did have a UTI. The parents stated other doctors from the same practice have examined their daughter on other visits. According to the parents, at no time did the other doctors conduct this same vaginal exam of by opening their daughter's labia.
- 11. This Affiant had received information of both Victim #6, an 8-year-old male, and his sister, Victim #7, who is a 6 year-old female were examined by the defendant for concerns by their mother of her children suffering from the flu. The mother would take Victim #6 and Victim #7, along with their younger brother, a 4-year-old male, for their visit on January 16, 2018. On January 20, 2018, this Affiant, along with Richland Township Police Detective Thomas Keirn were present for a scheduled forensic interview at Cambria County Circle of Support Child Advocacy Center (CAC) located at 865 Eisenhower Boulevard, Suite 2 Johnstown, PA 15904. This Affiant met with the forensic interviewer, Executive Director Diana Grosik, who conducted the forensic interviews with both Victim #6 and Victim #7. During the forensic interview with Victim #6 and Victim #7, and a follow-up interview with the mother of both victims, it was learned that during the visit for concerns of having the flu, the defendant conducted exams of both siblings' genitals. Mother described how the defendant manipulated her son's penis and testicles in manner not consistent with a visit for flu like symptoms. She further described the defendant examining her daughter's vagina and her breasts in a manner consistent with a gynecological exam not that of a 6-year-old female with flu-like symptoms.
- 12. This Affiant received information of both Victim #8, a 10-year-old female, and her brother, Victim #9, who is an 11 year-old male, were both examined by the defendant for concerns by their mother after Victim #9 had suffered from lung issues, which had hospitalized him. The mother scheduled a follow-up visits for her son at Laurel Pediatrics in Johnstown. She also wanted her daughter to be examined to ensure that her daughter did not have similar lung issues as her son. The follow-up examination was in October of 2016. The defendant conducted the examination because the children's regular pediatrician, Dr. Elaine Confer, was unavailable. On February 22, 2018, this Affiant, along with Richland Township Police Detective Thomas Keirn were present for a scheduled forensic interview at Cambria County Circle of Support Child Advocacy Center (CAC) located at 865 Eisenhower Boulevard, Suite 2 Johnstown, PA 15904. This Affiant met with the forensic interviewer, Executive Director Diana Grosik, who conducted the forensic interviews with both Victim #8 and Victim #9. During the forensic interview with Victim #8 and Victims. It was reported that the



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defendant reached inside of both victims' underpants and began feeling around each of their genitals. The mother became highly concerned because of the nature of exam. She took her concerns to the children's regular pediatrician who belongs to the same practice as the defendant. Dr. Elaine Confer offered the explanation that the defendant has an "odd bedside manner" and she believed he possibly suffers from Asperger's disease.

13. Based on the above information, this Affiant request charges be filed against Johnnie "Jack" Barto DOB 10/24/1947 of 201 Delta Drive Johnstown, PA 15904 for the Pennsylvania Crimes Code enumerated on the accompanying criminal complaint.

I, SSA GREGORY MATTHEWS, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

I CERTIFY THAT THIS FILING COMPLIES WITH THE PROVISIONS OF THE CASE RECORDS PUBLIC ACCESS POLICY OF THE UNIFIED JUDICIAL SYSTEM OF PENNSYLVANIA THAT REQUIRE FILING CONFIDENTIAL INFORMATION AND DOCUMENTS DIFFERENTLY THAT NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

		(Signature of Affiant)
Sworn to me and subscribed before me this	day of	
Date		, Magisterial District Judge
My commission expires first Monday of January,		
		SEAL

COMMONWEALTH OF PENNSYLVANIA COUNTY OF: CAMBRIA

Magisterial District Number: 47-1-02 MDJ: Hon. Susan Gindlesperger

POLICE CRIMINAL COMPLAINT COMMONWEALTH OF PENNSYLVANIA VS.

(NAME and ADDRESS):

Address: 701 Belmont Street	JOHNNIE First Name	WILSON Middle Name	BARTO Last Name Ge
Johnstown, PA 15904	201 Delta Drive		n
Telephone: (814)266-1066	Johnstown, PA 159)4	
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GENDER DOB 10/24/1947 POB		Add'I DOB / /	Co-Defendant(s)
	Middle Name	Last Name	Gen.
□ Female AKA JACK			
RACE White Asian	Black	☐ Native American	unknown
ETHNICITY Hispanic Non-Hisp			☐ BRO (Brown)
	SDY (Sandy) BLU (Blue	. <u>1978</u> 9 - 20 CL 2010	
Hair Color □ BLK (Black) □ ONG (Orange) □ V	VHI (White) XXX (Unk	/Bald) GRN (Green)	PNK (Pink)
BLN (Blonde / Strawberry)			
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Defendant Fingerprinted ☐ YES ☐ NO			Ft. HEIGHT In.
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(The attorney for the Commonwealth may require that the com-	plaint, arrest warrant affidavit, or	both be approved by the atto	orney for the Commonwealth prior
to filing. See Pa.R.Crim.P. 507).			
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I, SSA GREGORY MATTHEWS (Name of the Affiant) of Pennsylvania Office of Attorney Ge (Identify Department or Agency Represented and Political	neral Subdivision)	GE #521 PSP/MPOETC -Assigned Aff PA0222400 Police Agency ORI Number)	, ,
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I. SSA GREGORY MATTHEWS (Name of the Affiant) of Pennsylvania Office of Attorney Ge (Identify Department or Agency Represented and Political do hereby state: (check appropriate box) 1. ☑ I accuse the above named defendant who ☐ I accuse the defendant whose name is under □ I accuse the defendant whose name and putherefore designated as John Doe or Jane	BAD (neral Subdivision) (lives at the address set for known to me but who is decopular designation or nick Doe	GE #521 PSP/MPOETC -Assigned Aff PA0222400 Police Agency ORI Number) th above scribed as	iant ID Number & Badge # me and whom I have udfield Street Johnstown, Pa
I, SSA GREGORY MATTHEWS (Name of the Affiant) of Pennsylvania Office of Attorney Ge (Identify Department or Agency Represented and Political do hereby state: (check appropriate box) 1. ☑ I accuse the above named defendant who ☐ I accuse the defendant whose name is unled therefore designated as John Doe or Jane with violating the penal laws of the Common	BAD (neral Subdivision) (lives at the address set for known to me but who is de popular designation or nick Doe nwealth of Pennsylvania at	GE #521 PSP/MPOETC -Assigned Aff PA0222400 Police Agency ORI Number) th above scribed as	me and whom I have udfield Street Johnstown, Pa
I. SSA GREGORY MATTHEWS (Name of the Affiant) of Pennsylvania Office of Attorney Geres (Identify Department or Agency Represented and Political do hereby state: (check appropriate box) 1. ☑ I accuse the above named defendant who ☐ I accuse the defendant whose name is under the refore designated as John Doe or Jane	BAD (neral Subdivision) (lives at the address set for known to me but who is de popular designation or nick Doe nwealth of Pennsylvania at	GE #521 PSP/MPOETC -Assigned Aff PA0222400 Police Agency ORI Number) th above scribed as	me and whom I have udfield Street Johnstown, Pa



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hen t et forth	here h a bri more,	is more the ef summary of is not sufficie	an one of the facts s	fense, each sufficient to ad nmary case, yo offense may b	Offense should only of the control o	nould be num	pered re of the n(s) and n. socia	e offense(s d subsection of security r	gically.) charged. A con(s) of the standard	citation to the statu atute(s) or ordinan financial informatio	ated, if appropriate. ute(s) allegedly violated, ce(s) allegedly violated. con (e.g. PINs) should not
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POLICE CRIMINAL COMPLAINT

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howeve	er sligt	nt, of th	sed as e genita .S.§3125	als or anu	ed wit is of V	th this Offe	nse: PACC olation of s	3125 (B) AGG subsection (a)(3RAVATE 1), (2), (ED INDECEN (3), (4), (5)	or (6)	where t	003) The actor er the victim was und	der the	e age of 13, in



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tatute D	Desc	ription (in	iotod	Luith	this Offons	O. DVCC 3	126 (A)(7) INI	DECENT	ASSAULT (2003) The ad	ault (2003) ctor had indecent containing fluid, urine or feces for the first Pacific Science of the fi	act with, or caused
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atute	Des	able) cription	(include	the na	me of statut	e or ordi	nance): PACC 43	304 (A) ENDAN	GERING V	VELFARE OF CHILDR	EN (1996)
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owever	ate	Att	enitals or a n#6 was ur	nder 13	years of age, i	C 18	onspiracy	5. §3	Number	of Victims		or law enforcemen
ncho	ate use	Att	enitals or a m#6 was ur	nder 13	Solicitation 18 902 A (a)(7)	n violation	onspiracy 9 903	5. §3	Number	of Victims	Age 60 or Older	or law elliorcemen
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Statute	Des	cripti	ion (ir	nclude the	name of statu	ite or ord	dinance): PA	CC 430)4 ENDANGE	RING WEL	FARE OF CHILDREN (1990)		

Acts of the accused associated with this Offense: PACC 4304 ENDANGERING WELFARE OF CHILDREN (1990) The actor being a parent, guardian, or person supervising the welfare of a child namely, Victim#7, under 18 years of age, or a person that employs or supervises such a person, knowingly endangered the welfare of said child or children by violating a duty of care, protection or support, namely, engaged in penetration, however slight, of the genitals of Victim#7 in violation of 18 Pa. C.S. §4304.



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efendar	nt Nan	ne:	JOHN	VIE		WILSON			BARTO		
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person su endanger	pervisir	ng the w welfare o	elfare of a	a child r ild or ch	amaly Victim	#9, under iting a duty	18 years of an	e or a ne	erson that en	nniovs or sui	2012) The actor being pervises such a persor mitting an aggravated	i, Kilowingly



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Docket	Numb	er:	0-180	Date F	iled:	318	(0)	ОТІ	N/LiveScan	Numbe	er	₽ PO	Co		CRIMINAL (laint/Incident Nur 31		
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Acts or person	of the	accu ervisin	sed as	sociate	d wit a child or chil	h this Offe namely, Vict dren by viola	nse: PAC	C 4304 ENDAN	IGERING	WELFAR	E OF C	HILDREN	FARE OF CHILDREN (1993) The actor being a supervises such a permitting an aggravated	ng a parent, guardian rson, knowingly



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lictim #1	4 to b	ave indecent	contact with	the actor or inte	entionally c	aused Victim#14	4 to co	me into conta	act with sem	r had indecent contact ninal fluid, urine or fece on of 18 Pa. C.S. §3126	is for the purpose of
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rousing		☐ Attem ₁ 18 901	233	Solicitation	10	8 903	1			Age 60 or Older	
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light of	f the gres, wh	enitals or nen the a	anus of actor was	Victim#18 over 18 y	with a part of	the actor's	s body for an	v purpose	other than rs of age, ir	good faith r	The actor engaged in predical, hygienic or law f Section 18 Pa. C.S. §3	enforcement 125(6).
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person s endange	superv ered th	ising the ne welfar	welfare of said	of a child r child or ch	amely Victima	#18 under	18 years of	age, or a i	person that	employs or	991) The actor being a supervises such a perso nmitting an aggravated	on, knowingly



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upervisii velfare d 4304(a)	ng the of said)(1).	welfare child or	e of a or childr	child namen by vio	nely, Vio	ctim#19, und a duty of care	der 18 year	s of age, or a on or support,	person	that er havin	nploys o	or supe	itact w	e actor being a parer such a person, know with Victim#19 in viola	ation of 18 Pa. C.S.
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		A F	POLICE CRIMINAL COMPLAINT
Docket Number:	Date Filed: 0	TN/LiveScan Number	Complaint/Incident Number 63-431
Defendant Name:	First: JOHNNIE	Middle: WILSON	Last: BARTO
I ask that a warra made.	ant of arrest or a summons be i	ssued and that the defenda	ant be required to answer the charges I have
belief. This verifi	acts set forth in this complaint a cation is made subject to the p cation to authorities.	are true and correct to the be enalties of Section 4904 of	est of my knowledge or information and the Crimes Code (18 Pa.C.S. § 4904) relating
4. This complaint co	onsists of the preceding page(s	s) numbered 1 through	
5. I certify that this system of Penns	filing complies with the provisic	ons of the <i>Case Records Pu</i> lential information and docu	blic Access Policy of the Unified Judicial Imments differently that non-confidential

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited. (Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the

issuing authority, and attached.) (Year) (Date) I certify that the complaint has been properly completed and verified. AND NOW, on this date An affidavit of probable cause must be completed before a warrant can be issued.

information and documents.

验	POLICE	CRIMINAL	COMPL	AINT

Docket Number:	Date Filed:	OTN/LiveScan Number	Complaint/Incident Number 63-431
Defendant Name:	First:	Middle:	Last:
	JOHNNIE	WILSON	BARTO

AFFIDAVIT of PROBABLE CAUSE

- 1. Your Affiant, Gregory Matthews, is currently employed as a Special Agent with the Pennsylvania Office of Attorney General, Bureau of Criminal Investigations. Prior to employment with the Pennsylvania Office of Attorney General, Special Agent Gregory Matthews had obtained approximately 28 years of law enforcement experience with the Allegheny County Police Department and was assigned as a criminal investigator for 25 years. Of those 25 years with the Allegheny County Police, this Affiant was assigned to the Allegheny County Child Abuse Unit for approximately 9 years with additional training in these types of criminal investigations. This Affiant is a Law Enforcement Officer assigned to the Western Regional Office located in Pittsburgh, Pennsylvania 15219. In the course of this Affiant's duties as a Special Agent with the Pennsylvania Office of Attorney General, Bureau of Criminal Investigations has conducted other criminal investigations, including but not limited to cases corruption, sexual assaults, and criminal homicides. As such, your Affiant is empowered to conduct investigations into violations of the various laws of the Commonwealth of Pennsylvania including violations of both Act 64 (the Controlled Substances, Drug, Device and Cosmetic Act) and Title 18.
- 2. Your Affiant law enforcement duties and responsibilities, in part, arise from the governing provisions of the Commonwealth Attorney's Act in regard to criminal investigation referrals from Commonwealth agencies, to include any such referral(s) from any/all District Attorneys within the Commonwealth. The information contained in this affidavit was learned directly by your Affiant, or relayed by other law enforcement officers and/or other individuals who are known to your Affiant and will be available to testify at any necessary court proceeding.
- 3. During the course of this investigation, both victims and witnesses have provided information that will be contained in this affidavit. Your Affiant, along with other assisting Special Agents of the PA Office Attorney General Office, have specifically ascertained these victims' and witness's identities. Your Affiant and these assisting Special Agents have verified the witnesses' and victims' identities through positive proof of identification. These witnesses and victims have indicated below that they have personal knowledge regarding the criminal incident that transpired or information that they have relayed and provided to these Agents and your Affiant as more fully detailed below. To provide that no retaliation occur against the victim and preserve the integrity of future investigation the identity is being withheld for the purpose of this affidavit. The victims will be referred to as Victim followed by a numerical indicator corresponding with that particular victim.
- 4. On January 5, 2018, Cambria County District Attorney Kelly Callihan sent a letter to Executive Deputy Attorney General Jennifer Selber of the OAG, requesting that the OAG assume jurisdiction of a case, pursuant to 71 P.S. Sec. 732-205(a)(3) of the Commonwealth Attorneys Act. This criminal referral pertained to allegations that a Dr. Johnnie Barto, age 70, is a physician practicing in Cambria County Laurel Pediatrics, located at 323 Budfield Street, in Richland Township, Johnstown, Cambria, PA 15904 and had inappropriately touched the genital area of another female, age 12. On December 21, 2017, this complaint was initially received by the Richland Township Police Department and Detective Thomas Keirn initiated a criminal investigation.
- 5. During the course of the investigation, Victim#1, who is currently a 39 year-old female, was interviewed. Dr. Johnnie Barto, hereinafter the "defendant", examined Victim #1 for a prerequisite school physical prior to entering the 6th grade. Victim#1 believed she was either 10 or 11 years-old at the time of the exam in 1990. According to Victim#1, the defendant had her lay down on the exam table and Victim#1 was asked to pull both her pants and underwear down to her ankles. The defendant had her bend her knees and the defendant used his fingers to pry apart of her vagina and conducted an internal exam. It was also during this same exam the defendant had fondled her breasts as if he was conducting a breast exam. Victim#1 stated that she had never been vaginally examined, as well as the breast exam, in such a manner until she was much older and was seen by a gynecologist.
- 6. During the investigation, Victim#2 was interviewed by Agents assigned to the case. Victim#2, a 32 year-old female, reported the defendant examined her for a Wellness Check when Victim#2 was 8 years old in 1994.

AOPC 411C - Rev. 07/18



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Victim#2 reported the defendant had her laying on the exam table and was checking her lymph nodes in her neck. The defendant unbuttoned and lowered both her pants and underwear to continue pressing on her stomach presumably checking her lymph nodes. The defendant began fondling Victim#2's vaginal area and digitally penetrated her vagina with at least one of his fingers. The defendant did not wear any gloves during the exam.

- 7. Assigned Agents interviewed Victim#3, a 31 year-old female who was examined by the defendant when she was approximately 6 or 7 years old for a Wellness Check in 2005. Victim#3 recalled that her mother stepped out of the exam room with her two brothers when the defendant had Victim #3 completely undressed and lying naked on the exam table. Victim#3 reported the defendant spread open her vagina and conducted an internal examination of her vagina as a way of determining her puberty development. After the exam and while leaving with her mother, the defendant commented to Victim#3's mother that Victim#3 was an "early bloomer".
- 8. Assigned Agents interviewed Victim#4, a 25 year-old female who was examined by defendant when she was between the ages of 10 and 12 years of age which would have been between the approximate years of 2003 to 2005. The purpose of the visit was a regular Wellness Check. The defendant had Victim#4 remove her pants and lay on the exam table. With ungloved hands, the defendant used his fingers to spread her labial and opened her vagina. The defendant claimed to have been checking for stages of development and commented Victim#4 was developing fine and should have her period soon.
- Assigned Agents interviewed both Victim#5, a 33 year-old female, and her sibling, Victim#6, a 32 year-old female, on separate occasions. Victim#5 and Victim#6 separately related the following when Victim#5 was approximately 11 or 12 years-old and Victim#6 was either 10 or 11 years old. The sisters were taken to the defendant for an examination between the years of 1996 and 1997. Victim#5 was taken for her asthma condition, while Victim#6 was at the same visit for a Wellness Check, while their mother remained in the room. Victim#5 was examined first and while on the exam table, the defendant had her lower both her pants and underwear exposing her vaginal area. While using his body to block her mother's view, Victim#5 stated the defendant inserted two of his fingers into her vagina and she recalled how painful the act was. Upon completing his exam, Victim#5 returned to sitting next to her mother and her sister. Victim#6 got onto the exam table next. According to Victim#5, she observed her sister kick the defendant while on the exam table and their mother began yelling at Victim#6 for kicking the defendant. Mother removed both sisters from the exam room, while mother continued to chastise Victim#6 for kicking the defendant. According to Victim#6 after leaving the office, Victim#6 revealed to her mother that during the exam, her pants and underwear was lowered and the defendant had inserted his fingers into her vagina causing her great discomfort. Victim#6 explained to her mother, this was the reason for her kicking at the defendant. Upon hearing Victim#6's explanation, Victim#5 also disclosed her encounter to her mother. The mother returned to the office and confronted staff about her daughter's disclosures. Assigned Agents interviewed the mother who confirmed the incident of when her daughters had disclosed the defendant inserting his fingers into their vagina during the examination.
- 10. Assigned Agents interviewed Victim#7, a 33 year-old female who was examined by the defendant in the early 90's when she was between the ages of 8-10 years of age. Victim#7 stated as a child she suffered with irritable bowel syndrome (IBS) and would be hospitalized at times for her condition. It was during her stay at Lee Hospital in Cambria County when she was lying in her hospital bed wearing only a hospital gown. The defendant entered her room as her mother was sleeping in a chair near her bed. The defendant indicated to Victim#7 he wished to check her abdomen and proceeded to pull down the bed sheets and lifted her gown. The defendant inserted his finger into Victim#7's vagina and began rubbing her as Victim#7 described the defendant was attempting to masturbate her. The defendant stared into Victim#7's eyes as he continued to rub her vaginal area with his ungloved hand.



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- 11. Assigned Agents interviewed Victim#8, a 36-year-old female who was examined by the defendant in either 1996 or 1997 when Victim#8 was 12 or 13 years of age. Victim#8 stated she was dropped off at the defendant's office to be examined for an ear infection. Victim#8 was in the exam room by herself when the defendant lifted her shirt and unclasped her training bra. Upon doing so, the defendant proceeded to twist and pinch her nipples causing her discomfort. The defendant removed Victim#8's pants and underwear where he proceeded to exam her vagina by inserting what Victim#8 described as being an Otoscope to peer inside of her vagina. Victim#8 further described the defendant had made her stand, cupped her vagina, and cough. The defendant then instructed her to turn away from him and bend over at the waist. While in this position, the defendant spread Victim#8's labia and began rubbing her vagina. By the end of the exam, Victim#8 described how she was so upset, she was shaking so hard she was unable to reclasp her bra and had only redressed enough to leave the exam room. Victim#8 stated the defendant never examined her infected ear.
- 12. Assigned Agents interviewed Victim#9, an 18 year-old female who was examined by the defendant while at Conemaugh Hospital ER for abdominal pains and apparent kidney stones when she was approximately 12 years old in approximately 2011. The defendant was not her ER doctor but stopped by her bedside and asked "May I?" When given permission, the defendant reached under the blankets and began conducting a vaginal exam by inserting his finger into Victim#9's vagina. After several minutes, the defendant walked away without any explanation for his actions.
- 13. This Affiant had interviewed Victim#10, a 39 year-old female who was examined by the defendant for possibly a prerequisite school physical before entering the 6th grade. Victim#10 believed it was in the summer and she was either 10 or 11 years old. The defendant had her lie on her back on the exam table with her knees bent up. The defendant had her pull her pink shorts down to her ankles but left her underwear in place. During the exam, he pushed her underwear to the side, inserted his fingers into her vagina as he was also rubbing her clitoris. She recalled sharing the incident with her friend, Victim#1, who had related that she was a victim of the same type of inappropriate touching.
- 14. This Affiant had interviewed Victim#11, a 30 year-old female who was examined by the defendant for a Wellness Check. Victim#11 believes she was either 9 or 10 years-old at the time of the visit. Victim#11 was at the visit with her sibling who was examined first. When it was Victim#11's turn, she was positioned on her back on the exam table with a cover over her lower extremities. The defendant slowly moved his hand down her stomach and rested his hand under her underwear, resting on her pubic bone. The defendant rested his hand on Victim#11's vaginal area while blocking both her mother and sister's view. The defendant eventually called Victim#11's mother to show her that she was beginning to develop pubic hair. Victim#11 did not disclose about the defendant keeping his hand on her vaginal area during her exam until he had lost his medical licensing in the late 1990's.
- 15. Assigned Agents interviewed Victim#12, a 25 year-old female who was examined by the defendant for a complaint of both an earache and sore throat when Victim#12 was 7 years-old in July of 1999. After checking her ears, nose, and throat, the defendant stated he needed to check Victim#12's pulse. The defendant held a single finger to his own lips and was silently "shushing" Victim#12. The defendant then proceeded to reach inside both her pants and underwear where the defendant digitally penetrated her vagina.
- 16. Assigned Agents interviewed Victim#13, a 30-year-old female who was examined by the defendant for a Wellness Check because her regular pediatrician was unavailable. Victim#13 stated the exam would have occurred when she was 6 years old, which would have been approximately 1993. Victim#13 described both her mother and older brother were seated in the exam room but the defendant blocked their view as she lay on the



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exam table. Victim#13 stated defendant lifted her shirt and unbutton her pants as he reached inside her underwear with his ungloved hand. The defendant began rubbing her vagina, parting her labia as he did so. After the exam, the defendant called her over to sit on his lap as he rested his hand on her crotch outside of her clothing. As Victim#13 sat on his lap, the defendant spun the chair, holding onto Victim#13's crotch. Victim#13 compared this exam with another conducted by her regular pediatrician, Dr. Confer. When Dr. Confer conducted a vaginal exam, it was only a visual and she would have her mother watch the exam as she was conducting it.

- 17. Assigned Agents interviewed Victim#14, a 36-year-old female who was examined by the defendant when she was 12 years old for a Wellness Check. Victim#14 stated the exam would have occurred when she was about 12 or 13 years old, which would have been approximately 1995. Victim#14 stated no one else was in the exam room at the time when the defendant conducted a breast exam of Victim#14. The defendant proceeded to undo her pants, reaching inside of her underwear and inserting at least one of his fingers into her vagina. She stated upon penetrating her vagina, the defendant had made a moaning sound. Immediately after the exam, she reported the breast exam to her mother who confronted staff informing them she did not want her daughter to be ever examined again by the defendant. Victim#14 did not tell her mother about the digital penetration at the time because of being embarrassed and how her mother had reacted about the breast exam.
- 18. Assigned Agents interviewed Victim#15, a 33-year-old female who was examined by the defendant because of her suffering with chronic asthma. Victim#15 stated she was approximately 9 or 10 years-old in either 1995 or 1996 when the defendant examined her. She added Dr. Garbarino was her regular pediatrician but he was unavailable so her appointment was with the defendant. During this exam for her chronic asthma, the defendant had placed his hands on Victim#15's abdomen applying pressure. Ultimately, the defendant placed his hands on Victim#15 vaginal area and began rubbing her vagina. Victim#15 stated the defendant explained he was attempting to check Victim#15 for any type of infection in her vaginal area. After the visit, Victim#15's mother wrote a formal complaint to the defendant's office and met with him about her concerns. The defendant attempted to explain his exam by saying he was checking Victim#15 for infection. Victim#15's mother did not accept the explanation as her daughter's condition was her chronic asthma.
- Assigned Agents interviewed Victim#16, a 24-year-old female who was examined by the defendant for a Wellness Check. Victim#16 stated she was approximately 10 or 11 years old in 2003 or 2004, when the defendant had examined her. Victim#16 lying on the exam table and was instructed by the defendant to lower both her pants and underwear. The defendant had Victim#16 spread her legs apart as the defendant had conducted what Victim#16 as a lengthy visual exam of her vaginal area. The defendant had instructed Victim#16 to pull up both her pants and underwear as the defendant turned to speak to Victim#16's mother who was present in the exam room. Victim#16 described as she laid there on the table, the defendant had rested his elbow on her vagina which such pressure it was causing her great discomfort. She attempted to maneuver away from the defendant's elbow but the defendant did not remove his elbow until her mother instructed him where his elbow was and how it was causing Victim#16 discomfort. Victim#16 stated it was on more than one occasion when the defendant would complete his exam and place his elbow on her vagina causing her discomfort. Victim#16 described even as a child, Victim#16 would try to quickly sit up and step off the exam table to avoid the defendant placing his elbow onto her vaginal area.
- 20. Assigned Agents interviewed Victim#17, a 28-year-old female who was taken by her parents to the defendant's office to receive medications for her ADHD. Victim#17's father stated he was present for the visit when Victim#17 was approximately 4 years old in 1993. Both Victim#17 and her father related the defendant had taken Victim#17 back to a storage room alone, instructed the parents he wanted to observe how Victim#17 dealt being separated from her parents. Victim#17 stated when the defendant took her into the back storage room; he

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placed his hand inside of both her pants and underwear and inserted his fingers into her vagina. The defendant removed his hand and retrieved the medication, taking Victim#17 back to the waiting room where her parents were seated.

- 21. Assigned Agents interviewed Victim#18, a 36-year-old female who was taken by her mother to the defendant who suffered from migraine headaches. Victim#18 stated the defendant examined her when she was between the ages of 10 or 12 years old, which would have been between 1991 and 1993. Victim#18 stated during a Wellness Check, both her mother and brother were asked to leave the room by the defendant before the exam. The defendant instructed Victim#18 to remove all of her clothes and lay naked on the exam table. The defendant proceeded to conduct a complete breast exam of Victim#18 when he completed this exam; he instructed Victim#18 he needed to check her pubic bone development. The defendant reached down with his ungloved hand and proceeded to rub Victim#18's vagina. Victim#18 further describes how the defendant began rubbing her clitoris in a manner she learned as she became older, in a masturbatory manner. The defendant continued to rub her in this sexual manner for approximately a minute or two. Once he was finished, he instructed her to get dressed and had called her mother back into the room. Victim#18 was completely dressed before her mother entered the room.
- 22. Assigned Agents interviewed Victim#19, a 26-year-old female who was taken to the defendant by her mother for a physical for her driver's license when she was approximately 16 years old in 1997. After her mother left the exam room, Victim#19 stated the defendant was listening to her heart with a stethoscope and immediately began fondling her breasts. After fondling her breasts, the defendant proceeded to lift the top of her pants stating, "OK let's take a look down there." The defendant had Victim#19 stand and bend over at the waist. The defendant then reached into the rear of Victim#19's pants and underwear below the area of her tailbone touching her the top of her buttocks. After the exam, Victim#19 disclosed to her mother, who is a physician herself, how the defendant had inappropriately touched her during the exam. Victim#19's mother called the office and arranged to meet with both the defendant and the office manager. Victim#19's mother confronted the defendant of his inappropriate behavior and how he was alone with a teenage female patient. The defendant promised he would never examine a teenage female patient again.
- 23. Through the course of this investigation a pervasive and prolonged pattern of abuse was discovered reaching back decades. This fact is illustrated by the below two victims who are not included in the charges as the crime of Aggravated Indecent Assault had yet to be created at the time at their abuse. However, the accounts given to investigators by these victims are consistent with those given by victims charged above and show a clear pattern of abuse by the defendant.
- Assigned Agents interviewed Victim#20, a 38-year-old female who would be examined by the defendant who had diagnosed her with a heart murmur. Victim#20 was approximately between the ages of 6 and 9 years old, which would have been between 1986 and 1989 when the defendant saw her. Victim#20 stated while lying on the exam table, the defendant would reach up under her shirt with a stethoscope as to listen to her heart but would not use the instrument against her chest. The defendant would instead fondle Victim#20's breasts as she laid there on the exam table. During these same exams and with her mother in the room, the defendant would often rest his elbow on her vaginal area with such pressure that cause her vaginal discomfort. Victim#20 described on several occasions, she would be naked from the waist down on the exam table with only a paper sheet covering her. On these occasions, the defendant used his body to block her mother's view as he motioned with a finger to his lips in a "shushing" manner while he reached under the paper sheet. The defendant would then insert his finger into her vagina causing her additional discomfort. Victim#20 stated that as she was older,

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he had follow up exa lefendant.	ams where it was dete	rmined she did not have	e a heart murmur as diagnosed by the
Vellness Check. Victi his exam in approxim he defendant instruct here, the defendant s nto her vagina, which shushing" her and tel	im#21 stated she was nately 1989. As her mo ted Victim#21 to remo stated, "We are going n Victim#21 described	approximately 9 years other left the exam room ve her clothing leaving to check everything". The as being very painful. Vim#21 reported by the temported by the	ale who examined by the defendant for a of age going into the 5 th grade at the time of a to take her younger brother to the restroom, her naked from the waist down. As she laid ne defendant proceeded to insert his fingers Vith is other hand, the defendant was ime her mother returned several minutes late
6. Based on the a numerated PA Crime	above information, the es Code violations on	e Affiant requests charg the accompanying crim	es be filed against the defendant for the inal complaint.
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