

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF YORKPOLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA
VS.

DEFENDANT:

(NAME and ADDRESS):

KENNETH

VERNON

BANKS

First Name

Middle
Name

Last Name

Gen.

200 WEST COTTAGE PLACE, YORK, PA 17401

Magisterial District Number: 19-2-01

MDJ: Hon. BARRY BLOSS JR.

Address: 118 PLEASANT ACRES ROAD
YORK, PA 17402

Telephone: (717)840-7233

NCIC Extradition Code Type

- | | | | |
|---|---|--|--|
| <input type="checkbox"/> 1-Felony Full | <input type="checkbox"/> 5-Felony Pending Extradition | <input type="checkbox"/> C-Misdemeanor Surrounding States | <input type="checkbox"/> Distance: _____ |
| <input type="checkbox"/> 2-Felony Limited | <input type="checkbox"/> 6-Felony Pending Extradition Determ. | <input type="checkbox"/> D-Misdemeanor No Extradition | |
| <input checked="" type="checkbox"/> 3-Felony Surrounding States | <input type="checkbox"/> A-Misdemeanor Full | <input type="checkbox"/> E-Misdemeanor Pending Extradition | |
| <input type="checkbox"/> 4-Felony No Extradition | <input type="checkbox"/> B-Misdemeanor Limited | <input type="checkbox"/> F-Misdemeanor Pending Extradition Determ. | |

DEFENDANT IDENTIFICATION INFORMATION

| | | | | | |
|---|--|--|---|---|--|
| Docket Number <u>CF-352-18</u> | Date Filed <u>5/4/2018</u> | OTN/LiveScan Number <u>U582283-2</u> | Complaint/Incident Number <u>MF130-354</u> | SID <u>101-88-20-2</u> | Request Lab Services? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO |
| GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female | DOB <u>12/10/1949</u> | Place of Birth <u>York, Pa</u> | Add'l DOB <u>/ /</u> | Co-Defendant(s) <input type="checkbox"/> | |
| First Name <u>AKA</u> | | Middle Name | | Last Name <u>Gen.</u> | |
| RACE <input type="checkbox"/> White <input type="checkbox"/> Asian <input checked="" type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown | ETHNICITY <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic | | | | |
| Hair <input checked="" type="checkbox"/> BLK (Black) <input type="checkbox"/> BLN (Blonde / Strawberry) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> GRN (Green) <input checked="" type="checkbox"/> XXX (Unk / Bald) | Color <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> RED (Red/Aubn.) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> WHI (White) | | | | |
| Eye <input type="checkbox"/> BLK (Black) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> MAR (Maroon) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> XXX (Unknown) | | | | | |
| Driver License <u>State PA</u> | License Number <u>14 700 636</u> | Expires <u>/ /</u> | Weight <u>170 lbs.</u> | | |
| Defendant Fingerprinted <input type="checkbox"/> YES <input type="checkbox"/> NO | FBI Number <u>619659W3</u> | Height <u>5 Ft. 8 In.</u> | | | |
| Fingerprint Classification | MNU Number | | | | |
| DNA <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO | DNA Location | Defendant a Veteran? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO | | | |
| DEFENDANT VEHICLE INFORMATION | | | | | |
| Plate Number <u>JBX2091</u> | State <u>PA</u> | Hazmat <input type="checkbox"/> | Registration Sticker <u>(MM/YY)</u> | Commercial Veh. <input type="checkbox"/> | School Veh. <input type="checkbox"/> |
| VIN | Year | Make <u>CHRYSLER</u> | Model | Style <u>VAN</u> | Color <u>Grev</u> |

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).

JANICE MARTINO-GOTTSHALL, SDAG

(Name of the attorney for the Commonwealth)

(Signature of the attorney for the Commonwealth)

5/3/2018

(Date)

I, TUCKER J. BEECHER, SPECIAL AGENT

(Name of the Affiant)

BADGE #505

(PSP/MPOETC -Assigned Affiant ID Number & Badge #)

of Pennsylvania Office of Attorney General

(Identify Department or Agency Represented and Political Subdivision)

PA0222400

(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☐ 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 therefore designated as John Doe or Jane Doewith violating the penal laws of the Commonwealth of Pennsylvania at [227] SPRINGETTSBURY TOWNSHIP -
2845 EASTERN BOULEVARD, YORK, PA 17402 (Subdivision Code) (Place-Political Subdivision)

in YORK County

[67]

(County Code)

on or about OCTOBER 2, 2017 THROUGH OCTOBER 23, 2017

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate.



POLICE CRIMINAL COMPLAINT

| | | | |
|------------------------------------|-------------------------------|---|---|
| Docket Number: CR-352-18 | Date Filed: 5/14/18 | OTN/LiveScan Number U583283-2 | Complaint/Incident Number MF130-354 |
| Defendant Name: | First: KENNETH | Middle: VERNON | Last: BANKS |

When there is more than one offense, each offense should be numbered chronologically.

(Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 – 213.7.)

| | | | | | | | | | |
|---|---|--|--|--|-------------------------------------|--------------------------------------|-----------------|------------------------------------|---------------------------|
| <input checked="" type="checkbox"/> Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older 0 | | | | | |
| <input checked="" type="checkbox"/> Lead? | 1 Offense# | 1407 Section | (A)(1) Subsection | of the | TITLE 62 PA Statute (Title) | 1 Counts | F3 Grade | 2699 NCIC Offense Code | 110 UCR/NIBRS Code |
| PennDOT Data (if applicable) | | Accident Number | | | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | | <input type="checkbox"/> Work Zone | |
| Statute Description (include the name of statute or ordinance): MEDICAID FRAUD - SUBMISSION OF FALSE INFORMATION | | | | | | | | | |
| Acts of the accused associated with this Offense: From October 2, 2017 through October 23, 2017, the Defendant, Kenneth Vernon Banks, did knowingly or intentionally submit false information for the purpose of obtaining greater compensation than that to which he was legally entitled. Specifically, the Defendant, Kenneth Vernon Banks, knowingly submitted false information on an employment application for a position funded with Medicaid monies. He omitted criminal arrests and convictions and provided a counterfeit college transcript and/or fraudulent college degrees, to be hired by T.W. Ponessa (Ponessa), for a position he was not qualified to hold, in violation of 62 P.S. §1407(a)(1). | | | | | | | | | |

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|---|---|--|--|--|-------------------------------------|--------------------------------------|-----------------|------------------------------------|---------------------------|
| <input type="checkbox"/> Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older 0 | | | | | |
| <input type="checkbox"/> Lead? | 2 Offense# | 4911 Section | (A)(2) Subsection | of the | TITLE 18 PA Statute (Title) | 1 Counts | F3 Grade | 2589 NCIC Offense Code | 110 UCR/NIBRS Code |
| PennDOT Data (if applicable) | | Accident Number | | | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | | <input type="checkbox"/> Work Zone | |
| Statute Description (include the name of statute or ordinance): TAMPERING WITH PUBLIC RECORDS OR INFORMATION | | | | | | | | | |
| Acts of the accused associated with this Offense: From October 2, 2017 through October 23, 2017, the Defendant, Kenneth Vernon Banks, did knowingly make, present, or use any record, document or thing knowing it to be false, and with intent that it be taken as a genuine part of information or records belonging to, or received or kept by, the government for information or record, or required by law to be kept by others for information of the government. Specifically, the Defendant, Kenneth Vernon Banks, knowingly omitted criminal record information on a certification form, presented one counterfeit college transcript and/or four fraudulent college degrees to Medicaid provider, Ponessa, which deceived Ponessa into believing he was qualified for employment when he did not meet the minimum requirements for the position that was remunerated by Medicaid, a government administered healthcare program, in violation of 18 Pa.C.S. §4911(a)(2). | | | | | | | | | |

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|--|---|--|--|--|-------------------------------------|--------------------------------------|-----------------|------------------------------------|---------------------------|
| <input type="checkbox"/> Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older 0 | | | | | |
| <input type="checkbox"/> Lead? | 3 Offense# | 4101 Section | (A)(3) Subsection | of the | TITLE 18 PA Statute (Title) | 5 Counts | M1 Grade | 2589 NCIC Offense Code | 110 UCR/NIBRS Code |
| PennDOT Data (if applicable) | | Accident Number | | | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | | <input type="checkbox"/> Work Zone | |
| Statute Description (include the name of statute or ordinance): FORGERY | | | | | | | | | |
| Acts of the accused associated with this Offense: From October 2, 2017 through October 23, 2017, the Defendant, Kenneth Vernon Banks, did intentionally utter any writing which he knew to be forged by making, completing, executing, authenticating, issuing or transferring the legal name of an individual so that it purported to be the act of another, who did not authorize that act. Specifically, the Defendant, Kenneth Vernon Banks, used legal names and/or signatures of individuals, without their consent, to create a counterfeit college transcript from Shippensburg University and fraudulent college degrees from Harrisburg Area Community College, Roger Williams University, Pennsylvania State University and Lincoln University, which he submitted to Ponessa, to falsely purport that he had earned the degrees, in violation of 18 Pa.C.S. §4101(a)(3). | | | | | | | | | |



POLICE CRIMINAL COMPLAINT

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|------------------------------------|-------------------------------|---|---|
| Docket Number: CR-352-18 | Date Filed: 5/11/18 | OTN/LiveScan Number U582283-2 | Complaint/Incident Number MF130-354 |
| Defendant Name: | First: KENNETH | Middle: VERNON | Last: BANKS |

| | | | | |
|------------------|--|---|---|--|
| Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older 0 |
|------------------|--|---|---|--|

| | | | | | | | | | |
|-------------------------------------|-----------------|-------------|------------|-------------------------------------|--------------------------------------|------------------------------------|-------------------|----------------|--|
| <input type="checkbox"/> | 4 | 4904 | (B) | of the | TITLE 18 | 1 | M3 | | |
| Lead? | Offense# | Section | Subsection | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code | |
| PennDOT Data (if applicable) | Accident Number | | | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone | | | |

Statute Description (include the name of statute or ordinance): **UNSWORN FALSIFICATION TO AUTHORITIES**

Acts of the accused associated with this Offense: On or around October 9, 2017, as a principal, accomplice, or co-conspirator, the Defendant, Kenneth Vernon Banks, intentionally misled a public servant in performing his official function by making a written false statement which he did not believe to be true, on or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable. Specifically, the Defendant, Kenneth Vernon Banks, certified under penalty of law to the Pennsylvania Department of Education, that the statements made on the Form PDE-6004 were true and correct however, he failed to report one or more reportable criminal offenses on the Form PDE-6004, in violation of 18 Pa.C.S. §4904(b).

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|------------------|--|---|---|-----------------------------------|
| Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older |
|------------------|--|---|---|-----------------------------------|

| | | | | | | | | | |
|-------------------------------------|-----------------|---------|------------|-------------------------------------|--------------------------------------|------------------------------------|-------------------|----------------|--|
| <input type="checkbox"/> | | | | of the | | | | | |
| Lead? | Offense# | Section | Subsection | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code | |
| PennDOT Data (if applicable) | Accident Number | | | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone | | | |

Statute Description (include the name of statute or ordinance):

Acts of the accused associated with this Offense:

| | | | | |
|------------------|--|---|---|-----------------------------------|
| Inchoate Offense | <input type="checkbox"/> Attempt 18 901 A | <input type="checkbox"/> Solicitation 18 902 A | <input type="checkbox"/> Conspiracy 18 903 | Number of Victims Age 60 or Older |
|------------------|--|---|---|-----------------------------------|

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|-------------------------------------|-----------------|---------|------------|-------------------------------------|--------------------------------------|------------------------------------|-------------------|----------------|--|
| <input type="checkbox"/> | | | | of the | | | | | |
| Lead? | Offense# | Section | Subsection | PA Statute (Title) | Counts | Grade | NCIC Offense Code | UCR/NIBRS Code | |
| PennDOT Data (if applicable) | Accident Number | | | <input type="checkbox"/> Interstate | <input type="checkbox"/> Safety Zone | <input type="checkbox"/> Work Zone | | | |

Statute Description (include the name of statute or ordinance):

Acts of the accused associated with this Offense:



POLICE CRIMINAL COMPLAINT


| | | | |
|------------------------------------|------------------------------|---|--|
| Docket Number: <u>CR-352-18</u> | Date Filed: <u>5/4/18</u> | OTN/LiveScan Number <u>U582283-2</u> | Complaint/Incident Number MF130-354 |
| Defendant Name: | First: KENNETH | Middle: VERNON | Last: BANKS |

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 1 through ____.

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.)

May 4, 2018 5/4/2018 [Signature]
(Date) (Signature of Affiant)

AND NOW, on this date May 4, 2018 I certify that the complaint has been properly completed and verified.
An affidavit of probable cause must be completed before a warrant can be issued.

19-2-01 [Signature] 
(Magisterial District Court Number) (Issuing Authority)



POLICE CRIMINAL COMPLAINT

| | | | |
|-----------------------------|-----------------------|----------------------------------|--|
| Docket Number: CR-352-18 | Date Filed: 5/4/18 | OTN/LiveScan Number U582283-2 | Complaint/Incident Number MF130-354 |
| Defendant Name: | First: KENNETH | Middle: VERNON | Last: BANKS |

AFFIDAVIT of PROBABLE CAUSE

1. Your Affiant is Tucker J. Beecher, presently employed as a Special Agent with the Pennsylvania Office of Attorney General (OAG), Bureau of Criminal Investigations (BCI), Medicaid Fraud Control Section (MFCS). Your Affiant is assigned to the OAG Central Regional Office located in Lemoyne, PA 17043. Your Affiant is a law enforcement officer and as such, your Affiant is authorized to apply for, obtain and serve search warrants, make seizures and effectuate arrests. This Affidavit is based upon personal knowledge and/or information obtained by your Affiant through the course of the investigation.

2. The Defendant is Kenneth Vernon Banks (the Defendant). The Defendant resides at 200 West Cottage Place, York, PA 17401. The Defendant was employed as a Mobile Therapist (MT) and Behavior Specialist Consultant (BSC) from October 3, 2017 through October 23, 2017 with T.W. Ponessa (Ponessa), a behavioral health agency. According to the Pennsylvania Department of Human Services (DHS), Ponessa is enrolled as a Medicaid provider and assigned Provider # 100775933. Ponessa is located at 2845 Eastern Boulevard, York, PA 17402 (York County).

Ponessa provides community, home and school based Behavioral Health Rehabilitative Services (BHRS) for children and adolescents who have been diagnosed with a serious emotional disturbance. As an MT and BSC, the Defendant was required to work with children who had intellectual disabilities and autism related conditions. MT's and BSC's work with their clients in the client's school, home or community. As a Medicaid provider, the services Ponessa and its employees provide to clients are funded using Medicaid monies.

3. This investigation was initiated after Ponessa Counsel, Randall Miller (Miller), sent a referral to the OAG, MFCS regarding the Defendant having billed for more services than he provided, falsifying his education degrees and not disclosing his full criminal history. Miller reported the Defendant completed one date of service and there were concerns about the accuracy of the services the Defendant billed for and allegedly provided. In addition, Miller reported that the Defendant's purported Master's degree required for his position, was confirmed to be fraudulent. Miller also reported that the Defendant failed to disclose an extensive criminal history to Ponessa upon applying to and being hired by Ponessa.

4. Your Affiant contacted the York County Clerk of Courts and obtained certified records of the Defendant's criminal history in York County. Your Affiant located multiple arrests for Misdemeanor and Felony offenses including an arrest for Felony Theft of Leased Property and subsequent conviction on January 9, 2008. The Defendant was sentenced to 24 months probation which expired on January 10, 2010. Your Affiant also located an arrest for Misdemeanor Receiving Stolen Property and subsequent conviction on December 3, 2014. The Defendant was sentenced to 24 months intermediate punishment which expired on December 3, 2016.

5. Your Affiant interviewed Ponessa York County BHRS Coordinator, Stephanie Carter (Carter), who interviewed the Defendant on October 2, 2017 and hired the Defendant on October 3, 2017. Carter reported that the Defendant applied at Ponessa after seeing the MT job opening on the Ponessa website and a job recruiting website. Carter confirmed that on the Defendant's application he submitted to Ponessa, prior to his interview, he represented that he holds two Bachelor's degrees and a Master's degree. Carter stated that the Defendant, at his interview, presented an Associate degree from Harrisburg Area Community College (HACC), a Bachelor's degree from Roger Williams University, a Bachelor's degree from the Pennsylvania State University, a Master's degree transcript from Shippensburg University and a Master's degree from Lincoln University. The Defendant was hired pending verification of his credentials and criminal history.

Carter reported that the Defendant was made aware of the educational requirements for the position he applied and interviewed for. Carter confirmed that as an MT and BSC, the Defendant was required to have a Master's degree in an applicable field of study. The Defendant also indicated on his application that he was convicted of a crime and in the conviction explanation portion of the application he provided the detail as "29 years ago misuse of a credit cards." Carter confirmed the Defendant was terminated from Ponessa once his full criminal history was verified. Carter reported that the Defendant was summoned to the Ponessa office to turn in his work identification and client files and he was informed of the reason of his termination. Carter confirmed the Defendant was terminated from Ponessa on October 23, 2017.



POLICE CRIMINAL COMPLAINT

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|-----------------------------|------------------------|----------------------------------|--|
| Docket Number: UR-352-18 | Date Filed: 5/14/18 | OTN/LiveScan Number U582283-2 | Complaint/Incident Number MF130-354 |
| Defendant Name: | First: KENNETH | Middle: VERNON | Last: BANKS |

6. Your Affiant contacted Harrisburg Area Community College (HACC), Roger Williams University, Pennsylvania State University, Shippensburg University and Lincoln University and obtained verification from the aforementioned educational institutions that the Defendant never graduated from the institutions as he represented at his interview, on his application and in the counterfeit transcript and degrees he presented to Ponessa.

7. Under Act 24 of 2011, the Pennsylvania Department of Education developed a standardized form (PDE-6004) to be used by current and prospective employees of public and private schools, intermediate units, and vocational schools. As required by subsection (c.4) and (j)(2) of 24 P.S. §1-111, this form shall be completed and submitted by all current and prospective employees of said institutions to provide written reporting of any arrest or conviction for an offense enumerated under 24 P.S. §§1-111(e) and (f.1). Employees of independent contractors seeking business with public and private schools are subject to the requirements of Act 24. Under the Certification section of PDE-6004, the signee acknowledges and certifies that any failure to accurately report any arrest or conviction for a Reportable Offense is subject to criminal prosecution under 18 Pa.C.S. §4904, Unsworn falsification to Authorities.

8. Your Affiant obtained documents and records from the Defendant's employee file from Ponessa Human Resources Director, Christine Owuonda (Owuonda). Owuonda provided your Affiant with the following records and documents that were reviewed, presented and signed by the Defendant prior to training for his position with Ponessa:

- a) PA Department of Education – Form: PDE-6004 (Arrest/Conviction Report and Certification Form)
 - The Defendant only reported one conviction for access device fraud from 28 years ago and certified the form with his signature. The form was dated October 9, 2017.
- b) Ponessa Mobile Therapist Job Description
 - The Defendant reviewed and certified the form with his signature acknowledging the MT job description. To hold an MT position an individual must be a Master's level mental health professional. The form was dated October 9, 2017.
- c) Ponessa Behavior Specialist Consultant Job Description
 - The Defendant reviewed and certified the form with his signature acknowledging the BSC job description. To hold a BSC position an individual must be a Master's level mental health professional. The form was dated October 9, 2017.

9. Your Affiant and Special Agent Ryan King (SA King) interviewed the Defendant, at his residence on March 15, 2018. The Defendant confirmed his full name is Kenneth Vernon Banks. The Defendant reported his education history consists of an Associate degree from "HACC University," a Bachelor's degree from Pennsylvania State University and a Master's degree from Lincoln University. The Defendant confirmed he applied for an MT position with Ponessa, and stated that he met the minimum requirements for the position and was hired by Ponessa.

Your Affiant presented the Defendant with the aforementioned records and documents provided by Owuonda relating to the Defendant's employment with Ponessa. Your Affiant presented the documents to the Defendant and he confirmed that he reviewed the records and his signatures were affixed to the listed documents. Your Affiant asked why the Defendant did not disclose his full criminal history to Ponessa. The Defendant responded saying "I served my time and my time was up, so I didn't put it down."

Your Affiant asked the Defendant if he could provide transcripts or degrees he earned from the educational institutions he listed on his application, resume and provided to Carter during his interview. The Defendant responded saying "they are upstairs in boxes and I don't want to dig them out." Your Affiant told the Defendant, when your Affiant attempted



POLICE CRIMINAL COMPLAINT

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|-----------------------------|-----------------------|----------------------------------|--|
| Docket Number: CK-352-18 | Date Filed: 5/4/18 | OTN/LiveScan Number U582283-2 | Complaint/Incident Number MF130-354 |
| Defendant Name: | First: KENNETH | Middle: VERNON | Last: BANKS |

to verify the degrees the Defendant claimed he earned, multiple educational institutions confirmed the degrees the Defendant claimed he earned, were fraudulent. The Defendant responded saying he was born as 'Vernon Banks' and if the degrees were searched under 'Kenneth Banks' that may be why they weren't located. Your Affiant told the Defendant the degrees were researched using the Defendant's full name, Kenneth Vernon Banks, his date of birth and his social security number, in addition to the information listed on the transcript and degrees he provided to Ponessa.

The Defendant said he had a stroke shortly after he started working at Ponessa and he retired from Ponessa after he was released from the hospital. The Defendant said Ponessa was understanding when he told them he was going to retire.

10. Your Affiant has probable cause to believe that the Defendant engaged in unlawful conduct by knowingly submitting false information for the purpose of obtaining greater compensation than that to which he was legally entitled by submitting false information in an employment interview, on an employment application and providing a counterfeit college transcript and fraudulent college degrees, to be hired by Ponessa, beginning on October 2, 2017 and ending on October 23, 2017.

In addition, by providing a counterfeit college transcript and fraudulent college degrees, which had signatures affixed of persons who did not authorize their signatures on those documents, the Defendant uttered and transferred the writing of those persons on documents he knew to be forged. The Defendant did knowingly and intentionally provide a counterfeit college transcript and fraudulent college degrees, knowing them to be false credentials and with the intent that they be taken genuine, belonging, received or kept by Medicaid for information or record.

Further, on or around October 9, 2017, under oath, the Defendant affirmed that he did not commit a reportable offense under Pennsylvania Act 24, when in fact he was convicted on a charge of Felony Theft of Leased Property, 18 Pa.C.S. §3932(a). The Defendant's sentence expired on January 9, 2010. Additionally, the Defendant was convicted on a charge of Misdemeanor Receiving Stolen Property, 18 Pa.C.S. §3935(a). The Defendant's sentence expired on December 3, 2016, therefor making the aforementioned offenses, "reportable offenses" under 24 P.S. §1-111(f.1), that the Defendant did not report on his PDE-6004, in violation of Pennsylvania Act 24.

11. Your Affiant believes the facts contained in this affidavit are sufficient probable cause to warrant the arrest of Kenneth Vernon Banks for the following crimes: Medicaid Fraud, 62 P.S. §1407(a)(1), Tampering with Public Records, 18 Pa.C.S. §4911(a)(2), Forgery, 18 Pa.C.S. §4101(a)(2) and Unsworn Falsification to Authorities, 18 Pa.C.S. §4904(b)

12. The above statements and information are true and correct to the best of my information, knowledge, and belief, and any false statements made therein are made subject to the penalties of Section 4904 of the Crimes Code, 18 Pa.C.S. §4904 relating to Unsworn Falsification to Authorities.

I, TUCKER J. BEECHER, SPECIAL AGENT, 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.

(Signature of Affiant)

Sworn to me and subscribed before me this

41 day of

May

5/4/18

Date

Magistrate District Judge





POLICE CRIMINAL COMPLAINT

| | | | |
|-----------------------------|-----------------------|----------------------------------|--|
| Docket Number: CR-352-18 | Date Filed: 5/4/18 | OTN/LiveScan Number U582283-2 | Complaint/Incident Number MF130-354 |
| Defendant Name: | First: KENNETH | Middle: VERNON | Last: BANKS |

My commission expires first Monday of January,

in 2017 Judge

