

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WASHINGTON

Magisterial District Number: 27-3-03
MDJ: Hon. Joshua Kanalls
Address: 685 National Pike West
Brownsville, PA. 15417

Telephone: (724)632-3143



POLICE CRIMINAL COMPLAINT
COMMONWEALTH OF PENNSYLVANIA

VS.

DEFENDANT:

(NAME and ADDRESS):

LEONA

M

BISER

First Name

Middle Name

Last Name

Gen

296th Street

Vestaburg, PA. 15368

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	

DEFENDANT IDENTIFICATION INFORMATION

Docket Number CR-20-2020	Date Filed 1/15/2020	OTN/LiveScan Number U840332-3	Complaint/Incident Number 43-1651	Request Lab Services? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
GENDER <input type="checkbox"/> Male <input checked="" type="checkbox"/> Female	DOB 08/26/1968	POB	Add'l DOB / /	Co-Defendant(s) <input type="checkbox"/>
First Name LEONA	Middle Name	Last Name LANCASTER	Gen.	
RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	ETHNICITY <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown			
Hair Color <input checked="" type="checkbox"/> GRY (Gray) <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLN (Blonde / Strawberry)	<input type="checkbox"/> RED (Red/Aubn.)	<input type="checkbox"/> SDY (Sandy)	<input type="checkbox"/> BLU (Blue)	<input type="checkbox"/> PLE (Purple)
Eye Color <input type="checkbox"/> BLK (Black) <input type="checkbox"/> HAZ (Hazel)	<input checked="" type="checkbox"/> BLU (Blue)	<input type="checkbox"/> BRO (Brown)	<input type="checkbox"/> GRN (Green)	<input type="checkbox"/> GRY (Gray)
DNA <input type="checkbox"/> YES <input type="checkbox"/> NO	DNA Location	WEIGHT (lbs.) 180	Ft. HEIGHT In. 5 4	
FBI Number	MNU Number	Defendant Fingerprinted <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
Fingerprint Classification:				

DEFENDANT VEHICLE INFORMATION

Plate #	State	Haz mat <input type="checkbox"/>	Registration Sticker (MM/YY) /	Comm'l Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code	Reg. same as Def. <input type="checkbox"/>
VIN	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).

SDAG PATRICK SCHULTE
(Name of the attorney for the Commonwealth)

Patrick Schulte
(Signature of the attorney for the Commonwealth)

1/10/20
(Date)

I, <u>APRILL-NOELLE CAMPBELL</u> (Name of the Affiant)	<u>19991 / 742</u> (PSP/MPOETC -Assigned Affiant ID Number & Badge #)
of <u>Pennsylvania Office of Attorney General</u> (Identify Department or Agency Represented and Political Subdivision)	<u>PA0222400</u> (Police Agency ORI Number)
do hereby state: (check appropriate box)	
1. <input checked="" type="checkbox"/> I accuse the above named defendant who lives at the address set forth above	
<input type="checkbox"/> I accuse the defendant whose name is unknown to me but who is described as _____	
<input type="checkbox"/> 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 Doe with violating the penal laws of the Commonwealth of Pennsylvania at [814] <u>Vestaburg</u> (Subdivision Code) (Place-Political Subdivision)	
in WASHINGTON County <u>[63]</u> (County Code)	on or about <u>AUGUST 2018 TO NOVEMBER 2019</u>



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Defendant Name:	First: LEONA	Middle: M	Last: BISER

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. 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 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 _____			
<input checked="" type="checkbox"/>	1	2713	(a)(3)	of the 18	1	F3	
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code
<input type="checkbox"/> 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): NEGLECT OF A CARE DEPENDENT PERSON - COURSE OF CONDUCT							
Acts of the accused associated with this Offense: The actor, a caretaker responsible to provide care for ~LORETTA LANCASTER~ a care-dependent person, engaged in a course of conduct where they intentionally, knowingly or recklessly endangers the welfare of the care-dependent person for whom he is responsible by failing to provide treatment, care, goods or services necessary to preserve the health, safety or welfare of the care-dependent person, in violation of Section 18 Pa. C.S. §2713 (a)(3).							

<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 _____			
<input type="checkbox"/>	2	2713.1	(a)(1)(ii)	of the 18	1	M1	
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code
<input type="checkbox"/> 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): ABUSE OF A CARE DEPENDENT PERSON							
Acts of the accused associated with this Offense: The actor, a caretaker responsible to provide care for ~LORETTA LANCASTER~ a care-dependent person, with the intent to harass, annoy or alarm the care-dependent person, engaged in a course of conduct or repeatedly committed acts that served no legitimate purpose, in violation of Section 18 Pa. C.S. §2713.1 (a)(1)(ii).							

<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 _____			
<input type="checkbox"/>	3	2705		of the 18	1	M2	
Lead?	Offense #	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code
<input type="checkbox"/> 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): RECKLESSLY ENDANGERING ANOTHER PERSON							
Acts of the accused associated with this Offense: The actor recklessly engaged in conduct which placed or may have placed ~LORETTA LANCASTER~ in danger of death or serious bodily injury, in violation of 18 Pa. C.S. §2705.							



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Defendant Name:	First: LEONA	Middle: M	Last: BISER

<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 _____
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<input type="checkbox"/>	4	2902	(a)(1)	of the	18	1	M1		
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
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Statute Description (include the name of statute or ordinance): **UNLAWFUL RESTRAINT**

Acts of the accused associated with this Offense: The actor knowingly and unlawfully restrained ~LORETTA LANCASTER~ in circumstances exposing the said other person to risk of serious bodily injury, in violation of 18 Pa. C.S. §2902(a)(1).

<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 _____
---	---	--	--	---

<input type="checkbox"/>	5	2903	(a)	of the	18	1	M2		
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
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Statute Description (include the name of statute or ordinance): **FALSE IMPRISONMENT**

Acts of the accused associated with this Offense: The actor knowingly and unlawfully restrained ~LORETTA LANCASTER~, so as to interfere substantially with the liberty of said person, in violation of 18 Pa. C.S. §2903(a).

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

Acts of the accused associated with this Offense:



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Defendant Name:	First: LEONA	Middle: M	Last: BISER

- 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.
- 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.
- This complaint consists of the preceding page(s) numbered 1 through .
- 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 than 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 attached.)

April Nault Campbell
 (Signature of Affiant)

(Date)

(Year)

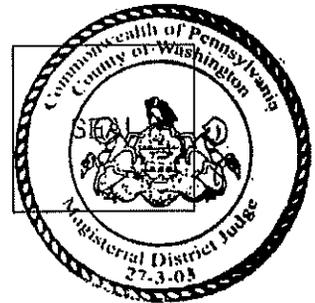
AND NOW, on this date 1-15-2020 I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.

27-3-03

(Magisterial District Court Number)

J. J. [Signature]
 (Issuing Authority)





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AFFIDAVIT of PROBABLE CAUSE

Your affiant, Aprill-Noelle Campbell, is employed as a Special Agent for the Pennsylvania Office of Attorney General, Bureau of Criminal Investigations Section and is a member of the FBI's Western Pennsylvania Violent Crimes Against Children Task Force. Your affiant has been employed as an Agent for four years, predominately as a Certified Forensic Computer Examiner, and most recently as an Agent in Criminal Investigations. Prior to that, she was employed for 21 years as a City of Pittsburgh Police Officer. The last 11 years with the PBP was as a detective in the Sex Assault / Child Abuse Unit. In that capacity, she received training in investigations, interrogations, and computer forensics and made numerous arrest which lead to successful criminal prosecutions. As an Agent of the Office of Attorney General, I am authorized to apply for, obtain and execute arrest and search warrants.

Agent Rivardo is assigned to the Medicaid Fraud Control Section in the Western Regional Office of the Pennsylvania Office of Attorney General located in North Huntingdon, Pennsylvania 15642. Agent Rivardo has been a law enforcement officer since 1990. As such Agent Rivardo is empowered to conduct investigations into violations of the various laws of the Commonwealth of Pennsylvania including violations of Title 62, the Public Welfare Code, Provider Prohibited Acts, Act 64, The Controlled Substance, Drug, Device and Cosmetic Act, Title 18 Insurance Fraud, Thefts Offenses, and Neglect of a Care Dependent Person. Agent Rivardo is authorized to apply for, obtain and execute arrest and search warrants as a result of these investigations.

In addition to the authority conferred upon the Attorney General under the act of October 15, 1980 (P.L. 950, No.164), known as the Commonwealth Attorneys Act, the Attorney General shall have the authority to investigate and institute criminal proceedings for any violation of section PA.18 § 2713 – Neglect of a Care Dependent Person.

On Friday November 22, 2019 at approximately 1531 hours Special Agent Albert J. Rivardo, III, was contacted by Supervisory Special Agent Julie Wilson and advised that Adult Protective Services (APS) was requesting that the Pennsylvania Office of Attorney General Neglect Unit respond to 29 Sixth Street Vestaburg, Pa. 15368 to assist them regarding a 53 year old female who was being kept in a cage-like enclosure. At approximately 1634 hours SA Rivardo arrived at the residence and was met by APS Investigator Anthony Bruno. At approximately 1638 hours the Centerville Borough Police Department arrived on scene. Chief Jeffrey Barone, Patrolman Ron DePellegrin, and Patrolman Zack Trenzo were given a brief synopsis regarding the complaint that was received about Loretta Lancaster and her living conditions. Leona Biser arrived on scene a short time later and immediately became confrontational with Mr. Bruno. Chief Barone walked up to the front porch of the residence with Biser while the others stayed on the roadway in front of the residence, per Biser's request. Shortly thereafter Chief Barone called SA Rivardo up to the front porch at which time they spoke to Biser regarding the condition of her sister, Loretta Lancaster, and her living arrangements. Biser stated that Lancaster is kept in an enclosure due to her constantly falling, and in doing so prevents her from getting injured. She further stated that Lancaster would fall out of a regular height bed. When asked if Lancaster had a separate bedroom Biser stated that she did not, but then advised she could get a bedroom for her sister, if needed. After a brief time Biser invited Chief Barone and SA Rivardo into the living room area of her residence.

Immediately upon entering the residence SA Rivardo was overcome with a stench that was emanating from the living room area. SA Rivardo noticed that Loretta Lancaster was in a kneeling position inside an enclosed area of the living room and that her nephew, Joe Lancaster, was kneeling beside her. The enclosure was made of lumber and plywood and had a gate with a latching device on the outside. It was later determined by medical personnel, that the contraction of her arms and hands would have prevented Lancaster from manipulating the lock and opening the enclosure. Within the enclosure was a mattress on the floor which was very dirty. SA Rivardo took several photographs of the living room area as well as the enclosure, its contents, and Lancaster. He spoke to Biser regarding the living conditions and her sister's health issues. Biser advised that Lancaster had spinal meningitis when she was young and that her, "brain was fried." She further advised that Lancaster has seizures and is on medication for them. SA Rivardo asked Biser if there were health care providers or any other services coming into the residence. She replied that there were no services coming into the residence assisting with Lancaster's care. When asked about Lancaster's eating habits and appetite, Biser stated that her sister eats everything with the exception of meat. When asked about that statement she advised that her sister has no teeth and that she has a hard time chewing meat. It should be noted that SA Rivardo viewed a few teeth or numbs of teeth. It should also be noted that a baby's bottle, that appeared to contain milk, was located in the enclosure when they arrived.



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When questioned about Lancaster's medical treatment, Biser advised that her sister sees Dr. Cho Lee at the Centerville Clinic (RD 1 Fredericktown, Pa. 15333 724-632-6801) usually once a year. Biser further advised that Lancaster had an appointment scheduled to see the doctor on December 4, 2019. SA Rivardo advised Biser that they had also received a complaint that there was no running water in the residence at which time she advised that she had running water, and that her current water bill was \$168.00.

At approximately 1657 hours after viewing the conditions of the residence, Lancaster, and the enclosure, SA Rivardo requested that Chief Barone contact 911 and have them dispatch an ambulance to the residence. The Brownsville Ambulance Service arrived at the residence at approximately 1710 hours. EMS personnel conducted an examination on Lancaster. After the examination was completed SA Rivardo requested that she be transported to the nearest hospital for treatment and an extensive medical examination. Biser began to scream, stating that she didn't want her sister to leave the residence. Biser's son, Joe Lancaster, stepped in and attempted to calm his mother down, stating that Lancaster should go to the hospital to be medically evaluated. At approximately 1759 hours Brownsville Ambulance Service left the residence in route to the Monongahela Valley Hospital.

At approximately 1830 hours Lancaster was taken into room 19 of the emergency room at Monongahela Valley Hospital. At that time APS Bruno, and SA Rivardo were met by Registered Nurse Staci Grossl, and Social Worker Tiffany Kon. Both were given a briefing on the complaint that they had received as well as the condition of the house and the living conditions of Ms. Lancaster. Doctor Claire Holekamp responded to the room and was also given a brief synopsis regarding the patient and the complaint. While in the examination room SA Rivardo became aware of a very strong odor emanating from Lancaster. She was disheveled, dirty, and unkempt and the clothing that she was wearing was extremely dirty. The emergency room staff began to examine Lancaster and noticed that her buttock and pelvic areas were covered in warts, and there was severe redness and irritation in those areas. Dr. Holekamp stated that Lancaster possibly has genital warts. It was later determined that she did not have a sexually transmitted disease. She did, however, have a urinary tract infection (UTI).

Based on the conditions of the residence and of Loretta Lancaster, temporary plenary guardianship of Lancaster was applied for and subsequently granted by Judge John DiSalle, to the Jewish Family and Community Services. A hearing on December 10, 2019 granted them permanent guardianship.

On November 27, 2019 at approximately 0950 hours SA Eric Senedak and SA Rivardo, arrived at Monongahela Valley Hospital and immediately responded to the sixth floor nurse's station. They were met by Ms. Cathy Henderson, Medical Records Clerk, and presented her with a records request for the medical records for Lancaster for her hospital stay and care from November 22, 2019 to November 27, 2019. Ms. Henderson provided them with the requested information. SA Senedak and SA Rivardo then met with Susan Lucas, Director of Case Management and Social Services; Kelley Ulery, Registered Nurse; Jacquelyn Kinger, Social Worker; and Chris Banish, Safety Risk Manager. Ms. Ulery advised that Lancaster was doing well and that she was no problem to care for. She further advised that when Lancaster was brought in she had very bad hygiene and had wounds and warts on her body, possibly from the bad hygiene. Nurse Ulery further advised that Lancaster's fingernails and toenails were bad and needed cut, and that there were scratches all over one of her pinky toes. The medical records indicated that Lancaster's rash was being treated with Zinc Oxide and Nystatin. They also showed that Lancaster had, "Mild Rhabdomyolysis". Rhabdomyolysis is a breakdown of muscle, which can be caused by several circumstances including infection.

Prior to leaving the hospital the Agents spoke to Nurse Kelley Ulery and asked her if Lancaster's blood work showed if she had been given her seizure medication on a regular basis. Ms. Ulery stated that the bloodwork taken when Lancaster first arrived at the hospital showed that the medication level for the seizure drug was at 3.9. She further advised that a "good level" would be 10 to 20. Ms. Ulery stated that missing one dose of medication would not drop the level that low.

On December 16, 2019 your Affiant obtained a search warrant for 29 Sixth Street Vestaburg, PA. 15368 from Magistrate Joshua Kanalis.



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On December 17, 2019 your Affiant along with SSA Matthews, SA Seefeld, SA Hasson, SA Yingling, and a uniformed Centerville Police Officer went to the address to execute the warrant. SA Seefeld knocked on the door and announced our purpose at approximately 1030 hrs. The door was opened by Biser, who stated that her son was also inside. This Agent proceeded into the house and was met by a strong, offensive odor. As the Affiant approached the steps to the upstairs an older male, later identified as Kenneth Biser, walked out of a door at the top left of the stairwell. He descended with his hands raised. A short time later a male, later identified as Kenneth Biser Jr. came out of the door at the top right of the stairwell. He also descended the stairs with his hands raised. The men were patted down for our safety then were placed on the front porch with the uniformed officer while we cleared the remainder of the house. When the Agents went into the top right room, we encountered multiple cats and a strong odor of ammonia. Along the left side wall we found that a portion of the wall had been removed, allowing accesses to the other side of the duplex.

Once the house was cleared your Affiant went outside and spoke with the occupants and explained the reason for the search warrant. Biser became somewhat distraught and asked if she was being arrested for neglect of her sister. The Affiant stated that no one was under arrest and we were just looking for certain items, including Lancaster's medication. Biser stated that the box next to the front door contained her sister's belongings and one of Lancaster's pill bottles was inside. A green plastic pill bottle was recovered from that box. The label identified the pills as, "Phenytoin SOB Ext 100mg" for Loretta Lancaster. The date filled was August 15, 2019 and the directions stated that the dosage was one pill, three times a day. The prescription was for 270 pills and 47 pills remained in the bottle. If taken as prescribed, the bottle contained a 90 day supply. If the medication was given as directed and began on the date the prescription was filled, the supply would have run out on November 14, 2019. Biser said her sister's other medication had just run out the day before, "they took her".

Your Affiant then spoke privately with Biser and informed her that the interview was going to be audio recorded. Biser told your Affiant that she sent the, "Agency" to her mother's house thousands of times when her sister lived there because she was living with, "dog poop, bugs, and filth". When asked about the water and the current condition of the oven, Biser said the water was just temporarily shut off and the company was coming later in the day to complete the work they were doing on the water system. She stated that the water was only off for one week, but when she was asked to produce a water bill, she was not able to do so and none were found in the residence. In regards to the oven, Biser said it worked, however; when she was taken into the kitchen and asked to turn it on, she had to remove pots and pans that were stacked on it, then she had to plug it in. A very large pile of dog feces, obviously numerous days' worth, was on the floor of the kitchen and one would need to walk through it to use the microwave, sink, or stove. When she began to complain about moving the items on the stove, she was asked how she made food if the stove was not even plugged in. Biser said they used the microwave and the outdoor grill.

While talking about Lancaster's care, Biser stated that she was the only one who could feed, change, and bathe her sister. Your Affiant asked her if Lancaster had a rash on her from the adult diapers she wore, and when Biser began answering the question, it sounded as if she was about to say, "She had a UTI", but she cut herself off and said that while Loretta was living with their mother, she had a bad rash and, "had holes". She denied any recent rashes and stated her sister was fine the day she was removed from the residence. The Affiant asked her how she treated diaper rash when her boys were still in diapers and she stated that she would take them to the doctor or apply A&D ointment. When asked if she had any A&D in the house, Biser said she did not, but she did have baby powder and an antibiotic ointment. The ointment was described as being in her bedroom. When the Affiant went to the bedroom, antibiotic wipes were found; however, it appeared that they were used for either Biser or her husband because there were other medical supplies, such as gauze pads located in the same area.

During Biser's interview she was asked about Lancaster's nutrition. Biser stated her sister ate anything except ketchup and meat, unless the meat was ground up really small. When asked what her sister's favorite food was, Biser replied, "Spaghetti and cheese curls". Later, when the Affiant inquired about giving Lancaster Ensure, Biser said she would give her pedilyte; however, during the search of the house, no spaghetti, cheese curls, or pedilyte were found. There were two partially filled bottles, possibly of milk, found in the box of Lancaster's belongings by the front door.

Biser was informed that we were also looking for any correspondence from Dr. Cho or the Centerville Clinic in regards to her sister. Biser said she didn't think she had any, but she informed this Agent that her sister goes to the doctor every six months and had an appointment scheduled for December, but she was removed prior to the appointment. The Affiant then



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verified this statement by asking if Lancaster had been to the doctor around the summer-time, and Biser said she had. She also said her sister has not been seen anywhere other than the Centerville Clinic, except in the past when she was taken to the emergency room.

Finally, Biser was asked why she kept her sister in the enclosure in the living room. Biser said it was to prevent Lancaster from getting hurt by falling.

The search of the residence did not produce any paperwork from the Victim's doctor's office nor did it produce any utility bills except for one for WestPenn Power that was located in Biser's purse. The due date was December 16, 2019 and indicated that the balance was \$5,729.70. A photograph was taken of the bill then it was placed back in the purse. Also located in the purse were two torn citations from Centerville Borough Sweep dated October 23, 2019. The citations were written to Leona and Kenneth Biser for the, "Accumulation of Rubbish or Garbage".

At one point while walking outside, the uniformed Centerville police officer informed the Affiant that he had been talking to Kenneth Jr. and Sr. and they told him there were fleas in the house. Agent Hasson also told the Affiant that while he was in the right hand bedroom he saw fleas or gnats swarming around as well as a shed snake skin on the floor right inside the access to the other side of the duplex.

Agent Seefeld photographed the residence pursuant to the search warrant. The photographs depicted the dog feces in the kitchen and other areas of the residence along with the trash strewn throughout the house. The floors were hardwood; however, the accumulation of dog feces and dirt made the floors sticky. The enclosure in which the victim had been kept was still located in the living room and was now being used to contain one of the dogs. We were not able to enter the enclosure due to the viciousness of the dog. The refrigerator contained a limited number of food items, mostly in the form of fast food. A package of meat was found to be lying on top of the chest freezer in the kitchen. There was no bathroom located in the house. Photographs were taken of the basement in which an exposed pipe was utilized to urinate into.

On December 13, 2019 Devin Shuman, the Guardianship Caseworker for Lancaster, signed a release form for Centerville Clinic for Lancaster's medical records. The records were received a few days later. The appointment history indicated that Lancaster had been seen by Dr. Cho on August 27, 2018, just after the death of her mother. The "Chief Complaint" listed was "medication refill." Her current medication was listed as, "Dilantin 100MG" three times a day and "Phenobarbital 30MG", three times a day. The prescription was for 5 refills of a 30 day supply. A note was attached to the Phenobarbital stating an appointment was needed for the next refill. There were no follow up appointments listed and no refill for the Phenobarbital was shown.

Lancaster's "Active Problems" indicated a convulsive disorder and infantile cerebral palsy. It was also noted that she had poor dentition, her extremities were contracted, she was wheelchair bound, was malodorous, and drooling. This information was also listed in a previous appointment with Dr. Cho on May 4, 2017.

On December 30, 2019 SA Rivardo and your Affiant went to the rehabilitation center where Lancaster was placed. Upon our arrival we were met by the Administrator of the facility, Susan Gilbert, and by Lancaster's guardian, Devin Shuman. Ms. Shuman arranged for us to visit with Lancaster and speak with the staff in regards to Lancaster's progress.

On our way to the conference room we saw Lancaster sitting in a wheelchair/bed by the nurses' station. She appeared to be very alert and clean. She was wearing pink pants and a pink flannel shirt and had a stuffed raccoon on her lap. Ms. Gilbert explained that when Lancaster first arrived, she did not make eye contact with anyone, but after a few days, she started looking at people, and began smiling and laughing. As we approached Lancaster and spoke to her, she met our eyes and made noises when we asked her questions. Agent Rivardo stated that this was a complete change to the person he saw at the house when he first encountered her. During that visit Lancaster was just kneeling on the ground, did not look at anyone, and made no attempt to communicate or acknowledge anyone, including her family.

Once in the conference room, we asked everyone present to introduce themselves and state their position within the organization. The Agents provided a brief summary of Lancaster's living conditions and stated we were interested in any



POLICE CRIMINAL COMPLAINT

Docket Number: CR-20-2020	Date Filed: 1/15/20	OTN/LiveScan Number	Complaint/Incident Number 43-1651
Defendant Name:	First: LEONA	Middle: M	Last: BISER

changes in Lancaster since her arrival to the facility. Rose Friess, Director of Therapy, provided us with most of the information. She stated that upon Lancaster's admission, she was totally dependent upon others in order to transfer from a sitting to standing position. Lancaster was classified as, "Max Assist". Now, after being at the facility for a little less than three weeks, Lancaster moved to the, "50% assist" classification. Once standing, she still needs assistance, but her balance has improved. The Affiant asked Ms. Friess, based on Lancaster's skill upon admission, if she thought Lancaster would have been able to stand at home in the wooden enclosure and watch television or even open a slide lock and walk away. Ms. Friess stated that would not have been possible.

Ms. Friess further stated that speech therapy began working with Lancaster because they noticed she was attempting to communicate with the staff.

The staff was then asked about Lancaster's eating habits. Ms. Friess stated that Lancaster is on a puree diet because when she first arrived and was given a variety of foods, she, "showed signs of aspiration". Ms. Friess further explained that this meant that Lancaster was not swallowing her food properly. The Agents stated that it appeared that Biser had been feeding Lancaster via a baby bottle, and we were not convinced that she was getting actual food. Ms. Gilbert then informed us that people often lose their ability to swallow food properly if they don't eat solid food. She suggested to the staff that they perform a, "Cookie Swallow" test to see if there are any physical deformities causing the difficulty in swallowing.

According to her hospital records, Lancaster was dehydrated upon her arrival, and her sodium level was slightly elevated when she arrived at their facility, but had now improved to "normal". Her urinary tract infection had also been cleared while she was at the hospital. The Affiant asked Mr. Nalditch what could happen to a person who has an untreated urinary tract infection and he stated that the infection could spread to the kidneys, which could lead to damage and kidney failure. There is also a strong possibility that the infection could spread to the blood, (urosepsis). Urosepsis is a potentially fatal condition.

I, APRILL-NOELLE CAMPBELL, 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 THAN NON-CONFIDENTIAL INFORMATION AND DOCUMENTS.

Aprill Noelle Campbell

(Signature of Affiant)

Sworn to me and subscribed before me this 15 day of January 2020
1-15-2020 Date J. Campbell, Magisterial District Judge

My commission expires first Monday of January 2024

