

COMMONWEALTH OF PENNSYLVANIA  
 LACKAWANNA  
 District Number: 45-1-05  
 FERRENCE GALLAGHER  
 1600 FARR STREET SCRANTON PA  
 Telephone: (570)963-6504



**POLICE CRIMINAL COMPLAINT  
 COMMONWEALTH OF PENNSYLVANIA**

**VS.**  
**DEFENDANT:** (NAME and ADDRESS):  
 MITCHELL BETHEA  
 First Name Middle Name Last Name  
 123 OAK STREET SCRANTON PA 18517

**NCIC Extradition Code Type**

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

**DEFENDANT IDENTIFICATION INFORMATION**

Case Number	Date Filed 01/25/2021	OTN/LiveScan Number	Complaint/Incident Number GVS-210001	Request Lab Services? <input type="checkbox"/> YES <input type="checkbox"/> NO
Gender Male <input type="checkbox"/> Female <input type="checkbox"/>	DOB 12/02/1984	POB Connecticut	Add'l DOB / /	Co-Defendant(s) <input type="checkbox"/>
First Name	Middle Name	Last Name	Gen.	
Race <input type="checkbox"/> White <input type="checkbox"/> Asian <input checked="" type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red/Aubn.) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> BRO (Brown) <input checked="" type="checkbox"/> BLK (Black) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Unk./Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> BLN (Blonde / Strawberry)				
Hair <input checked="" type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)				

Identified	<input type="checkbox"/> YES <input type="checkbox"/> NO	DNA Location	WEIGHT (lbs.) 225
Number	26612XB6	MNU Number	Ft. HEIGHT In. 6 1
Defendant Fingerprinted	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		
Fingerprint Classification:			

**DEFENDANT VEHICLE INFORMATION**

Vehicle #	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"/>
			Year Make	Model	Style	Color	

Signature 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).

A GALLAGER \_\_\_\_\_ *Approved via phone* \_\_\_\_\_ 01/25/2021  
 Attorney for the Commonwealth (Signature of the attorney for the Commonwealth) (Date)

DAVID BLOCK AND LACKAWANNA DET DAVIS 740 & 13-04  
 (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)

I do hereby state: (check appropriate box)  
 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 Doe with violating the penal laws of the Commonwealth of Pennsylvania at [ ] (Subdivision Code) (Place-Political Subdivision)

in LACKAWANNA County [35] \_\_\_\_\_ on or about DURING THE YEAR OF 2020  
 (County Code)



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 1/25/21	OTN/LiveScan Number	Complaint/Incident Number GVS-210001
Defendant Name:	First: MITCHELL	Middle:	Last: BETHEA

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.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input checked="" type="checkbox"/>	1	6111	(c)	of the	18	4	F3		
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): **SALE OR TRANSFER OF FIREARMS**

Acts of the accused associated with this Offense: Any person, licensed dealer, licensed manufacturer or licensed importer who knowingly or intentionally sells, delivers or transfers a firearm under circumstances intended to provide a firearm to any person who is unqualified or ineligible to control, possess or use a firearm commits a felony. TO WIT: BETHEA did knowingly and intentionally conspire to purchase and transferred 4 pistol to prohibited persons.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	2	4904	(A)(1)	of the	18	4	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): **UNSWORN FALSIFICATION TO AUTHORITIES**

Acts of the accused associated with this Offense: A person commits a misdemeanor of the second degree with the intent to mislead a public servant in performing his official function, if he or she (1) makes any written false statement which he does not believe to be true. TO WIT: BETHEA did conspire with DEHART to purchase firearms not for himself, but for another persons who were prohibited.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/>	3	4911	(A)(1)	of the	18	4	F3		
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): **TAMPERING WITH PUBLIC RECORDS**

Acts of the accused associated with this Offense: (A) A person commits an offense if he: (1) knowingly makes a false entry in, or false alteration of, any record, document or thing 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. TO WIT: BETHEA did conspire with DEHART and gave the following false information on the 4473 and state forms: On question 2. he provided the following incorrect address: 838 Moosic Street Scranton PA., On question 11a. he was the actual firearm purchaser/buyer of the firearms On question 11e. that he was not addicted to narcotic drugs/ controlled substance



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: <i>01/12/21</i>	OTN/LiveScan Number	Complaint/Incident Number GVS-210001
Defendant Name:	First: MITCHELL	Middle:	Last: BETHEA

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/> Lead?	4	6105	(A)(1)	of the	18	4	F2	NCIC Offense Code	UCR/NIBRS Code
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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): **PERSON(S) NOT TO POSSES FIREARM**

Acts of the accused associated with this Offense: During the year 2020, BETHEA conspired with DEHART to purchase firearms for BETHEA and others to possess. BETHEA and DEHART were both aware that BETHEA was a person not to possess firearms. To Wit: DEHART purchased at least 4 firearms for the specific purpose of transferring them to BETHEA who is a person not to possess firearms.

<input type="checkbox"/> Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input checked="" type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/> Lead?	5	7512	(a)	of the	18	2	F3	NCIC Offense Code	UCR/NIBRS Code
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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): **CRIMINAL USE OF A COMMUNICATION FACILITY**

Acts of the accused associated with this Offense: During 2020, the BETHEA did use a communication facility, as defined in this section, to commit, cause or facilitate the commission of, or an attempt thereof, of any crime which constitutes a felony under Title 18 of the Pennsylvania Crimes Code, to-wit: the defendant did use a computer, cellular phone, and/or other electronic device and the internet to commit any of the felony crimes described in greater detail in the other charges herein, in violation of the Pennsylvania Crimes Code, Act of December 6, 1972, 18 Pa.C.S. §7512(a), as amended.

<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"/> Lead?				of the				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:



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 01/25/21	OTN/LiveScan Number	Complaint/Incident Number GVS-210001
Defendant Name:	First: MITCHELL	Middle:	Last: BETHEA

- 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.

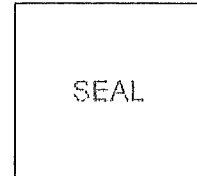
**(Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)**

(Date) 1/25/2021 (Year) 2021 I certify that the complaint has been properly completed and verified.  
 AND NOW, on this date 1/25/2021 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.

MARBLE / Det Tom Davis  
 (Signature of Affiant)

\_\_\_\_\_  
 (Magisterial District Court Number)

[Signature]  
 (Issuing Authority)





**POLICE CRIMINAL COMPLAINT**

<b>Docket Number:</b>	<b>Date Filed:</b> 01/25/21	<b>OTN/LiveScan Number</b>	<b>Complaint/Incident Number</b> GVS-210001
<b>Defendant Name:</b>	<b>First:</b> MITCHELL	<b>Middle:</b>	<b>Last:</b> BETHEA

**AFFIDAVIT of PROBABLE CAUSE**

Your Affiant, Agent Daniel Block (NA Block), being duly sworn, deposes and says, I am Narcotics Agent employed by the Office of Attorney General, Bureau of Narcotics Investigation and Drug Control (OAG-BNI) assigned to the Gun Violence Section since 2020. As such, I am tasked with investigating violations of the Pennsylvania Crimes Code including Violations of the Uniform Firearms Act (18 Pa.C.S.A. § 6105, 6106), illegal firearm transfers and straw purchases (18 Pa.C.S.A. § 6111) and violations of the Controlled Substance, Drug, Device and Cosmetic Act of April 1972, P.L. 233, No. 64, 35 P.S. §780-101 et. seq., Corrupt Organizations (18 Pa. C.S.A. §911) and charges recommended by a statewide investigating grand jury. Your Affiant has participated in numerous illegal firearm trafficking, straw purchase investigations, narcotic investigations and related search and arrest warrants throughout the Commonwealth. I am currently detailed to the Bureau of Alcohol, Tobacco and Firearms Task Force as a federal task force officer and am tasked with investigating both state and federal violations relative to firearms trafficking, straw purchasing and felons in possession of firearms.

Prior to my current assignment in gun trafficking, your Affiant investigated internet crimes for the OAG against children since December of 2012. I actively participated in numerous investigations throughout the Commonwealth of Pennsylvania dealing with online solicitations for sexual offenses and/or attempted sexual offenses with minors in addition to unlawful contact with minors, sexual abuse of children and criminal use of communications facilities. Your Affiant has conducted international criminal investigations, including kidnappings, and other crimes of violence. I was also a Task Force Officer with Homeland Security Investigations Child Exploitation/Trafficking Group. Prior to joining the OAG as an agent, your Affiant worked uniform patrol, starting in 1999, for the St. Louis County Police Department, St. Louis Missouri. Your Affiant completed the Class "A" Pennsylvania State Police Wiretapping and Electronic Surveillance Training School as mandated in Section 5742 of Act 18, Pa.C.S.A. 5701 et seq. I have authored hundreds of search and arrest warrants in my capacity as a police officer, narcotics officer, task force officer and plainclothes agent.

Your Co-Affiant Detective Thomas Davis employed by the Lackawanna County District Attorney's office. Detective Davis is certified municipal police officer. As such, he has been a certified police for 22 years, has conducted numerous felony investigations involving firearms, narcotic and related felony investigations for over 20 years.

Your Affiants, being duly sworn according to law, depose and say:

In December, 2020, Special Agent (SA) Michael Jacobi, who is employed by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF Philadelphia Field Division, Allentown Field Office), became aware of an ongoing illegal firearms trafficking investigation from the ATF Baltimore Field Division. SA Jacobi became aware of, and subsequently joined, an ongoing investigation into straw purchasing firearms in Pennsylvania by a confidential source (CS) (DOB 01/02/1990). ATF- Baltimore Field Division recovered a firearm purchased by (CS) in the Scranton, PA area. It was subsequently learned that (CS) had purchased numerous firearms in Lackawanna County Pennsylvania during the previous year, has minimal reported income during that period, has not resided at the address provided on the ATF Form 4473's during that time, and that another firearm purchased by (CS) was recovered in New York City.

Eventually it was determined, since December of 2019, (CS) illegally purchased and subsequently illegally transferred at least 27 handguns in and around Lackawanna County, Pennsylvania. On January 6, 2021, (CS) was arrested and charged for 27 counts of the following: 18 Pa.C.S.A. § 6111 (C) Sale or Transfer of Firearms, 18 Pa.C.S.A. § 4909 (A)(1) Unsworn Falsification to Authorities, and 18 Pa.C.S.A. § 4911 (A)(1) Tampering with Public Records.

(CS) was informed of his Rights per Miranda and interviewed in reference to this investigation:



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Among other things, (in a recorded interview) (CS) stated he has been buying handguns for other prohibited individuals since fall of 2019. He stated he has sold most of the firearms to one Mitchell BETHEA whom (CS) knew was a prohibited person.

On January 19, 2021, SA Jacobi and NA Block interviewed Mitchell BETHEA (DOB 12/02/1984) at the Lackawanna County Probation Office, located in Scranton, PA.

At the Lackawanna County Probation Office BETHEA was advised of his Rights per Miranda by NA Block. The rights were given to BETHEA in written and verbal form before any questioning. BETHEA indicated that he understood his rights and having his rights in mind, he would answer questions without counsel being present. BETHEA then signed an Advice of Rights form, documenting his decision to do so. It was explained to BETHEA that he was not under arrest and he could stop the interview whenever he chose.

BETHEA stated the following information in sum and substance:

That he has been a CRIP gang member virtually his whole adult life, that he is a convicted felon and cannot legally purchase/possess firearms, that he met (CS) in early 2020 and that (CS) is known for 'fencing guns'.

BETHEA stated he was the middle man for several transactions involving handguns that (CS) purchased. These transactions occurred in and around his (BETHEA'S) residence. BETHEA knew private transfers of handguns and providing false information on documents to acquire firearms for someone else is unlawful, however he said that was the only way some people get their guns.

In early 2020 (pre COVID January or early February), BETHEA saw a (black/male) friend of his known to him as 'Big' buy a handgun in the kitchen of his (BETHEA'S) residence from (CS). BETHEA saw 'Big' put five or six hundred dollars in cash on his kitchen table and (CS) produced a silver and black handgun and gave it to 'Big'. BETHEA said 'Big' was from Baltimore and that he knew him through the music scene and is Facebook friends with him. BETHEA was shown an unnamed image of a black male (who was arrested in Baltimore in possession of a firearm that ultimately was traced back to a firearm purchased by (CS)). BETHEA immediately identified that individual as 'Big'.

BETHEA stated, on several occasions, he used his cash app to help facilitate the firearm transactions. He had his associates wanting the firearm(s) load money on his cash app card, or an account he had access to, and then allowed (CS) to use his card at Turkey Hill to retrieve the money. He drove (CS) to the gun store several times and accompanied him inside a few times.

Around May or June of 2020, he received money on his cash app from a black male known to him as 'Apollo', who associates with a black male named 'G-Money'. BETHEA gave (CS) the money. (CS) then went to J & G Sport Center in Throop, PA and purchased a gun. (CS) then came to BETHEA's residence and an exchange (involving the firearms) occurred outside BETHEA's residence between 'G-Money' and (CS).

Around September of 2020, BETHEA stated he again received cash on his cash app from 'G-Money'. He gave (CS) his card again to take to Turkey Hill to retrieve the cash. BETHEA stated that (CS) then purchased firearm(s) from J & G Sport Center. Then (CS) brought two handguns, both in their original boxes, to BETHEA'S residence. There (CS) gave 'G-Money' the two handguns in his (BETHEA's) living room.



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BETHEA consented to making an audio recorded statement. In that statement BETHEA articulated that he is a felon, cannot possess/purchase firearms, that he knew (CS) purchased firearms for others, that he acted as the middle man for some of these transactions, that he knew buying and selling firearms is illegal, that he helped facilitate these transactions by the use of his cash app, then give (CS) the money to purchase firearms, then (CS) would bring the firearms to his house then they would be sold to others.

A criminal history check of BETHEA revealed multiple felony convictions, the most recent being:  
 Arrested: 2016/06/06  
 CP-35-CR-0001701-2016  
 Criminal conspiracy manufacture etc, of controlled substance by person not registered

It should be noted, these illegal purchases/transfers occurred in Lackawanna County.

Based on the totality of the foregoing information, circumstances and reasonable inferences to be drawn therefrom, your Affiant submits that there is probable cause for the filing of this criminal complaint charging Mitchell BETHEA (DOB 12/02/1984) an adult male, with the aforementioned felonies described above among other offenses.

I, NA BLOCK AND LACKAWANNA DET DAVIS, 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.

NA Block / Det Tom Davis  
 (Signature of Affiant)

Sworn to me and subscribed before me this 25<sup>th</sup> day of Jan 2021  
 \_\_\_\_\_ Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January,

