



2022 ANNUAL REPORT

NICK COX
STATEWIDE PROSECUTOR

TABLE OF CONTENTS

OVERVIEW OF THE OFFICE OF STATEWIDE PROSECUTION IN 2022	1
GRAND JURIES AND NEW EFFORTS.....	3
WIRETAPS AND ELECTRONIC SURVEILLANCE	4
SIXTEENTH JUDICIAL CIRCUIT	7
CYBER FRAUD ENFORCEMENT UNIT	9
ORGANIZED RETAIL THEFT	11
ORGANIZED FRAUD.....	13
OPIOIDS.....	15
ILLCIT DRUGS	15
HUMAN TRAFFICKING	19
CLOSING	20



**“...IN 2022, DESPITE INCREASES IN CASELOADS...
OSP EARNED A CONVICTION RATE OF 99.55%”**





OVERVIEW OF THE OFFICE OF STATEWIDE PROSECUTION IN 2022

The Office of Statewide Prosecution (OSP) was very busy during 2022. Caseloads are up, trials are happening with greater frequency, new law enforcement priorities and operations are ever-increasing, assistance to sister agencies was necessary, and the ongoing general work of the OSP has found us busier than ever. As indicated in previous reports, the key factor in our work is the quality and dedication of our prosecutors and staff. 2022 was a challenging year for prosecutors all over Florida. However, we were able to retain attorneys and staff.

In 2022, OSP saw a 32% increase in the number of active cases as compared to the year before. Filings of new cases rose 11% in just this one year and the overall number of charges filed was up 25%. This all appears driven, in part, by the fact that 2022 saw the highest number of requests for OSP assistance in the past 5 years, since 2018. The OSP has seen a significant increase in the frequency that law enforcement sought this office to assist in investigations and handle the prosecutions of more complex cases.

While case numbers have been rising on the front end, so too have the numbers of disposed cases and convictions on the back end. We realized a 52% rise in the number of cases closed with convictions in the past year. Additionally, given that the OSP focuses often on criminal organizations and multiple defendant prosecutions, the number of defendants convicted this past year increased 58%. Not only have the numbers of cases and defendants convicted gone up, but so too have the punishments imposed. Every measured area of imposed punishment saw a significant increase, including prison sentences (+23%), jail sentences (+99%), probations and house arrests.

Also notable regarding the financial recoveries was the huge increase in orders of restitution for the victims of the crimes. In 2022 OSP saw orders of restitution of almost \$22,000,000. This was in addition to the other financial obligations imposed upon convicted defendants including almost \$4,000,000 in costs of investigation to law enforcement.

Jury trials have seen an increase in frequency as well. This is noteworthy for two primary reasons. First, when one of our trial teams goes to trial, the entire bureau office supports them and is on call for any needed assistance at all. Commonly two attorneys and at least one staff member are together in the courtroom. Secondly, our trials are usually longer term and do not take just a couple days, but usually a number of weeks. This is a big undertaking for each office, but is also the main reason most of us love our jobs. Trial work is the prosecutor's art.

However, the statistic that we always seem to keep at a very high level is that of our conviction rate. Over the past 5 years our lowest conviction rate was at an impressive 96% in 2018. However, in 2022, despite the increases in caseloads as noted above, prosecutors and staff of the OSP earned a conviction rate of 99.55%.

Again, this work is possible due to the quality and dedication of our staff. Due to the nature and complexity of our work, OSP prosecutors are all experienced prosecutors when they are hired. Our office has lawyers who have been practicing as little as 3 to 4 years, but also attorneys who have been prosecutors over 30 and 40 years. They hail from all over the State of Florida, and some who came from out of state. In 2022 our lawyers have been honored with awards of appreciation from law enforcement, Prosecutor of the Year awards from law enforcement and private industry, Career Service and awards for excellence in criminal Litigation. A number of our lawyers are board certified in Criminal Trial Law by the Florida Bar.

We have asked many of the members of our prosecution team to highlight certain areas of our practice during 2022. The people who wrote these summaries are persons who have engaged in prosecuting, or become the office experts, in that particular area of criminal litigation.

- Nick Cox, Statewide Prosecutor



**“...THE ELECTIONS CRIME TASK FORCE
WILL CONTINUE TO LOOK INTO ILLEGAL
REGISTRATIONS AND VOTING.”**

VOTE

VOTE



GRAND JURIES AND NEW EFFORTS

During 2022, Governor DeSantis petitioned the Florida Supreme Court to empanel the 21st Statewide Grand Jury. The purpose is to study issues related to illegal immigration, especially as they relate to unaccompanied minors entering the United States, and the impact on the State of Florida. The Supreme Court granted the Governor's petition on June 29, 2022. Pursuant to Florida Statute 905.36, the Statewide Prosecutor serves as the legal advisor to the Statewide Grand Jury. On October 27, 2022, the 21st Statewide Grand Jury was empaneled and began working soon after. This Grand Jury continues to date and has thus far issued two interim reports. Due to Grand Jury confidentiality, we cannot provide any further information at this time.

On December 13, 2022, Governor DeSantis petitioned the Florida Supreme Court to empanel the 22nd Statewide Grand Jury. The petition proposed that the Grand Jury should study issues related to COVID 19, vaccines, and the representations by agencies or persons related to both. The Supreme Court granted this petition by an order dated December 22, 2022. The office has already begun preparations for empanelment with the Clerk of the Supreme Court, and the Office of the State Courts Administrator.

This is the first time two Statewide Grand Juries have been seated concurrently.

During the 2022 legislative session, the Florida Legislature and Governor DeSantis directed our office and others to address elections law violations and illegal gaming. Following the 2022 legislative session, the Office of Elections Security was created to address criminal activity that takes place related to voting, elections, petition activities, and anything that can impact the integrity of Florida's elections. OSP was directed to join the Florida Department of Law Enforcement and the Department of State in an effort to investigate and prosecute elections law violations and any related criminal activity. This began with the FDLE and Department of State's investigations of convicted felons who voted in the 2020 General Election. As we proceed forward, the Elections Crime Task Force will continue to look into illegal registrations and voting.

Additionally, the 2022 legislative session addressed gaming crimes in the State of Florida. The OSP was directed to work with the Florida Gaming Control Commission (FGCC) and other law enforcement to investigate and prosecute crimes involved with illegal gaming. We have already begun this work and have prosecutors who are specializing in these cases working with law enforcement and the FGCC.

In 2022 OSP was presented with many new directions and enforcement priorities. While these have proven daunting at times, having experienced and highly competent prosecutors and staff to take on these efforts has been critical. In addition having the relationships we enjoy with law enforcement, our State Attorney colleagues, the FDLE, the Department of State and so many other agencies, both state and federal, makes this happen too. It's been very hard work, but OSP continues to make great strides.

- Nick Cox, Statewide Prosecutor



WIRETAPS AND ELECTRONIC SURVEILLANCE

The Office of Statewide Prosecution continues to work collaboratively with federal, state, and local law enforcement agencies to investigate and prosecute organized criminal organizations operating throughout the state. The OSP often uses the electronic surveillance of communications (commonly referred to as wiretaps) as a tool to dismantle entire criminal organizations operating within the state. In 2022, the OSP sought and was granted seventy-two (72) authorizations from circuit courts around the state to intercept real-time wire, oral, and electronic communications of offenders participating in organized criminal activity. By utilizing this investigative tool when appropriate, the OSP and our partners in law enforcement have been able to not only hold those individuals found in actual possession of illicit drugs accountable, but have also held accountable, through conspiracy prosecutions, those individuals higher up in the organization's hierarchy that are directing the illicit activities of the organization and realizing most of the ill-gotten gains being derived from the criminal activity. In addition to narcotics investigations, this tool was also used successfully to investigate and prosecute both transnational criminal street gang activity and human trafficking rings throughout the state.

Statewide Prosecution is commonly sought out by law enforcement for assistance with such large-scale investigations. This is due in part to the number and extent of experienced attorneys in OSP that have assisted with investigations and prosecuted using this valuable investigative tool. This ability has led to an enhanced relationship with federal law enforcement within Florida over the past several years, especially since the onset of the opioid epidemic. The



Drug Enforcement Administration, Homeland Security, United States Secret Service and others have often brought cases within Florida to OSP for assistance and prosecution in narcotics cases and other criminal organizations. OSP attorneys are accessible to law enforcement for wire investigations 24/7 and can assist in preparing and editing wiretap applications within mere hours or days. The reviews, authorizations and approvals by the Statewide Prosecutor are typically done within 24 hours, thus putting the officers in much more effective positions to capture evidence and more quickly make arrests, thereby dismantling the criminal organization.

Given the potentially lethal consequences associated with the recent explosion of fentanyl and other opioid offenses in this state, criminal organizations trafficking in these substances are often the focus of such electronic surveillance investigations by the OSP. The resulting investigations and prosecutions have led to the prosecutions of numerous offenders and significant seizures of narcotics from the streets of this state. A recent wiretap investigation conducted by the OSP and the Florida Department of Law Enforcement (FDLE) in Southwest Florida illustrates the impact that such investigative tools can have in Florida.

In October 2022, a wiretap investigation was conducted by the OSP and the FDLE in Southwest Florida which resulted in the dismantling of a major drug trafficking organization operated by transnational gang members. As a result of that investigation, twenty-five (25) defendants were prosecuted by the OSP for drug offenses and violent acts which furthered those drug offenses. This wiretap investigation also led to the seizure of more than fifty (50) pounds of fentanyl—enough to kill more than eleven (11) million Floridians or approximately half of the state’s population. In addition, this investigation led to the seizure of two hundred and eighty (280) pounds of methamphetamine, five (5) pounds of cocaine, one (1) pound of oxycodone, one (1) pound of black tar heroin, and a half pound of morphine.

**“STATEWIDE
PROSECUTION
IS COMMONLY
SOUGHT OUT BY LAW
ENFORCEMENT FOR
ASSISTANCE WITH
SUCH LARGE-SCALE
INVESTIGATIONS.”**

This investigation uncovered transnational gang members already incarcerated in different prisons throughout the state, including prisons in Charlotte, Holmes, Miami-Dade, and Brevard Counties, working together with fellow criminal street gangs and drug dealers outside of the prisons to facilitate the importation and distribution of narcotics throughout the state. Members of the criminal organization would utilize contraband cellphones in the prisons to communicate with one another, as well as those on the outside of the prison, to arrange and facilitate drug shipments and deliveries and to authorize acts of violence against those who hindered them. The OSP and the FDLE used wiretaps and other forms of electronic surveillance to intercept the communications of those incarcerated, and those doing their bidding on the streets of this state, gathering sufficient reliable, competent, and admissible evidence in order to prove, beyond a reasonable doubt, the participation of each of the defendants in the criminal activity investigated.

The OSP will continue to use tools such as wiretaps and electronic surveillance to investigate and prosecute organized criminal activity such as this occurring in this state. By using these tools, the OSP, along with our law enforcement partners, will continue to work to dismantle these criminal organizations and to prosecute all of those who facilitate the criminal activity of these organizations.

- Timothy Donnelly, Chief Assistant Statewide Prosecutor
- David Gillespie, Special Counsel

A group of people in business attire are gathered around a table, reviewing documents and a laptop. The scene is dimly lit, with a focus on the hands and papers. One person is holding a large, thick book or binder, while another is pointing at a document. A laptop is open on the table in the foreground. The overall atmosphere is professional and collaborative.

“OSP REMAINED IN KEY WEST FOR OVER 3 MONTHS PROVIDING PROSECUTORIAL ASSISTANCE...”



SIXTEENTH JUDICIAL CIRCUIT

In 2022, the Sixteenth Judicial Circuit State Attorney's Office (SAO) saw an increase in the number of attorneys leaving that office. At the request of the State Attorney, the Office of Statewide Prosecution (OSP) volunteered to assist the Sixteenth Circuit by sending prosecutors to become sworn as 16th Circuit Special Assistant State Attorneys. On a weekly basis, OSP sent prosecutors from our offices all over the State to Key West where the office was struggling with a 70 to 75% prosecutor vacancy rate. The Sixteenth Circuit SAO was unable to hire prosecutors and after our second week there only had 3 Assistant State Attorneys at that location which is normally staffed by 10.

Beginning the first week of May, Assistant Statewide Prosecutors and the Statewide Prosecutor appeared in Key West, and were in court handling felony and misdemeanor dockets that would have otherwise not had a prosecutor present. From that point on the OSP typically provided 3 to 4 prosecutors per week to the Lower Keys office, and on occasion to the Middle Keys office in Marathon. While they were carrying on the hands-on work of assisting the 16th SAO, the remaining staff at the OSP bureau offices were picking up the duties of those attorneys and were keeping our own cases moving forward.

The Assistant Statewide Prosecutors who traveled to the Keys experienced many legal challenges. The response to our presence was not only positive and appreciated by the SAO, but also the Public Defender, defense counsel, and many others in the system.

The Assistant Statewide Prosecutors welcomed the assignment and seemed to appreciate the fact we were able to help the SAO and the courts. Some spent hours every day in an office preparing cases for the next day's court, conducting discovery depositions, or researching long awaited motion practice. In one case, defense counsel filed a speedy trial demand where there were three victims who lived in Hawaii, Tampa, and Colorado, respectively. Assistant Statewide Prosecutors Agnieszka Osowicka and Jennifer Fernandez prepared this case involving burglary, arson and aggravated assault for trial over a two-week period while covering docket soundings and working on their own Statewide Prosecution cases simultaneously. All three victims met with the Assistant Statewide Prosecutors and were ready to testify at the trial. Once defense realized the State had prepared its case for trial, the defendant then entered an open plea and was sentenced to a lengthy prison sentence followed by probation. This is just one example where a case had no available prosecutor to prepare and handle it and, as a result, could have probably been dismissed, allowing a violent defendant to walk free without any justice for the victims.

While in the Keys, the OSP was able to utilize some of our attorneys who specialize in particular crimes to assist the SAO with certain cases. One of our highly skilled sex crimes prosecutors came in from Central Florida to handle a difficult sexual battery case at the request of the SAO. It proceeded to a quick conclusion and a child victim's family who was pleased with the outcome. Fraud experts from our Orlando office assisted with the more complex financial investigations and a few consumer fraud cases.

The 16th circuit also had one terribly violent homicide that occurred in Marathon. The State Attorney had determined this was a case deserving of the death penalty. The SAO had lost their last Capital case expert and inquired if OSP could prosecute that case as well. OSP prosecutors returned to the Grand Jury for some corrections to the indictment, updated discovery, gathered information from a prior murder committed by the same defendant over 30 years ago, engaged in deposition practice, and prepared many law enforcement officers with little to no courtroom experience for trial. The Capital case proceeded to trial over a 3 week period. Assistant Statewide Prosecutors Cass and Cristina Castillo handled this case to a verdict finding the defendant guilty of the brutal First Degree Murder and Sexual Battery of a 51 year old woman. In the days following the guilty verdict, the jury considered the penalty to be imposed and unanimously recommended that the Court sentence the defendant to death. The final sentencing by the Circuit Judge is pending.

OSP remained in Key West for over 3 months providing prosecutorial assistance every week. We were happy we could answer the call for assistance from the State Attorney.

- Jennifer Fernandez, Assistant Statewide Prosecutor
- Nick Cox, Statewide Prosecutor



CYBER FRAUD ENFORCEMENT UNIT

In 2022, the Cyber Fraud Enforcement Unit focused on the investigation and prosecution of cases involving the theft of cryptocurrency and internet-based crimes targeting the elderly. As the use of cryptocurrency grows, so do crimes that target its theft. Cyber criminals use various means to compromise cryptocurrency accounts. Ongoing investigations into the use of tech support scams have led to the seizure of several cryptocurrency wallets holding currency stolen from elderly Floridians. The Cyber Fraud Enforcement Unit partnered with the United States Secret Service and United States Attorney's Office to provide training to law enforcement on how to investigate cryptocurrency focused crimes.

Tech support scams targeting the elderly continue to target traditional currency as well. This year, the Port Saint Lucie Police Department arrested an individual for money laundering and organized fraud after he used a tech support scam to convince elderly victims to send him checks for fake tech support services. His prosecution is ongoing.

Identity theft also proliferates online. Criminals not only utilize the internet to make the use of stolen identities easier, but to purchase stolen identities and commit other crimes. In Hillsborough County, Cyber Fraud Enforcement Unit prosecutors tried and convicted Austin Brooks for organized fraud, money laundering, and criminal use of personal identification information after he stole his grandmother's identity and hid behind the internet to commit his crimes.

Prosecutors brought charges of organized fraud, criminal use of personal identification information, and trafficking in counterfeit credit cards against an individual in Sarasota County after he purchased identities from an illegitimate website that traffics in stolen identities. His prosecution is ongoing.

Illegitimate websites and fake social media accounts also plague Floridians. Prosecutors, in collaboration with our consumer protection attorneys, have caused web hosting service providers to take down websites engaged in criminal activity. Additionally, the Cyber Fraud prosecutors have facilitated the shutdown of social media accounts using stolen identities and likenesses of Floridians.

Cyber Fraud cases are a specialty prosecution. They require experienced prosecutors with significant knowledge and training. These cases take a great deal of time to investigate and prepare, and often they take just as much time to bring to trial.

- Joseph Spataro, Chief Assistant Statewide Prosecutor

**“CYBER FRAUD
CASES... REQUIRE
EXPERIENCED
PROSECUTORS
WITH SIGNIFICANT
KNOWLEDGE AND
TRAINING.”**



**“FORCE’S WEBSITE... HAS ENHANCED
RETAILER/LAW ENFORCEMENT RELATIONSHIPS
AND COMMUNICATION.”**





ORGANIZED RETAIL THEFT

2022 was a full year for the Office of Statewide Prosecution (OSP) and the Florida Organized Retail Crime Exchange (FORCE). Cases charging Organized Retail Theft and associated crimes continue to rise. The collaboration between prosecutors, law enforcement and the retail industry is flourishing, resulting in increased attention to this ever-growing crime. During 2022, FORCE hosted bi-monthly intelligence meetings and five different online trainings. The bi-monthly intelligence meetings had an average registration of 43 individual retail companies and 62 individual law enforcement agencies. FORCE hosted trainings on the following topics: (1) Interviewing the ORC Subject, (2) Evidentiary Hurdles and How to Overcome Them: Proving an ORT Case, (3) Building and Organizing an Organized Retail Theft Case, (4) Organized Retail Theft Statutes: A Review, and (5) Racketeering: Aggressively tackling the ever-present crime of Organized Retail Theft.



Last year Attorney General Moody asked the Legislature and the Governor for dedicated prosecutors to handle Organized Retail Theft cases. OSP has hired two additional prosecutors who are dedicated and specialize in Organized Retail Theft prosecutions. The prosecutors are assigned to the West Palm Beach Office and the Fort Lauderdale Office, and in the mere months since they have taken office, they have a full load of theft cases.

FORCE's website continues to grow. This site is one of a kind and has enhanced retailer/law enforcement relationships and communication. It is primarily overseen by the lead Assistant Statewide Prosecutor and the retailers associations. Among many things, it assists in tracking not only trends throughout Florida, but individual suspects as well. The website has seen significant growth in participation. In 2022, there were a total of 996 posts uploaded by users. As of January 2023, the current userbase has: 257 retail users representing 74 retail companies and 525 law enforcement users representing 115 agencies and 43 counties.

**“THE COLLABORATION
BETWEEN PROSECUTORS,
LAW ENFORCEMENT AND
THE RETAIL INDUSTRY IS
FLOURISHING...”**

During the 2022 Florida Legislative Session, Senate Bill 1534 was passed. This bill provides more tools to prosecute members of organized retail theft rings. The new law, which took effect on October 1, 2022, criminalizes multiple retail thefts occurring in a 30-day period from two or more different merchant locations. If, through five or more separate thefts, during this 30-day period, a criminal actor steals 10 or more items, that criminal actor commits a third-degree felony. If, through five or more separate thefts, during this 30-day period, a criminal actor steals 20 or more items, that criminal actor commits a second-degree felony.

The OSP has continued its partnership with the Florida Retail Federation, the trade association representing retailers across Florida. Through this partnership, FORCE has continued to connect and partner with many different retailers throughout the state.

An example from the past year of the type of organized retail theft case that the OSP handles, Assistant Statewide Prosecutor Jonathan Bridges filed a 34 count information in Palm Beach County, Florida. The defendant was sentenced to 78 months in the Florida Department of Corrections. The defendant stole items from various home improvement stores throughout the 15th and 17th Judicial Circuits in early 2022. The defendant selected multiple items of merchandise and passed all points of sale without rendering payment by exiting through the garden department. After leaving the retail stores, the defendant traveled to pawn shops to pawn the items he stole.

- Nick Cox, Statewide Prosecutor

**“INDIVIDUALS CAN ALSO WREAK HAVOC
WITH LITTLE MORE THAN A COMPUTER AND
KNOWLEDGE OF A PARTICULAR PROCESS.”**





ORGANIZED FRAUD

Whether employing traditional techniques such as offers or pitches which are too good to be true, or the more modern necessity of remaining nimble enough to conduct multiple transactions with the speed to remain ahead of a victim's billing cycle—or even their mere detection—fraudsters remain limited only by their own criminal creativity. It is a sign of the growing appeal of this form of theft that an emerging trend in criminal enterprises has been for documented gangs, historically known for violence and other crude methods of realizing financial gain, have increasingly utilized much more sophisticated undertakings on the financial side of their business models. Thus, turf wars and the accompanying dangers associated with moving large quantities of narcotics are in some instances being replaced by the relative lower risk associated with such historically white-collar crimes as loan fraud or insurance fraud. As a result, law enforcement is continually diversifying and expanding its investigative scope.

Some cases from around the Office of Statewide Prosecution illustrate some of the scenarios commonly encountered by our Assistants and law enforcement partners. From our Tampa Bureau, a six-defendant group obtained personal identifying information of well over 120 victims, many of whom were elderly. Credit card accounts were opened and utilized aggressively for lifestyle purchases—retail stores, plane tickets, personal items, high-end car rentals, and even an all-inclusive vacation to Jamaica—and once the users believed the information had been sufficiently exhausted, they simply moved on to use the next packet of stolen information. They also in effect laundered this information, as there were instances of businesses being opened and corporate cards being obtained and used. While great strides have been made for victims in this arena under Florida Statute 817.568, untangling such damaged credit oftentimes remains a long and costly process. The silver lining in this situation was the justice that was ultimately served in the form of 30-year sentences for the three main perpetrators following a trial in Pinellas County.

**“...UNTANGLING...
DAMAGED CREDIT
OFTENTIMES
REMAINS A LONG
AND COSTLY
PROCESS.”**

Individuals can also wreak havoc with little more than a computer and knowledge of a particular process. A Gainesville man received 7 years in prison following a trial. There the defendant submitted scores of false documents in over two dozen separate instances to various Clerk of Courts Offices to make phony claims for tax deed surplus dollars to which neither he, nor the fake business names he presented, were entitled. His reckoning came after obtaining nearly \$800,000.

OSP Bureaus in West Palm Beach and Tallahassee also recognized great successes—including a trial which resulted in a 30-year sentence—in a traditional contractor fraud case. These consumer-based crimes assuredly merit the frequent warnings sent out by the Agency, reminding of the red flags to be aware of when considering entering into a contract for home improvements. As these cases demonstrate, the truism that ‘what’s old is new’ lives on in the white-collar crime universe.

The OSP has long seen fraud as one of our primary duties. This has been enhanced and driven by the significant increases in online fraud and the emergence of criminal organizations who historically did not engage in frauds so much as other crimes, but who have learned the value of it. These cases are very complex and involve a huge amount of financial, documentary, and technologically challenging evidence that must be gathered and understood. Then we must be able to present this in a manner to a jury of citizens who may know nothing about these actions or industries in a manner they can understand and follow.

- Robert Finkbeiner, Chief Assistant Statewide Prosecutor

An orange plastic pill bottle is tipped over, spilling numerous white, oval-shaped pills onto a surface covered with US dollar bills. The scene is lit with a warm, golden light, creating a strong contrast between the bright pills and the textured paper of the money. The text is overlaid on a semi-transparent white banner across the middle of the image.

**“THE OSP HAS MADE SIGNIFICANT PROGRESS
CURTAILING THE ILLEGAL DIVERSION OF
PRESCRIPTION NARCOTICS.”**



OPIOIDS

The Office of Statewide Prosecution continues to lead in combating prescription drug offenses. The OSP has made significant progress curtailing the illegal diversion of prescription narcotics. 2022 saw the OSP closing out many complicated cases. The citizens of the State of Florida are safer now that these medical providers have been held accountable for their abuse of their profession.

The OSP Orlando Bureau tried Ekaette Isemin, a pharmacist and owner of Care Point Pharmacy, located in Daytona Beach. From December 2016 to May 2017, Isemin filled clearly fraudulent prescriptions for Tramadol and Alprazolam. From May 22, 2017, through March 6, 2018, a DEA confidential source visited Isemin with suspect prescriptions and suspect behavior. Isemin filled the prescriptions with minimal to no confirmation from the prescribing doctor in violation of pharmaceutical standards and practice. The Department of Health investigated and suspended her license. Then, between June and July 2019, the DEA observed that Care Point Pharmacy was still operating despite the suspension. Working closely with the DEA and industry experts, OSP charged and prosecuted Isemin for Racketeering and Trafficking in Controlled Substances. Isemin decided to take her case to trial where she was found guilty on all counts, and was sentenced to 25 years in prison and a more than \$150,000 fine.



Sometimes the medical professionals are enticed into their criminal activity by unscrupulous persons with no medical training. The OSP Orlando Bureau handled the case of Dr. Ralph Chambers. Dr. Chambers was identified by the DEA, Seminole County Sheriff's Office, and the Metropolitan Bureau of Investigation as a doctor over-prescribing, and prescribing below the standard of care, large doses of oxycodone and hydrocodone products. Dr. Chambers was an elderly doctor greatly influenced by his non-medical professional business partner, Neil Stringer. Stringer ultimately pled, was convicted and sentenced to 10 years in the Department of Corrections.

One of the challenges of many of these cases is the amount of time it takes for the Court to get them to trial. The OSP Ft. Lauderdale Bureau closed a complicated case involving several targets that were operating a pill mill in Broward County from August 2010 through September 2010 during the height of the pill mill problem in Florida. Lynn Averill, Richard Philipoff, Diana Philipoff, Nikhil Bhasin, Presmil Masson, Calvin Bynum, Keith Petnel and Omar Lorden were charged with racketeering, conspiracy to racketeer and manslaughter. The OSP had to obtain the cooperation of some of the targets to testify about this criminal enterprise and how it operated in order to close down this clinic. The OSP was able to obtain sentences upwards of 15 years in prison.

- Nicole Phillips, Assistant Statewide Prosecutor

ILLICIT DRUGS

The Office of Statewide Prosecution (OSP) continues its partnership with federal, state, and local law enforcement agencies in investigating and prosecuting criminal organizations bringing illicit drugs into this state for distribution. The OSP continues to be at the forefront of the fight against fentanyl, heroin, and other related illicit substances by working with our law enforcement partners in identifying and prosecuting those responsible for trafficking in these dangerous drugs.

For example, in August 2022, prosecutors with the OSP convicted two Volusia County men for conspiring to traffic and trafficking in large amounts of fentanyl when they transported fentanyl on multiple occasions to Osceola County for distribution. In that case, Carlos Jimenez Rodriguez and Antonio Izquierdo were each sentenced to a mandatory minimum term of twenty-five (25) years in state prison for their crimes and each was assessed a \$500,000 fine.



2022 Statewide Prosecution Annual Report

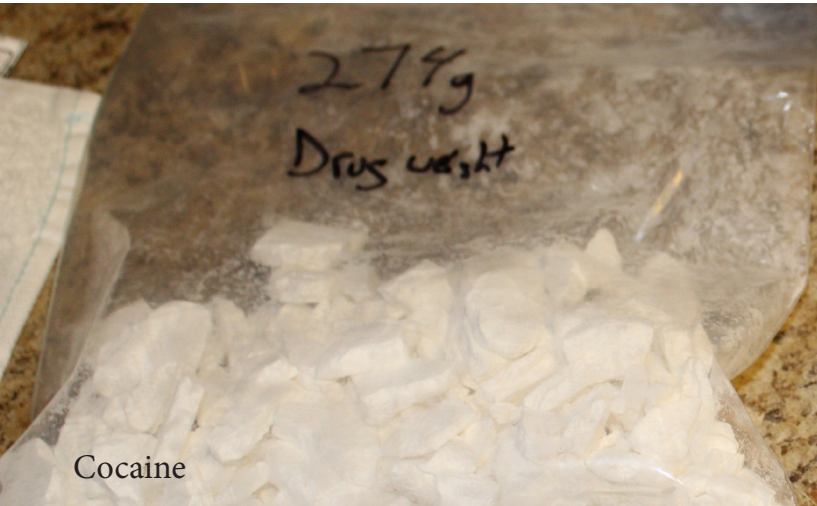
In addition, the OSP continues the fight against criminal organizations importing vast quantities of methamphetamine into this state. The vast quantities of methamphetamine are the result of a shift from clandestine methamphetamine laboratories in the state producing relatively small amounts of poor-quality methamphetamine to industrial size laboratories in Mexico producing large quantities of high-quality methamphetamine. This product is then smuggled into this state for distribution. For example, in March 2022, prosecutors with the OSP secured the conviction of Jerome Jones for his participation in a methamphetamine trafficking ring that imported large amounts of methamphetamine into Florida from out of state for distribution in Central Florida. For his role as a local methamphetamine distributor, Jones was sentenced to a mandatory minimum fifteen (15) years in state prison and was assessed a \$250,000 fine. Similarly, in April 2022, prosecutors with the OSP secured the conviction of Michelle Campbell who was sentenced to a mandatory minimum term of fifteen (15) years in prison for her involvement in the distribution of large amounts of methamphetamine brought into the State and distributed on the streets of the greater Orlando area.

It has become increasingly clear that a great deal of these illicit drugs, including fentanyl, are coming to Florida via the Southwestern border of the United States. More and more we are discovering operations transporting huge amounts of drugs from the Southwest to Florida, often in amounts that require large vehicles or trucks to carry them. This has required us and our law enforcement partners to work with local, state and federal agents in western states to track these transports as they make it across the country into Florida. We recently saw a huge importation of methamphetamine from California to Florida that was intercepted by law enforcement utilizing a wiretap we secured with their assistance. Not only did the drugs come over the SW border, but they were being transported by persons who were discovered to be illegal immigrants into this country. Unfortunately, this has become a rising trend.

The OSP also continues to investigate and prosecute the trafficking of other controlled substances that have persistently plagued communities throughout this state. For example, in September 2022, prosecutors with the OSP secured the conviction of Neill Oscar McClaine, Jr. for trafficking and distributing cocaine on the streets of Volusia County. McClaine was intercepted during a judicially authorized wiretap investigation in which law enforcement agents intercepted his communications as he surreptitiously conspired with other individuals to distribute cocaine in Volusia County. Soon

Methamphetamines





after learning of his involvement, our law enforcement partners arrested McClaine for his criminal conduct and seized approximately half a kilogram of cocaine which was in his possession which he planned to distribute. For his crime, McClaine was sentenced to a mandatory minimum term of imprisonment of fifteen (15) years in the Florida Department of Corrections. Soon thereafter, in October 2022, Luis E. Rodriguez was convicted and sentenced in Collier County to a fifteen (15) year mandatory minimum state prison sentence and assessed a \$250,000 fine for his part in conspiring to traffic in multiple kilograms of cocaine in the Southwest Florida area.

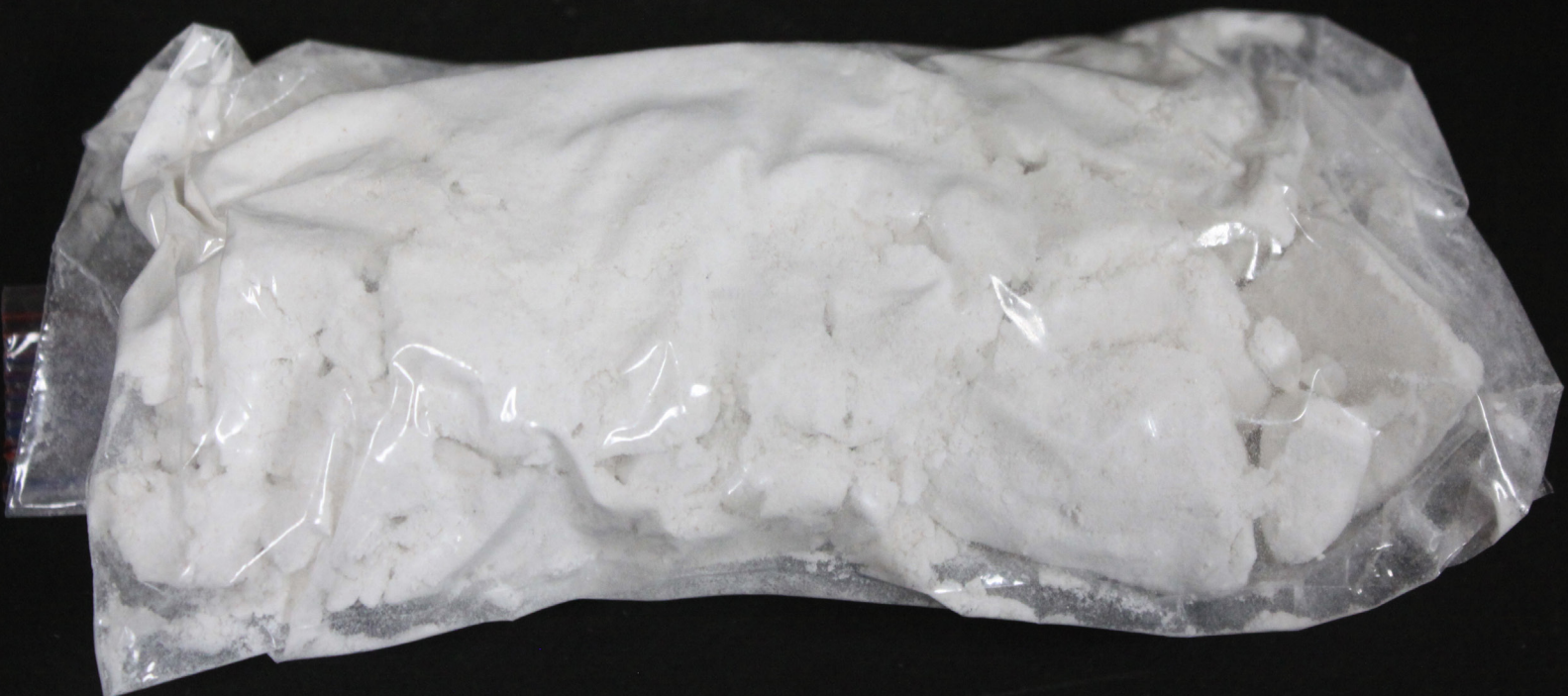
Throughout 2022, the OSP continued to monitor seized drug trends in the forensic drug labs of this State and in the reports of the Drug Enforcement Administration's

**“THROUGHOUT 2022,
THE OSP CONTINUED
TO MONITOR SEIZED
DRUG TRENDS IN THE
FORENSIC DRUG LABS
OF THIS STATE...”**

National Forensic Laboratory Information System. In addition, the OSP continues in its decade-long collaboration with the forensic chemists of the FDLE and many of the State's independent forensic laboratories to understand the ever-changing chemistry of synthetic drugs in Florida. This long-standing effort to understand what Florida's forensic laboratory chemists observe as trends in seized drugs, in the context of national and global trends, has led to many successful legislative changes to Florida's Drug Abuse laws, helped to dramatically decrease the proliferation of many emerging synthetic drugs, and increased law enforcement's ability to successfully investigate and prosecute drug crimes.

- David Gillespie, Special Counsel

Fentanyl





“IN 2022, 47 TOTAL HT VICTIMS WERE ASSISTED BY THE OSP VICTIM ADVOCATE.”



HUMAN TRAFFICKING

Human Trafficking (HT) continues to be one of the primary priorities of Attorney General Moody. In our ongoing investigations, our attorneys are valuable partners with law enforcement; working together on search warrants, pen registers, tracking devices, subpoenas, and arrest warrants. Assistant Statewide Prosecutors (ASPs) continue to work with federal, state, and local law enforcement partners in the investigation and prosecution of cases across the State. ASPs are involved in several law enforcement operations in the state that targeted HT of children, but we continue to also handle a large volume of cases involving victims who are adults. The OSP commonly and actively assisted law enforcement in sting operations targeting individuals who traveled within the state to commercially exploit children. We also have taken on an active role with law enforcement during emergencies when a child has disappeared suddenly and is feared in the custody of a potential trafficker. This recently occurred with two Tampa Bay area Sheriffs who worked closely together with each other and OSP to locate a minor child in a neighboring county. They found her within hours, rescued her from the trafficker, and thereby prevented further exploitation. When law enforcement cooperates with each other, and has prosecutors on site to assist with legal process, 4th Amendment advice and other support, along with the ability to quickly advise regarding charging decisions, the system can work that much faster to rescue the victim.

Assistant Statewide Prosecutors continue to serve on HT task force units throughout the state. One has taken the lead as the Chair of a policy making panel in the Tampa Bay Area Regional Task Force. OSP conducts in-house HT round-table discussions to collectively address HT investigations and prosecutions pending with the office. The OSP has also adopted a unified approach to filing and sentencing issues to maintain consistency in prosecutions throughout the state. All of this occurs in addition to our routine presentations at seminars and training programs for law enforcement officers and prosecutors. Steps taken by the State of Florida to advance prosecution efforts in these cases were highlighted on a national scale as the Attorney General, Special Counsel, and the Hillsborough County Sheriff conducted a fireside conversation at the ALEC conference in Atlanta, Georgia, and partnered with the Florida Prosecuting Attorneys Association regarding HT curriculum for training Florida's prosecutors.

When investigating and prosecuting HT cases, the victims almost routinely are in need of significant services, be it mental health, substance abuse, emotional support, or even just a safe place to live and recover. Victim's advocacy is a must in these cases in almost every case. Most cases come with more than one victim and so the work needed is urgent. The OSP is fortunate to have a Victim Advocate who is housed with our Orlando Bureau. She has received special training in dealing with HT victims and their needs, has extensive experience after years of working with HT victims, and routinely provides specialized training to other advocates, social services, law enforcement and prosecutors. She is known throughout the state and is commonly called on for assistance by law enforcement and other prosecutors for direction and help. She has an in-depth knowledge of what kind of help victims may need and services available to best suit their needs, both within Florida and out of the state. Her work is critical for two primary reason: 1. The health and safety of the victim, and 2. To help stabilize the victim so they may recover, maintain emotional wellness, and serve as a critical witness in the effort to convict the trafficker. In 2022, 47 total HT victims were assisted by the OSP Victim Advocate. The success stories associated with our advocate and the victims is inspiring, and the relationship that develops typically results in many of our HT victims staying in touch with the advocate, and often our prosecutors, into the future.

Unfortunately 2022 was another busy year for human trafficking in Florida. Almost all of the cases we have seen this past year were commercial sex trafficking, as labor trafficking has proven itself very difficult to detect and investigate. But the sex trafficking industry has proven extensive and varied, with victims and their circumstances often being the main contributor to the ability of the trafficker to maintain control over them.

For instance, in April of 2022, OSP charged Alan Dixon and Shantell Woods with two counts of HT in the Eighteenth Judicial Circuit. Their victims were two young women, 20 years old, who had a problematic childhood. After targeted them and began controlling them, Dixon took over and used violence to coerce them into commercial sexual activity. That summer, in the same location, Mark Dinkles and Taylor Brandt were charged with two counts of HT for trafficking 3 children, one of which was 15 years old. They were enticed and introduced to the sex trade with money. In July, 2022, Alexandra Phillipe was



charged with two counts of HT of a child after targeting runaway girls, and using fear tactics and their dependency made them engage in exotic dancing, posted them online for dates, and forced them to engage in commercial sex.

In August, 2022, three people were charged by OSP with HT and Racketeering for utilizing false promises, violence, and controlled substances to control their victims and force them to engage in commercial sex. Two victims eventually overdosed. OSP and law enforcement applied for and obtained an order for a wiretap that ultimately led to the rescue of the victims. One has recovered after placement into multiple treatment programs, while others have not been so successful due to their fear of the defendants. In November, 2022, Daniel Rhodes was charged with HT after operating a multi-year operation in South Florida and on the Treasure Coast. He recruited victims for commercial sex by targeting women with addition problems and injecting them with a variety of drugs, including fentanyl. One of those victims ultimately died as well from a fentanyl overdose.

In 2022, OSP also charged Craig George and Mariah Herzog in Tampa with HT for commercial sex trafficking. They utilized social media platforms including Facebook and Snapchat to recruit their victims, would take away all their identification cards and information, and would not allow them to use their phones. They would then photograph them and advertise the victims for escort sites. Of course, as always, the victims had to provide all of the proceeds to Mr. George.

Finally, in October, arrests were made of Amet Maquerira and Rosalia Garcia in Tampa for HT and other crimes including Forcing Another to Become a Prostitute. The victims were Cuban nationals who were brought into the United States illegally through the southwest border in exchange for \$60,000 that were "loans". To pay that total off, the victims were forced to work in adult entertainment establishments as well as engage in commercial sexual activity. One of the victims was courageous enough to reach out for assistance. Law enforcement recovered eight victims and later learned of a ninth. The OSP worked with local and federal agencies to facilitate the investigation and arrests and our victim's advocate assisted with the placement of victims. Both defendants took the victims' identification documents and important records and used threats of violence to coerce the victims to comply.

OSP's work on human trafficking continues to increase and we will maintain our dedication with law enforcement to treat these cases with zero tolerance. These can be some of the most difficult cases to prove due to evidentiary problems, victim recalcitrance, or simply victims who run. Either way, the battle against HT will continue and we will continue to take an aggressive stance in pursuing these difficult cases. The lives of the victims deserve that.

- Rita Peters, Special Counsel
- Nick Cox, Statewide Prosecutor

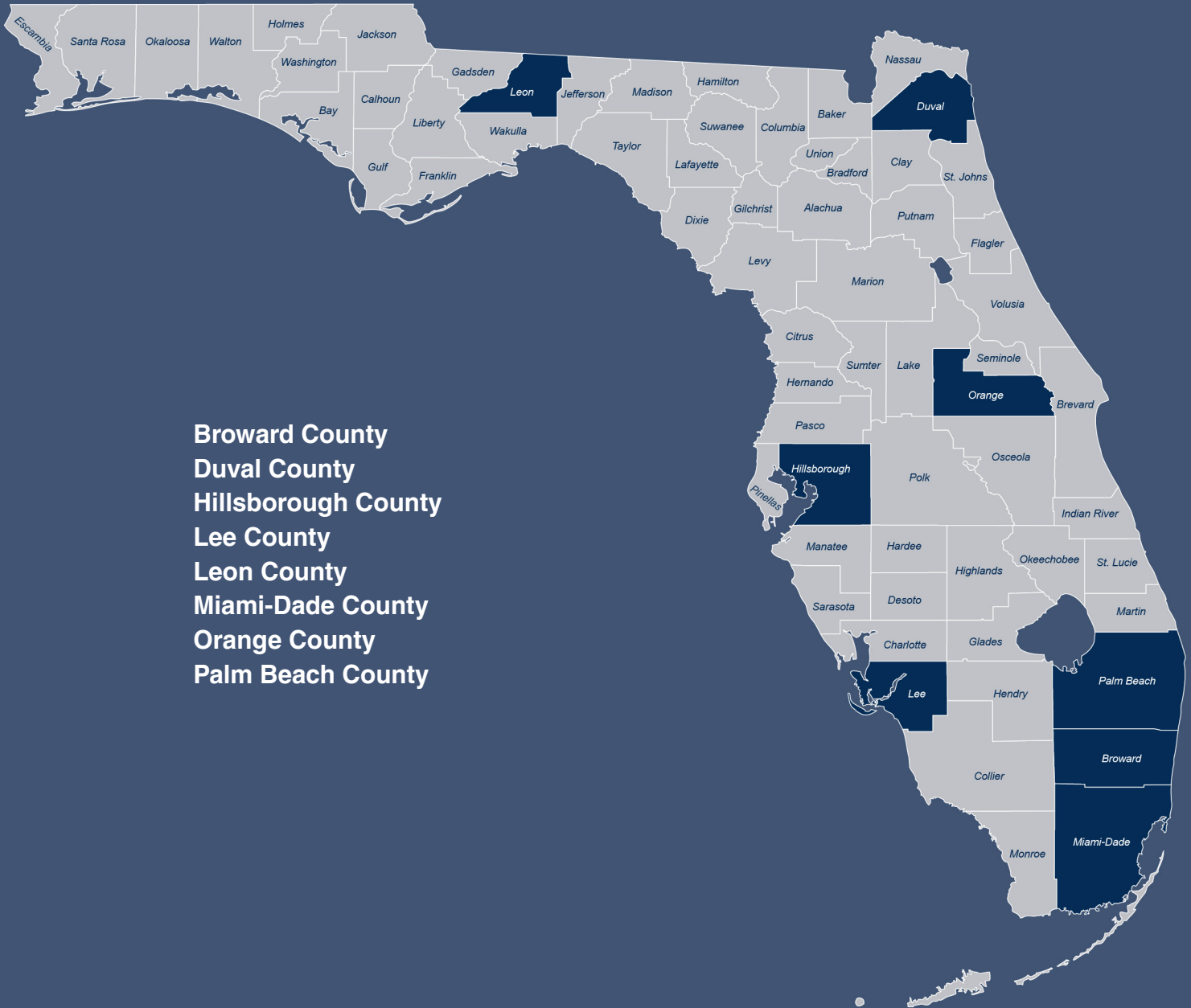
CLOSING

As we move into 2023, we will continue working hard on these priorities and moving into others as guided by societal needs and law enforcement. Crimes of violence, including human trafficking and gang violence, will always be at the top of the list, but so too will fraud crimes, crimes against seniors, drug trafficking and the ever-increasing computer crime. With a new emphasis on specialty areas including illegal gaming, organized retail theft, elections integrity and certain specialty drugs and chemicals, OSP will develop prosecutors with particular training and experience to lead against these new threats. Statewide Prosecution will keep up the good fight against crime.

- Nick Cox, Statewide Prosecutor



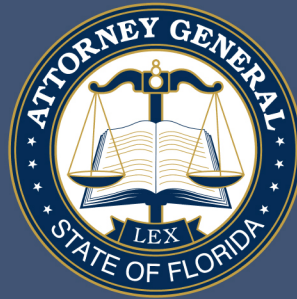
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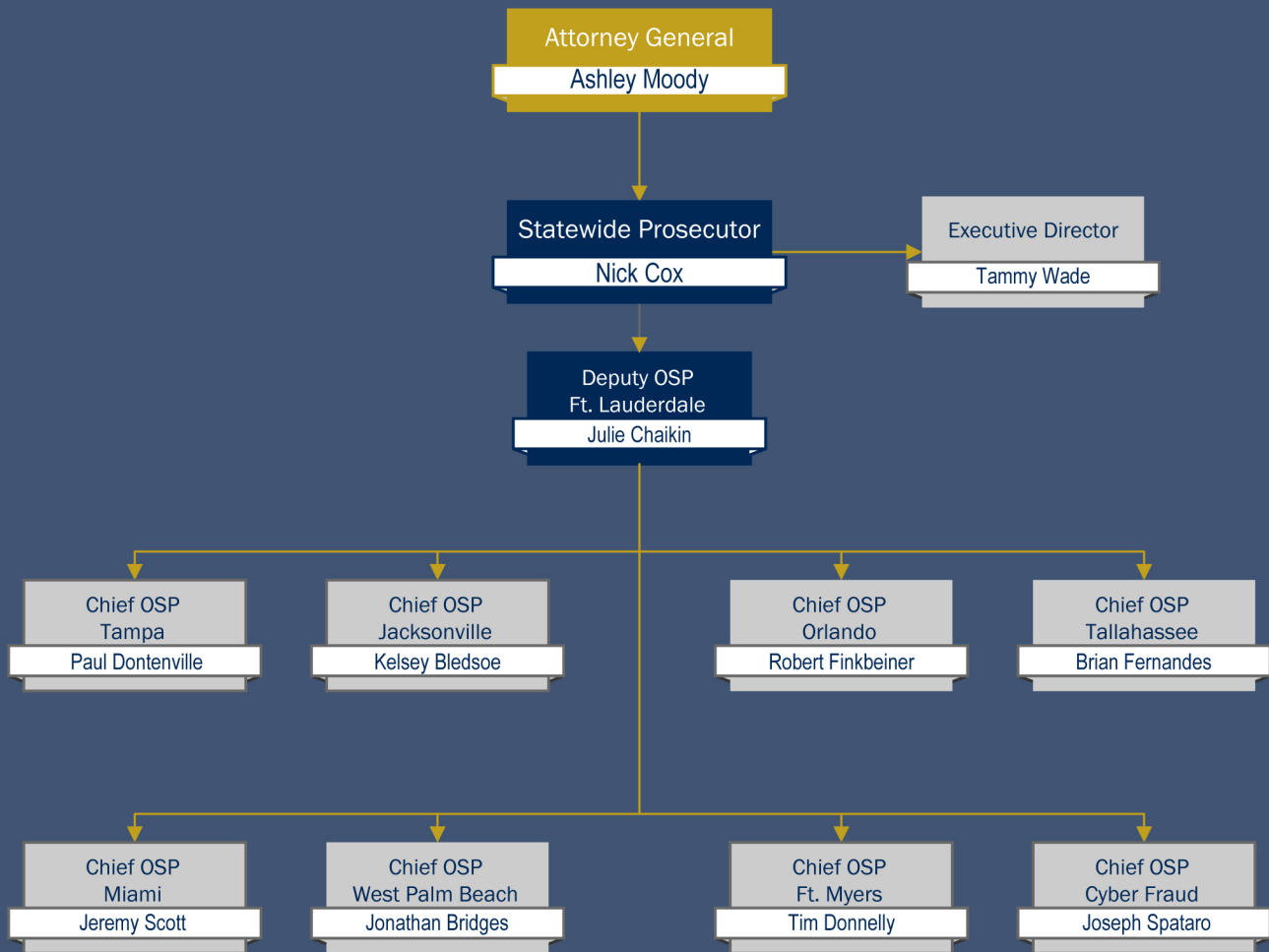
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- Miami-Dade County**
- Orange County**
- Palm Beach County**



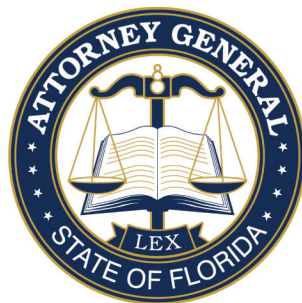
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As of: 12/31/2022



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