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CLERK, U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
RIVERSIDE

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

October 2009 Grand Jury

UNITED STATES OF AMERICA,)	ED CR No. 10- 17 VAP
)	
Plaintiff,)	<u>I N D I C T M E N T</u>
)	
v.)	[18 U.S.C. § 1001: False
)	Statement; 18 U.S.C. § 1905:
SCOTT A. HOLENCIK,)	Disclosure of Confidential
)	Information by United States
Defendant.)	Employee]
)	

The Grand Jury charges:

COUNT ONE

[18 U.S.C. § 1001]

On or about November 5, 2009, in San Bernardino County, within the Central District of California, in a matter within the jurisdiction of the executive branch of the government of the United States, specifically the United States Department of Justice, Office of the Inspector General ("DOJ/OIG"), defendant SCOTT A. HOLENCIK knowingly and willfully made and caused to be made a materially false, fictitious, and fraudulent writing, knowing the same to contain a materially false, fictitious, and

1 fraudulent statement, in that the defendant signed a written
2 statement submitted to the DOJ/OIG that included the following
3 representations: (a) "I am not the user name: 'VIMshooter.' I
4 have never used the name VIMshooter, nor do I know who VIMshooter
5 is;" and (b) "I have not input law enforcement sensitive
6 information or information related to ongoing criminal
7 investigation, specifically, an ongoing homicide investigation,
8 which occurred on August 16, 2009, and subsequent lockdown at the
9 Victorville USP, within the prisonoffcer.org website," when, in
10 truth and in fact, as defendant SCOTT A. HOLENCIK then well knew:
11 (a) defendant had used the username "VIMshooter" more than 100
12 times before November 5, 2009; and (b) using the username
13 "VIMshooter" on website www.prisonofficer.org, defendant inputted
14 multiple posts regarding the criminal investigation of a prison
15 homicide that occurred on August 16, 2009.

COUNT TWO

[18 U.S.C. § 1001]

On or about November 5, 2009, in San Bernardino County, within the Central District of California, in a matter within the jurisdiction of the executive branch of the government of the United States, specifically the United States Department of Justice, Office of the Inspector General ("DOJ/OIG"), defendant SCOTT A. HOLENCIK knowingly and willfully made a materially false, fictitious, and fraudulent statement and representation, in that the defendant SCOTT A. HOLENCIK told Special Agents from the DOJ/OIG that: (a) he had never used the username "VIMshooter" on the website of www.prisonofficer.org; and (b) he had accessed the website of www.prisonofficer.org on only one occasion, when in truth and in fact, as defendant SCOTT A. HOLENCIK then well knew: (a) defendant had used the username "VIMshooter" on the website www.prisonofficer.org more than 100 times before November 5, 2009; and (b) defendant had accessed the website www.prisonofficer.org and inputted information on it more than 100 times before November 5, 2009.

COUNT THREE

[18 U.S.C. § 1905]

On or about August 7, 2009, in San Bernardino County, within the Central District of California, defendant SCOTT A. HOLENCIK, while an employee of the Bureau of Prisons of the United States Department of Justice, namely, the Warden of the Federal Correctional Institution I in Victorville, California, knowingly and willfully published, divulged, disclosed, and made known in a manner and to an extent not authorized by law, information that came to him in the course of his employment and official duties with said department, which information concerned and related to the processes, operations, and apparatus of the Bureau of Prisons, that is, defendant's written disclosure on the internet website of www.prisonofficer.org that "Had a stupid azz get hemmed up today as well. This POS was running a gambling ticket for the inmates, making trips to Vegas to place their bets."

COUNT FOUR

[18 U.S.C. § 1905]

On or about August 20, 2009, in San Bernardino County, within the Central District of California, defendant SCOTT A. HOLENCIK, while an employee of the Bureau of Prisons of the United States Department of Justice, namely, the Warden of the Federal Correctional Institution I in Victorville, California, knowingly and willfully published, divulged, disclosed, and made known in a manner and to an extent not authorized by law, information that came to him in the course of his employment and official duties with said department, which information concerned and related to the processes, operations, and apparatus of the Bureau of Prisons, that is, defendant's written disclosure on the internet website of www.prisonofficer.org that "It wasn't isolated and the two incidents may be related..... drunk natives Regardless, the captain has been reassigned to a desk outside of the USP, the AW duties assignments have been changed, there's a hard pipe hittin' captain from the FCI 1 who is now at the USP, there's a new AW with a solid rep and correctional services background now assigned as the custody AW. Problem was.... the former captain never reported the incident with the officer being chased by an inmate with a weapon. No one knew until Sunday when the homicide happened. Once the right people were notified, the USP was slammed down and all the convict fun and games are over. Poor managers' heads are rolling. Strong leaders are in place and we are going to take the USP back"

COUNT FIVE

[18 U.S.C. § 1905]

On or about August 21, 2009, in San Bernardino County, within the Central District of California, defendant SCOTT A. HOLENCIK, while an employee of the Bureau of Prisons of the United States Department of Justice, namely, the Warden of the Federal Correctional Institution I in Victorville, California, knowingly and willfully published, divulged, disclosed, and made known in a manner and to an extent not authorized by law, information that came to him in the course of his employment and official duties with said department, which information concerned and related to the processes, operations, and apparatus of the Bureau of Prisons, that is, defendant's written disclosure on the internet website of www.prisonofficer.org that "The inmate who chased the officer with the weapon has been ghosted to FCI 1 SHU. Also, the FBI has in fact, picked up the case as an attempted homicide of a federal officer. The weapon used has been recovered and turned over to the evidence recovery team. There is excellent video footage that clearly identifies the inmate."

COUNT SIX

[18 U.S.C. § 1905]

On or about August 22, 2009, in San Bernardino County, within the Central District of California, defendant SCOTT A. HOLENCIK, while an employee of the Bureau of Prisons of the United States Department of Justice, namely, the Warden of the Federal Correctional Institution I in Victorville, California, knowingly and willfully published, divulged, disclosed, and made known in a manner and to an extent not authorized by law, information that came to him in the course of his employment and official duties with said department, which information concerned and related to the processes, operations, and apparatus of the Bureau of Prisons, that is, defendant's written disclosure on the internet website of www.prisonofficer.org that "Further word is... the captain did report it to his AW, but 12 and a half hours later and only as an immediate use of force, not as an attempted homicide of a staff. Wasn't till Sunday when SIS

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1 reviewed video after hearing officers being upset about NO
2 lockdown did the real deal get reported the whole way up. Just
3 what I heard....."

4
5 A TRUE BILL

6
7 /s/

8 _____
Foreperson

9 GEORGE S. CARDONA
Acting United States Attorney

10 CHRISTINE C. EWELL
11 Assistant United States Attorney
Chief, Criminal Division

12
13 

14 SHERI PYM
Assistant United States Attorney
15 Chief, Riverside Branch Office

16 CHARLES E. PELL
Assistant United States Attorney
17 Riverside Branch Office