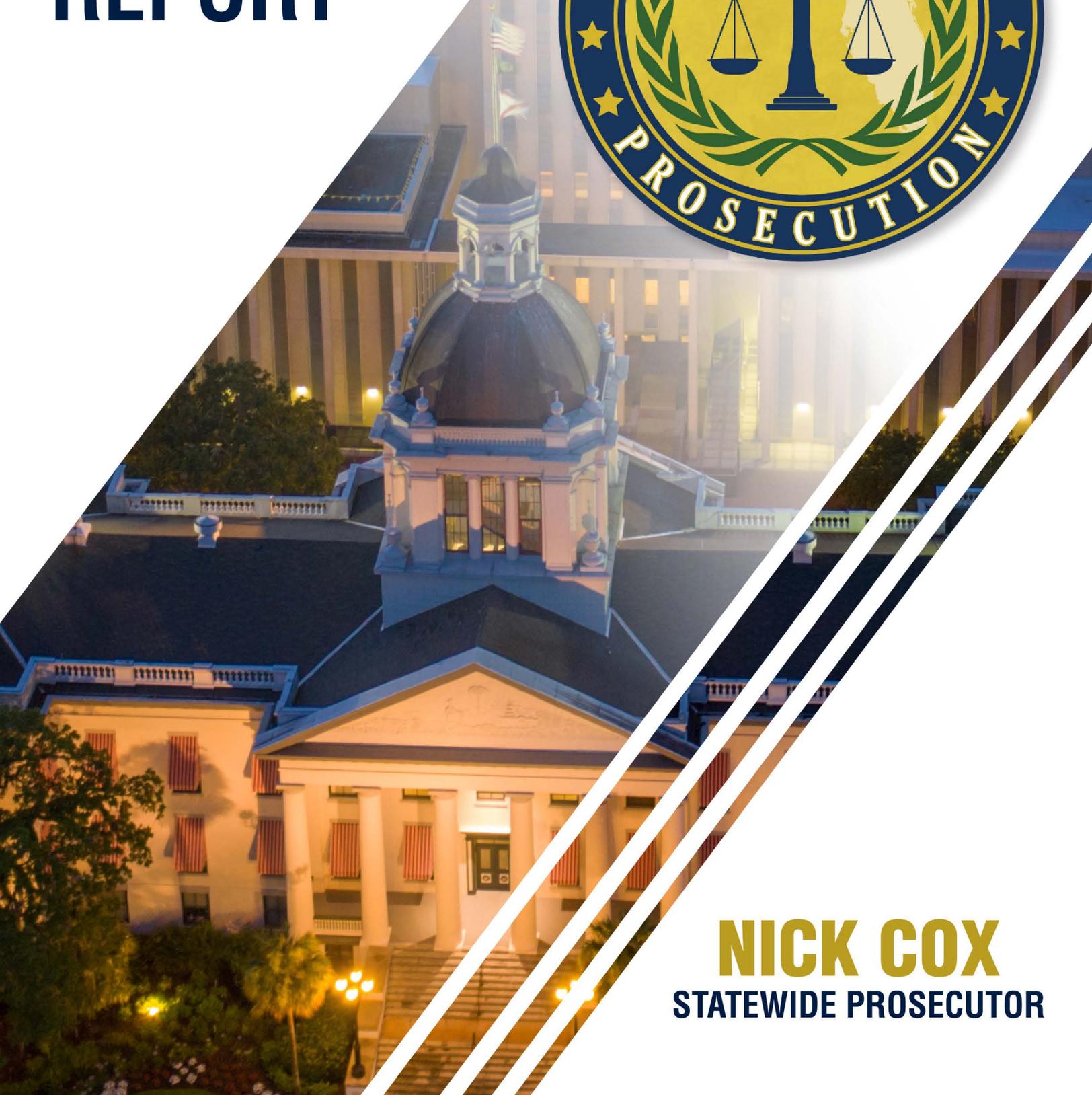


2021 ANNUAL REPORT



NICK COX
STATEWIDE PROSECUTOR

TABLE OF CONTENTS

Overview of the Office of Statewide Prosecution in 2021.....	1
Organized Fraud	2
Cyber Fraud Enforcement Unit Future	4
Organized Retail Theft.....	4
Senior Protection.....	5
Human Trafficking.....	8
Medicaid Fraud Control Unit & Senior Protection Team	9
Drug Prosecutions	9
Closing	12
Office of Statewide Prosecution Bureau Locations	13
Office of Statewide Prosecution Organization Chart	14

OVERVIEW OF THE OFFICE OF STATEWIDE PROSECUTION IN 2021

The past year has been a year of rebounding from the effects of the COVID-19 pandemic, including the impact on law enforcement and the courts. While the Office of Statewide Prosecution (OSP) maintained and continued its work during the pandemic, increased law enforcement duties and the closure of the courts decreased the number of cases brought to the OSP and the ability of the prosecutors to bring these cases to a legal conclusion.

However, in 2021, the courts began to reopen, hearings were scheduled live or online, trials resumed, and cases again began to see their conclusions. The total number of active cases has increased over 20% in the last year and is at its highest point since 2018. The numbers of defendants charged has risen over 15% and is almost as high as our highest point in the last 4 years. The number of cases filed is now at its highest since 2018 and the number of charges filed since the pandemic is at its highest point in the last 3 years. So, we have certainly recovered, and in most areas seen significant increases, from the impact of the pandemic on the overall workload of our prosecutors.

Like all state prosecutors, OSP has been challenged to recruit and maintain legal staff. Due to the impacts of the pandemic on a changing economy, salary levels, and the proliferation of high paying jobs in the private sector, we have seen higher than normal turnover of our prosecutors. We have also seen a huge drop in the numbers of lawyers applying for jobs and interested in joining us in public service as prosecuting attorneys. In just the last 3 months of 2021, we experienced an approximate 10% drop in prosecutors who left the office for higher paying jobs. Our remaining staff have done a wonderful job keeping the cases moving and working with law enforcement.

Overall, despite the difficulties of the past two calendar years, the increase in active cases last year of over 20%, as well as the 30% increase last year in the number of defendants convicted, the OSP saw an incredible result in our conviction rate... 99.6%. Since 2018 and the inception of the current administration, OSP has averaged an annual conviction rate of 98.4%. These numbers are outstanding and are rarely seen. This is certainly due, in part, to the types of cases we are required to handle as well as the manner in which we work with law enforcement, typically from the inception of the investigation. However, to realize such results during and following the pandemic and the challenges it presented highlights the hard work, experience and professionalism of the OSP lawyers and legal staff.

Not only did our overall conviction rate remain very high, but the sentencing results showed the significance of the cases we are handling. Sentences to the Florida State Prison rebounded from the pandemic and increased 52%. Probationary cases increased over 51% and house arrest cases increased almost 200%. After seeing a significant decrease in the restitution numbers in 2020, due to the huge drop in cases coming to conclusion, restitution amounts increased 37% and overall financial assessments increased 46%.

Drug prosecutions by OSP continue to be a major focus. OSP prosecutors continue to work closely with law enforcement on the historically significant illicit drugs including cocaine, methamphetamines and heroin. We have also continued our work on pills and opioid prosecutions and have developed a zero tolerance policy towards fentanyl as directed by the Attorney General.

During 2021 OSP saw a significant increase in our wiretap investigations and cases. Most of these matters are drug related, with some focusing on gangs. In 2020 the office obtained 61 wire orders with law enforcement, which increased to 84 last year. Wire cases are something OSP is

particularly adept at and built for, and the results of such cases are typically significant in numbers of arrests and charges.

OSP continues the hard line approach to human trafficking cases, with 46 cases in 2021 that was inclusive of 155 defendants. The number of defendants convicted in human trafficking cases rose 57%.

Also, during 2021 the effort to build a robust effort to combat Organized Retail Theft took off. Not only did the number of such cases increase 33%, but the number of defendants convicted rose 80%. Additionally, the work to build a cohesive and communicative law enforcement and retailer relationship has taken massive strides. With many law enforcement agencies and various retailers joining our statewide effort, data and intelligence sharing has taken a front seat and is one of the keys to battling this crime. With the emergence of a database where retailers and police can share crime numbers, trends, and even individual events/crimes, we will quickly see a tool we can use to attack the organizations that run throughout the state. The system will break down the geographic silos that have existed and raise interest in these crimes. This system was built and promoted with our retail partners at the urging of our organized theft coordinator in OSP.

We continue to work hard with law enforcement on gang cases, Medicaid fraud, and the many other crimes OSP has historically handled. But we would now like to present details regarding some of our areas of focus over the last year, presented by some of our prosecutors who handle and lead these efforts.

- Nick Cox, Statewide Prosecutor

ORGANIZED FRAUD

Along with a gradual return to normalcy that was evident in the workings of Florida's criminal justice system during 2021, there were ample reminders that—while crises and critical events that impact our society will come and go—the dark side of human nature that implores some to lie, cheat, and steal from others will always be an enemy needing to be fought. No portion of the crime spectrum owes more of its development to the vagaries of larger trends and circumstances than the many manifestations of white collar crimes and frauds. While the previous year presented plentiful opportunities for those of a mind to redirect to their own benefit newly created revenue sources dedicated to assist millions whose own personal finances were adversely impacted by the pandemic, the past year presented instructive instances of how the acceptance of a 'new normal' can give cover to a host of misdeeds.

One such example of this dynamic occurred in Daytona Beach and led to charges ultimately being brought against seven individuals. The overarching scheme is quite familiar: personal identifying information [PII] is obtained from a particular [and as yet unknown] point of compromise and makes its



way, usually through monetary sale, into the hands of someone farther down the stream of criminal commerce. Enough due diligence is completed by the purchaser so as to know that the PII attaches to victims with a strong creditworthiness,

and thus the planned frauds are likely to succeed [it has been wryly noted many times that the best defense against becoming a victim of identity theft is to have poor credit]. In this specific scheme, that information is utilized to secure financing from automobile dealerships under the auspices of a non-existent elderly relative who is willing to co-sign on the loan so as to be a benefactor for the younger co-defendant. When the dealership requests an in-person meeting with the co-signer prior to executing the required documentation, the cover story of COVID-19 concerns is given and, not wanting to risk exposing a beloved older relative to the virus, the purported purchaser happily volunteers to bring the paperwork to the great uncle/grandfather/aunt for signature. He or she then signs the paperwork in an empty room, returns it, and the transaction is completed based upon the credit score of a distant and unsuspecting victim. The seven individuals in this case have been charged with Criminal Use of Personal Identification of an Individual over 60 years old, Criminal Use of a Deceased Individual's Personal Identification Information with over \$5,000 in value obtained, Criminal Use of a Deceased Individual's Personal Identification Information with over \$50,000 in value obtained, Organized Fraud \$100,000 or more, and Grand Theft. The case is ongoing.

An emerging trend which continued to develop over the past year is the extent to which criminal organizations, previously not associated with utilizing white collar endeavors to advance their enterprises, have begun to do just that. As a result, law enforcement and OSP prosecutors have expanded the scope of investigations into drug trafficking organizations and criminal gangs, as with greater frequency evidence points to components of, for example, identity theft, phony SBA loan applications, and the use of fraudulent records to seek government benefits intended as relief for small businesses impacted by COVID-19. Criminal organizations, like their legitimate counterparts, adapt, reinvent, and employ flexibility so as to remain viable. With ever-evolving technology and the existence of the aptly-named Dark Web making such criminal diversification easier, the challenges of detection and capture will remain challenging in this sphere of activity.

An example of this opportunistic criminal endeavor referenced above, is displayed in a case which arose as a direct result of the Covid Pandemic. While investigating multiple violent felony offenses and firearm offenses, officers determined that several groups of individuals were utilizing social media to assist and recruit others in filing fraudulent pandemic related unemployment assistance (PUA) claims. The suspects were using social media to share personal identification information, as well as advice, to complete PUA applications in multiple states across the US. These defendants submitted fraudulent applications simultaneously in over 15 states for both themselves and others, all while residing in Palm Beach County, Florida. The investigation revealed that none of the participants were unemployed due to COVID-19 related conditions in Florida. Additionally, the investigation concluded that the defendants never held employment in states outside of Florida. The defendants fraudulently obtained more than \$550,000 in pandemic-related, unemployment-assistance funds from multiple states as a result of this scheme. After executing numerous search warrants of social media accounts and residences, as well as reviewing countless bank records, arrest warrants were obtained for 12 defendants. Charges included Organized Scheme to Defraud, Unemployment Assistance Fraud, and Fraudulent Use of a Two-Way Device.

Additionally, the remaining array of offenses which at their base are thefts or frauds remain on the radar of OSP attorneys. Home improvement operations are looked at carefully, oftentimes with assistance from our colleagues in the Consumer Protection division, for indications that what may be claimed as bad business decisions or unanticipated market changes are in actuality shields designed to make intentional frauds appear to be matters which are civil in nature. OSP remains focused on

fraud directed at our senior population. In whatever form their activities take, OSP and the array of law enforcement agencies with whom we work stand ready to utilize all available resources to pursue and prosecute white collar wrongdoers.

- Robert Finkbeiner, Chief Assistant Statewide Prosecutor

CYBER FRAUD ENFORCEMENT UNIT FUTURE

Cyber fraud continued to cause significant harm to Floridians in 2021. The Cyber Fraud Enforcement Unit has partnered with local, state, and Federal law enforcement agencies to investigate and prosecute cases where Floridians are being defrauded through use of the internet. Most involve the theft of their identity. Partnering with the Florida Department of Law Enforcement and the Florida Department of Economic Opportunity, the Unit filed identity theft charges against an individual who used a first responder's identity to fraudulently file online unemployment insurance claims against the State.



Throughout 2021, criminal organizations have continued to engage in business email compromises, confidence/romance scams, and other online crimes that require specialized investigative skills. The Unit has partnered with the United States Secret Service Cyber Fraud Task Force in Tampa Bay to provide training to cyber fraud investigators. Assistant statewide prosecutors and the Unit's cyber fraud investigator have presented to various groups and task forces. The Unit provided training to law enforcement officers in Gainesville that explained how criminals find stolen personal identification information on different parts of the internet, including the clear, indexed portion of the internet we commonly use.

- Joseph Spataro, Chief of Cyber Fraud Enforcement

ORGANIZED RETAIL THEFT

Throughout the past year, retailers have seen an increase in theft. According to the National Retail Federation, “[o]rganized retail crime now costs retailers an average of \$700,000 per \$1 billion in sales, and three-fourths of retailers saw an increase in ORC in 2020...” In response to this increase in Organized Retail Crime, the Office of Statewide Prosecution formed the Florida Organized Retail Crime Exchange (FORCE). FORCE is a collaboration between law enforcement, retailers, and prosecutors with the goal of building bigger cases and helping to identify suspects across jurisdictions. There are over 150 participating law enforcement agencies and retailers who have been trained and onboarded as members of the online platform.



Organized retail crimes have an impact on the entire state. Having local State Attorney Offices partner with the Office of Statewide Prosecution and FORCE will strengthen the office's commitment to investigating and prosecuting cases impacting multiple judicial circuits.

Law enforcement agencies and retailers working together is the key – organized crime does not exist in one county or one judicial circuit, criminals travel across the State to steal from different jurisdictions and different retailers. Having representatives from the State and retail industry together on one platform works.

2021 Statewide Prosecution Annual Report

Statewide Prosecution has partnered with the Florida Retail Federation, the trade association representing retailers across Florida. Through this partnership, FORCE has been able to connect and partner with many different retailers.

Statewide Prosecution's connection with law enforcement is stronger than ever. FORCE has partnered with law enforcement agencies from all over the State and brought them into the goal of building bigger cases. Between 2020 and 2021, Statewide Prosecution opened 57% more investigations into Organized Retail Theft year over year.

An example from the past year of the type of organized retail theft case that the Office of Statewide Prosecution handles, Assistant Statewide Prosecutor Richard Mantei out of the Jacksonville office filed a Racketeering and Grand Theft case out of St. Johns County in early 2021. The defendant pled to one count of Participating in Racketeering Activity and four counts of Grand Theft in October 2021. The defendant was sentenced to 38 months in the Florida Department of Corrections to be followed by 24 months probation, with the special condition that the defendant pay \$44,684.27 in restitution to the retailers. The defendant would enter retail stores, take non-activated gift cards off the shelf, and trick the cashier into activating the gift card by pretending to swipe his credit card.

Throughout 2022, FORCE will continue to work with law enforcement, retailers, and local prosecution offices to investigate and prosecute these "boosters". During 2022, FORCE will host monthly meetings on a variety of topics. Every other month there will be a continuing education session on fluctuating topics. During the alternate months, FORCE will host Intelligence Meetings with the goal of uniting investigations and sharing knowledge across multiple agencies.

- Mitchell Cooper, Assistant Statewide Prosecutor

SENIOR PROTECTION

The National Council on Aging reports that approximately one in ten Americans aged 60 and older have experienced some form of elder abuse – with some estimates reaching as high as 5 million older Americans being victimized every year. However, research also suggests that despite the high volume of victimization, cases of elder abuse are often unreported and as such go undetected.¹ One study estimates that only 1 in 24 cases of elder abuse (approximately 4% of cases) are ever reported to authorities.² And sadly, only a fraction of those elder abuse cases reported will lead to the arrest and successful prosecution of a perpetrator. The nationally low volume of elder abuse prosecutions stem from a variety of factors, including: an overall lack of education and training for law enforcement and prosecutors on elder abuse and exploitation; a lack of resources, assessments, and tools necessary to properly investigate elder abuse offenses; and a lack of coordinated, inter-agency efforts devoted specifically to detecting, investigating, and responding to situations of elder abuse.

Attorney General Moody recognized the importance of prioritizing elder abuse prevention, investigations, and prosecutions, when she announced the creation of the Senior Protection Team in March 2019. Since that time, the OSP has made the prosecution of crimes against seniors a top priority across the state, resulting in an overall increase of criminal investigations, prosecutions, and convictions

¹ "Get the Facts on Elder Abuse." National Council on Aging, 2021 National Council on Aging, Inc., Feb. 23, 2021, <https://www.ncoa.org/article/get-the-facts-on-elder-abuse>.

² Id.

for offenders who target senior victims. Over the past three years, OSP has prosecuted approximately 42 cases and 118 different offenders in cases of crimes involving senior victims. Many of these prosecutions have resulted in prison, jail, and probation sentences, along with orders for tens of thousands of dollars to be paid back as restitution to older adults.

Section 817.568 of the Florida Statutes, colloquially known as the Identity Theft Statute, contains enhanced penalties for such crimes against the elderly that marry up ideally with criminal conduct aimed at the victimization of the elderly. Many of the legislative tools aimed at those who target the elderly, were on display during a trial which occurred last summer in Seminole County. The defendant in that matter had been employed as a convenience store clerk and, taking calculated advantage of the easy access to the PII of any customer not making payments in cash, utilized the information to later subsidize shopping sprees for herself. This case was a prime example of how ‘old school’ methods of identity theft are still in play and, if a criminal is disciplined enough to not run up excessive expenses, the potential length of time is great before detection occurs. Although the total dollar loss in this case was relatively small, when charged utilizing the aforementioned statutes which feature enhanced penalties if seniors are victimized, it yielded a 15 year prison sentence.³ We, and Florida law enforcement must continue to remind the public of the importance of carefully monitoring one’s credit scores, destroying paperwork which contains PII prior to it leaving one’s possession, and never providing PII to an unfamiliar seeker until such an entity or individual is vetted.

Recognizing that crimes against seniors is a dynamic issue, the Office of the Attorney General also placed a greater emphasis on inter-agency coordination and communication to tackle crimes against seniors statewide. As part of this inter-agency coordination, OSP established partnerships and liaisons with local law enforcement agencies and participated in over a dozen law enforcement-led task forces or work groups combating crimes against seniors or senior fraud concerns. Through these task forces and work groups, OSP identified key trends with crimes against seniors emerging across the state, especially trends involving elder financial frauds or scams. As a direct result of OSP’s participation in these groups, OSP has opened more cases and identified additional targets for prosecution, while also assisting with and providing valuable information and guidance in several key cases now being investigated by the Medicaid Fraud Control Unit and the Consumer Protection Division.



Through these law enforcement-led initiatives, as well as through connections established with senior-focused community partner groups and organizations, OSP has also provided education and training across the state to aide in identifying, investigating, and prosecuting crimes against seniors. OSP has hosted or participated in nearly two dozen separate training and education events on crimes against senior issues. Further OSP sponsored two separate webinar training series for law enforcement and prosecutors – the first, a six-part series created in partnership with Stetson University College of Law, and the second, an ongoing virtual series created in collaboration with the Florida Sheriff’s Association and Florida Police Chief’s Association (so far with four recorded trainings).

³ Often, OSP cases will fall within multiple categories, for example, the case mentioned above not only constitutes Organized Fraud, but it is a fraud which victimizes the elderly as is the case example in the Organized Fraud section of this report.

In 2021, OSP represented the Attorney General on the Guardianship Improvement Task Force (GITF), a diverse team of guardianship stakeholders tasked with reviewing and recommending improvements to Florida's guardianship laws, rules, and policies. OSP notably provided the only prosecutorial and law enforcement perspective on this task force, which was especially important as a key area of concern identified by this task force were the reports of fraud and exploitation in guardianship cases. Ultimately the GITF published a 185 page [final report](#) documenting its findings and making specific recommendations for improvement to Florida's guardianship system. This final report included observations and suggestions which, if followed, will improve the future detection, reporting, investigation, and prosecution of criminal exploitation involving guardianships across the state.

Participation through the GITF is only one of the ways OSP has recently assisted in the development of better statewide policies for crimes against seniors. OSP was also integral to the creation, drafting, and passage of the "Protection of Elderly Persons and Disabled Adults" Bill ([HB 1041](#) / [SB 1344](#)) in 2021. Senate Bill 1344, improved Florida statutory protections for seniors and authority for enforcement in crimes against seniors in the following key ways:

- Diversified OSP's prosecutorial authority in § [16.56](#) (1)(a) to include "9. Any violation of [Chapter 825](#)" (i.e., crimes against elderly persons and disabled adults);
- Expanded Florida's slayer laws to include the forfeiture of assets for the "abuse neglect, exploitation, or aggravated manslaughter of an elderly person or disabled adult" [[§ 732.8031](#) and [§ 736.1104](#)];
- Broadened the list of disqualifying convictions for individuals seeking to serve as the personal representative of an estate to include a conviction in any jurisdiction of abuse, neglect, or exploitation of an elderly person or disabled adult (even misdemeanor offenses) [[§733.303](#)];
- Added to the methods for proving /committing exploitation to include:
 - The receipt of an "improper benefit" or "kickback", [[§ 825.101](#) and [§ 825.103](#)]
 - Becoming a fiduciary with the intent to benefit someone else, [[§ 825.103](#)] and
 - Tampering with or forging a person's will or testamentary trust devise (plugging a former loophole in the law) [[§ 825.103](#)];
- Codified a new form of elder abuse by criminalizing the unreasonable social isolation of an elderly person or disabled adult from family members which could reasonably cause injury or to conceal some other criminal activity involving the victim (a novel approach towards the earlier detection of abuse, neglect, and exploitation by law enforcement officials) [[§ 825.102\(1\)\(d\)](#)]; and
- Updated the standing requirements and overall process for obtaining an injunction for protection against exploitation [[§ 825.1035](#)].

These new tools will help prosecutors and law enforcement ensure Florida's elderly adult population is better protected from exploitation and abuse.

- Karen Murillo, Assistant Statewide Prosecutor & Senior Protection Coordinator

HUMAN TRAFFICKING

Many of the challenges OSP endured in 2020, continued into 2021. However, those challenges did not impede OSP's continued dedication to investigating and prosecuting Human Trafficking cases. Assistant Statewide Prosecutors continued to serve as members or co-chairs of committees on Human Trafficking throughout the State. OSP's bi-weekly Human Trafficking roundtable revealed a potential conflict between circuits regarding Florida Statute 787.06(3)(g) Human Trafficking of a Minor. Some circuits interpret the statute to require a mandatory life sentence, but others believe that a life sentence is permissive. These types of ongoing discussions often lead to valuable legislative changes to clarify the intent of the legislature. Additionally, these issues may not have been identified but for the continued open prosecutorial discussions lead by the OSP.

Assistant Statewide Prosecutors continue to work as partners with Federal, State and local law enforcement agencies in the investigation and prosecution of Human Trafficking cases. The OSP has strengthened its commitment to work with the public to raise awareness regarding Human Trafficking. OSP, as an agency and through its work on Human Trafficking task forces, provided training and presentations to law enforcement and the general public. This year, members of OSP not only assisted in formulating educational opportunities with the Florida Prosecuting Attorneys Association, they also had to opportunity to serve as presenters on the subject of Human Trafficking.

In February of 2021, OSP charged Piard Youance and Lorenzo Gonzalez, both from South Florida, with Human Trafficking of a Minor and Lewd and Lascivious Battery, Sexual Activity with a 16 or 17-year-old and Transporting Another for the Purpose of Prostitution. Both defendants manipulated the victims from their group home and made them engage in prostitution throughout South Florida and in Orlando.

In April of 2021, OSP charged Jarmar Justice Johnson with Human Trafficking of a Minor. This defendant transported the minor victim from Orlando to Daytona to engage in prostitution. The defendant bought her a phone for dates, rented a room and posted her on escort websites.

In May of 2021 OSP charged Jarwon Parker with his second case of Human Trafficking of a Minor. This defendant has another case currently being prosecuted by the OSP for the same charges. In this case, the defendant recruited a runaway minor and trafficked her out of hotel rooms in Central Florida. The defendant took the minor's phone, would not let her leave the room and took her Instagram photos and posted them on escort sites.

In October of 2021 OSP charged Jose Trinidad, Roberto Oviedo, Francisco Guerrero, Luz Vargas, Barbaro Gori, Victor Abreu, Eury Jimenez, Jose Toribio, Karin Acosto, Keisy Guerrero, Jose Gonzalez and Leopoldo Cruz. These defendants are charged with Racketeering, Conspiracy to engage in Racketeering and Unlawful Use of a Two-Way Communication Device. Metropolitan Bureau of Investigation investigated this organization that ran illegal brothels throughout the continental United States. This organization imported women from other countries with promises of citizenship, employment, etc. and then forced them into prostitution once they arrived in the U.S.

In December 2021, OSP charged Brandon McIntyre with Human Trafficking and Deriving Proceeds from Prostitution. The Florida Department of Law Enforcement received a tip that he was prostituting adult victims out of an apartment in Tampa. McIntyre controlled all bank records, money and kept personal documents of his victims while coercing them to engage in prostitution.

- Nicole Phillips, Assistant Statewide Prosecutor.

MEDICAID FRAUD CONTROL UNIT & SENIOR PROTECTION TEAM

Attorney General Moody established the Senior Protection Team in 2019 which is an intra-agency group of experts from the OSP and the Medicaid Fraud Control Unit (MFCU) working collaboratively to fight fraud. The OSP and MFCU have enjoyed a successful working relationship over the years and this team approach has resulted in a more efficient and consistent way of fighting fraud for the betterment of Florida's most vulnerable citizens.



The Senior Protection Team provides an opportunity for both units to meet regularly (in concert with Consumer Protection and the Office of Citizen Services). The MFCU investigates cases and if the case is appropriate for prosecution, the cases are referred to the OSP. Once referred, OSP will determine whether to assign the case to an Assistant Statewide Prosecutor or utilize a Medicaid Fraud Control Unit attorney with prosecutorial background via cross-designation. Utilizing this close working relationship, unit resources are more effectively and efficiently used. Importantly, this partnership allows specialized attorneys to be part of the investigative team from the beginning which results in a more comprehensive understanding of the case at the time of referral.

Together, the OSP and MFCU continue to support and further the prosecutions within the Senior Protection Team priority areas. This team approach works to promote innovation through heightened awareness and enforcement and achieve greater coordination among our local law enforcement partners.

The Office of Statewide Prosecution and Medicaid Fraud Control Unit jointly strive to support the Senior Protection Team's efforts to aggressively investigate and prosecute Senior Protection Team crimes, with a particular focus on fighting civil, criminal, and health care fraud.

- David Bundy, Deputy Director Criminal Enforcement Medicaid Fraud Control Unit

DRUG PROSECUTIONS

In 2021, OSP continued the tradition of excellence in the fight against trafficking of traditional street drugs, as well as the battle against Opioid-abuse and synthetic drugs. For example, in April, the OSP secured a 25-year prison sentence against a drug trafficker after distributing heroin throughout Central Florida. According to the investigation, Reyes Rios obtained heroin from Central Florida suppliers and then subsequently distributed the heroin throughout the area. Prior to the arrest in this case, Reyes Rios served a three-year prison sentence for conspiracy to traffic in cocaine and trafficking in cocaine. Upon completing the sentence in August 2016, the court system placed Reyes Rios on probation. Reyes Rios did not complete probation before committing the 2018 heroin offenses that led to the 25-year sentence.

In June, the OSP secured convictions against a sibling drug trafficking duo. The defendants faced charges for selling and distributing heroin and fentanyl in and around Orlando. According to an investigation by the Metropolitan Bureau of Investigation, Hector Mojica Phipps sold and distributed kilos of heroin and fentanyl throughout Central Florida. During the investigation, agents intercepted calls between Hector Mojica Phipps and his source of supply in Mexico—Lorenzo Corral Martinez, a fugitive co-defendant. In the calls, Martinez arranged for Hector Mojica Phipps to receive, by a courier, three kilograms of heroin. The investigation also revealed that Hector's sister, Dilcia, trafficked fentanyl for the operation in his absence.

2021 Statewide Prosecution Annual Report

In September, the OSP assisted the Broward County Sheriff's Office, among other law enforcement agencies, to successfully conclude a long-term investigation into a localized criminal gang/ organization based in Deerfield Beach, Florida, believed responsible for distributing large amounts of heroin and fentanyl. The Alwoods Gang had been identified by local law enforcement by symbols, tattoos, associations, and physical evidence, to qualify the gang as a criminal gang under s.874.03, Fla. Stat. In a strategic partnership, the OSP assisted the law enforcement agencies in the dismantling of this criminal street gang.

As part of the investigation, law enforcement seized over 30,000 fake "Xanax" pills.



Image: Over 30,000 seized fake "Xanax", believed (but not confirmed) to contain fentanyl; also shown: heroin, methamphetamine and fentanyl.

The prosecution of the many members of the gang, and related individuals, continues into 2022.

While traditional drug trafficking prosecution is a major focus of OSP, for over a decade the OSP has also watched for emerging drug trends. This includes the proliferation of fake prescription drugs, for example, the fake "Xanax" pictured on previous page. Noting this trend, in October, Attorney General Moody warned Floridians about the explosion in deadly counterfeit pills confiscated nationwide. As explained in the October press release, since the start of 2021, officials have seized, nationally, more than 9.5 million counterfeit pills—an increase of nearly 430% since 2019. According to the DEA, just a few years ago, about 10% of drugs tested contained fentanyl—that is now up to 40%. According to reports, the fake pills are being manufactured to look identical to prescription opioid medications such as Xanax, Vicodin, Percocet and Oxycontin.

In October, the OSP secured a 25-year prison sentence on Jorel Cruz Nazario for trafficking heroin. As well, in November, the OSP secured a 30-year state prison sentence for a Georgia man, James John Kamisky, trafficking large amounts of methamphetamine in Florida. Investigators identified Kamisky as a supply source bringing large amounts of the meth from Georgia to a local drug trafficker staying at a hotel in Kissimmee. While the state case moved forward, federal authorities arrested and prosecuted Kamisky for a similar crime—securing a 20-year federal prison sentence. After completing the federal sentence, Kamisky will be returned to the Florida Department of Corrections to serve the rest of the 30-year state prison sentence.

In December, the Leon County Sheriff's Office, acting as part of the North Florida High Intensity Drug Trafficking Area Capital Area Drug Response & Evaluation Initiative, successfully concluded a long-term investigation into a suspected drug trafficking organization responsible for distributing large amounts of drugs in and around Leon County Florida, including cocaine, fentanyl, heroin, crystal methamphetamine, and "Molly" [this genre of street-drug traditionally contained MDMA, but now typically contains various stimulant compounds of the class Substituted Cathinones]. The prosecution of this successful case continues into 2022.

In 2021 OSP was actively either investigating and/or prosecuting a total of 532 defendants for Opioid related cases. This number includes doctors also known as, "drug dealers in lab coats" and street dealers peddling trafficking amounts of heroin, fentanyl, oxycodone, Promethazine, etc. OSP continued to assist in the effort to combat the opioid epidemic not only through prosecutions, but by providing multiple trainings to prosecutors and law enforcement relating to the investigation and prosecution of pain clinics, overprescribing by doctors and how to prosecute overdose deaths.

Throughout 2021, OSP continued to monitor seized drug trends in the forensic drug labs of this State, in the reports of the Drug Enforcement Administration's National Forensic Laboratory Information System, and as described by the National Institute of Drug Abuse and the European Monitoring Centre for Drugs and Drug Addiction. As well, the OSP continues in its decade-long collaboration with forensic chemists of FDLE and many of the State's independent forensic labs 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, has helped to dramatically decrease the proliferation of many emerging synthetic drugs and has increased law enforcement's ability to successfully investigate and prosecute drug crimes.

In addition to advanced drug prosecution and collaboration on legislation, OSP continues to serve as a resource to local, state and federal law enforcement in Florida, providing updates related to synthetic drugs and drug trends in Florida, and guidance on how to translate "new" drugs to courts and juries during prosecution. OSP works in an on-going collaboration with the Department of Homeland Security/Homeland Security Investigations (HSI) and works in conjunction with HSI Orlando, HSI Jacksonville and HSI offices across central and northern Florida, in an effort to identify new drug trends and to assist special agents in applying Florida controlled substance and drug trafficking laws in casework. This collaboration has resulted in the successful prosecution of major drug importers and traffickers across Florida.

Throughout 2021, the OSP remained committed to serving the mandate of our enabling statute, s.16.56, subsection (c), to "[u]pon request, cooperate with and assist state attorneys and state and local law enforcement officials in their efforts against organized crimes." At all times, even in a pandemic, OSP remains ready to serve and assist law enforcement in the State in understanding and effectively prosecuting both traditional and advanced drug crimes in our ever-changing illicit drug market. In the new year the OSP will continue to monitor trends in the illicit drug markets and continue to work with our law enforcement partners to adapt in our collective and on-going efforts to keep Florida safe from dangerous drugs.

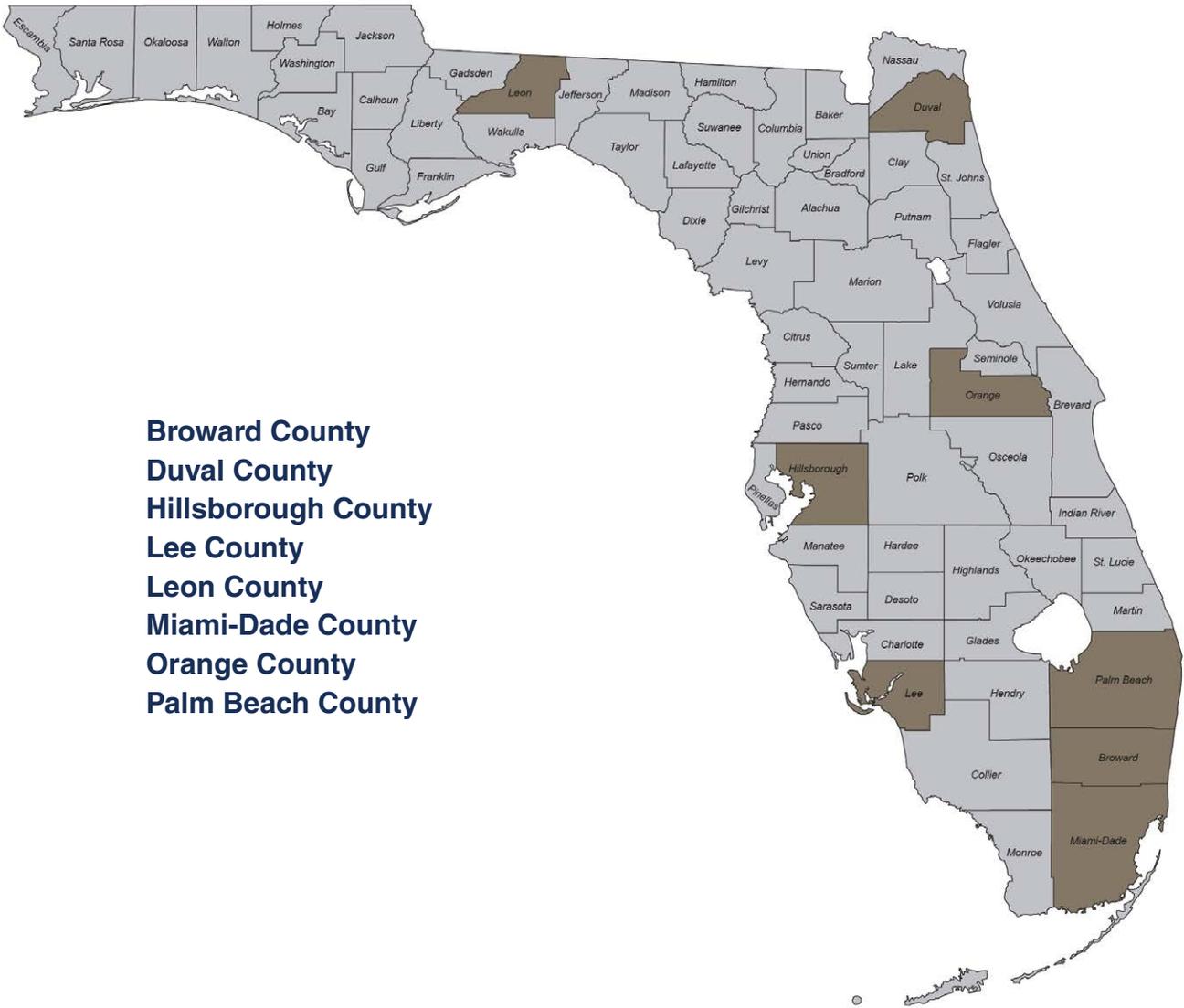
- Shannon MacGillis, Special Counsel
- Julie Chaikin, Deputy Statewide Prosecutor

CLOSING

The Office of Statewide Prosecution had a productive year in 2021. As we move forward into 2022, we plan to continue our work in the areas of human trafficking, pills and opioids, gangs, fraud and more. We also hope to continue to advance our efforts battling fentanyl, organized retail theft, fraud against consumers, and cybercrime and directed by the Attorney General. This will be achieved due to an office staffed by dedicated and highly experienced prosecutors and legal staff.

- Nick Cox, Statewide Prosecutor

OFFICE OF STATEWIDE PROSECUTION BUREAU LOCATIONS

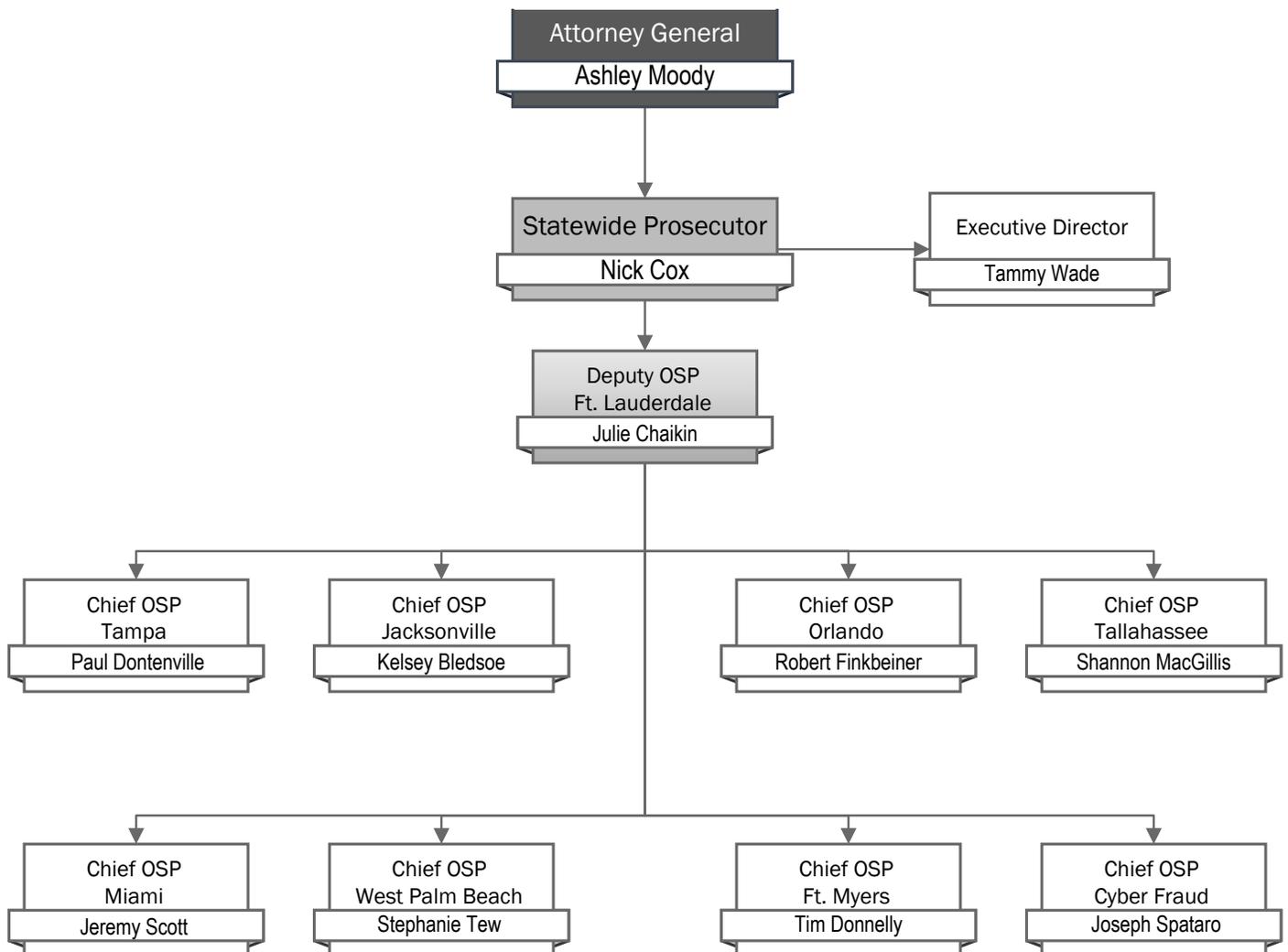


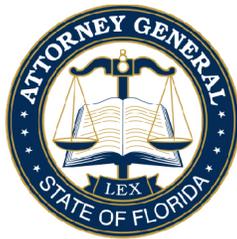
- Broward County**
- Duval County**
- Hillsborough County**
- Lee County**
- Leon County**
- Miami-Dade County**
- Orange County**
- Palm Beach County**

OFFICE OF THE ATTORNEY GENERAL



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ASHLEY MOODY

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