

FILED
US DISTRICT COURT
DISTRICT OF NEBRASKA

APR 19 2023

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SEALED

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

4:23CR 3051

Plaintiff,

INDICTMENT

vs.

18 USC § 1349

JOHNNY PALERMO,
RICHARD GONZALEZ, a/k/a “Richie”,
and JACK OLSON, a/k/a “Cody Jones”,

18 USC § 1346

18 USC § 1343

18 USC § 1014

18 USC § 2

Defendants.

The Grand Jury charges that:

Count I – Wire Fraud Conspiracy

Introductory Allegations:

1. At times material to Count I, defendant JOHNNY PALERMO was a police officer with the Omaha Police Department (“OPD”) and board member of the Latino Peace Officers Association (“LPOA”). LPOA is a professional organization designed to promote the advancement of Latino professionals within OPD and other law enforcement organizations. LPOA hosts events each year, to include an Easter egg giveaway, a turkey giveaway, and a golf fundraiser.
2. At times material to Count I, defendant RICHARD GONZALEZ, a/k/a “Richie”, a retired OPD police captain and the Executive Director of Police Athletics for Community Engagement (“PACE”), would falsely represent on LPOA tax returns and other documents that he was also a board member of LPOA, that is the Chaplain

of LPOA when, in fact, he was not a board member and had no authority to act on behalf of the LPOA board. Without having board authorized authority to do so, RICHARD GONZALEZ conducted financial transactions for the charity and caused payments to himself, JOHNNY PALERMO, and JACK OLSON, a/k/a “Cody Jones”, along with others, without disclosing material payments to donors or the LPOA board. PACE, the charity for which RICHARD GONZALEZ worked at material times to Count I, administers and oversees athletic programs for disadvantaged youth. LPOA is a separate entity with a separate governing board from PACE and is not involved in administering children’s athletic programs as falsely represented by PACE’s donor letters and organization website at times material to Count I. JOHNNY PALERMO personally approved the donor letters.

3. At times material to Count I, defendant JACK OLSON used the false identity of “Cody Jones,” and with the knowledge and assistance of JOHNNY PALERMO and RICHARD GONZALEZ would solicit funds from individuals and entities in the District of Nebraska on behalf of LPOA. Donors were unaware that Cody Jones is in fact JACK OLSON, and that JACK OLSON was keeping approximately 65% to 80% or more of donations made to LPOA for himself. The donor letters that JOHNNY PALERMO signed and authorized for LPOA falsely represented that “every penny” of the donations went to athletic programs to keep target youths out of gangs and to other LPOA causes. The LPOA website similarly represented that 100% of donations went to athletic programs for children when in fact LPOA was not organizing and administering any athletic programs for children in Omaha at

times material to Count I. JACK OLSON did not file income tax returns based on this income and did not pay income tax. RICHARD GONZALEZ brought JACK OLSON to LPOA after JACK OLSON was terminated for cause from his previous employment as a solicitor or fundraiser due to an arrest involving drugs, prostitution, and allegations of embezzling donations. RICHARD GONZALEZ did not disclose the facts of JACK OLSON's termination to the LPOA board when recommending that they use JACK OLSON as a fundraiser.

4. At times material to COUNT I, there were LPOA board members who were not even aware that JACK OLSON had a contract to raise funds for LPOA. The contract was signed by JOHNNY PALERMO and facilitated by RICHARD GONZALEZ without these board members seeing or voting on the contracts.
5. At times material to COUNT I, JOHNNY PALERMO and RICHARD GONZALKEZ increased the percentage of donations that JACK OLSON kept for himself from 65% of gross donations to 80% of gross donations without presenting the increase to the LPOA board for its consideration and approval.
6. Between on or about January 1, 2016, and April 5, 2023, in the District of Nebraska and elsewhere, JOHNNY PALERMO, RICHARD GONZALEZ, and JACK OLSON, defendants herein, and others known and unknown to the grand jury, did knowingly combine, conspire, confederate, and agree with each other to commit wire fraud, to wit, they agreed to knowingly devise a scheme and artifice to defraud LPOA and its donors, as to material matters and to obtain money and property from

LPOA and its donors, by means of false and fraudulent pretenses, representations, promises, and omissions of material facts in violation of 18 U.S.C. § 1343.

Manner and Means of the Conspiracy

7. Defendants and others used the following manner and means to carry out the conspiracy and scheme to defraud:
8. It was part of the conspiracy and scheme to defraud that defendants and others falsely represented that JACK OLSON was “Cody Jones,” and that “every penny” of the money donated to LPOA by donor entities and individuals in the District of Nebraska and elsewhere went to athletic programs for underprivileged children residing in neighborhoods with substantial gang activity to help keep children from joining street gangs when they well knew that 65% to 80% of the money that JACK OLSON solicited through the false identity of Cody Jones went back to JACK OLSON, who spent that money on himself and the defendants, and that LPOA did not, at times material to Count I, actually administer, operate, or oversee athletic programs for children in the City of Omaha and surrounding areas.
9. It was part of the conspiracy and scheme to defraud that the defendants and others falsely represented at times material to Count I that JACK OLSON employed multiple individuals, such as drivers, and had significant overhead costs and operated a “call center,” when, in fact, JACK OLSON primarily worked alone out of a residence in Council Bluffs, Iowa until RICHARD GONZALEZ secured him a new rental location from a retired LPOA board member.

10. It was part of the conspiracy and scheme to defraud that when donors, LPOA members, and others would confront RICHARD GONZALEZ about “Cody Jones,” and the true identity of “Cody Jones,” RICHARD GONZALEZ would vouch for JACK OLSON and “Cody Jones” in an effort to maintain JACK OLSON’s ability to continue to solicit funds.

11. It was part of the conspiracy and scheme to defraud that the defendants and others sent e-mails in the name of “Cody Jones,” to donors with statements such as the following, “(Victim MK), Please remember that this is not just a big cop party, we do this to raise funds so that volunteer Omaha police officers can help at risk and disadvantaged local youth! any amount will be appreciated. Cody,” when in fact, it was part of the conspiracy for JACK OLSON to spend more than \$46,000 dollars of money donated to LPOA at the Lemon Drop bar for the benefit of himself, his co-defendants, and others known to the grand jury on alcohol and so that he and RICHARD GONZALEZ could gamble on Keno at the Lemon Drop bar.

12. It was part of the conspiracy and scheme to defraud that defendants and their co-conspirators did not disclose to the entire LPOA board that JOHNNY PALERMO and RICHARD GONZALEZ were spending LPOA money on a trip for themselves and friends to Las Vegas, Nevada, and were spending LPOA money at restaurants and bars for their own personal benefit. They further failed to disclose that their friends, family members, and associates’ travel was paid for by LPOA, using money that was fraudulently raised by JACK OLSON.

13. It was part of the conspiracy and scheme to defraud that defendants and their co-conspirators did not disclose to the LPOA board that JOHNNY PALERMO and RICHARD GONZALEZ increased JACK OLSON's percentage cut of the donations received to LPOA from 65% to 80%. Overall, JACK OLSON removed more than a half million dollars from contributions given to LPOA between on or about January 1, 2018, and December 31, 2022.
14. It was part of the conspiracy and scheme to defraud that defendants and their co-conspirators did not disclose to the entire LPOA board that JOHNNY PALERMO authorized personal loans to JACK OLSON out of the charity funds. This was done in addition to the 65 to 80% cut that JOHNNY PALERMO authorized for JACK OLSON in a contract that JOHNNY PALERMO signed for LPOA but did not disclose to the LPOA board.
15. It was part of the conspiracy and scheme to defraud that RICHARD GONZALEZ would loan JACK OLSON thousands of dollars on an approximately annual basis, with knowledge that the only money JACK OLSON earned was the money from the scheme to defraud LPOA and its donors and that the money from the scheme would be used to reimburse RICHARD GONZALEZ for the loans.
16. It was part of the conspiracy and scheme to defraud that JACK OLSON would solicit a massage parlor for LPOA donations where JACK OLSON received commercial sex services and suggested to RICHARD GONZALEZ that they offer the massage parlor space in the LPOA advertising book, in exchange for illegal sex services.

17. It was part of the conspiracy that RICHARD GONZALEZ falsely represented on LPOA tax returns that JACK OLSON did not have custody of the LPOA donations as the solicitor for LPOA, however RICHARD GONZALEZ would personally contact the Omaha Police Credit Union and authorize JACK OLSON to cash checks made out to LPOA and leave with LPOA funds without requiring JACK OLSON to first go through the LPOA bookkeeper and without disclosing this practice to the LPOA board, LPOA donors, or the federal government. RICHARD GONZALEZ knew that JACK OLSON had custody of donations at the time that RICHARD GONZALEZ caused the false statement in the charity tax return.

18. It was part of the conspiracy that JACK OLSON would receive restaurant gift cards, such as Texas de Brazil gift cards, and other items of value from donors that JACK OLSON would offer to RICHARD GONZALEZ and JOHNNY PALERMO without reporting those donations to the LPOA bookkeeper.

19. It was part of the conspiracy and scheme to defraud that defendants and their co-conspirators, on or about the dates set forth below, did, through false representations and material omissions cause and solicit the following non-exhaustive list of victim donors to donate to LPOA through this scheme:

Victim (location)	Donation Amount Totals and Date Ranges
Wal-Mart (Arkansas)	Approximate total of donations from March, 2019, to June, 2022: \$67,000.
S&C Wholesale (Englewood Colorado) a/k/a "JBS"	Approximate total of donations from April, 2019, to August, 2022: \$50,000.

Scheels (North Dakota)	Approximate total of donations from July, 2019, to February, 2022: \$1,000.
Cargill Beef (Schulyer, NE)	Approximate total of donations from August, 2019, to April, 2022: \$6,500
Catholic Archbishop of Omaha	Approximate total of donations from July, 2019, to January, 2022: \$11,500
Ameriprise Financial Services, Inc. (Minneapolis, MN)	Approximate total of donations from March, 2019, to June, 2020: \$5,500.
Midnite Dreams (Waverly, NE)	May 16, 2019: \$750

20. As part of the conspiracy and scheme to defraud described above, caused to be transmitted by means of wire communications, in interstate commerce and utilizing facilities of interstate commerce, the signals and sounds described below:

Wire	Date	Wire Communication
Text Message from JACK OLSON to RICHARD GONZALEZ	12/8/2021	"Rich, Please get me the account and routing number info from bank."
Phone call intercepted between a witness (W1) known to the grand jury and JOHNNY PALERMO ("JP")	9/9/22	W1: Richie's so fucking dirty at times man... JP: check this out though, so you didn't know but, motherfucker been getting money off my name W1: Oh yeah JP: with Jack, and they use that all the time...I told Jack, quit calling my people man, every time you need some money... W1: Is Jack the dude that's always with [witness known to the grand jury] JP: huh, yeah JP: Bro let me tell you, between me and you, you can't tell nobody so don't even tell [witness known to the

		<p>grand jury] he (Jack) raised in 6 months, he raised \$125,000, right?</p> <p>W1: uh huh</p> <p>JP: But he keeps 80% of it</p> <p>W1: What now?....</p> <p>JP: And he (Jack) broke, he hangs with Rich and all they do is spend money between you and me, at the bar on Keno, you know what I mean</p> <p>W1: Yeah Rich, Rich getting all this money dog. You know what I'm saying.</p> <p>JP: Yep</p>
Phone call intercepted between JOHNNY PALERMO ("JP") and RICHARD GONZALEZ ("RG")	9/11/22	<p>RG – hey...your.... new nick name...it ain't going to be JP, it's going to be reverend J,... cuz he gets paid to be at church every Sunday...</p> <p>RG - what time you done, you and ah looks, like me you and [a witness known to the grand jury] and Jack</p> <p>JP - let's go...I'm putting a text out a couple people - I know some freaks- just to show up, you know what I'm saying, we'll get their drinks cuz LPOA is paying for it you know what I'm saying so...</p> <p>RG - yeah that's what I was going to say if you got the cards</p> <p>JP - naw but I got my card and I'll get a receipt later you know what I'm saying</p> <p>RG - oh yeah get reimbursed, I don't know why he put it under PACE but that's fine</p>
Phone call intercepted between JACK OLSON ("JO") and RICHARD GONZALEZ ("RG")	10/7/22	<p>JO: Well I went and tested, I went and picked up ah some money from that massage parlor today over there next to Winners.</p> <p>RG: Oh you called em?</p> <p>JO: Oh no, I didn't call I just went in.</p> <p>JO: No the money was going the other way this time.</p> <p>RG: How was it?</p> <p>JO: It was all that and a bag of chips.</p> <p>RG: Oh you serious?</p> <p>JO: Oh yeah.</p> <p>RG: [W2] called it didn't he.</p> <p>JO: Oh yeah it was a good one.</p> <p>JO: (UI) [W2]walked out and get in the car and looked for a menu he walked out and said Oh Yeah 100 percent...yeah it was 110...169....yeah it was a good</p>

		<p>one. So anyway I just make sure everything you got was going to just do a little bragging real fast or a scouting report for you. (UI) Now I'm going to call (UI) some money. Hey we'll put you in that book for ah 100 free 60 minutes.</p> <p>RG: Oh Oh my lord.</p> <p>RG: Did, hey, did you have to ask?</p> <p>JO: Ahhh no. No she gave me options. And she pointed at her lip, her mouth too.</p> <p>RG: No way.</p> <p>JO: Yep, guess what option I took?</p> <p>RG:...I'm telling you the devil has taken over</p> <p>JO: You know, I'm the devil's fucking cousin</p> <p>RG: You're the devil's scout</p> <p>[W2]: Hey Rich, someone put on Facebook, if Omaha was a book, and the devil read it, he would cry</p>
<p>Text Message sent from JACK OLSON ("JO") to a potential LPOA donor</p>	<p>10/11/2022</p>	<p>"This Is Cody with Omaha Latino Peace Officers Association. Thank you for your support with everything LPOA does for at-risk and disadvantaged youth from here in the inner city...can we count on your support again for our Christmas Party for kids and our food basket giveaway? We call it Presents from the Police. You have helped us with it the past few years, can we count on you for \$500 again? Please let me know, Cody."</p>
<p>Phone call intercepted with RICHARD GONZALEZ ("RG"), JOHNNY PALERMO ("JP") and a witness known to the grand jury (W2)</p>	<p>10/17/22</p>	<p>RG: Are we on speaker?</p> <p>W2: Yeah, what's up?</p> <p>RG: Tell Johnny he's got to start fucking vetting these people that we hang out with...</p> <p>RG: Well...Jack never sold you out on being there...</p> <p>JP: Rich, we gotta suspect that everyone is a fucking snitch... the only people we gotta protect is us now</p> <p>RG: Hey, hey, I trust you and [witness known to the grand jury]. I trust nobody fucking else bro....But you're right Johnny, you got to treat it like everybody's a snitch...we gotta protect each other...we on an island...</p> <p>JP: We are on an island by ourselves, everybody else lying, they jealous of us</p> <p>RG: I've been through this with the FBI, with you, you know that. I mean fuck, your last investigation, we knew what was up, these motherfuckers trying to</p>

		<p>get us, we didn't do nothing. Didn't do nothing this time either.</p> <p>JP: Man, only thing they get us, if they ever get us, is fucking bitches and drinking and getting money, that's it.</p> <p>RG: Yep, that's it bro...</p> <p>W2: No hey, we just gotta see what Jack says you know, hey Rich, and one more thing, text "Cody Jones," on his work number and say call me on this phone, you know.</p> <p>RG: Yeah, yeah.</p> <p>W2: And put your other phone in the fucking washer or microwave</p> <p>RG: No, yeah, fuck</p>
<p>Phone call intercepted between JOHNNY PALERMO ("JP") and Victim of the Scheme ("V")</p>	<p>12/14/22</p>	<p>JP - Hello?</p> <p>V - Hi, is this Johnny Palermo?</p> <p>JP - Yes</p> <p>V - Hi this is [a victim known to the grand jury].... I'm the donation manager</p> <p>JP - Yeah, how you doin?</p> <p>V - Yeah, I'm good. Well... for the last four years at least we've donated to the Latino Police Association...</p> <p>JP - Right</p> <p>V - And um recently I was contacted by the FBI ... so ... I need to get some answers...</p> <p>JP - Okay</p> <p>V - So one is Cody Jack. Um, I've been told I-that may not even be this man's name. He's the one that always contacts me</p> <p>JP - Is it-is it Cody Jones?</p> <p>V - Umm, could be Cody Jones</p> <p>JP - So he-he-he's the one that you know came to us and said that he would solicit funds. ...his name is Jack Olson. And he hasn't paid his taxes in I dunno in like in five years...</p> <p>V - Yeah, well that's what I heard...one of the things we really look at in organizations is, number one, our money goes to what we put it to...and I've been told that he's takin more than half of it as a cut and you-and the only a very small portion goes ... to your guys' organization</p> <p>JP - Right. And you know w-w-w-w-</p>

		<p>V - Is that-is that true? JP - Well, yeah, that's what they told me JP - Yeah, well yeah. That-he takes a large cut of it and um (V - Mhm) ...but the money goes to good causes that stuff that we do in the community but his overhead is his overhead, you know? And I don't-you know-I think he has pai-paid drivers... V - Well ... I've been doin this for 13 years...(JP - Right) I-I-I guess I-I don't understand how y-how whoever-whoever hired him (JP - Mhm) didn't understand like how much of a cut he was taking... JP - Right</p>
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All in violation of Title 18, United States Code, Sections 1349 and 2.

COUNT II – WIRE FRAUD CONSPIRACY

1. The Introductory Allegations set out in Count I are hereby realleged as if set forth herein.
2. Between on or about January 1, 2019, and December 20, 2022, in the District of Nebraska and elsewhere, JOHNNY PALERMO and RICHARD GONZALEZ, defendants herein, and others known and unknown to the grand jury, did knowingly combine, conspire, confederate, and agree with each other to commit wire fraud, to wit, they agreed to knowingly devise a scheme and artifice to defraud PACE and its donors, as to material matters and to obtain money and property from PACE, by means of false and fraudulent pretenses, representations, promises, and omissions of material facts in violation of 18 U.S.C. § 1343.

Manner and Means of the Conspiracy

3. Defendants and others used the following manner and means to carry out the conspiracy and scheme to defraud:
4. It was part of the conspiracy and scheme to defraud that defendant JOHNNY PALERMO, using his purported real estate company, "Palermo Investments, LLC" a/k/a "PMOINVESLLC," agreed with RICHARD GONZALEZ to submit false invoices to PACE representing that JOHNNY PALERMO's company and its employees completed work for PACE. RICHARD GONZALEZ would cause those invoices to be paid, and then RICHARD GONZALEZ would have the work done by a salaried worker of PACE known to the grand jury who already performed similar work for PACE as part of the worker's official duties.
5. It was part of the conspiracy and scheme to defraud that RICHARD GONZALEZ and JOHNNY PALERMO would personally benefit from the money that PACE paid to JOHNNY PALERMO's LLC and would provide a portion of it to the salaried PACE worker that actually did the work.
6. It was part of the conspiracy and scheme to defraud that RICHARD GONZALEZ would direct that salaried worker known to the grand jury to stay "on the clock" with PACE while allegedly performing work for "PMOINVESLLC" as part of the scheme.
7. It was part of the conspiracy and scheme to defraud that the work that JOHNNY PALERMO would invoice PACE to pay included tree and debris removal, work on bleachers, and other basic custodial work.

8. As part of the conspiracy and scheme to defraud described above and in furtherance of it, that the defendants caused to be transmitted by means of wire communications, in interstate commerce and utilizing facilities of interstate commerce, described below:

Wire Description	Date	Wire Communication
PACE check made out to PMOINVESLLC for \$5,520.	5/14/2021	PMOINVESLLC invoiced PACE for work allegedly done, and caused PACE to submit check payment to PMOINVESLLC (JOHNNY PALERMO) in the amount of \$5,520 for work on bleachers and the sprinkler system.
PACE check made out to PMOINVESLLC for \$964.	7/16/2021	PMOINVESLLC invoiced PACE for work allegedly done, and caused PACE to submit check payment to PMOINVESLLC (JOHNNY PALERMO) in the amount of \$964 for picking up tree debris from PACE fields.
PACE check made out to PMOINVESLLC for \$1,660.	10/15/2021	PMOINVESLLC invoiced PACE for work allegedly done, and caused PACE to submit check payment to PMOINVESLLC (JOHNNY PALERMO) in the amount of \$1,660 for work on the Christie Heights sprinkler system.
Call interception between RICHARD GONZALEZ ("RG") and JOHNNY PALERMO ("JP")	10/14/22	<p>RG - And I'll see if, if you want to hire [salaried PACE employee known to grand juror] and [person known to grand jury]</p> <p>JP - Um, if, if they're available, yea</p> <p>RG - Yea, you know cause, if you hire about 4, 4 people and then just give me an invoice for it. We'll get you paid and then you can pay them, just like you have in the past</p> <p>RG - Sound cool?</p> <p>JP - Yep</p> <p>RG - Shit they can all make some extra money, bro</p> <p>JP - Oh, bro. They need it. Believe me</p>

All in violation of Title 18, United States Code, Sections 1349 and 2.

COUNT III – Honest Services Fraud

1. The allegations set out in Count I are hereby realleged as if set forth herein.
2. From on or about January 1, 2018, to on or about December 20, 2022, in the District of Nebraska and elsewhere, JOHNNY PALERMO, then a police officer with the Omaha Police Department, RICHARD GONZALEZ, and JACK OLSON, defendants herein, aiding and abetting each other, devised, intended to devise, and knowingly participated in a scheme to defraud the residents of the City of Omaha by depriving them of their right to the honest services of a police officer, and to defraud the Omaha Police Department of its right to the honest services of JOHNNY PALERMO as a police officer, by accepting a stream of benefits provided with the intent to influence JOHNNY PALERMO, in the form of financial payments and other items of value from RICHARD GONZALEZ and JACK OLSON, and in exchange, JOHNNY PALERMO impeded and obstructed a rape investigation of which JACK OLSON is the lead suspect and did provide inside information on the practices and personnel of the police department, past and present, and did cause RICHARD GONZALEZ to draft an email to an OPD detective falsely representing that a licensed attorney provided the advice and response in the email when in fact JOHNNY PALERMO and RICHARD GONZALEZ were the source of the purported legal advice and response, to aid JACK OLSON with countering the rape investigation, and the defendants knowingly caused

signals and sounds to be transmitted by means of wire and radio communications in interstate commerce, using facilities of interstate commerce, that is cellular telephone calls, as follows:

Call intercepted between JOHNNY PALERMO (“JP”) and RICHARD GONZALEZ (“RG”)	9/30/22	<p>RG - no but hey real quick I just looked at that ah email that she sent him JP - yeah what'd it say RG - it said per our conversation, if you come in to get an interview with you whatever, these are the dates I'm available... JP - say I talked to my lawyer, hey I got nothing to gain by talking to you RG - you're cutting out bro JP - cuz if she had enough she would have a warrant right? RG - right JP - so he can say, you know I talked to my lawyer, he said I have nothing to gain by having a conversation with you, you know what I mean but word it nice you know RG - yep JP - ...there's no reason for me to talk you, hey I talked to my attorney and he said... RG - ah huh JP - make it sound good like an attorney said it and that's it that's the end of right, it's a catfish, you know what I mean she's just closing it out. I talked to him we made contact and now he refused to have a conversation with me so I'm closing it RG - OK cool</p>
Call between RICHARD GONZALEZ (“RG”) and Witness #3 (“W-3”)	10/9/22	<p>RG - ...are you home yet from your wedding? W-3 - Oh yeah. (UI) RG - Alright, do you have two minutes? W-3 - Um-hm. RG - Hey, I'm, I'm gonna make a long story short, but I'd love to have you, have you look at something and then, ah, for Jack... W-3 - Okay</p>

		<p>RG - For him, and let me tell, let me give some background real quick...Jack was at the, at the bar, at the Lemon Drop.</p> <p>W-3 - Okay.</p> <p>RG - And ah, a bunch of people were there...</p> <p>he meets some girl... they exchange texts, he leaves with her, she needs to get condoms, you know...And there's a reason I'm giving specifics.</p> <p>W-3 - Okay.</p> <p>RG - ...she took off, said she was bleeding. Well she goes, the next day, ah, an overnight comes out on OPD and said it's some girl says she got raped that she was at the Lemon Drop and that she met some guys, plural, and they took her to Seymour Smith park, off, off of 72nd Street.</p> <p>RG - She wants free medical. I'm sure what's happening okay?</p> <p>W-3 - Okay</p> <p>RG - So, I tell, somebody, somebody tells me that...They're, they're down at the Lemon Drop, they're saying that, you know Jack and some girl... so the investigators want the video, it's a big hoorah....</p> <p>RG - Alright, so, getting word from our inside people, this girl apparently, um, did lie, she went and got medical attention and Jack, he never got talked to, never got nothing, cause our inside person basically said there's nothing there anyway. Okay, fast forward to...seven eight months later Jack, gets a, gets a call from the detective...asked Jack if she could interview him or talk to him about the case. ...so she emailed Jack some times to talk with him, then I told Jack, hold on a second...I said that I talked to Johnny P and from my experience they have nothing there. You don't have to go talk to this person, but let me just double check with [Witness 3]</p>
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<p>Three-way intercepted call with JACK OLSON (“JO”), RICHARD GONZALEZ (“RG”), and JOHNNY PALERMO (“JP”)</p>	<p>10/11/22</p>	<p>JO - ...Hey uh...fuck....that bitch came over and took the swab JP - Okay, what she say? JO - Uh she didn't say anything...She tried to charge me with sexual assault one JP - That's what she tried to charge you with? JO - Well that's on the paperwork RG - So what's, what's it say Jack?... Like Johnny said, he thinks that since you said you have an attorney and not talking, that she's just running you through the loops now. JO - Yeah sexual assault one, but you know what? I remember this too, I remember.... ...So I fuckin bit her but I didn't bite that hard, so that's the only DNA they'll get because I didn't cum in the fuckin bitch. JP - Listen, all you gotta say from all you have to tell em was...consensual. JO - Yup it was consensual over there at my house. She tried to say it happened over at Seymour Smith though when it was me and [Suspect 2], remember? RG - Yeah JP - Yeah JO - So I mean, I mean we didn't go there. And... I got texts...giving her my address and when I realized I didn't have a car...I said I can drive... JP - Okay, you got the text messages right? JO - Yeah I saved them, I copied them, I got, I got those messages saved. [LPOA Board member] and Rich said all we gotta do is screenshot em, they don't need the whole phone. JP - Right, screenshot em, send it to her. And bro I'm telling you, all you have to say is consensual. I worked that unit, you can't prove it, you can't prove like sexual assault you know what I mean? JO - Yeah, yup</p>
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		<p>RG - They can't go off of her shit, and the DNA</p> <p>JO - Alright, alright I'll tell her I'm gonna come in with my attorney, as soon as I get a hold of him.</p> <p>JO - But on a happy note, I got that 500 worth of Texas De Brazil gifties here</p> <p>RG - Oh beautiful, beautiful</p> <p>JP - What place?</p> <p>JO - Texas De Brazil, you know that big Brazilian fucking uh steak</p> <p>JP - Oh yeah</p> <p>JO - Yeah I got...they....they gave us 500 dollars worth of gifties. 50 dollars....ten 50 dollars...you just gotta use them individually.</p> <p>JP - <u>Let me get one</u></p>
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All in violation of Title 18, United States Code, Sections 1346, 1343, and 2.

COUNT IV – WIRE FRAUD

1. At all times material to Count IV, RICHARD GONZALEZ was the Executive Director of PACE and had access to credit cards issued to PACE and other PACE funds as part of his official position.
2. From on or about January 1, 2019, to on or about December 20, 2022, RICHARD GONZALEZ, defendant herein, devised and intended to devise a scheme to defraud PACE, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.
3. It was part of the scheme that RICHARD GONZALEZ would misrepresent the purpose of his travel expenses and cause false bookkeeping entries in PACE accounting records.

4. On or about each of the dates set forth below, in the District of Nebraska and elsewhere, the defendant caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below:

Wire	On or about	Description
RICHARD GONZALEZ caused electronic purchases of personal airfare on a PACE credit card in another PACE Employee's name.	2/16/21 – 2/17/21	RICHARD GONZALEZ purchased four airline tickets for \$281.40 each electronically using a PACE card in the name of another PACE employee who was unaware of the transactions. RICHARD GONZALEZ caused a false bookkeeping entry describing this trip as one for "PACE scholarship" students when in fact it was for his daughter and her friend who was not a PACE scholarship student.

All in violation of Title 18, United States Code, Section 1343.

COUNT V - VII – WIRE FRAUD

1. At all times material to Counts V, VI, and VII, RICHARD GONZALEZ was a member of LPOA and was not on the board of LPOA but would falsely misrepresent himself on tax returns and to witnesses known to the grand jury to be a board member of LPOA.
2. From on or about January 1, 2018, to on or about December 20, 2022, RICHARD GONZALEZ, aided and abetted by JOHNNY PALERMO, devised and intended to devise a scheme to defraud LPOA, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.
3. It was part of the scheme that RICHARD GONZALEZ would use LPOA funds for his personal benefit and for personal travel for himself and JOHNNY PALERMO,

without the approval or knowledge of the entire LPOA board or its donors.

4. On or about each of the dates set forth below, in the District of Nebraska and elsewhere, the defendant caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

Count	Date	Description
V. RICHARD GONZALEZ and JOHNNY PALERMO used LPOA card to purchase flights to Las Vegas, Nevada	On or about 3/20/19 to on or about 3/22/19	RICHARD GONZALEZ put together a trip to Las Vegas, Nevada for himself, JOHNNY PALERMO, a local bar owner, a coach for RICHARD GONZALEZ's child, and family members and a public official and purchased airfare using LPOA funds and JOHNNY PALERMO's billing address. Eight airline tickets were purchased with \$3,012 of LPOA funds without approval and authority to do so.
VI. PACE credit card charge at the Orleans hotel in Las Vegas.	On or about 3/25/19	RICHARD GONZALEZ without authorization charged \$189.20 to a PACE credit card at the Orleans Hotel in Las Vegas, Nevada.
VII. LPOA card was used to secure hotel rooms for the trip to Las Vegas, Nevada	On or about 4/4/19	\$388 withdrawal from LPOA checking account for Orleans hotel in Las Vegas

All in violation of Title 18, United States Code, Sections 1343 and 2.

COUNT VIII-X – WIRE FRAUD

1. At all times material to Counts VIII, IX, and X, JOHNNY PALERMO was the President of LPOA and a police officer with the City of Omaha.
2. From on or about January 1, 2019, to on or about December 20, 2022, JOHNNY PALERMO, aided and abetted by RICHARD GONZALEZ, devised and intended to devise a scheme to defraud LPOA, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.
3. It was part of the scheme that JOHNNY PALERMO would mispresent to the LPOA bookkeeper that JOHNNY PALERMO incurred expenses for official LPOA expenses that were authorized by the board when in fact JOHNNY PALERMO was submitting personal expenses for reimbursement with LPOA funds.
4. On or about each of the dates set forth below, in the District of Nebraska and elsewhere, the defendant caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

Count	Date	Description
VIII. USAA checking mobile deposit into JOHNNY PALERMO's personal account	December 17, 2021	JOHNNY PALERMO deposited a check for \$1,824.10, made out to JOHNNY PALERMO, signed by RICHARD GONZALEZ and drawn on LPOA's account.
IX. USAA checking mobile deposit into	December 30, 2021	JOHNNY PALERMO deposited a check for

JOHNNY PALERMO's personal account		\$4,685.66 made out to JOHNNY PALERMO, signed by RICHARD GONZALEZ and drawn on LPOA's account.
X. USAA checking mobile deposit into JOHNNY PALERMO's personal account	August 15, 2022	JOHNNY PALERMO deposited an unsigned check for \$1,096.13 made out to himself and drawn on LPOA's account.

All in violation of Title 18, United States Code, Section 1343.

COUNT XI

On or about July 28, 2020, in the District of Nebraska and elsewhere, JOHNNY PALERMO, made a false statement or report for the purpose of influencing the action of the Small Business Administration, in connection with an Economic Disaster Injury Loan ("EIDL"), in that the defendant represented that his purported real estate company, Palermo Investments, LLC, had \$60,000 in gross revenue and \$5,000 in "lost rents," when the defendant well knew that he did not actually have income generating real estate properties with paying tenants and that his company, Palermo Investments, did not earn \$60,000 in gross revenue in tax year 2020.

In violation of Title 18 United States Code, Section 1014.

COUNTS XII and XIII

1. Between on or about May 5, 2021, and June 4, 2021, in the District of Nebraska and elsewhere, JOHNNY PALERMO, devised and intended to devise a scheme to defraud Prestamos, a private financial institution and lender, and to obtain money

and property by means of materially false and fraudulent pretenses, representations, and promises.

2. It was part of the scheme that JOHNNY PALERMO would mispresent to Prestamos the income earned by his purported real estate company, Palermo Investments, LLC and to submit to them a false Schedule C for Palermo Investments, LLC for tax year 2020 for the purposes of obtaining a Payroll Protection Program (“PPP”) loan.
3. It was part of the scheme that JOHNNY PALERMO used the PPP funds, in part, to purchase airfare for a trip to Hawaii for himself, friends, and family.
4. On or about each of the dates set forth below, in the District of Nebraska and elsewhere, the defendant caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

Wire	Date	Description
XII. Electronic Submission of Loan Document	5/5/2021	JOHNNY PALERMO electronically submitted a false and fraudulent PPP loan application to Prestamos.
XIII. Electronic Purchase of Airfare	6/4/2021	JOHNNY PALERMO purchased three airline tickets to Hawaii after PPP loan money was deposited into his bank account.

All in violation of Title 18, United States Code, Section 1343.

COUNTS XIV - XV

1. The allegations set out in Count I are hereby realleged as if set forth herein.
2. From on or about January 1, 2018, to on or about December 20, 2022, JACK OLSON, JOHNNY PALERMO, and RICHARD GONZALEZ, defendants herein, devised and intended to devise, and participated in a scheme to defraud LPOA, its board members, and its donors, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises as detailed in COUNT I and realleged herein.
3. On or about each of the dates set forth below, in the District of Nebraska and elsewhere, the defendant caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count, each transmission constituting a separate count:

Wire	On or about	Description
XIV. JACK OLSON solicitation of Wal-Mart	3/13/2020	JACK OLSON through an electronic application caused Wal-Mart to make a payment of \$2,000 from Bentonville, Arkansas to LPOA in Omaha, Nebraska and retained \$1,600 of the donation for himself.
XV. Cellular phone conversation between JOHNNY PALERMO and donor victim.	12/14/22	JOHNNY PALERMO attempted to lull a donor victim over a wire conversation and misrepresented that JACK OLSON had overhead and employees that justified the percentage cut that JACK OLSON took of their donations.

All in violation of Title 18, United States Code, Section 1343.

4.23ch3051

FILED
US DISTRICT COURT
DISTRICT OF NEBRASKA

APR 19 2023

OFFICE OF THE CLERK

SEALED

A TRUE BILL.

[Redacted Signature]
FOREPERSON

The United States of America requests that trial of this case be held in Lincoln, Nebraska, pursuant to the rules of this Court.

Lesley Woods

LESLEY WOODS, TX #24092092
Assistant U.S. Attorney