



Department of Justice

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Eastern District of Louisiana

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HBPA PRESIDENT AND EXECUTIVE DIRECTOR INDICTED FOR CONSPIRACY TO COMMIT MAIL FRAUD; WIRE FRAUD; IDENTITY FRAUD; HEALTH CARE FRAUD AND WITNESS TAMPERING; HBPA FARM AND FIELD DIRECTOR CHARGED WITH CONSPIRACY TO COMMIT IDENTITY FRAUD

NEW ORLEANS, LOUISIANA - **SEAN DANIEL ALFORTISH**, age 43, a resident of Kenner, Louisiana, and **MONA HEBERT ROMERO**, age 52, a resident of Metairie, Louisiana, were charged today in a 29-count indictment with conspiracy to commit mail fraud, as well as with wire fraud, identity fraud, health care fraud and witness tampering, announced U. S. Attorney Jim Letten.

According to the indictment, **ALFORTISH**, an attorney and former magistrate judge, was first elected president of the Louisiana Horsemen's Benevolent and Protective Association (HBPA) in 2005. He was re-elected to a second term as president in 2008. **MONA ROMERO** was selected as the HBPA's executive director in 2005.

The indictment charges that **ALFORTISH**, **ROMERO** and others conspired to rig the outcome of the 2008 HBPA election in order to re-elect **ALFORTISH** as president and to replace certain members of the board with members selected by **ALFORTISH** and **ROMERO**. In order to be counted as valid, ballots had to bear a U. S. Postal Service postmark and the Social Security number of an HBPA member eligible to vote in the election. It is charged that **ALFORTISH** and **ROMERO** used the Social Security numbers of HBPA members without their knowledge and

consent. The indictment further charges that **ROMERO** and other individuals flew to various cities to mail falsified election ballots.

The defendants are also charged with health care fraud in connection with payments out of the Louisiana Horsemen's Medical Benefit Trust administrative account. According to the indictment, the HBPA is the state's official representative of horsemen under Louisiana law, and as such, certain payments in connection with horse racing are required to be paid to the HBPA for the express purpose of providing medical and hospital benefits. Louisiana law dictated that no more than 30% of the funds could be used for administrative costs. The indictment charges that where the administrative expenses of providing the medical and hospital benefits could be kept lower than the maximum 30% allowed, that **ALFORTISH** and **ROMERO** used the surplus to pay personal expenses or general expenses of the HBPA instead of using them for purposes allowed by law.

The indictment further alleges that **ALFORTISH** and **ROMERO** allowed expenses for spa treatments and late cancellation and "no show" fees for spa treatments; costs of personal attire such as evening gowns, shoes, and diamond cufflinks; costs of foreign travel; costs of political consultants; costs to attend the inauguration of a public official and to attend a fundraiser for that official in the State of California; a \$10,000 loan to a political action committee to fund campaign contributions, as well as the costs of gifts, parties and celebrations as well as costs of rigging the 2008 election, to be paid out of the administrative account.

It is also charged that the defendants allowed the administrative account to advance payments for the HBPA for expenses other than medical and hospital benefits and related administrative expenses, which resulted in the HBPA owing the Medical Benefit Trust over \$800,000 as of June 2010 which it did not pay back. Because the Medical Benefit Trust lacked funds, payments of claims have been delayed, and coverage under the plan, including coverage for children formerly covered, has been reduced.

The indictment also charges that **ALFORTISH** and **ROMERO** engaged in a wire fraud scheme related to a charitable foundation established to distribute donated hurricane relief aid. The indictment charges that the defendants in their sole discretion decided who would receive payments from the fund, although they told donors of the funds that a screening committee would review the distribution of the relief funds. **ALFORTISH** received a \$2,824 sound system installed in his home and **ROMERO** received a \$2,500 payment from the charitable foundation, although she had suffered no damage because of the hurricanes.

Finally, the indictment charges that **ALFORTISH** and **ROMERO** intimidated and threatened an employee of the HBPA and Medical Benefit Trust with intent to prevent or delay the employee's reporting the commission of a federal offense to law enforcement.

If they are convicted of the 29 counts charged against them, **ALFORTISH** and **ROMERO** face maximum penalties of 280 years imprisonment, \$7.25 million in fines, and \$2,900 in special

assessments. **ALFORTISH** and **ROMERO** also face forfeiture of any money and property obtained by them as a result of the criminal violations charged against them.

Letten stated that the investigation is ongoing and encouraged anyone with information concerning the case to contact the investigative agencies.

U. S. Attorney Letten also announced that **CINDY MC KEAN ROMERO**, a/k/a Cricket Romero, age 50, a resident of Metairie, Louisiana, was charged today in a one-count bill of information with conspiracy to commit identity fraud.

According to the bill, **CINDY ROMERO**, employed as the Farm and Field Director of the HBPA, participated with others in a conspiracy to possess, use and transfer, without lawful authority, Social Security numbers of HBPA members in a scheme to rig the March 2008 election. The bill of information further charges that at the direction of the Executive Director of the HBPA, **CINDY ROMERO** purchased airline tickets for the Executive Director, another individual and for **CINDY ROMERO** to fly to various cities to mail falsified ballots in March 2008. The purchases were made with a card which debited the bank account of the Executive Director.

It is further charged that on March 21, 2008, **CINDY ROMERO** flew from New Orleans, Louisiana, to Cincinnati, Ohio, and Louisville, Kentucky, where she mailed falsified election ballots in each of those cities, and also caused falsified election ballots to be mailed from Lexington, Kentucky.

If she is convicted, **CINDY ROMERO** faces a maximum penalty of five (5) years imprisonment, a fine of \$250,000, and a \$100 special assessment.

U. S. Attorney Letten reiterated that an Indictment and a Bill of Information are merely charges and that the guilt of the defendants must be proven beyond a reasonable doubt.

The investigation is being conducted by agents from the U. S. Postal Inspection Service and the U. S. Department of Labor, Employee Benefits Security Administration, Dallas Regional Office. The case is being prosecuted by Assistant U. S. Attorneys Eileen Gleason, G. Dall Kammer, and Patrice Harris Sullivan.