

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA :
 :
 v. : CRIMINAL NO.
 :
 JUSTEN KASPERZYK :
 :
 : VIOLATION:
 : Conspiracy To Violate Civil Rights
 : (18 U.S.C. § 241-One Count)
 : Theft of Government Property
 : (18 U.S.C. § 641(Misdemeanor)-One Count)

INFORMATION

The United States Attorney's Office charges:

**Count One-Civil Rights Conspiracy
18 U.S.C. § 241**

General Allegations

1. From approximately May 1995 through April 4, 2007, defendant JUSTEN KASPERZYK ("KASPERZYK") was a member of the New Haven Police Department. In approximately May 2003, defendant KASPERZYK was promoted to the position of Detective and from approximately 2003 through March 13, 2007 was a member of the Narcotics Enforcement Unit within the New Haven Police Department.

2. At all times relevant to this Information, the mission of the New Haven Department of Police Services ("New Haven Police Department") was to provide pro-active community police services to the public by furthering the partnership with its community to protect life and property, prevent crime and resolve problems.

3. At all times relevant to this Information, the Narcotics Enforcement Unit was comprised of approximately a Lieutenant, a Sergeant and five detectives.

4. At all times relevant to this Information, The Federal Bureau of Investigation (“FBI”) was an agency of the United States government.

5. On November 9, 2006, defendant KASPERZYK participated in a search at 65-67 Truman Street, New Haven, Connecticut.

6. On or about November 9, 2006, as a result of the search at 65-67 Truman Street, an individual, identified as Individual A and not charged herein, was arrested on numerous drug related charges.

7. On or about March 1, 2007, defendant KASPERZYK participated in a search on Filmore Street, New Haven, Connecticut.

8. On or about March 5, 2007, defendant KASPERZYK participated in a search of a motel room in New Haven, Connecticut.

The Conspiracy

9. From approximately October 2006 and continuing through approximately March 13, 2007, in the District of Connecticut and elsewhere, defendant KASPERZYK, together with other officers of the New Haven Police Department, known and unknown to the United States Attorney’s Office, did knowingly and willfully combine, conspire, confederate and agree with each other to act under the color of law to deprive inhabitants and citizens of the City of New Haven of rights, privileges, and immunities secured and protected by the Constitution and laws of the United States, including the Fourth Amendments rights to be free from arrest without probable cause and to be free from unreasonable searches and seizures.

MANNER AND MEANS

The manner and means by which the conspiracy was sought to be accomplished included, among others, the following:

10. Defendant KASPERZYK and other coconspirators moved physical evidence found during a search in order to strengthen or “tighten up” a case.

11. Defendant KASPERZYK and other coconspirators stole money found during the execution of search and seizure warrants.

12. Defendant KASPERZYK and other coconspirators falsified reports relating to the location of evidence and the amount of money seized during the execution of search and seizure warrants. _____

OVERT ACTS

13. On or about November 9, 2006, during the execution of a search warrant, Individual A was found coming out of the back bedroom of the first floor apartment and narcotics, to include cocaine, crack cocaine and marijuana, were found in the basement. In order to make a case against Individual A, defendant KASPERZYK, with the knowledge and consent of coconspirators, moved the narcotics from the basement and falsely reported that he found the narcotics in back bedroom.

14. On or about November 9, 2006, a coconspirator, known to the United States Attorney, filed a report, under the penalty of state law for making a false statement, and falsely reported that defendant KASPERZYK found the cocaine, crack and marijuana on top of the dresser in the back bedroom.

15. Individual A was falsely arrested based on the actions of defendant KASPERZYK and others, known and unknown to the United States Attorney’s Office.

16. On or about March 1, 2007, defendant KASPERZYK, during the execution of a search warrant on Filmore Street in New Haven, Connecticut, found a substantial amount of money. Rather, than enter all the money into evidence, as required by law, defendant KASPERZYK stole approximately \$1,000.00.

All in violation of Title 18 United States Code, Section 241.

Count Two-Theft of Government Property
18 U.S.C. § 641-Misdemeanor

1. Paragraphs One through Eight of the General Allegations of Count One are hereby realleged and incorporated by reference as though fully set forth herein.

2. On or about March 5, 2007, a person cooperating with the FBI made an anonymous call to defendant KASPERZYK at the police station. The caller informed defendant KASPERZYK that there were drugs located in a specified motel room in New Haven, Connecticut.

3. Prior to the anonymous call, the FBI had rented the motel room and planted drug paraphernalia, cutting and packaging material and money, \$5000 in cash, in the motel room.

4. The \$5000 in cash belonged to the FBI.

5. As a result of the call, defendant KASPERZYK and other members of the Narcotics Enforcement Unit searched the motel room. Defendant KASPERZYK did not have a search warrant but rather entered the motel room using the room key obtained from the hotel manager. Defendant KASPERZYK did not seize the drug paraphernalia or the money during this initial search.

6. Subsequent to this initial search, the person cooperating with the FBI made a second call to defendant KASPERZYK to inform him that money was located under the mattress in the motel room.

7. As a result of this second call, defendant KASPERZYK returned to the motel room and again, without a warrant, searched the room. During this second search, defendant KASPERZYK seized the \$5000 and some of the drug paraphernalia.

8. Defendant KASPERZYK did not submit into evidence, as required by law, the full amount of money seized at the motel room. Defendant KASPERZYK falsely reported in the evidence log that he seized only \$4640 and kept \$360 for his own personal use and enjoyment.

9. On or about March 5, 2007, the FBI raided the First Independent Club in New Haven, Connecticut. At the time of the search, defendant KASPERZYK was present at the First Independent Club. During the search, the FBI seized, among other things, approximately \$18,000 in cash, of that money, sixteen twenty dollar bills were traceable by serial number to the money left by the FBI at the motel room searched by defendant KASPERZYK earlier in the day.

10. On or about March 5, 2007, in the District of Connecticut, defendant KASPERZYK wilfully and knowingly did steal and purloin cash totaling approximately \$360.00 belonging to the Federal Bureau of Investigation, an agency of the United States government.

All in violation of Title 18, United States Code, Section 641.

UNITED STATES OF AMERICA

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