

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	
v.	:	<b>CRIMINAL NO. 07-371</b>
<b>JERRY BLASSENGALE, JR.</b>	:	

**GOVERNMENT'S RESPONSE IN OPPOSITION TO DEFENDANT BLASSENGALE'S  
MOTION FOR RELEASE FROM PRETRIAL DETENTION**

The United States of America, by and through its counsel, Patrick L. Meehan, United States Attorney for the Eastern District of Pennsylvania, and Anthony J. Wzorek, Assistant United States Attorney for the same district, hereby responds in opposition to defendant Blassengale's motion for release from pretrial detention.

**A. Background**

An indictment, filed on June 28, 2007, charged defendant Blassengale with 17 counts of mail fraud, in violation of 18 U.S.C. § 1341, one count of wire fraud, in violation of 18 U.S.C. § 1343, one count of assault on a federal officer, in violation of 18 U.S.C. § 111(a)(1) and (b), and aiding and abetting, in violation of 18 U.S.C. § 2. Prior to the indictment, the defendant had been arrested by way of a complaint and warrant and been detained by Magistrate Judge Restrepo, after a hearing on June 11, 2007.

The fraud charges involve Blassingale's participation, with Drexel Reid, a Philadelphia Police Officer, and others in an insurance fraud scheme, in which Blassengale paid

Reid to make false police reports that Blassengale used to support false insurance claims. This scheme cost insurance companies thousands of dollars.<sup>1</sup>

On June 1, 2007, the FBI obtained a warrant for Blassengale on the fraud charges. Special Agent Bryan Pacchioli and Philadelphia County Detective Robert DiFrancesco attempted to arrest the defendant on that same night. They were told that Blassengale was not at his home. They then called Blassengale's mother, who stated that Blassengale was not at her residence, that she did not know where he was, and that she had no way of contacting him. On June 4, 2007, the agents arranged for an individual to meet with Blassengale, allegedly to give him money. Blassengale told the individual that he would meet the individual at a gas station on Bridge Street in Philadelphia. When the individual, followed by Special Agent Pacchioli and Detective DiFrancesco, arrived at the gas station, Blassengale was already there. Pacchioli and DiFrancesco, who knew Blassengale from prior meetings, parked a short distance away so that he would not see them, but they were within view of the gas station. A team of FBI agents, driving another vehicle and wearing vests bearing the FBI insignia, were in the immediate vicinity of the gas station and planned to arrest Blassengale. When the individual scheduled to meet with Blassengale arrived, a male later identified as Blassengale's cousin got out of the Chevrolet Cavalier driven by Blassengale and walked towards the individual's car. At that time, the team of FBI agents got out of their vehicle and approached Blassengale as he sat in the driver's seat of his car. They verbally identified themselves as FBI agents and told Blassengale to get out of his car. Additionally, one of the agents made eye contact with Blassengale. Instead of getting out of his

---

<sup>1</sup> Blassingale has admitted that two of the reported accidents did not take place and that he paid his co-defendant, Police Officer Drexel Reid, for false police reports.

car as ordered, Blassengale sped off toward the southbound entrance ramp to Interstate 95. Pacchioli and DiFrancesco activated the flashing lights and siren on their car and pursued Blassengale onto southbound Interstate 95. Blassengale weaved in and out of traffic at speeds exceeding 100 miles per hour. Detective DiFrancesco radioed the Philadelphia Police Department about the pursuit, and they dispatched approximately twelve marked highway patrol cars to southbound Interstate 95. As Blassengale raced southbound on Interstate 95 towards the sports complex, highway patrol cars stationed themselves ahead of him, with their flashing lights activated, slowing traffic in each of the three southbound lanes. When Blassengale encountered the slower traffic, he sped onto the southbound shoulder where he continued to drive at an excessive rate of speed. Eventually, he was boxed-in by a highway patrol car in front of him, the FBI immediately behind him, and another highway patrol car behind them. The siren and flashing lights were active on each law enforcement vehicle. At a break in the traffic, Agent Pacchioli was able to move to the left of Blassengale's vehicle while still traveling between 55-65 mph. Detective DiFrancesco, in the passenger seat, signaled Blassengale to pull-over. After Blassengale looked directly at Pacchioli and DiFrancesco, he drove his car into the lane in which the FBI vehicle was traveling, and collided with their car, endangering not only Pacchioli and DiFrancesco, but other privately-owned southbound vehicles in the immediate vicinity. The impact of the collision caused Blassengale's car to momentarily slow down, allowing Pacchioli to pull in front of Blassengale's car and block his path. Blassengale hit the FBI vehicle a second time before finally coming to a stop. Blassengale was removed from the car and arrested.

Trash bags filled with clothing, shoes, and other possessions were located in the trunk of Blassengale's car. Blassengale had his brother's driver's license and birth certificate, a

wallet embossed with the words "Officer's Brother," and a miniature Philadelphia police badge with the number 369, which identifies an off-duty police officer. Blassengale did not have any identification showing his true identity. A temporary registration located in the car driven by Blassengale showed that it was registered to a woman who had purchased the car on June 2, 2007.

Even after arrest, Blassingale has continued to express threats about what he will do when he is released from custody. In a June 15, 2007 recorded telephone call from prison, Blassengale told another person, in discussing Special Agent Pacchioli, "don't you worry about it, I'm gonna get him too."

**B. Maximum Penalty**

For each of the eighteen mail and wire fraud counts presently charged, the defendant faces a potential 20 year sentence. For the assault on a federal officer charge, the defendant faces an additional 20 years maximum sentence. The total potential maximum sentence is thus 380 years imprisonment.

**C. Prior Criminal Record**

The defendant has no prior criminal convictions. He does, however, have an active arrest warrant for a simple assault charge in Cinnaminson, New Jersey resulting from an incident that occurred on October 30, 2005 when Blassengale fled the scene of a motel after he punched his girlfriend in the face and severely bit her finger. The beating occurred after the female victim expressed concern over participating in Blassengale's continuing insurance fraud schemes.

**D. Lack of Community Ties/Employment**

While the defendant arguably has some ties to the community, the legislative history of the Comprehensive Crime Control Act of 1983 indicates that Congress found that community or family ties do not and should not weigh heavily in the risk of flight analysis. *See* Sen. Comm. on Judiciary, *Comprehensive Crime Control Act of 1983*, S. Rep. No. 98-225, 98th Cong., 1st Sess. 24, 25 (1983).<sup>2</sup>

**E. Analysis**

The facts of the fraud offenses, Blassengale's flight as the FBI attempted to arrest him, and his possession of false identification documents and a phoney police badge are clear evidence that he is a flight risk and a danger to the community. He faces a substantial prison sentence if convicted on the pending charges. His willingness to drive in excess of 100 mph on a crowded interstate highway and hit a car occupied by two law enforcement officers known to him shows that Blassengale is a danger to the community.

The trash bags filled with clothing, and the shoes and other possessions recovered from the car driven by Blassengale, prove that he is a flight risk. If not for the final stop at the gas station to get money, Blassengale would have evaded arrest. Blassengale's possession of his brother's driver's license and birth certificate show that he intended to assume his brother's identity. Possession of the miniature police badge bearing a number used to identify off-duty police officers and a wallet embossed with "Officer's Brother" show that Blassengale intended to

---

<sup>2</sup> It is instructive to note that when the agents attempted to execute the arrest warrant on Blassengale, his mother told them that she did not know where Blassengale was, and had no way of contacting him. When Blassengale was arrested, he had his brother's identification to aid his getaway.

represent himself as either an off-duty police officer or as a relative of a police officer.<sup>3</sup> This well-planned escape, thwarted only through law enforcement effort, establishes that Blassengale is a flight risk. Because no condition or combination of conditions will reasonably assure the safety of the community and the appearance of Blassengale for trial, the government submits that the defendant's motion for release should be denied.<sup>4</sup>

**Respectfully submitted,**

**PATRICK L. MEEHAN**  
**United States Attorney**

---

**ANTHONY J. WZOREK**  
**Assistant United States Attorney**

---

<sup>3</sup> During the ongoing investigation into Blassengale's fraud activities, witnesses told the agents that Blassengale was sometimes identified to them as a police officer, and often wore a miniature badge around his neck.

<sup>4</sup> The suggestion that the defendant be maintained on house arrest would only provide the government with notice hours after the defendant had escaped.

**CERTIFICATE OF SERVICE**

I certify that a copy of the Government's Motion for Pretrial Detention, and Proposed

Order was sent by facsimile to:

Carlos A. Martir  
Martir & Associates  
118 North State Street  
Newtown, PA 18940

---

**ANTHONY J. WZOREK**  
**Assistant United States Attorney**

**Date:**