

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

UNITED STATES OF AMERICA,

V.

CR 19 0505

~~CONFIDENTIAL~~

RICHARD JUDE DASCHBACH,

DEFENDANT(S).

INDICTMENT

18 U.S.C. § 1343 – Wire Fraud;
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture Allegation

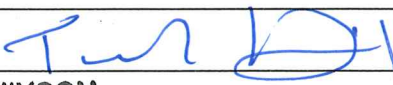
A true bill.



Foreman

Filed in open court this 3rd day of

October, 2019



Clerk

THOMAS S. HIXSON
UNITED STATES MAGISTRATE JUDGE

Bail, \$ _____

FILED
OCT - 3 2019

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



MMC

NO BAIL WARRANT

AO 257 (Rev. 6/78)

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

BY: COMPLAINT INFORMATION INDICTMENT
 SUPERSEDING

Name of District Court, and/or Judge/Magistrate Location
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

FILED

OFFENSE CHARGED

18 U.S.C. § 1343 – Wire Fraud; Petty
18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Forfeiture Allegation Minor
 Misdemeanor
 Felony

PENALTY: 20 years maximum imprisonment per count
3 years supervised release
\$250,000 fine
\$100 special assessment

DEFENDANT - U.S.

RICHARD JUDE DASCHBACH

DISTRICT COURT NUMBER

CR 19 0505

OCT - 3 2019
SUSAN Y. SOON
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNDER SEAL

DEFENDANT

IS NOT IN CUSTODY

- Has not been arrested, pending outcome this proceeding.
- 1) If not detained give date any prior summons was served on above charges
 - 2) Is a Fugitive
 - 3) Is on Bail or Release from (show District)

MMC

IS IN CUSTODY

- 4) On this charge
 - 5) On another conviction } Federal State
 - 6) Awaiting trial on other charges
- If answer to (6) is "Yes", show name of institution

Has detainer been filed? Yes } If "Yes" give date filed
 No

DATE OF ARREST Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY Month/Day/Year

This report amends AO 257 previously submitted

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation

person is awaiting trial in another Federal or State Court, give name of court

this person/proceeding is transferred from another district per (circle one) FRCP 20, 21, or 40. Show District

this is a reprosecution of charges previously dismissed which were dismissed on motion of:

U.S. ATTORNEY DEFENSE

SHOW DOCKET NO.

this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person Furnishing Information on this form David L. Anderson

U.S. Attorney Other U.S. Agency

Name of Assistant U.S. Attorney (if assigned) Elise LaPunzina

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

SUMMONS NO PROCESS* WARRANT

Bail Amount: _____

If Summons, complete following:

Arraignment Initial Appearance

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Defendant Address:

Date/Time: _____ Before Judge: _____

Comments:

1 DAVID L. ANDERSON (CABN 149604)
2 United States Attorney

FILED
OCT - 3 2019
SUSAN Y. SOON
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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6 **UNDER SEAL**

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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

MMC

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 RICHARD JUDE DASCHBACH,
15 Defendant.

11 CASE NO. **CR 19 0505**
12 VIOLATIONS:
13 18 U.S.C. § 1343 – Wire Fraud;
14 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) –
15 Forfeiture Allegation
16 SAN FRANCISCO

17
18 INDICTMENT

19 The Grand Jury charges:

20 Introductory Allegations

21 At all times relevant to this Indictment:

22 1. Richard Jude Daschbach (“DASCHBACH”) was a United States citizen. In
23 approximately 1966, DASCHBACH was ordained as a Catholic priest in Illinois and became a member
24 of the Society of the Divine Word (i.e. “Societas Verbi Divini” or “SVD”).

25 2. Topu Honis Shelter Home (“Topu Honis”) was a residential facility for disadvantaged
26 male and female children and adults in Timor-Leste. DASCHBACH founded Topu Honis in
27 approximately 1993 and served as its director through at least 2018.

28
INDICTMENT

1 9. OWCF distributed donations to Topu Honis via wire transfers from OWCF's bank
2 accounts at First Republic Bank and then Wells Fargo Bank in San Francisco, California to Topu
3 Honis's bank account at Bank Mandiri in Indonesia.

4 10. Throughout his relationship with OWCF from in or about July 2013 until OWCF severed
5 ties with Topu Honis in or about February 2019, DASCHBACH represented that he provided a safe
6 environment for children and that proper attitudes toward women were emphasized.

7 11. Consistent with OWCF's recommendation that its partners have their own child
8 protection policy, DASCHBACH, as Director of Topu Honis, had a policy which he emailed to a
9 potential donor in or around May 2017. In its policy, Topu Honis pledged to never engage in any form
10 of sexual activity with children, and to never sleep close to unsupervised children, among other
11 commitments to the welfare of children.

12 12. DASCHBACH never disclosed to OWCF that he routinely slept with minor females at
13 the shelter, nor that he engaged in any form of sexual conduct with them at any time prior to and during
14 his partnership with OWCF. Any form of physical or sexual abuse of minors was completely
15 inconsistent with OWCF's mission, would preclude a partnership with it, and would be cause for
16 termination of its partnership agreement.

17 13. DASCHBACH's misrepresentations resulted in OWCF agreeing and continuing to
18 partner with Topu Honis, and regularly transmitting funds to DASCHBACH to operate Topu Honis.

19 14. In or around March 2018, DASCHBACH was removed from Topu Honis by SVD.
20 DASCHBACH did not disclose his removal to OWCF nor the reason for it.

21 15. In or around August 2018, OWCF suspended its partnership when Topu Honis following
22 allegations of child sexual abuse against DASCHBACH.

23 16. In or around October-November 2018, DASCHBACH was dismissed from SVD
24 following a Decree of Dismissal issued by Father General on or about October 12, 2018.

25 17. In February 2019, OWCF formally terminated all agreements with Topu Honis.

26 COUNTS ONE THROUGH THREE: (18 U.S.C. § 1343 – Wire Fraud)

27 18. Paragraphs 1 through 17 of this Indictment are re-alleged and incorporated as if fully set
28 forth here.

1 19. Beginning in or about July 2013 and continuing through in or about February 2019, in the
 2 Northern District of California and elsewhere, the defendant,

3 RICHARD JUDE DASCHBACH,

4 knowingly and with the intent to defraud participated in, devised, and intended to devise a scheme and
 5 artifice to defraud as to a material matter, and to obtain money and property by means of materially false
 6 and fraudulent pretenses, representations, and promises, and by means of omission with a duty to
 7 disclose and concealment of material facts.

8 20. On or about the dates set forth below, in the Northern District of California and
 9 elsewhere, for the purpose of executing the aforementioned scheme and artifice to defraud and
 10 attempting to do so, the defendant,

11 RICHARD JUDE DASCHBACH,

12 did knowingly transmit and cause to be transmitted in interstate and foreign commerce, by means of a
 13 wire communication, certain writings, signs, signals, pictures, and sounds, specifically,

14

| | | |
|----------------|----------------------|--|
| 15 COUNT ONE | January 17, 2018 | \$6,134.82 wire transfer from OWCF account -8894 at First Republic Bank to Topu Honis's account -2229 at Bank Mandiri |
| 16 COUNT TWO | February 23, 2018 | \$95,155.00 wire transfer from OWCF account -8894 at First Republic Bank to Topu Honis's account -2229 at Bank Mandiri |
| 17 COUNT THREE | April 24, 2018 | \$3,960.22 wire transfer from OWCF account -4316 at Wells Fargo Bank to Topu Honis's account - 2229 at Bank Mandiri |

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

22 FORFEITURE ALLEGATION: (18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c))

23 21. The allegations contained in this Indictment are re-alleged and incorporated by reference
 24 for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 981(a)(1)(C) and
 25 Title 28, United States Code, Section 2461(c).

26 22. Upon conviction for any of the offenses set forth in this Indictment, the defendant,

27 RICHARD JUDE DASCHBACH,

1 shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and
2 Title 28, United States Code, Section 2461(c), all property, real or personal, constituting, or derived
3 from proceeds the defendant obtained directly and indirectly, as the result of those violations.

4 If any of the property described above, as a result of any act or omission of the defendant:

- 5 a. cannot be located upon exercise of due diligence;
- 6 b. has been transferred or sold to, or deposited with, a third party;
- 7 c. has been placed beyond the jurisdiction of the court;
- 8 d. has been substantially diminished in value; or
- 9 e. has been commingled with other property which cannot be divided without difficulty,

10 the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21,
11 United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

12 All pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 28, United States Code,
13 Section 2461(c), and Federal Rule of Criminal Procedure 32.2.

14
15 DATED:

A TRUE BILL.

16 *October 3rd, 2019*

17 

18 _____
FOREPERSON

19 DAVID L. ANDERSON
20 United States Attorney

21 

22 _____
ELISE LAPUNZINA
Assistant United States Attorney

23
24 

25 _____
JESSICA L. URBAN
26 Trial Attorney
Child Exploitation and Obscenity Section
27
28

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNDER SEAL

CRIMINAL COVER SHEET

Instructions: Effective November 1, 2016, this Criminal Cover Sheet must be completed and submitted, along with the Defendant Information Form, for each new criminal case.

CR 19 0505

MMC

CASE NAME:

CASE NUMBER:

USA v. RICHARD JUDE DASCHBACH

CR

Is This Case Under Seal?

Yes No

Total Number of Defendants:

1 2-7 8 or more

Does this case involve ONLY charges under 8 U.S.C. § 1325 and/or 1326?

Yes No

Venue (Per Crim. L.R. 18-1):

SF OAK SJ

Is this a potential high-cost case?

Yes No

Is any defendant charged with a death-penalty-eligible crime?

Yes No

Is this a RICO Act gang case?

Yes No

Assigned AUSA
(Lead Attorney): Elise LaPunzina

Date Submitted: 10/3/2019

Comments:

CR19-505MMC