



OFFICE OF THE DISTRICT ATTORNEY

RISA VETRI FERMAN
DISTRICT ATTORNEY

KEVIN R. STEELE
FIRST ASSISTANT DISTRICT ATTORNEY

COUNTY OF MONTGOMERY
COURTHOUSE
P.O. BOX 311
NORRISTOWN, PENNSYLVANIA
19404-0311

SAMUEL J. GALLEN
CHIEF COUNTY DETECTIVE

JESSE S. KING
CHIEF OF STAFF

DISTRICT ATTORNEY'S OFFICE
DISTRICT ATTORNEY'S FAX
COUNTY DETECTIVE BUREAU

(610) 278-3090
(610) 278-3095
(610) 278-3368

FOR IMMEDIATE RELEASE
AUGUST 6, 2015

Montgomery County District Attorney Charges Pennsylvania Attorney General Kathleen G. Kane with Obstruction of Justice and Other Crimes Related to Scheme to Leak Confidential Investigative Information and Lying to Grand Jury to Conceal Crimes



Montgomery County District Attorney Risa Vetri Ferman announces the filing of criminal charges against Pennsylvania Attorney General Kathleen G. Kane stemming from Kane's deliberate and illegal release of confidential investigative information and secret Grand Jury information. The charges stem from an investigation that revealed Kane personally orchestrated the illegal disclosure of confidential investigative information to the media and subsequently engaged in criminal acts designed to conceal and cover-up her crimes. The District Attorney charged the defendant with Obstructing Administration of Law or Other Governmental Function; Official Oppression; Criminal Conspiracy; Perjury; and False Swearing.

On May 29, 2014, in his capacity as Supervising Judge of the Thirty-Fifth Statewide Investigating Grand Jury, the Honorable William R. Carpenter appointed a Special Prosecutor to investigate allegations that statewide grand jury secrecy may have been compromised. The Special Prosecutor conducted an investigation lasting nearly seven months.

On December 18, 2014, the Thirty-Fifth Statewide Investigating Grand Jury returned "Presentment No. #60." In the Presentment, the Thirty-Fifth Statewide Investigating Grand Jury recommended that criminal charges be filed by the Montgomery County District Attorney's Office against Attorney General Kane. Specifically, the Thirty-Fifth Statewide Investigating Grand Jury recommended that Attorney General Kane be charged with: Perjury; False Swearing; Obstructing Administration of Law or Other Governmental Function; Official Oppression; and Contempt of Court.

Subsequently, on December 19, 2014, Judge Carpenter issued an Order accepting the Presentment, and referred the matter to the Montgomery County District Attorney for her determination of any further action.

Attorney General Kane then pursued a *quo warranto* action before the Supreme Court of Pennsylvania seeking to quash the appointment of the Special Prosecutor. On January 21, 2015, the Supreme Court of Pennsylvania stayed Presentment No. 60 and any prosecution by the District Attorney of Montgomery County pending the Supreme Court's decision regarding the *quo warranto* action. On March 31, 2015, the Supreme Court of Pennsylvania denied the Attorney General's request for *quo warranto* relief. This action released the District Attorney of Montgomery County from the January 21st Court Order restricting her actions. The Montgomery County District Attorney's Office reviewed the Presentment and supporting evidence and determined that an independent investigation was warranted.

The District Attorney has concluded, based upon the evidence amassed during the investigation and her independent review of the criminal laws of Pennsylvania, that Pennsylvania Attorney General Kathleen Kane orchestrated the leak of confidential investigative information and secret Grand Jury material to the media, through a political operative, for the purpose of retaliating against former state prosecutors whom she believed had embarrassed her in the press. The evidence demonstrates that the defendant undertook these illegal acts without regard to either the laws of the Commonwealth of Pennsylvania and the damage such disclosure of confidential information might cause to an individual who has not been charged with a crime. Moreover, the evidence shows that Attorney General Kane undertook these actions seeking vengeance and retribution against other law enforcement professionals.

The District Attorney further concluded that when compelled to appear as a witness before the Investigating Grand Jury, Attorney General Kane endeavored to cover up her wrongdoing by offering dishonest testimony. She deliberately attempted to deceive the Investigating Grand Jury regarding both her conduct and her legal culpability. By engaging in this unlawful behavior, the District Attorney has concluded the defendant committed crimes, violated both her oath to the Constitution of the Commonwealth of Pennsylvania and the criminal laws of Pennsylvania. Kane abused the power entrusted to her by the citizens of the Commonwealth of Pennsylvania.

“A prosecutor has the responsibility of a minister of justice. When someone entrusted with the solemn obligation to uphold the law deliberately violates the same laws she is sworn to uphold, we are all victims of this breach of the public trust. When an elected official betrays the confidence and trust placed in her by the public, we must do everything in our power to hold her accountable. The laws of our Commonwealth protect all her citizens and as citizens we can expect those who have the obligation to enforce the laws to abide by their mandates. This investigation and the charges filed today show, beyond all doubt, that no one is above the law; not even the Chief Law Enforcement Officer of the Commonwealth,” said District Attorney Ferman.

The defendant will surrender to authorities and will be arraigned before Magisterial District Judge Cathleen Kelly Rebar of Magisterial District Court 38-1-20 at 133 Level Road, Collegeville, PA 19426 at a date and time to be scheduled.

The District Attorney also filed a charge of Indirect Criminal Contempt against Patrick R. Reese. Defendant Reese is employed as a Supervisory Special Agent for the Attorney General’s Office, serving on the Executive Protection Detail and as the driver for Defendant Kane. Defendant Reese is charged with violating a Protective Order issued by Judge Carpenter by secretly accessing confidential Grand Jury information related to the leak investigation while the Special Prosecutor’s investigation was on-going. Defendant Reese will appear for a preliminary arraignment before Judge Carpenter in Courtroom C of the Montgomery County Courthouse at a date and time to be scheduled.

The cases will be prosecuted by a team led by First Assistant District Attorney Kevin R. Steele and Special First Assistant District Attorney Michelle Henry (current First Assistant District Attorney of Bucks County and former Bucks County District Attorney). Their team includes the Chief of Trials Division, Deputy District Attorney Thomas McGoldrick, the Chief of the Appeals Division Deputy District Attorney Robert Falin, Assistant District Attorney M. Stewart Ryan and Special Assistant District Attorney Antonetta Stancu (Bucks County).

Approved for release:

Risa Vetri Ferman

[Criminal Complaint – Kane](#)

[Criminal Complaint - Reese](#)

CRIMINAL CHARGES, AND ANY DISCUSSION THEREOF, ARE MERELY ALLEGATIONS AND ALL DEFENDANTS ARE PRESUMED INNOCENT UNTIL AND UNLESS PROVEN GUILTY.