



U.S. Department of Justice

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November 19, 2002

PRESS RELEASE

John A. Danaher III, United States Attorney for the District of Connecticut, announced that a West Hartford man entered into pre-trial diversion program today as a consequence of his alleged unlawful possession of a biological agent. As an initial step in that program, **TOMAS FORAL**, age 26, of 15 Baldwin Street, had previously been charged in an Information with violating 18 U.S.C. §175(b), specifically with the unlawful possession of anthrax. **FORAL** is a graduate student at the University of Connecticut and a member of the University's ROTC program.

According to the Information, from on or about October 27, 2001 until on or about November 27, 2001, in the District of Connecticut, **FORAL** knowingly possessed anthrax that, under the circumstances, was not reasonably justified by a prophylactic, protective, bona fide research or other peaceful purpose. Specifically, **FORAL** is charged with unlawfully retaining a portion of the anthrax that had been initially discovered in October, 2001 at a University of Connecticut research lab in Storrs. The charge of unlawfully possessing a biological agent carries a maximum term of incarceration of 10 years and a fine of as much as \$250,000.



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July 22, 2001

PRESS RELEASE

John A. Danaher III, United States Attorney for the District of Connecticut, announced that West Hartford man was charged in a one-count information with the possession of a biological agent in violation of federal law. The information charges **TOMAS FORAL**, age 26, of 15 Baldwin Street, with unlawful possession of anthrax. At the time of the offense, **FORAL** was a graduate student at the University of Connecticut.

According to the information, from on or about October 27, 2001 until on or about November 27, 2001, in the District of Connecticut. **FORAL** knowingly possessed anthrax that, under the circumstances, was not reasonably justified by a prophylactic, protective, bona fide, research or other peaceful purpose. Specifically, **FORAL** is charged with unlawfully retaining a portion of the anthrax that had been discovered in October, 2001 at a University of Connecticut research lab in Storrs.

The charge unlawfully possessing a biological agent carries a maximum term of incarceration of 10 years and a fine of as much as \$250,000, a three-year period of supervised release, and a \$100 special assessment.

In view of the **FORAL**'s timely assistance to law enforcement, both in conjunction with the initial discovery of the anthrax and his continued assistance during the criminal investigation, the United States Attorney indicated that **FORAL** would be permitted to participate in the

District's Pretrial Diversion Program. Under this program, the criminal prosecution against **FORAL** will be deferred to provide him with an opportunity to complete a program devised by the United States Probation Office and the United States Attorneys Office. If the defendant successfully completes such a program., then the United States Attorneys Office will request that the District Court dismiss the charge. If the defendant does not complete the program, then he will stand charged with the anthrax offense and the case will proceed to trial. United States Attorney Danaher stressed that an information is only a charge and that neither the information nor the defendant's participation in the Pretrial Diversion Program are evidence of guilt. Should there be a trial in this case, it would be The Government's burden to prove **FORAL'** s guilt beyond a reasonable doubt.

The United States Attorney commended the Special Agents of the Federal Bureau of Investigation and members of the University of Connecticut Police Department and the Connecticut State Police for their vigilant work in this investigation. The quick and careful work of all those in the law enforcement and public safety communities prevented a serious public danger when they recovered the improperly stored anthrax.

Assistant United States Attorneys Raymond F. Miller and Peter S. Jongbloed are prosecuting the case.

In view of the **FORAL's** timely assistance to law enforcement both in conjunction with the initial discovery of the anthrax and his continued assistance during the criminal investigating, the United State Attorney indicated that **FORAL** Was permitted to participate in the District's Pretrial Diversion Program. Under this program, the criminal prosecution against **FORAL** was deferred to provide him with an opportunity to complete a program devised by the United States Probation Office and the United States Attorney's Office.

Under the terms of the program, **FORAL** is required to complete 96 hours of community service. Further, he is prohibited from having access to any biological materials of a hazardous nature and from entering any laboratory that contains such biological agents, except for such access that is required to complete an approved education program. Additionally, a letter describing the facts and circumstances of **FORAL's** illegal possession of anthrax will be drafted in conjunction with the United States Attorney's Office and sent to **FORAL'S** ROTC commanding officer. During the six month period of this program. **FORAL** will be supervised by the United States Probation Office and will be subject to additional terms of supervision, including allowing his probation officer to visit him at any time either at home or at work. **FORAL** also agreed to continue to cooperate with federal prosecutors.

If the defendant successfully completes the pre-trial diversion program, then the United States Attorney's Office Will request that the District Court dismiss the charge. If the defendant does not complete the program, then he will stand charged with the anthrax offense and the case will proceed to trial. United States Attorney Danaher stressed that an Information is only charge and that neither the Information nor the defendant's

participation in the Pretrial Diversion Program are evidence of guilt. Should there be a trial in this case, it would be the Government's burden to prove **FORAL's** guilt beyond a reasonable doubt.

U.S. Attorney Danaher indicated that the decision to charge **FORAL** was made after the investigation revealed that **FORAL** was told that the anthrax was to be destroyed, after which he entered a laboratory, unlocked a freezer, and removed two vials of the pathogen. He kept these samples for several weeks until they were discovered by state and federal authorities.

The United States Attorney commended the Special Agents of the Federal Bureau of Investigation and members of the University of Connecticut Police Department and the Connecticut State Police for their vigilant work in this investigation. The quick and careful work of all those in the law enforcement and public safety communities eliminated a serious public danger when they recovered the improperly stored anthrax.

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