



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed:	OIN LiveScan Number G 722269-2	Complaint/Incident Number F-308-15
Defendant Name	First DANIEL	Middle PAUL	Last DAVIS

Your Affiants, Frances Laquatra and Perann Tansmore, are Detectives with the Allegheny County District Attorney's office and have been employed in this capacity for eighteen (18) years and seven (7) years, respectively. Prior to her employment at the District Attorney's office, Detective Tansmore was a Special Agent with the Pennsylvania Attorney General's office for ten years. As such, your Affiants have extensive experience in the investigation and prosecution of corruption and white collar crimes. Your Affiants have conducted numerous interviews of US Postal employees and have learned the following information:

Prior to 1970, the Post Office Department was a constitutionally mandated executive office. The Postal Reorganization Act converted that Department into the United States Postal Service (hereinafter USPS), an independent establishment of the Executive branch of the United States government. Title 39 of the United States Code Annotated pertains to the Postal Service. 39 U.S.C.A. § 1001 requires that the Postal Service appoint all officers and employees of the Postal Service. Those officers and employees must be in the postal career service, which is part of the civil service. These appointments and promotions should be in accordance with Postal Service-established procedures. The primary exceptions to this are the Postal Service's Board of Governors (which includes the Postmaster General and Deputy Postmaster General), General Counsel, Assistant Postmasters General, Judicial Officer and Chief Postal Inspector. Since 1971, Postmasters have been selected through the merit system.

Daniel Davis (hereinafter the Actor) is an employee with the USPS. The Actor was transferred to Pittsburgh from Toledo, Ohio, where he served as the Postmaster. He was appointed as the Acting Postmaster of Pittsburgh on February 1, 2014. This position was made permanent on August 23, 2014. As the Postmaster of Pittsburgh, the Actor oversaw more than 40 Postal facilities throughout the Greater Pittsburgh area. According to USPS Occupation Code 2301-0012, the Actor's primary duties encompassed the supervision of a staff of subordinate managers and directing the implementation and administration of USPS procedures and policies. The Postmaster's official duties do not include having contact with customer's packages or the handling of their contents.

On June 29, 2015, D. Sean Baer (hereinafter Baer), agent with the Special Inquiries Division, Office of Inspector General, presented this case to your Affiants. Baer had conducted an investigation into allegations that the Actor was opening express mail packages at various post offices throughout Allegheny County which is a violation of Title 18, United States Code §1703. It is also a violation of USPS regulations which are described in the Administrative Support Manual that is given to all USPS employees. There is a form (PS8319) which is required for all employees to sign when they are hired with the postal service. The Actor signed this form when he was hired on June 11, 1997. The following violations apply to this case: 274 Mail Security - 274.1 Importance; 274.2 Opening, Searching, and Reading Mail Generally Prohibited - 274.21 Mail Sealed Against Inspection.

Your Affiants have interviewed USPS employees who have confirmed that they had witnessed the Actor opening numerous express mail packages during his tenure as Acting Postmaster and as Postmaster of Pittsburgh. During these interviews your Affiants have learned that on several occasions, the Actor has threatened USPS employees based on their knowledge of the Actor's unauthorized opening of express mail packages and of the subsequent investigation by the Office of Inspector General which was initiated on December 2, 2014.

Your Affiants interviewed Donna Clay (hereinafter Clay) in regards to this investigation. Clay has been employed by the USPS since 2013 and is currently Supervisor of Customer Service in the Hazelwood office.

Clay told your Affiants that she was aware that the Actor was opening express mail. The first time she witnessed the Actor open an express mail package was when she was working at the East Liberty Post Office in August 2014. Clay said that she had confided in her supervisor and Manager of Customer Service, Mavin Parker (hereinafter Parker), that the Actor was opening mail.

In September 2014, Clay received a telephone call from the Actor on her personal cellular phone. In this conversation, he told her that he was going to, "take Parker down," and when he did, she (Parker) was going to advise authorities of Davis' activities. He



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told her that someone from the inspector's office may come out and talk to her and that she better not say anything about him opening packages. He instructed her to instead tell them that she never saw him open a package. He further advised her to watch for potential drug shipments from certain states, specifically: Texas, California, Arizona and Washington. The Actor then told her, "I'm a [REDACTED] The last person who crossed me is no longer here." Clay said that after this telephone call, she called Parker and told her to watch herself because the Actor was coming after her. Clay said that she became more cautious around the Actor.

On January 15, 2015, the Actor approached Clay who was at the East Liberty Post Office and told her that he knew that she had been talking to Parker (about the Actor) and that he will find out what she had been saying. He told her that some people were going to talk to her. The Actor said, "Do you remember what I told you? You better not say anything. I will kill you." Clay said that she remembered that the Actor told her that the last person that crossed him was no longer here. Clay said that she was fearful of the Actor because she didn't know what he was capable of doing to her.

Your Affiants interviewed Dwayne Mayo (hereinafter Mayo) in regards to this investigation. Mayo is a Transportation Supervisor and has been employed by the USPS for two (2) years.

Mayo stated that starting in November 2014 he witnessed the Actor removing express mail packages from the collection bin located on the East Liberty Post Office work floor. He would take these packages into a back office where he would examine the packages and "Google" the addresses of the sender and receiver. If either address was a bad address, he would open the package. Mayo stated that the Actor made it seem like what he was doing was the right thing by getting drugs off of the street. Mayo said that he did not know if the Actor had the authority to do this but would not question someone with his power.

Mayo told your Affiants that in late November 2014 or early to mid-December 2014, he witnessed the Actor open a large package of drugs at the East Liberty Post Office. He explained that the Actor brought the package to an office and asked Mayo to follow him. The Actor proceeded to open the package by taking the tape off of the box. Inside were several sealed coffee bags. The Actor then opened the coffee bags and found drugs inside of those bags. He then instructed Josh Francis to contact the Postal Inspectors about this package. Mayo left the office to pick up lunch and when he returned within the hour, did not see the package.

Shortly after he witnessed this, the Actor called Mayo one evening on his personal cellular phone. The Actor started the conversation off by complaining about another manager that wanted to be transferred. The Actor then told Mayo, "I'm the most ruthless [REDACTED] you'll ever meet. Don't cross me." The Actor then advised Mayo not to tell anyone about this conversation because he would deny it. Mayo felt that he was being threatened because he witnessed the Actor open the large box of drugs. Mayo contacted Parker and told her that he wanted to be transferred because he was afraid of what the Actor said to him and that what the Actor was doing (opening packages) was not right. He told Parker, "I didn't sign up for this." Mayo added that he did not know how powerful the Actor really was.

Your Affiants interviewed Josh Francis (hereinafter Francis) in regards to this investigation. Francis currently is a manager in the Coraopolis Post Office and has been employed by the USPS for five (5) years.

In the summer of 2014, Francis was working in the East Liberty Post Office. This is when he first witnessed the Actor opening packages. The Actor continued opening packages on a weekly basis.

The Actor advised Francis that if he was ever asked about Davis opening packages that he was to deny that he saw anything. He further advised him to watch for potential drug shipments from certain states, specifically Florida, California, New York, Texas, New Jersey, Colorado and Washington.



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Francis recalled the Actor opening a package that contained marijuana, heroin and cocaine. To the best of his recollection this occurred in late November 2014. Francis said that the Actor referred to it as, "the mother load." Francis said that the package contained bags of coffee. These bags were then searched by the Actor. The drugs were found inside of the bags of coffee. Francis was instructed by the Actor to contact the Postal Inspectors.

Postal Inspector Justin Koebel (hereinafter Koebel) arrived at the Post office. Francis said that he was asked how the package opened. Francis told Koebel to ask the Actor that question. In an interview with Koebel, he told your Affiants that he asked the Actor this question and was told that the self-seal adhesive had opened in transit. Koebel relied on that information provided by the Actor in drafting an affidavit of probable cause in support of a federal search and seizure warrant.

Following this incident, things between Francis and the Actor became strained. Francis put in for a transfer out of the East Liberty Post Office and once the Actor found out he confronted Francis. During this confrontation, the Actor yelled, "You're done. Your career is over."

Your Affiants interviewed Parker in regards to this investigation. Parker is currently off work. She has been employed by the USPS since 1985.

Parker told your Affiants that the Actor was always concerned about the express mail. He would tell her that they needed to be concerned, "with packages that came from California and a couple of other states." She had asked the Actor how he knew this information and he told her, "Where I came from, this is what we did."

In the summer of 2014, Parker witnessed the Actor open an express mail package. She did question the Actor about this and felt that he was cautious around her afterwards. This was the only time she witnessed him open a package. Parker added that she had been told by other postal employees that the Actor was opening express mail.

Mayo contacted her in December 2014 and informed her that the Actor was opening express mail and had made a threat to him. She had also been contacted by Clay that the Actor was after her (Parker) and to watch her back. Clay informed her that the Actor said, "You are going to be questioned about what you know, you better not tell." The Actor warned Clay not to talk to Parker.

In December 2014, the Actor contacted Parker by telephone in the evening informing her that he was moving her back to the East Liberty Post Office. He stated, "You better not be talking to anyone, they won't believe you." She asked the Actor what he was talking about. The actor replied, "You don't know what I am capable of. I'm telling you not to talk to anyone."

Around this same time, Parker had learned from upper management that there was an investigation initiated by the Office of Inspector General into the Actor opening mail. She believes that the Actor also knew that he was being investigated.

Based on the foregoing, your Affiants respectfully request the issuance of an arrest warrant for Daniel P Davis.

For the purpose of protecting the safety of the arresting officers in effectuating a felony arrest, we request that the issuing authority delay the dissemination of the arrest warrant information pursuant to Rule 513(c) of the PA Rules of Criminal Procedure.