



Department of Justice

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PARIS FARMER INDICTED FOR CROP INSURANCE FRAUD

LEXINGTON, Ky. – A Paris man was indicted by a federal grand jury today, and charged with engaging in crop insurance fraud.

The grand jury, sitting in Lexington, returned a five-count indictment charging 49-year-old Keith A. Foley with four counts of making false statements to influence the Federal Crop Insurance Corporation (“FCIC”) and companies the FCIC reinsures, and one count of conspiring to commit wire fraud in the course of defrauding private insurance companies.

The indictment alleges that as early as crop year 2010, Foley, a tobacco producer in Bourbon and Jessamine Counties, hid his tobacco production from insurance companies, in order to claim damage to his crop sufficient to trigger crop insurance indemnity payments or generate larger indemnity payments, which are funded by the federal government through the FCIC. The indictment also charges Foley with conspiracy to commit wire fraud, for the purpose of profiting through the filing of false and fictitious insurance claims. The wire fraud conspiracy count alleges that Foley submitted Tobacco Test Sheets to his private insurance companies that were supposed to accurately reflect the amount of damage to his tobacco crop. Instead, according to the indictment, Foley, with the help of others, submitted Tobacco Test Sheets that were slightly altered duplicates of those submitted for other producers or that he had already submitted. Additionally, the indictment charges that Foley’s private crop insurance policy claim for crop year 2015 included a duplicated photograph submitted on another producer’s insurance claim.

Robert M. Duncan, Jr., United States Attorney for the Eastern District of Kentucky; Karen Citizen-Wilcox, Special Agent in Charge, United States Department of Agriculture Office of Inspector General; Michael A. Christmas, Acting Special Agent in Charge, Federal Bureau of Investigation, Louisville Division; Christopher Altemus, Special Agent in Charge, Internal Revenue Service-Criminal Investigation; and Dwayne Depp, Director, Kentucky Department of Insurance Fraud Investigation Division, jointly announced the indictment.

The investigation preceding the indictment was conducted by the United States Department of Agriculture Office of Inspector General, United States Department of Agriculture Risk Management Agency, Federal Bureau of Investigation, Internal Revenue Service-Criminal Investigation, and Kentucky Department of Insurance. The indictment was presented to the grand jury by Assistant U.S. Attorneys Kathryn M. Anderson and Erin M. Roth.

A date for Foley to appear in court has not yet been scheduled. For each charge of making false statements to the FCIC, Foley faces up to 30 years in prison and a fine of \$1,000,000. For the conspiracy to commit wire fraud, Foley faces up to 20 years in prison and a fine of \$250,000. However, any sentence following a conviction would be imposed by the Court, after its consideration of the U.S. Sentencing Guidelines and the federal statutes.

Any indictment is an accusation only. A defendant is presumed innocent and is entitled to a fair trial at which the government must prove guilt beyond a reasonable doubt.

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