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Former VI National Guard Member Sentenced to Prison for Fraud, False Statement and Theft of Government Money

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ST. CROIX — Aesha Rivers, age 44, of St. Croix, was sentenced on January 10 after being convicted by a federal jury of 48 counts of Wire Fraud; 1 count of theft of government money; and 1 count of false statement to government, United States Attorney Gretchen C.F. Shappert announced. The jury trial commenced on April 30, 2019 and concluded on May 2, 2019.

Visiting Judge Anne E. Thompson sentenced Rivers to 12 months and a day in prison, to be followed by 3-year term of supervised release, and a special assessment of \$5,000. Additionally, Rivers was ordered to make restitution to the Virgin Islands National Guard in the amount of \$71,345.93.

According to trial testimony, Rivers was a Virgin Islands National Guard member who applied for and received Overseas Housing Allowance (“OHA”) proceeds between June 1, 2011, and June 30, 2015, for a residence she purchased on St. Croix, for which she held a mortgage through Flagstar Bank.

The OHA program is a reimbursement-based program intended to help defray the higher cost of housing for National Guard members located in the Virgin Islands, Puerto Rico, and Guam. In order to receive OHA proceeds, the National Guard member must submit and certify an application as well as provide documentation to support either an existing rental agreement or HUD-1 to validate an existing mortgage. Annual recertification is also required.

Rivers stopped making her mortgage payments to Flagstar by March 1, 2012, and a foreclosure motion for default judgment was granted to Flagstar on March 18, 2014. Rivers failed to notify the Virgin Islands National Guard of her changed circumstances as to her housing expenses, as required. In addition, she falsely recertified her OHA eligibility annually. As a result, Rivers fraudulently received OHA proceeds through the electronic transfer of funds into her USAA checking account until June 30, 2015. Evidence presented at trial showed that Rivers fraudulently received \$71,345.93 from the OHA program.

The U.S. Army CID – Major Procurement Fraud Unit and Homeland Security Investigations investigated the case. Assistant U.S. Attorney Daniel H. Huston prosecuted the case.