COMMONWEALTH OF PENNSYLVANIA

COUNTY OF LANCASTER

POLICE CRIMINAL COMPLAINT

Magisterial District Number: 02-3-08

Magisterial District Justice: HON. John C. Winters

Address: 40 Doe Run Road
Manheim, PA 17545

Telephone: (717) 665-4525

COMMONWEALTH OF PENNSYLVANIA

VS:

George Gary Kirchner, M.D.
[redacted]

Docket No.:

Date Filed:

OTN:

Defendant's Race/Ethnicity	Defendant's Sex	Defendant's D.O.B.	Defendant's Social Security #	Defendant's SID#
■ White □ Native American □ Black □ Hispanic □ Asian □ Unknown	□ Female ■ Male	01-04-34	[redacted]	

Defendant's A.K.A.	Defendant's Vehicle Information: Plate Number State	Registration Sticker (MM/YY)	Defendant's Driver's License Number:
G. Gary Kirchner			[redacted] State: PA

Complaint/Incident Number	Complaint/Incident Numbers if other Participants	UCR/NIBRS Code

Attorney General's Office ■ Approved □ Disapproved because: _____

(The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. Pa.R.Cr.P.107.)

Jonelle H. Eshbach
(Name of Attorney for Commonwealth - Please Print or Type) (Signature of Attorney for Commonwealth) (Date)

I, S.A. Robert A. Drawbaugh & Det. Christopher M. Erb 171 & 702
(Name of Affiant - Please Print or Type) (Officer Badge Number/I.D.)

OFFICE OF ATTORNEY GENERAL, BUREAU OF CRIMINAL INVESTIGATIONS and

of LANCASTER CITY POLICE DEPARTMENT PA022015A 43-662
(Identify Department or Agency Represented and Political Subdivision) (Policy Agency ORI Number) (Originating Agency Case Number (OCA))

do hereby state: (check the appropriate box)

1. ■ I accuse the above named defendant who lives at the address set forth above
   □ I accuse the defendant whose name is unknown to me but who is described as _____

   □ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as with violating the penal laws of the Commonwealth of Pennsylvania at Lancaster County – Wide Communications, Manheim, PA 17545 (Place-Political Subdivision in Lancaster County on or about January 2004 – September 2005

Participants were: (if there were participants, place their names here, repeating the name of above defendant)
George Gary Kirchner, M.D.

The acts committed by the accused were:
(Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section and subsection of the statute or ordinance allegedly violated.)

Defendant's Name:
George Gary Kirchner, M.D.
Docket Number:

POLICE CRIMINAL COMPLAINT

COUNT 1: UNLAWFUL USE OF COMPUTER AND OTHER COMPUTER CRIMES
18 Pa.C.S.A. § 7611 (a)(3) – Felony

In that the Defendant, while in the elected position of Lancaster County Coroner, and having authorization given to him from Lancaster County-Wide Communications to access a user name/password protected secured computer website, did intentionally or knowingly give his confidential user name and password to other persons without authorization from Lancaster County-Wide Communications.

COUNT 2: CRIMINAL CONSPIRACY TO COMMIT UNLAWFUL USE OF COMPUTER AND OTHER COMPUTER CRIMES
18 Pa.C.S.A. § 903 (a)(1)(2) / 7611 (a)(2) – Felony

In that the Defendant, while in the elected position of Lancaster County Coroner, and having authorization given from Lancaster County-Wide Communications to access a user name/password protected secured computer website, did agree with certain Lancaster Intelligencer Journal reporters to engage in conduct which constitutes the crime of Unlawful use of computers or other computer crimes, and did commit an overt act in the pursuance of the conspiracy by providing his confidential user name and password to staff reporters of the Lancaster Intelligencer Journal newspaper, and encouraged the reporters to intentionally access the Lancaster County-Wide Communications secured computer website, knowing that the reporters were unauthorized by Lancaster County-Wide Communications to do so.

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

	(Section)	(Subsection)		(PA Statute)	(counts)
1.	7611	a, 3	of the	18	1
2.	903 / 7611	a, 1,2 / a, 2	of the	18	1
3.			of the		
4.			of the		

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. **(In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)**

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA.C.S. §4904) relating to unsworn falsification to authorities.

_____, 2006 _____
(Signature of Affiant)

AND NOW, on this date _____, 2006, I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

_____ _____ **SEAL**
(Magisterial District) (Issuing Authority)