

# Brian J. Gallagher, Esq.

## **SUMMARY OF EXPERIENCE**

Chief Law Enforcement Officer and District Attorney of Lackawanna County, former Federal Prosecutor with the Department of Justice: Assistant United States Attorney in the Middle District of Pennsylvania and career prosecutor with unmatched experience investigating and prosecuting in excess of 30 death cases. Long time Lackawanna County Prosecutor who has served the office in virtually every role. Former Deputy District Attorney in charge of major crimes. Former head of Drug, Gang, and Gun Unit, Arson Unit, and DUI/Homicide by Motor Vehicle Units. 12 years' experience as a State and Federal Prosecutor handling 3,000+ criminal cases, including jury trials to verdict, bench trials, and Grand Jury cases. Experienced in sexual criminal offenses, felony drug and gun trafficking, DUI, election fraud, bank robbery, murder, and arson cases. Contract Instructor for Dept. of Homeland Security at the National Fire Academy for FEMA. Skilled prosecutor, excellent motivation, communication, leadership, and teamwork skills.

## **RELEVANT EXPERIENCE**

### **Lackawanna County District Attorney's Office**

*District Attorney 2/2025- Present*

*First Assistant District Attorney 1/2024-Present*

- Oversee operations of the Lackawanna County District Attorney's Office;
- Collaborate and advise each police department in Lackawanna County and the Pennsylvania State Police in the investigation, arrest, and prosecution of criminal offenders;
- Supervise a staff of 20 Prosecutors and more than 5,000 criminal prosecutions per year.
- Supervise a staff of 15 Detectives, including the Lackawanna County Drug Task Force;
- Oversee the community outreach conducted by law enforcement in Lackawanna County;
- Oversee all Arson related offenses in Lackawanna County;
- Investigate and prosecute all homicide cases that occur in Lackawanna County;
- Collaborate with neighborhood groups and school district to ensure the safety of our schools and neighborhoods.

### **United States Attorney's Office for Middle District of Pennsylvania (AUSA)**

*Assistant United States Attorney 12/2022-12/2023*

- Represent the United States of America in Federal criminal cases arising out of the Middle District of Pennsylvania (33 Counties).
- Collaborate with Federal Law Enforcement Agencies (FBI, DEA, ATF) and the Department of Justice in prosecuting violators of federal criminal laws.
- Work with Project Safe Neighborhoods-Safe Street Taskforce in investigating and prosecuting drug and gun traffickers.
- Investigate and present cases to grand jury for indictment.
- Prosecute federal cases from inception to conclusion. Including, presenting cases before grand jury, handling pretrial litigation, trying cases, and handling post-trial matters.
- Successful Guilty Verdicts in Four Federal Criminal Trials.
  - US v. John Kramer (2022) (Sexual Exploitation of Children)
    - Sentenced to 30-60 years in Federal Prison.
  - US v. Miguel Rosario (2023) (Drug Delivery Resulting in Death)
    - Sentenced to life in prison.
  - US v. Nicholas Heriberto Vaceillo-Tejada (2023) (Illegal Reentry)

- US v. Quinnae Gross (2023) (Straw Purchasing Firearms for Felons)

### **United States Attorney's Office for Middle District of Pennsylvania**

*Special Assistant United States Attorney (SAUSA) 10/2018-Present*

- Liaison between the Lackawanna County District Attorney's Office and Federal Law Enforcement Agencies (FBI, DEA, ATF) as well the US Attorney's Office for the adoption of criminal cases.
- Routinely met with current AUSA's and request federal adoption of appropriate state cases.
- Routinely met with AUSA's and participate in proffers of cooperating witnesses.
- Prepare federal indictments and prosecution memos for review and approval.
- Prosecute federal cases from inception to conclusion. Including, presenting cases before grand jury, handling pretrial litigation, trying cases.
- Oversaw the adoption prosecuted in excess of twenty-five cases as a SAUSA with an assigned AUSA.

### **Lackawanna County District Attorney's Office, 1/2012 – 12/2022**

*Deputy District Attorney: Major Crimes and Drug/Gang/Gun Unit, 6/2018 – 6/2021*

- Chief Prosecutor of all Homicide cases, Felony Drug Trafficking, Gang and Gun cases in Lackawanna County.
- Investigate, charge, and prosecute all Drug Delivery Resulting in Death Cases.
- Supervise the Lackawanna County Drug Task Force and two Assistant District Attorney's.
- Work with detectives to investigate, charge, and prosecute felony drug trafficking and gun cases.
- Extensive experience in litigation of search and seizure.
- Authorized to approve the interception of communication in one-party consent scenarios. Designated to make application for orders authorizing the installation and use of pen registers and trap or trace devices.
- Prosecuted hundreds of felony drug cases, including those utilizing a confidential informant and cooperative and uncooperative co-defendants.
- Tried multiple felony drug cases to verdict and successfully forfeited over \$200,000.00 of US Currency via forfeiture procedures.
- Chief Prosecutor and lead investigator of "Operation Grabbing Straws" with Scranton Police and PSP. Twenty-Two (22) firearms were seized, and 26 Defendants were charged and successfully prosecuted.

*Deputy District Attorney: Arson Unit, 1/2015 – 12/2022*

- Investigate, charge, and prosecute all arsons in Lackawanna County, including arson for hire, insurance fraud relating to arson, and fatalities as a result of Arson.
- Collaborate with the Scranton Police Fire Inspector and State Police Fire Marshal to investigate and determine the cause and manner of suspicious fires.

*Deputy District Attorney: DUI/Homicide by Motor Vehicle Unit, 1/15 – 1/19*

- Investigate, charge, and prosecute all vehicular crimes within Lackawanna County.

- Promoted to rank of Deputy District Attorney in 2015. Supervise two Assistant District Attorneys, approximately 650 DUI cases per year and the Lackawanna County Processing Center.
- Prosecuted approximately 20 homicides by motor vehicle cases. Utilized available mandatory minimums such as “Kevin’s law” and aggressively charged and secured the conviction of a drunk driver on two counts of third-degree murder.
- Coordinate and oversee all DUI checkpoints and roving patrols in Lackawanna County.
- Use discretion to approve and/or disapprove ARD applicants.
- Analyze roadway evidence and work with expert crash re-constructionists to demonstrate the cause of prosecutable crashes and recreate the impact of the crashes at trial.

***Assistant District Attorney: Juvenile Unit, 1/2012 – 1/2014***

- Investigated, charged, and prosecuted all criminal matters in Juvenile Court, including manslaughter, aggravated assault, robbery, rape, involuntary deviant sexual intercourse, indecent assault, and possession of child pornography.
- Tried dozens of cases in juvenile court and secured adjudications.
- Collaborated on cases with police, juvenile probation, the Children’s Advocacy Center, and victims.
- Petitioned the court to transfer juveniles who were no longer amenable to treatment to the criminal division of the Court of Common Pleas. Charged numerous juveniles as adults via the “direct file” statute and brought a juvenile case before a Grand Jury.

**TEACHING EXPERIENCE**

**U.S. Department of Homeland Security: Federal Emergency Management Agency (FEMA)  
National Fire Academy (NFA)**

***Contract Instructor 10/2024-Present***

- Contract Instructor for FEMA at the National Fire Academy in Emmitsburg, Maryland.
- Teach Arson Investigations to Fire Investigators from all across the United States.
- Courses taught include Fire Investigation: Essentials and Fire Investigation: Case Preparation and Testimony. I teach students how to handle the legal aspects of Fire Investigations from the onset of an investigation, including search warrants, court orders, criminal complaints affidavits of probable cause, and fire investigation reports to develop direct and cross examination and presentation of evidence at preliminary hearings and trial.

**Marywood University**

***Adjunct Professor 1/2025- Present***

- Adjunct Professor for Marywood University in the Social Sciences Department
- Teach Criminal Law and Procedure to undergraduate students at the University.
- Provide real criminal law and prosecution experience coupled with case study examples and observance of county criminal trials to undergrad students.

**Lackawanna College Act 120 Municipal Police Officers Academy, 9/19 –9/20**

***Adjunct Professor***

- Adjunct Professor for Lackawanna College Act 120 Police Academy.

- Instruct Cadets training to be Municipal Police Officers on various on legal principles relevant subjects such as
- Criminal Law, the Pennsylvania Crimes Code, the Pennsylvania Rules of Evidence, Courtroom Testimony, and Use of Force by Law Enforcement.

## **SPEAKING ENGAGEMENTS**

2024	<i>Presenter.</i> “Children’s Issues Changing the World” Keystone College
	<i>Presenter.</i> Lackawanna County Literacy Committee “The Right to Read”: Examining the School to Prison Pathway and the effect of illiteracy on crime and recidivism.
	<i>Presenter.</i> NEIU Safe Schools Symposium: Juvenile Justice and Gang Activity.
2020	<i>Presenter.</i> “Pa. Supreme Court’s Decision in Chichkin and effect ARDS 2020” Lackawanna Bar Association.
2019	<i>Presenter.</i> “Drug Diversion and Overprescribing Practices” Lackawanna Opioid Coalition.
2019	<i>Presenter.</i> PA Gang Investigators Association “Gangs Crimes and Community Response”
2019	<i>Presenter.</i> Old Forge, Riverside, North Pocono and Abington Heights High schools “Dangers of Drinking and Driving, DUI Law, and Case Study”
2018	<i>CLE Presenter.</i> “Lackawanna County Diversion Courts” Lackawanna Bar Association.
2018	<i>Presenter.</i> Mid-Valley High School Athletics Programs “Dangers of Steroids and Vaping”
2018	<i>Presenter.</i> Lackawanna County Bench Bar: “Detention or Diversion”
2018	<i>Presenter.</i> Valley View High School Parents Association, “The Heroin Epidemic”
2018	<i>Presenter.</i> Lakeland, Mid Valley, Old Forge, Carbondale, and North Pocono high schools, “Dangers of Drinking and Driving, DUI Law, and Case Study.”
2018	<i>Keynote Speaker.</i> Luzerne County Community College American Service Safety Engineers, “The Heroin Epidemic and Drug Trafficking”
2018	<i>CLE Presenter.</i> Lackawanna Bar Association, “Updated Ignition Interlock Law”
2018	<i>Presenter.</i> Basic Drug Investigations: A Seminar to Police Officers
2018	<i>Presenter.</i> Lawyers in the Classroom, “Separation of Powers
2016-18	<i>Presenter.</i> Leadership Lackawanna at 911 Communications Center and the Marketplace at Steamtown, Peoples Law School, “DUI Law and Crash Reconstruction”
2013	<i>Presenter.</i> Lackawanna Trail High School, “Internet Safety for students”
2013	<i>Presenter.</i> All Saints Academy, “Juvenile Crime and Probation.

## EDUCATION

**Western Michigan University Thomas M. Cooley School of Law**  
Juris Doctor, Magna Cum Laude, May 2011

**University of Scranton, Scranton, PA**  
Bachelor of Science, May 2008

## AWARDS:

- 2018** Lackawanna Drug Taskforce Prosecutor of the Year.
- 2014** (1) Drug Task Force Rising Star, Drug Prosecutor of the Year  
(2) Drug and Alcohol Treatment Services Law Enforcement Award,  
(3) Scranton Police Detective Division Award Bonacci Murder Trials  
(4) Justice for Frankie Bonacci Award, given by the Bonacci Family.
- 2013** Children's Advocacy Center Child Advocate of the Year.

## BOARDS:

**Lackawanna County Bar Association Criminal Rules Committee 5/2025 – Present**  
*Co-Chair.* Co-chair of a committee that develops and implements criminal court rules for Lackawanna County Court of Common Pleas.

### **Recovery Bank Board of Directors 2/2025- Present**

*Director.* The Recovery Bank is a place where self-respecting adults do important work to help each other develop recovery and life skills. The Recovery Bank is a safe place for people to be active and find purpose forging relationships and learning skills essential to long term recovery. The Recovery Bank is a place for families and the community to receive information regarding substance abuse disorders and strategies for addressing issues related to substance abuse disorders. The Recovery Bank programming is designed to meet non-clinical, social, educational, recreational and peer group support programming focused on establishing skills required for sustaining wellness, health and long-term sustained recovery.

### **Lackawanna County Prison Board 2/2025-Present**

*Board member.* As the District Attorney, I am required by state statute to sit on the county prison board where I collaborate with other board members and oversee the operations of the Lackawanna County prison

### **Jewish Community Center of Scranton Board of Directors, 6/2024-Present**

*Director.* Work with other directors and oversee finances, hiring, programming, building maintenance and community outreach for the Jewish Community Center of Scranton.

### **West Scranton Little League Board of Directors 10/2023-Present**

*Director.* Collaborate with other board members to provide for a healthy, safe, and enjoyable experience for all Children of West Scranton from ages 4-13 participate in baseball.

### **Lackawanna County Re-Entry Taskforce, 2017 – 2018**

*Treasurer.* Develop strategies and programs for recently released inmates, which help with reintegration into society, while also reducing the financial burden that incarceration has on taxpayers.

**Pre-trial Services Taskforce, 2015 – 2016**

*Member.* Collaborated with Lackawanna County Probation, Office of Youth and Family Services, Lackawanna County Drug and Alcohol, and the Court Administrator to develop a “Pre-trial Services Program” for the Criminal Division of the Lackawanna County Court of Common Pleas.

**MEMBERSHIPS**

- Jewish Community Center (Scranton) Board of Directors
- West Scranton Little League Board of Directors
- St. Patrick’s Church, Diocese of Scranton
- Black Sheep of West Scranton
- American Ukrainian Veterans Association (UKAVETS)
- Victor Alfieri Club (Social Member)
- Ancient Order of Hibernians