Hiding in Plain Sight in Georgia: Benefits Trafficking of Vulnerable Adults

SEPTEMBER 22, 2017

DEPARTMENT OF JUSTICE

Elder Justice Initiative

JUSTICE FOR VICTIMS
JUSTICE FOR ALL

Office for Victims of Crime

OVC

OFFICE FOR VICTIMS OF CRIME Training and Technical Assistance Center

OVC TTAC
If you are experiencing any technical issues with the audio for this session, please let us know in the feedback box.

If you have technical difficulties during the webinar, contact Danielle McLean, who is providing technical support for this webinar. His email address is dmclean@ovcttac.org.

Today’s session will be recorded and made available on the training website.

If you have questions, type them in the feedback box. We will address as many as possible throughout the webinar.
ELDER JUSTICE INITIATIVE

The **mission** is to support and coordinate the Department of Justice’s enforcement and programmatic efforts to combat elder abuse, neglect, and financial fraud and scams that target older adults.

The Initiative does so by—

- Promoting justice for older adults.
- Helping older victims and their families.
- Enhancing state and local efforts through training and resources.
- Supporting research to improve elder abuse policy and practice.
Elder abuse is a complex issue that intersects with many disciplines. Elder abuse can happen to anyone. It affects people of every ethnic background, gender, and financial status.
Heather Strickland
Assistant Special Agent in Charge
Georgia Bureau of Investigation
At-Risk Adult Investigations Unit

Pat King
Forensic Nurse
DHS Forensic Special Initiatives Unit
Hiding in Plain Sight in Georgia: Benefits Trafficking of Vulnerable Adults

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How We Got Here

November 2011

• Two metro area cases involving adults with disabilities locked in basements/homes

• Reports from law enforcement of homes with adult residents with behavioral health and/or intellectual/developmental disabilities – no visible care

• US v. Linda Weston (Philadelphia, PA)
Recognized Types of Trafficking

1. Sex Trafficking
2. Labor Trafficking
3. Human Organ Trafficking
4. **Benefits Trafficking** Recognized by law enforcement in GA in 2011
Features of Trafficking

ACT
- Recruitment
- Transport
- Transfer
- Harbouring
- Receipt of persons

MEANS
- Threat or use of force
- Coercion
- Abduction
- Fraud
- Deception
- Abuse of power or vulnerability
- Giving payments or benefits

PURPOSE
- Exploitation, including
- Prostitution of others
- Sexual exploitation
- Forced labour
- Slavery or similar practices
- Removal of organs
- Other types of exploitation

= TRAFFICKING
Features of Benefits Trafficking

The Act

Recruitment
- Shelters
- Churches
- Hospitals
- Licensed Facilities
- On-line

The Means
Promises of
- Benefits
- Services
- Not delivered

*Coercion, Deception, False Representation, Duress and other means*

The Purpose
Exploitation - Benefits Attached to At-Risk Adults
- Monthly income
- Food stamps,
- Social Security,
- Medicaid
- Veteran’s Benefits
- Other fraud (Insurance, Tax, ID theft, etc.)
Benefits Trafficking
Racketeering Enterprises
Elderly veteran held hostage for years in motel room as captor stole benefits, police say

By Elahe Izadi  July 21

The elderly Marine Corps veteran was held hostage in a cramped motel room about 50 miles north of New York City, according to authorities.

Video of the room, shot by the Hudson Valley News Network, depicts the squalid conditions in which the 81-year-old was kept.

On Tuesday, police arrested a man who they said held the veteran hostage at the Highlands motel to steal his benefits checks, the Associated Press reported.

The veteran, who police said has advanced dementia, told authorities that he thought he had been in the room for four days, according to WABC-TV. He had been there for more than four years, police said.
South Florida con artists turn ‘sober homes’ into insurance scam

“Over the past, bad actors have been using these laws to hide their exploitation of the very people that these laws were meant to protect,” a Palm Beach grand jury warned in a special report issued last month. “This is especially true in the business of recovery housing, where many unregulated homes have become unsafe and overcrowded ‘flophouses,’ where crimes like rape, theft, human trafficking, prostitution, and illegal drug use are commonplace.”

The grand jury described a kind of lowdown medical tourism designed to exploit the drug epidemic. Desperate parents, reacting to deceptive advertising, ship their addicted children to South Florida treatment programs. What their kids get, according to the grand jury, is rank exploitation.
PORTERVILLE man arrested for elder abuse and running an unlicensed home care facility

By Cory James

Tuesday, July 11, 2017

PORTERVILLE, Calif. (KFSN) -- A 911 medical aid call at a home Monday resulted in Porterville Police shutting down an unlicensed care facility.

Detectives said 66-year-old Juan Ledesma ran it and said he was arrested for not only operating without a license-- but also for allegedly abusing his elderly clients.

"We're looking at potential physical abuse, potential neglect, and potential financial abuse as well," said Lt. Dominic Barteau, Porterville Police Department.

Barteau said four elderly people ranging in age from 81 to 95 were not being properly cared for. They were taken to Sierra View Medical Center for evaluations and placed into new care facilities.
Across the Country

Alabama
Arkansas
California
Colorado
Connecticut
District of Columbia
Florida
Georgia
Hawaii
Illinois
Indiana
Iowa
Kansas
Louisiana
Maryland
Michigan
Minnesota
Mississippi
Nevada
New York
North Carolina
Pennsylvania (US v Weston)
Tennessee
Texas
Virginia
Wisconsin
Common Scenario

Local law enforcement notified of possible unlicensed personal care home:

- Possible 60+ "911" calls to location in a year
- Residents – all required to turn over EBT cards upon move-in, yet lease agreement includes food
- Residents paying $650-$750/month in rent for ½ bedroom *(mattress)*
- Refrigerator is padlocked

**EBT info reveals:**
- Multiple EBT cards – *cards being used outside GA-trafficking cards*
- Residents placed in several locations, though only one facility is licensed.
- Several co-conspirators
- Investigation spans multiple jurisdictions

**SSA info reveals:**
- Additional locations/co-conspirators identified
Racketeering Enterprise

Hiding in plain sight in neighborhoods.
Trafficking/Racketeering Enterprise

Hiding in plain sight in neighborhoods.
WARNING!!!!

Module contains graphic photos
Racketeering Enterprise

Athens-Clarke County, GA

Division of Aging Services
Georgia Department of Human Services

Georgia Bureau of Investigation
Case Study: Athens

- Unlicensed home
- Residents:
  - Ages 52-71
  - Held against their will
  - Charged $300-$400/month
  - Required to sign over SSA and EBT
  - Clients of Department of Behavioral Health – no appts with DBH x 4 years while locked in basement
  - Drugged and locked in basement (crawlspace)
  - Locked in backyard surrounded by 8” privacy fence (padlocked)
  - Given 5-Gallon buckets for toilets
Case Study: Athens

- Unlicensed home
- Owner/Operator
  - Drove one resident to Atlanta to have sex with men
  - Owner/operator paid in drugs for sexual acts
  - Filmed sexual acts of residents living in the home

Above illustrate residents frequently experience sexual servitude and/or labor servitude (recognized forms of trafficking) in addition to financial exploitation.
Case Study: Athens

- Owner/Operator and one co-conspirator arrested.
  - Nineteen charges including:
    - Exploitation and intimidation of disabled adults
    - Neglect to disabled adult
    - False imprisonment
    - Unlicensed Personal Care Home

Negotiated Plea – 40 years to serve 12
Racketeering Enterprise

Athens-Clarke County, GA
Racketeering Enterprise

Athens-Clarke County, GA
Racketeering Enterprise

Athens-Clarke County, GA
Racketeering Enterprise

Tift County, GA

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Racketeering Enterprise

Owner/Operator
Moved residents
15 Locations
Three years
To avoid detection
Beaten & burned when caught getting food.
Living-Conditions
Interiors

Health and safety issues
Interiors

Health and safety issues.
Interiors

Controlled access to food.
Inappropriate food for diabetic residents.
Plywood to separate “rooms”.

Interiors
Interiors

Plywood to separate “rooms”.

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Interiors

No privacy.

For he is the light of the world.
John 8:12
Interiors

Unsanitary food storage.
Interiors

Bedrooms often mattresses on floor.
Health and safety issues.
Neglect of Residents
Neglect

Health and safety issues.

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Neglect
Neglect

Medical Examiner’s Report:
• 70 Black Male
• Multiple people in care home
• Evidence of financial exploitation
• Story did not match findings

Cause of Death:
• Neglect, Heart Disease, Sepsis

Manner of Death:
• Homicide
Neglect

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False Imprisonment
False Imprisonment

- Jumped out window.
- Kept locked in house.
- Kept in basement.

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False Imprisonment

Locked in basement for six months.
False Imprisonment

Paint bucket for toilet.

Basement prison.

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False Imprisonment

“I thought I might die here. I wanted someone to know I was here.”
Neglect

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False Imprisonment

Internal Locks.

Fire Safety Issue.

Common Find.

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Financial Exploitation
Control of Residents
Targeted Funds

Social Security Administration

<table>
<thead>
<tr>
<th>Type of Benefit</th>
<th>Number of Recipients in GA</th>
<th>Amount Paid in GA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Security Retirement</td>
<td>1,448,115</td>
<td>$ 16.8 Billion</td>
</tr>
<tr>
<td>Social Security Disability</td>
<td>333,487</td>
<td>$ 4.2 Billion</td>
</tr>
<tr>
<td>Supplemental Security Income</td>
<td>253,109</td>
<td>$ 1.6 Billion</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>1,734,711</strong></td>
<td><strong>$ 22.6 Billion</strong></td>
</tr>
</tbody>
</table>

Supplemental Nutritional Assistance Program (SNAP)

<table>
<thead>
<tr>
<th>Issue</th>
<th>Number of Recipients</th>
<th>Issuance</th>
</tr>
</thead>
<tbody>
<tr>
<td>SNAP</td>
<td>882,115</td>
<td>$2.8 Billion</td>
</tr>
</tbody>
</table>

Veteran’s Benefits

<table>
<thead>
<tr>
<th>Issue</th>
<th>Issuance</th>
</tr>
</thead>
<tbody>
<tr>
<td>VA Benefits</td>
<td>$3 Billion</td>
</tr>
</tbody>
</table>

Total Targeted Funds: $28.4 Billion (one state)
Financial Exploitation Control of Residents

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PINS & deposit dates.
Found in owner pocketbook.
Financial Exploitation Control of Residents

Resident’s body buried on property.

Victim of financial fraud

Nicholls, GA

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Financial Exploitation Control of Residents

Owners/Operators:

• Have joint Accounts unknown to residents

• Utilities/Rent in residents’ names unknown to residents

• Loans in residents’ names unknown to residents

• Charging for “food” & demanding EBT at move-in
Financial Exploitation Control of Residents

 Owners/Operators:

• File tax returns claiming residents as “dependents”
• Have residents return stolen items for cash
• Residents required to work: drive vehicles, oversee residents, enforcement, etc.
• Become Rep Payee
• Draft fraudulent/Coerced POA
Owners/Operators

Enjoy:

• Luxury Vehicles
• Lavish trips
• Clubs
• Clothes/Shoes
• Lottery Tickets

While residents:

• Live in squalor
• Experience abuse, neglect & exploitation
MULTI-DISCIPLINARY RESPONSE
Multidisciplinary Response


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Multidisciplinary Response

Collaboration.

Cooperation.

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Multidisciplinary Response

- Regulatory Agencies – APS & HFR
- Police
- District Attorney
- Medicaid Fraud Control Unit
- Fire Marshall &/or Code Enforcement
- Non-Emergency Transport for transportation
- Mental Health Services
- Agencies with Housing
Multi-Disciplinary Response

GA Abuse, Neglect & Exploitation (GANE) Application (GBI, DHS, Alzheimer’s Assoc.)

- Agency: Reporting/Resources
- Contact: APS via app
- GA Law
- Placement – Facilities
- Temp Emergency Relocation Funds - TERF
- Missing Person
- Screenings:
  - ANE
  - Financial Capacity Instrument

Available on all platforms (IOS, Windows, Android)

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STATISTICS
Unlicensed Personal Care Homes

Approximately 30% of unlicensed personal care home referrals to Healthcare Facility Regulation are substantiated.

Unlicensed Personal Care Homes Substantiated Investigation Percentage

<table>
<thead>
<tr>
<th>Year</th>
<th>Substantiated</th>
<th>Unsubstantiated</th>
</tr>
</thead>
<tbody>
<tr>
<td>2013</td>
<td>37% 93</td>
<td>63% 169</td>
</tr>
<tr>
<td>2014</td>
<td>28% 64</td>
<td>74% 178</td>
</tr>
<tr>
<td>2015</td>
<td>26% 47</td>
<td>75% 137</td>
</tr>
<tr>
<td>2016</td>
<td>32% 68</td>
<td>69% 147</td>
</tr>
<tr>
<td>2017</td>
<td>30% 14</td>
<td>70% 33</td>
</tr>
<tr>
<td>Grand Total</td>
<td>31% 286</td>
<td>70% 653</td>
</tr>
</tbody>
</table>

Finding
- Substantiated
- Unsubstantiated

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Georgia Department of Human Services

Georgia Bureau of Investigation
Addressing Benefits Trafficking

Substantiated UnPCHs
2013-2017
309

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Addressing Benefits Trafficking

GCIC Arrest Data

ACT LE Specialists

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Georgia Department of Human Services

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OBSTACLES IDENTIFIED
## Obstacles Identified/Addressed: GA

<table>
<thead>
<tr>
<th>Awareness</th>
<th>2-Day At-Risk Adult Crime Tactics (ACT) Training</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collaboration</td>
<td>Work Group – GBI Working Group</td>
</tr>
<tr>
<td>Data/Intel Sharing</td>
<td>GBI Analyst &amp; DAS Epidemiologist</td>
</tr>
<tr>
<td>Victim Services</td>
<td>Ongoing training to Victim/Witness Assistance PersonnelProsecuting Attorney’s Council of GA (PACGA)</td>
</tr>
</tbody>
</table>
## Obstacles Identified/Pending: GA

| Case Prosecution                                                                 | Abuse, Neglect & Exploitation Training for Prosecutors by Prosecutors
<table>
<thead>
<tr>
<th></th>
<th>Prosecuting Attorney’s Council approved for a specialized state wide prosecutor to assist local DA’s.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Multiple Jurisdictions</td>
<td>AG and MFCU authority to prosecute multi-jurisdictional cases involving O.C.G.A. § 16-5-101 and O.C.G.A. § 16-5-102</td>
</tr>
</tbody>
</table>
Proposed law in GA for:
Trafficking an individual for benefits appropriation

A person commits the offense of trafficking an individual for benefits appropriation when that person, through coercion, deception, exploitation, or isolation, knowingly recruits, entices, harbors, transports, provides, or obtains by any means an individual for the purpose of appropriating that individual’s financial benefits for the use of someone other than the individual.
Proposed law in GA for:
Trafficking an individual for benefits appropriation

“Financial Benefits” means public benefits, retirement benefits, health insurance benefits, military benefits, Medicare, Medicaid, health insurance, Supplemental Nutrition Assistance Program or other food assistance program, Low Income Home Energy Assistance Program, Social Security or other retirement income benefits, Supplemental Security Income benefits, Social Security Disability benefits, or other similar benefits of economic or financial value to which an individual beneficiary is eligible or entitled.

shall be guilty of a felony, and upon conviction thereof, shall be punished by imprisonment for not less than ten nor more than 25 years and a fine not to exceed $100,000.00.
DHS/GBI Trafficking Team

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FSIU – DHS/DAS

Heather Strickland
GBI ASAC
At-Risk Adult Unit

Anna Ayers
Forensic Specialist
FSIU – DHS/DAS

Robbin Startzman
GBI Analyst

2006
2015
2016
2016
References

http://www.massmed.org/Patient-Care/Health-Topics/Violence-Prevention-and-Intervention/Human-Trafficking-(pdf)


http://www.state.gov/j/tip/laws/61124.htm

Additional Information/Questions:

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Q & A
QUESTIONS & SUGGESTIONS can be emailed to elder.justice@usdoj.gov