

Georgia Department of Human Services
Division of Aging Services

Benefits Trafficking of At-Risk Adults

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stronger families

FOR A STRONGER GEORGIA



Forensic Special
Initiatives Unit

Benefits Trafficking

Case Studies

Response

Learning
Outcomes



Forensic Special Initiatives Unit (FSIU)

- Created in 2006
- Division of Aging Services, FSIU mission is to support those who respond to the abuse, neglect, and exploitation of at-risk adults.
- Members include a Forensic RN, Certified Fraud Examiner, Forensic Victim Advocate, Forensic Social Worker



Forensic Special Initiatives Unit (FSIU)

- Technical Assistance
- Collaboration
- Outreach
- Trainings



Who are Georgia's At-risk Adults?



June 24, 2019



Elder person

Person 65 years of age or older.

O.C.G.A §16-5-100



Disabled Adult

Person 18 years of age or older mentally or physically incapacitated or has Alzheimer's Disease, or dementia.

O.C.G.A §16-5-100



Resident

Any person receiving treatment or care in any long-term care facility.

O.C.G.A §16-5-100



Benefits Trafficking



As defined under U.S federal law, **human trafficking** is a form of modern-day slavery where people **profit from the control and exploitation of others**. Victims are forced, defrauded, or coerced into trafficking. Even if victims initially offer consent, that consent is rendered meaningless by the actions of the traffickers.

Types of Trafficking

1. Sex Trafficking
2. Labor Trafficking
3. Human Organ

NOT FOR SALE



Emerging Type of Trafficking

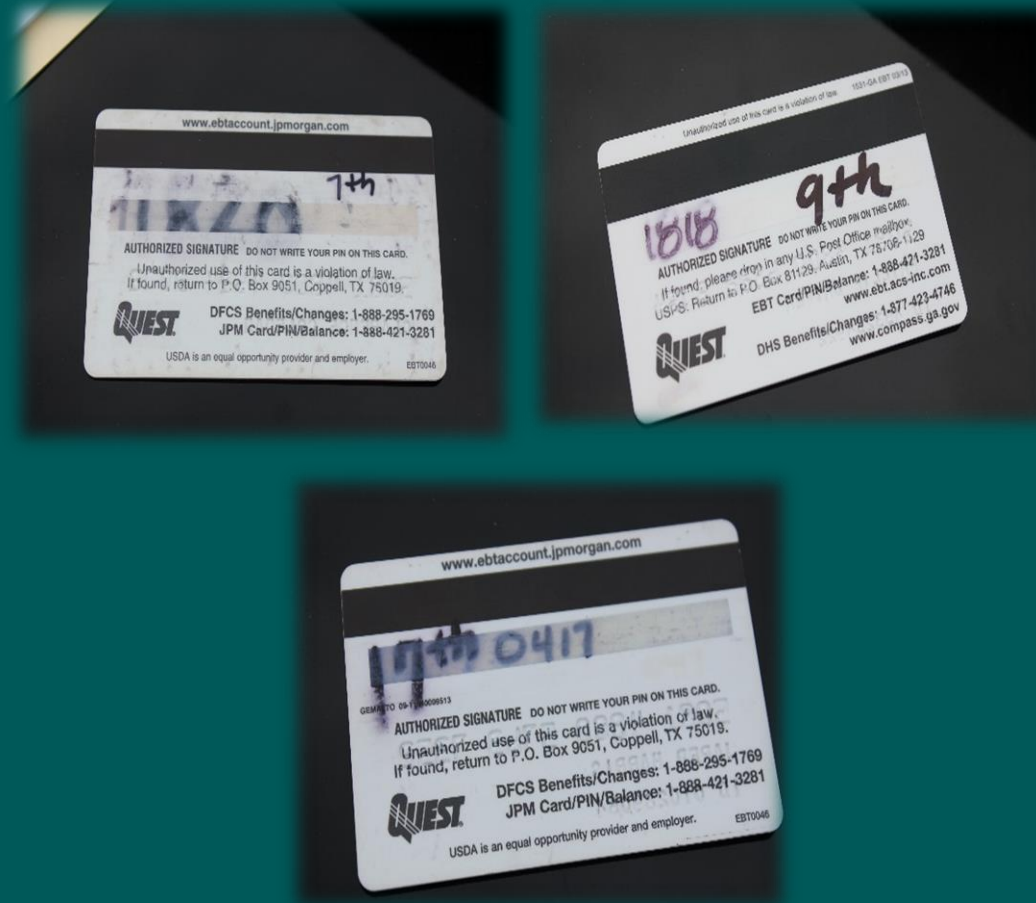
4. Benefits Trafficking

An emerging crime—targeting at-risk adults to gain access to their monthly benefits and perpetrate various types of abuse, theft, and fraud.

Victims are often held in deplorable conditions while owners/operators of homes live off victims' monthly benefits.



- First recognized by LE in Georgia in 2011
- Currently found around the nation including:
 - Arizona
 - California
 - Colorado
 - Connecticut
 - Iowa
 - Texas
 - New York
 - Nevada



US v. Linda Weston (Philadelphia, PA)



US vs. Linda Weston

- From approximately 2001 through 2011, Linda Weston and her co-conspirators targeted adults with MH-I/DD who were estranged from their families.
- Once Weston convinced them to move in, she became their rep payee with Social Security and began to receive their benefits. Weston took the social security and identification documents from victims by force and then used the funds for her own purposes.
- The victims were confined to locked rooms, basements, and closets. While confined, the captives were isolated and sedated with drugs placed in their food and drink. The victims were punished each time they tried to escape, stole food, or otherwise protested their treatment.



O.C.G.A. §16-5-102.1

Benefits Trafficking



O.C.G.A. §16-5-102.1

Benefits Trafficking

- July 1, 2018
- b) ...through deception, coercion, exploitation, or isolation...knowingly recruits, harbors, transports, provides, or obtains by any means a disabled adult, elder person, or resident
-for the purpose of appropriating the resources of such disabled adult, elder person, or resident for one's own or another person's benefit
- Penalty up to 20 years and \$100,000 fine



Features of Benefits Trafficking

The Act

- Recruitment/referral via hospitals, shelters, churches, on-line, licensed facilities

The Means

- Promises of benefits and services that are never delivered, false representation
- Use of coercion, deception, duress

The Purpose

- Exploitation of the benefits attached to the at-risk adult
- Food stamps, social security, Veteran's benefits, Medicaid



Unlicensed Long-Term Care Facilities

- “Operator” takes in several individuals at a time. Can be elderly or those with physical, mental health, and/or developmental disabilities. Exploited in almost every circumstance.
- Can be portrayed as Boarding homes, Transitional homes.



How Cases Unfold

General Complaints to Law Enforcement:

- High number of 911 calls
- Unusual noise complaints
- Trespassing
- Courtesy checks
- Begging for food
- Missing person



Same Story, Different Locations

Residents

- Recruited from various locations
- MH/BH conditions, cognitive impairments, intellectual disabilities
- Eligible for or receiving some type of benefits
- Required to turn over all assets, bank account info, benefits, rep payee status, POA status



Same Story, Different Locations

“Providers”

- Multiple properties
- May have 1 licensed PCH
- Multi-jurisdictional
- Minimal, if any, services
- Charges residents inflated monthly rent for ½ bedroom or mattress on floor
- Locks on exits, refrigerators
- Scripting residents



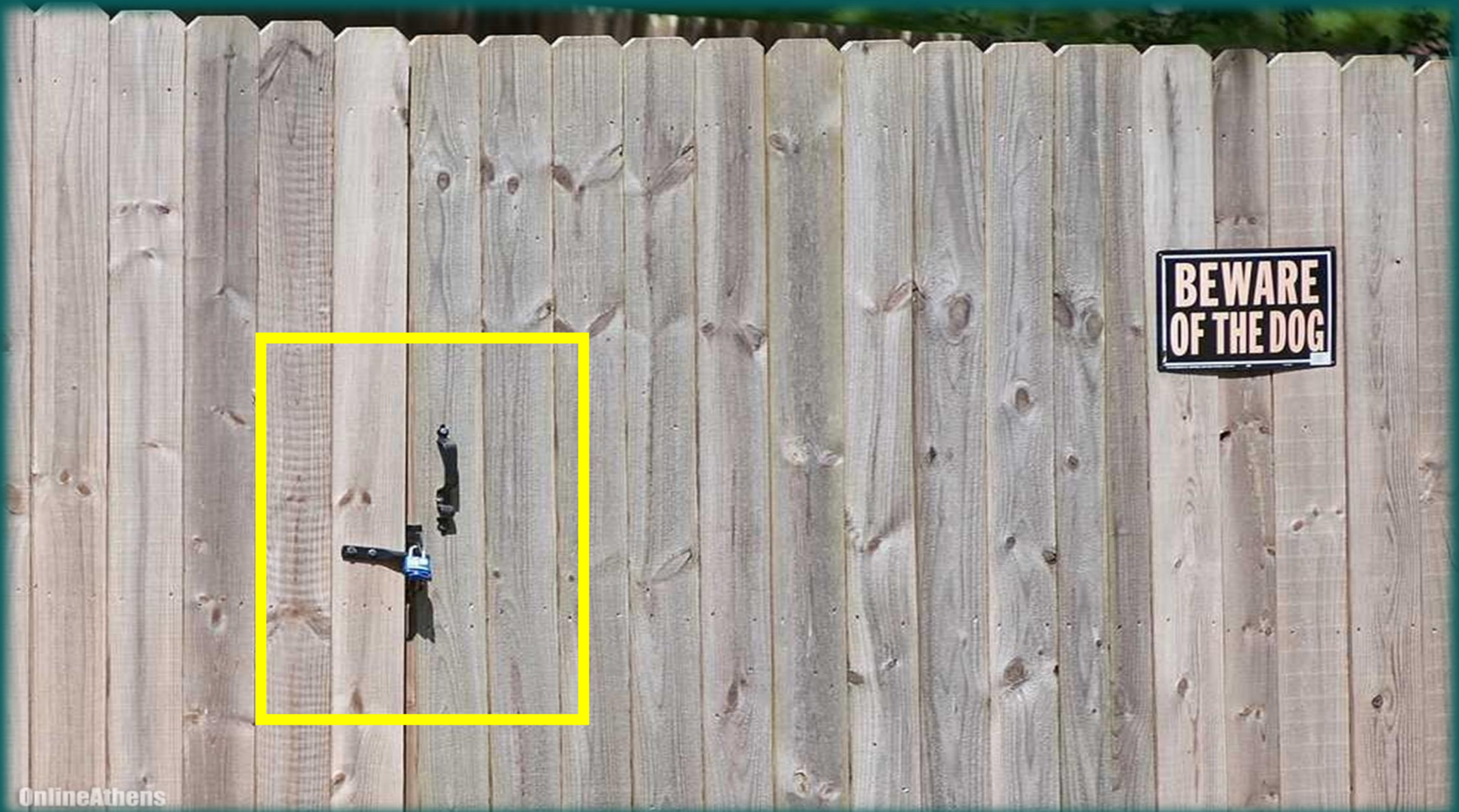
Make-Shift Rooms





OnlineAthens





OnlineAthens



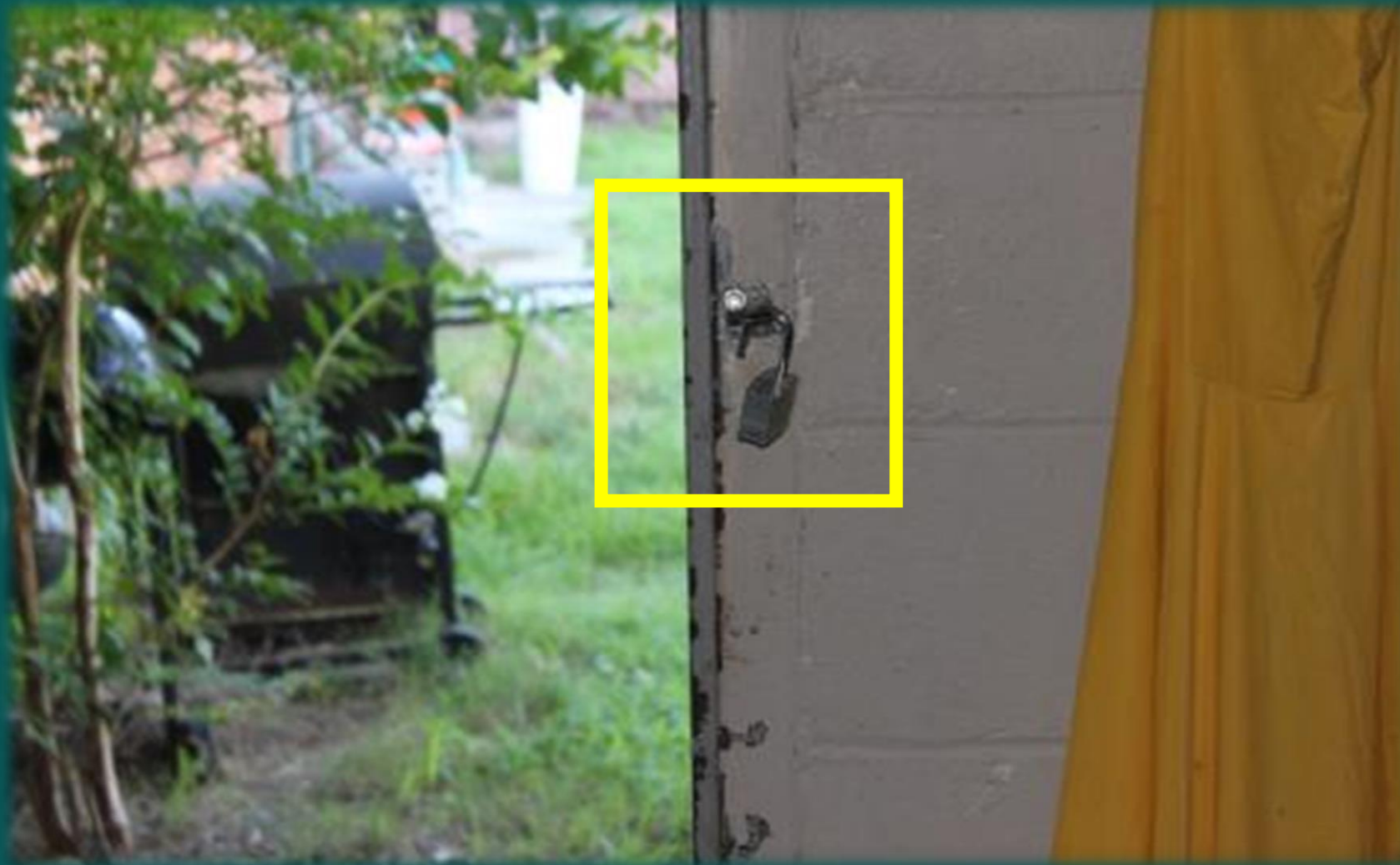


Resident Neglect



Locks/False Imprisonment







 **Coachmen**

Coventry







Immediate Placement

MIRACLE
One
CARE CENTER INC

24 Hour
Supervised
Facilities



{ Providing Excellent Care for Love Ones When You Can't }

Private, Safe, Decent, Specialized Affordable Housing
Payee Services & HealthyMeals
Appointment & Medication Management

Onsite Doctors, Counselors, Case Management

Serving Seniors, Mentally Ill, Dual Diagnosed,
HIV, Cancer, Minor Medical Conditions

404-454-0388 | 404-454-7664

{ Providing Professional Courteous Services for over 15 Years }



Investigative teams

- Local LE
- Adult Protective Services
- Healthcare Facility Regulation
- Ombudsman
- DBHDD (Disability Program)
- MDT Representative



Basic Observations

- Food in pantry, fridge?
- Utilities on? Lights? Water?
- Temperature?
- Compare the victim's living areas to the suspect's living areas
- Check for medications or lack of medications
- Animals in the house?



Questions to Ask

- Who resides in residence with victim?
- Employment status of all adults in home
- Sources of income
- Who owns the home?
- Who provides care for the victim?
- Where is medication stored?
- Who administers medications?



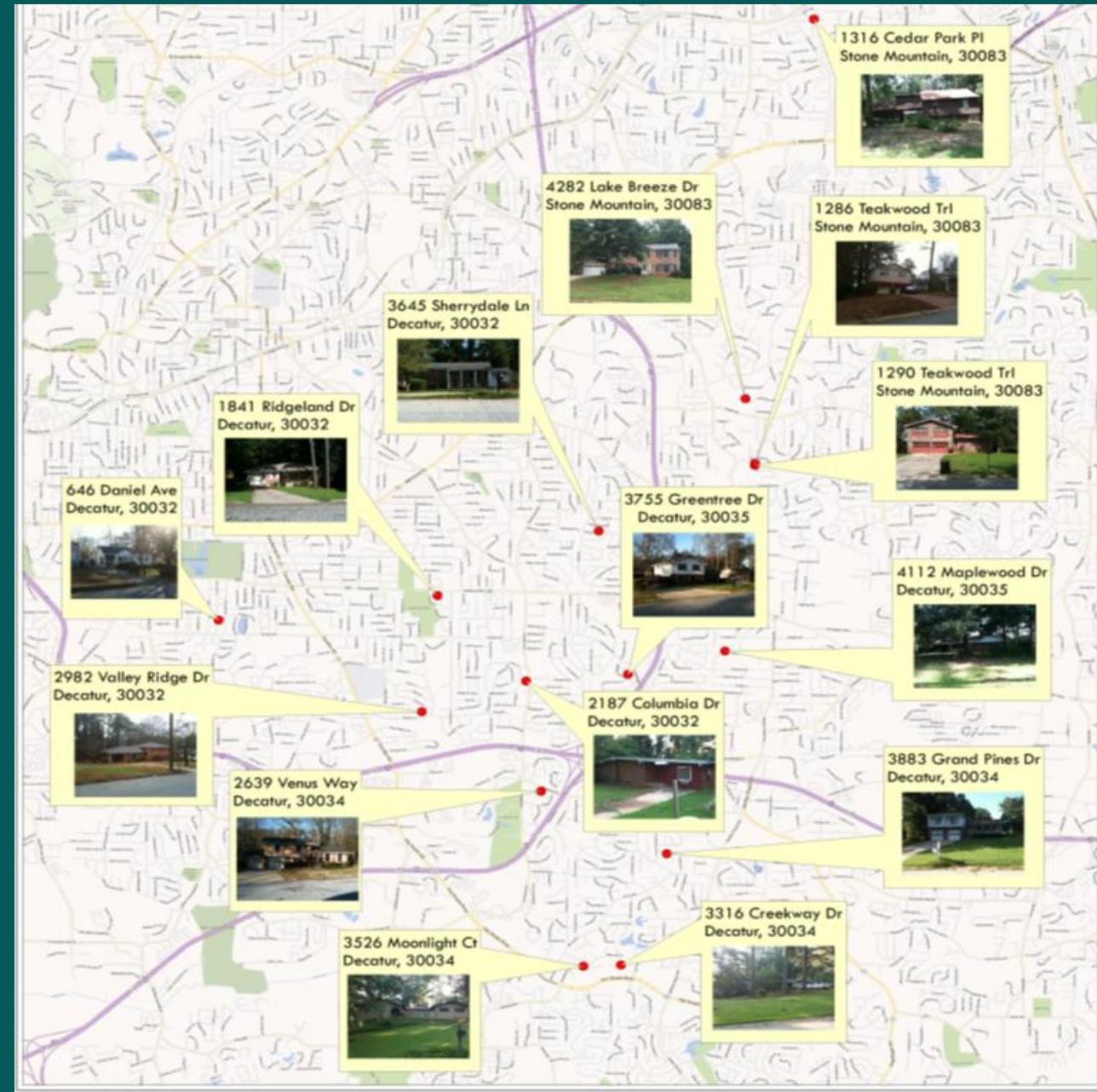
Means of Financial Exploitation

- Joint Accounts that are unknown to residents
- Utilities/Rent – In residents' names unknown to residents
- Loans in residents' names unknown to residents
- Charging extra for “food” & other services that are supposed to be provided
- Demanding EBT & SSI charge cards at move-in
- Residents required to work, provide supervision to other residents



DeKalb County

- Owner/Operator constantly moving
- Moved residents 15 different locations
- Over a period of 3 years
- Purpose was to avoid detection

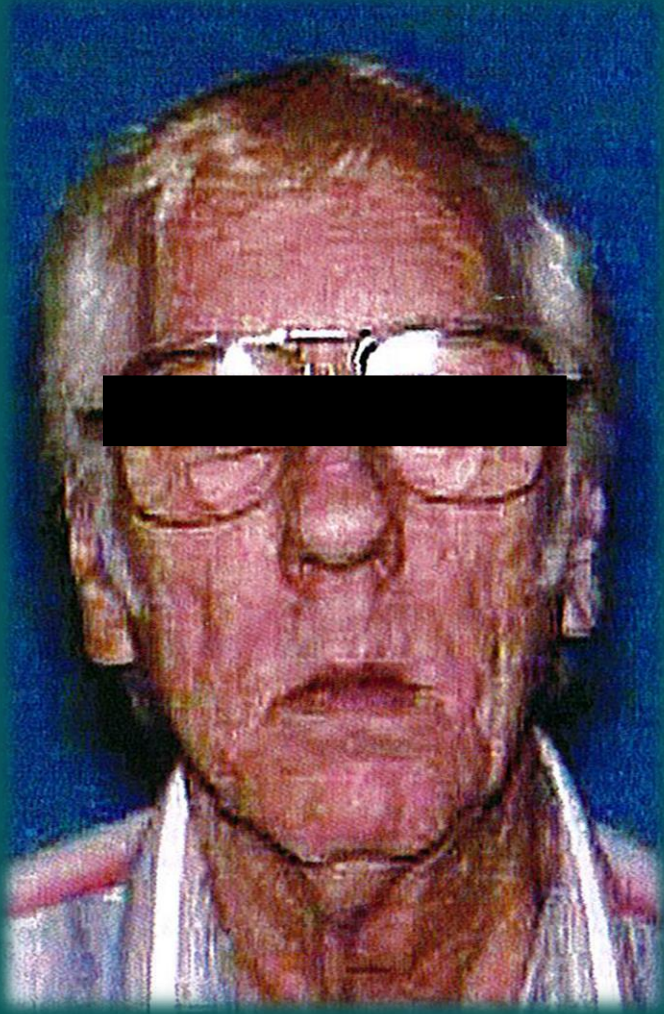


- Operator kept food in her closet that was not available to the victims.
- Locked her bedroom door when she left the house.





Actual Residents



Disabled Adult Trafficking

(State v. Bobbie Ward)

- Five disabled victims
- One senior victim
- Charges of abuse, neglect, exploitation, false imprisonment, forgery, theft and identity fraud.
- Convicted – 30 to serve 20 yrs, may not house vulnerable adults or be representative payee.

Ordered to pay over 14,000 in restitution



Atlanta Suburb

- Homeless
- Locked in basement
- Bucket for a toilet







Chaundra Faust

- Pled guilty to keeping disabled Bobby Ray Hill captive in her basement for 5 months and taking his monthly disability checks
- For breakfast he had ramen noodles & for dinner a bologna sandwich.
- Paint bucket for toilet. Basin for bathing
- Sentenced to serve 10 years in prison & pay \$3,00 in restitution



Crimes Against the Vulnerable & Elderly (C.A.V.E) Augusta Judicial Circuit: Beverly Webb

- 2/2018: Arrested by CAVE after investigation found 6-7 UNL PCHs.
- Further investigation uncovered the 9/2017 death of individual with I/DD 15 days after Webb had removed him from a licensed facility to one of her unlicensed homes with no supervision.
- Cause of death: overdose of his prescribed medications.



Crimes Against the Vulnerable & Elderly (C.A.V.E) Augusta Judicial Circuit: Beverly Webb

- Webb was not only responsible for the victim's day to day care, but was also the sole cause of the victim being placed in an environment with no care or medication management; therefore the cause of his death.
- In 3/2019, Webb plead not guilty to neglect of a disabled adult and felony murder.



Crimes Against the Vulnerable & Elderly (C.A.V.E) Augusta Judicial Circuit: Maxine Donaldson

- Arrested in 2017 for stealing \$25,000 from a 69-year old man with Alzheimer's Disease who was resident of her licensed PCH.
- Initially told family she would care for him for \$1,600 a month.
- However, she was actually charging \$2,600 a month and had added herself to the man's bank account.
- While she was out on bond in that case, (conditions included getting out of the PCH business) C.A.V.E found she had been running an UNL PCH on the side.



Maxine Donaldson (cont.)

- Investigation found that Donaldson had been moving vulnerable adults from her licensed PCH into the UNL PCH.
- Relied on a mentally disabled resident to take care of the others.
- Another elderly resident told investigators that he didn't know how much he paid Donaldson from his \$2,400 monthly benefits, but he said he got \$30 a month in spending money.
- Bank records revealed that Donaldson had added her name to his account and used a debit card to steal around \$9,000.



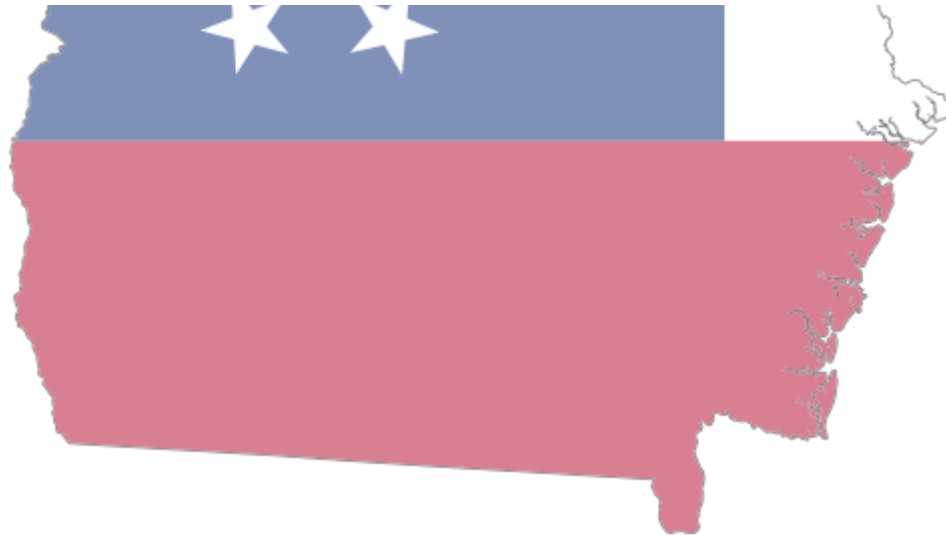
Maxine Donaldson (cont.)

- Donaldson pleaded in both cases on the charges of neglect; operating an unlicensed personal care home; and 13 counts of exploitation.
- Sentenced to 15 years in prison and 5 years on probation, and imposed the special conditions of elder abuse, including putting Donaldson on the elder abuse registry.
- Imposed restitution of \$34,000, of which \$8-9,000 was released to victims.





Georgia's Response



What To Do?

Law Enforcement

- Investigating report of an UnL PCH
- Find neglected and exploited at-risk adults
- As many as 22 at-risk adults

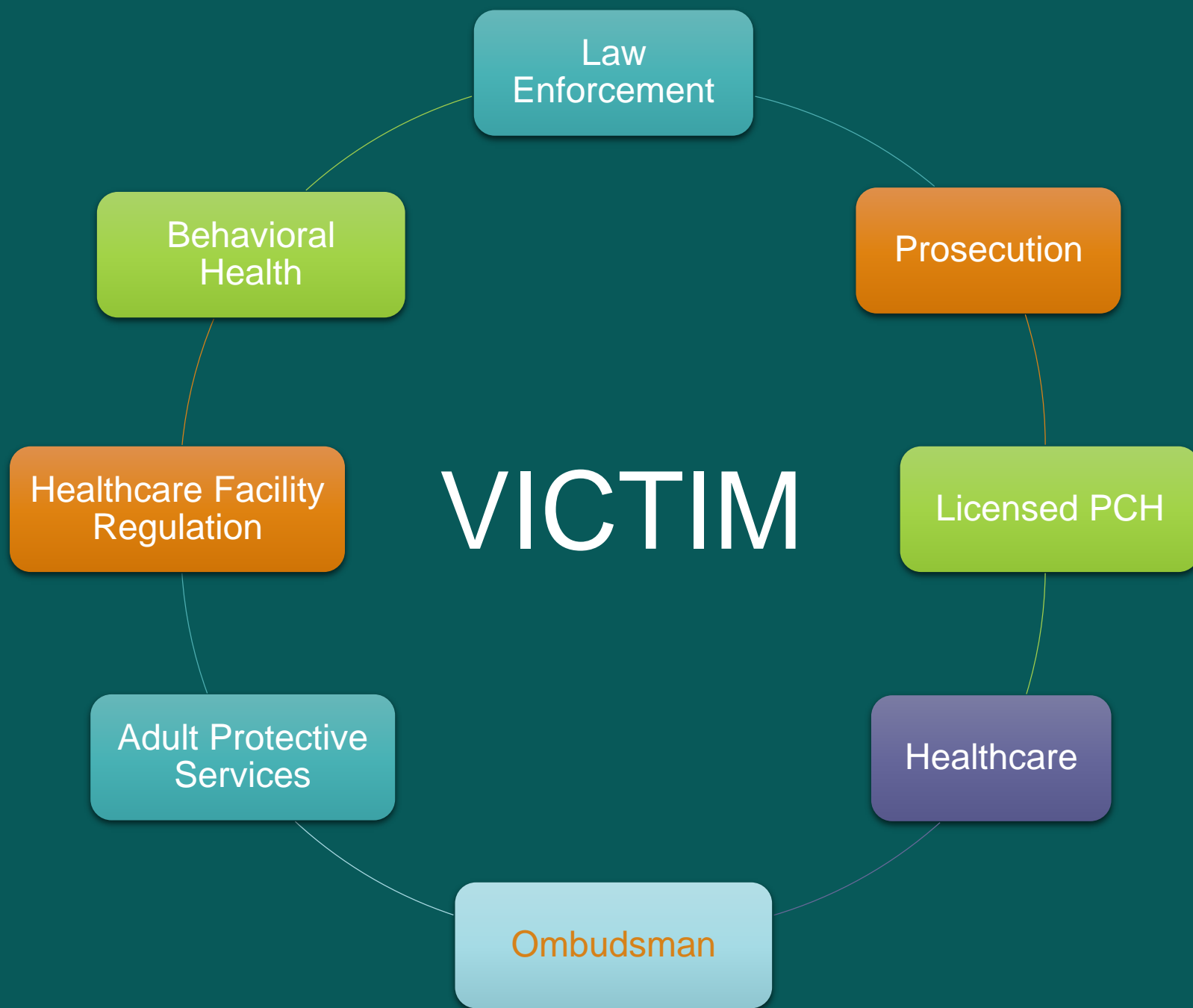
EMS

- Contact APS and Law Enforcement concerned that a patient may be a victim of abuse
- LE responds and arrests caregiver



- Holistic response to victims
- TERF- Temporary Emergency Respite Funds
- ACT- Adult Crime Tactics Course
- GANE- Georgia Abuse, Neglect, and Exploitation App.





Temporary Emergency Relocation Funds (TERF)

Used for temporary emergency placement of abused, neglected, or exploited at-risk adults who are found to be:

- Lacking the ability to independently provide for their own basic necessities of life due to disease, disability, or cognitive impairment;
- Without family/friends to become involved in the care & decision making of the adult; and
- At imminent risk of harm/threat to health & safety if placement is not provided.



TERF (cont.)

- Is a resource for law enforcement, APS, and HFR to assist in the emergency placement, for at least seven (7) consecutive nights, of abused, neglected and exploited at-risk adults whose caregivers have been removed because of illness, arrest, or other reasons
- TERF is available 24/7



Temporary Emergency Relocation Funds (TERF)

\$150 per night per individual

At-Least 7 nights
(extensions up to 30 days granted)

DAS & TERF admin will follow-up with PCH and remain available to answer questions, assist with resident's needs, and provide support throughout TERF process.



TERF Provider Expectations

- Assess healthcare & personal needs as usual to determine care plan
- Cooperate with APS & LE if investigation takes place
- Provide clean apparel & hygiene products as needed if those on scene were not able to recover any belongings
- Determine if PCH & individual are a good fit for each other long-term or if a different setting would be more appropriate
- Assist at-risk adult/s **AS NEEDED** to get to medical appts., retrieve necessary prescriptions, reclaim access to finances, seek out services or benefits



TERF (cont.)

TERF is not intended to resolve issues of chronic homelessness and/or issues of cognitive impairment due to use of alcohol or narcotics.

Any adult who needs emergency medical or psychiatric treatment should not be processed for TERF placement, calling emergency responders or transporting to the Emergency Room is appropriate in that circumstance.

“Total care” adults will not qualify for personal care home placement



At-Risk Adult Crime Tactics (ACT) Certification Program

- Protect at-risk adult victims
- Prevent future victimization
- Prosecute offenders



Over 2,900 ACT Certified Specialists in over 140 GA counties!

- Law Enforcement
- EMS
- Fire & Rescue
- Adult Protective Services
- Healthcare Facility Regulation
- Aging & Disability Resource Connection (ADRC)
- Division of Aging Services
- DBHDD personnel
- Georgia Advocacy Office
- Long-Term Care Ombudsman
- Prosecutors / Attorneys
- Victim Advocates
- Probate Court Judges
- Code Enforcement
- Banking personnel
- Medicaid Fraud officials
- Medical Examiners/Coroners
- Senior Services
- Disability Services
- DV Services
- Mental Health Services



Georgia Abuse Neglect Exploitation App

- Developed through a collaboration between the Georgia Department of Human Services Division of Aging Services, the Georgia Chapter of the Alzheimer's Association, and the GBI
- Provide a resource to law enforcement and other professionals
- When they respond to the abuse of vulnerable and at-risk adults



Georgia Abuse Neglect Exploitation (GANE) App

- Law enforcement/Adult Protective Services frequently encounter situations where someone appears to have been abused, neglected, or exploited
- Where persons with diminished cognitive capacity appear to be wandering and/or lost
- When a vulnerable adult is deemed to be unsafe, e.g. removed from an unlicensed personal care home/caregiver is arrested



GANE App

- Options available to place them temporarily to ensure their safety are limited
- Situations often occur in the middle of the night
- Law enforcement/professionals need quick access to information, screening tools, and resources



Features of the GANE App

- Social service, regulatory and other agencies contact information to report suspected abuse
- Resource agencies contact information
- Georgia laws relating to abuse, neglect, and exploitation



Features of the GANE App (cont.)

- Screening for cognitive functioning
- Screening for determining abuse, neglect, and exploitation
- Screening for financial capacity*
- Emergency placement places using TERF (temporary emergency respite fund)*

*Restricted to law enforcement and Adult Protective Services

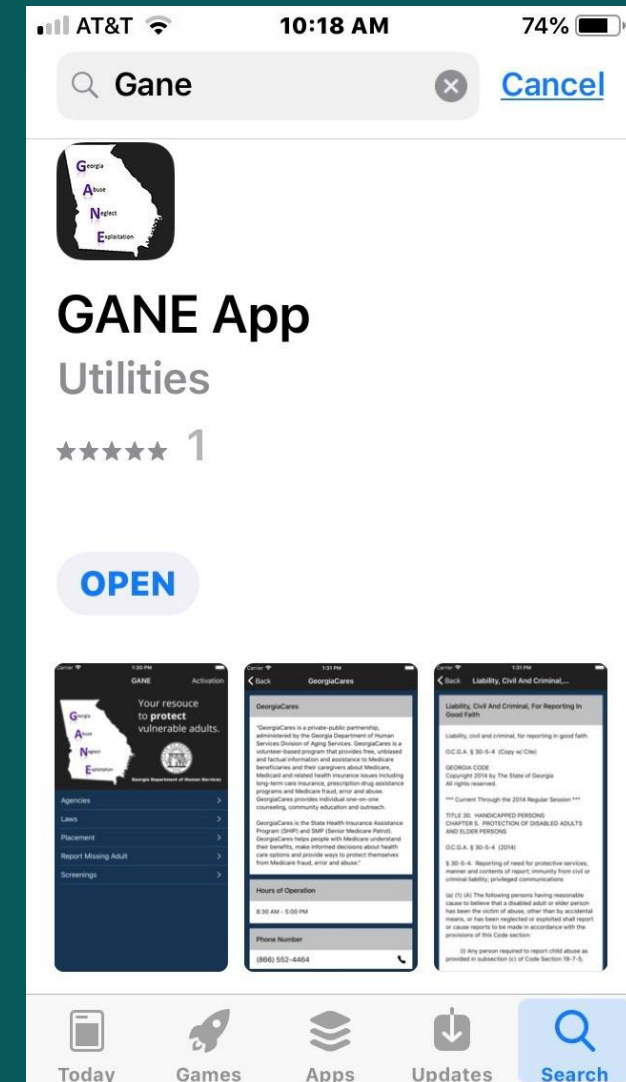
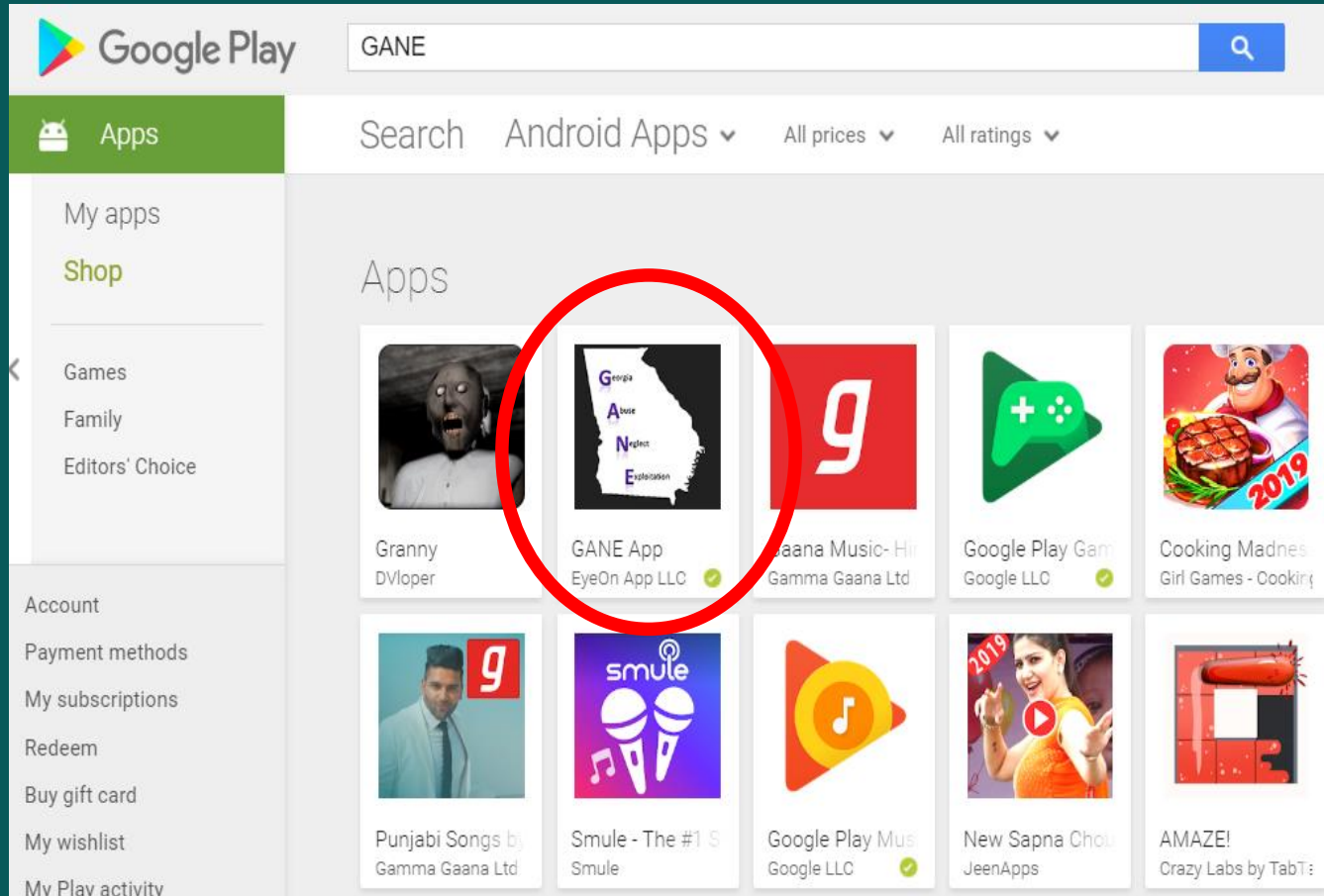


Download the GANE App

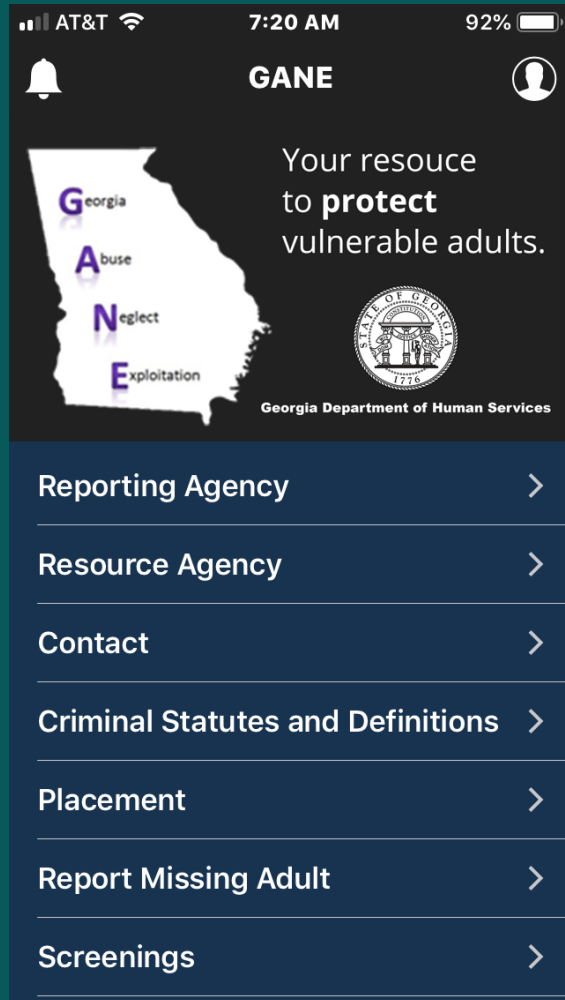
- Available for Android and iOS phones
- The GANE App is free to download and use
- An activation code is required to access the special features available only to Law Enforcement and Adult Protective Services employees



Search for: Georgia abuse neglect exploitation



ANE App Home Page



Tap here and to enter the activation code *****

and the user role, either law enforcement or Adult Protective Services

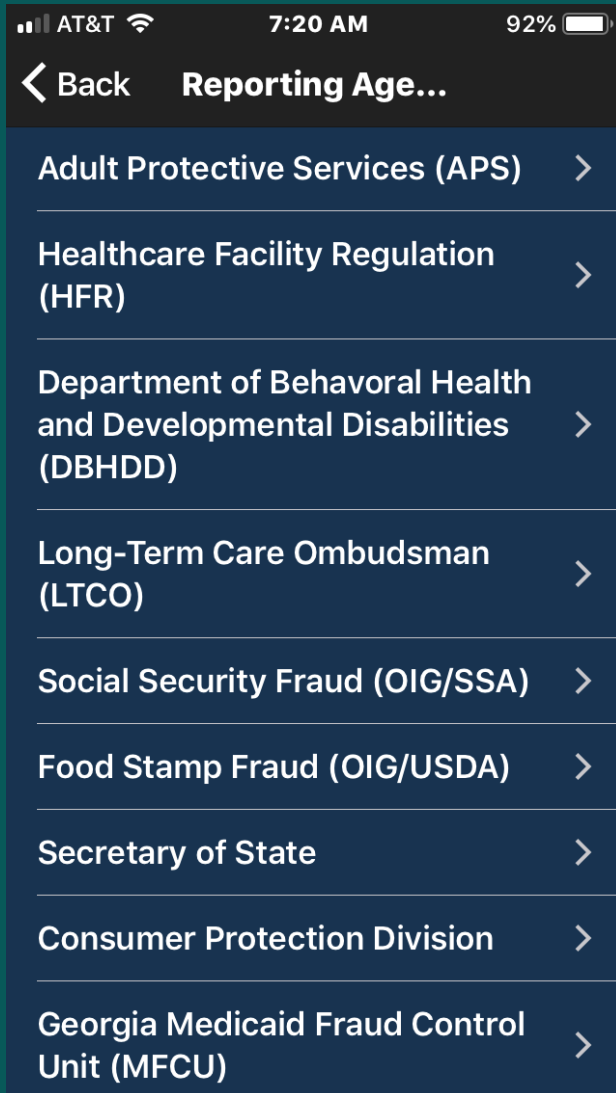
The activation code is only for

Law enforcement and Adult Protective Services

No activation code is required to use the public version of the ANE App



Reporting Agency Tab

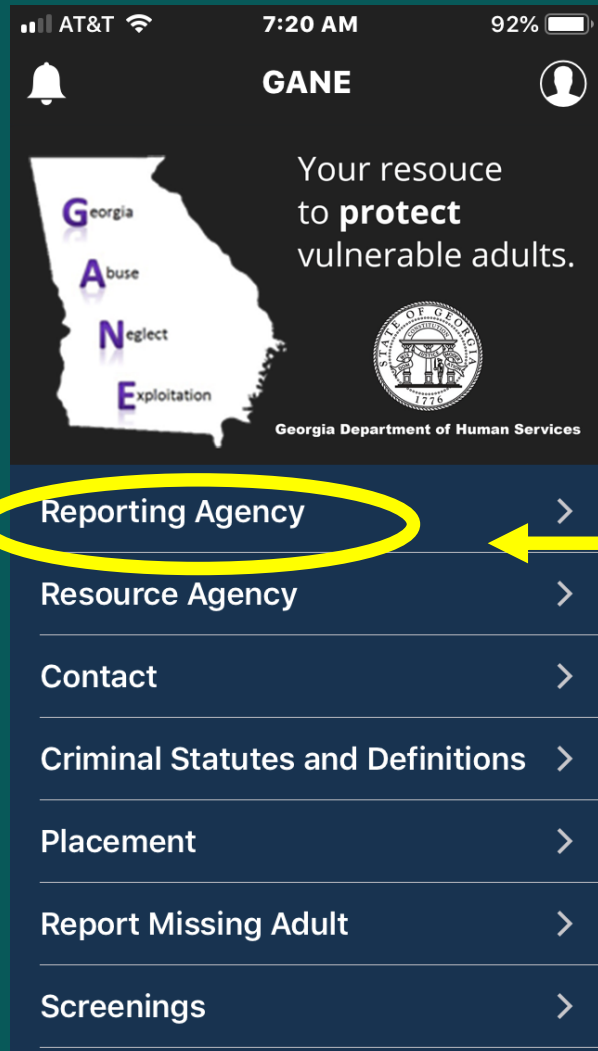


The Reporting Agency Tab menu contains a list of social service and regulatory agencies to report suspected abuse, neglect, and exploitation of an at-risk adult

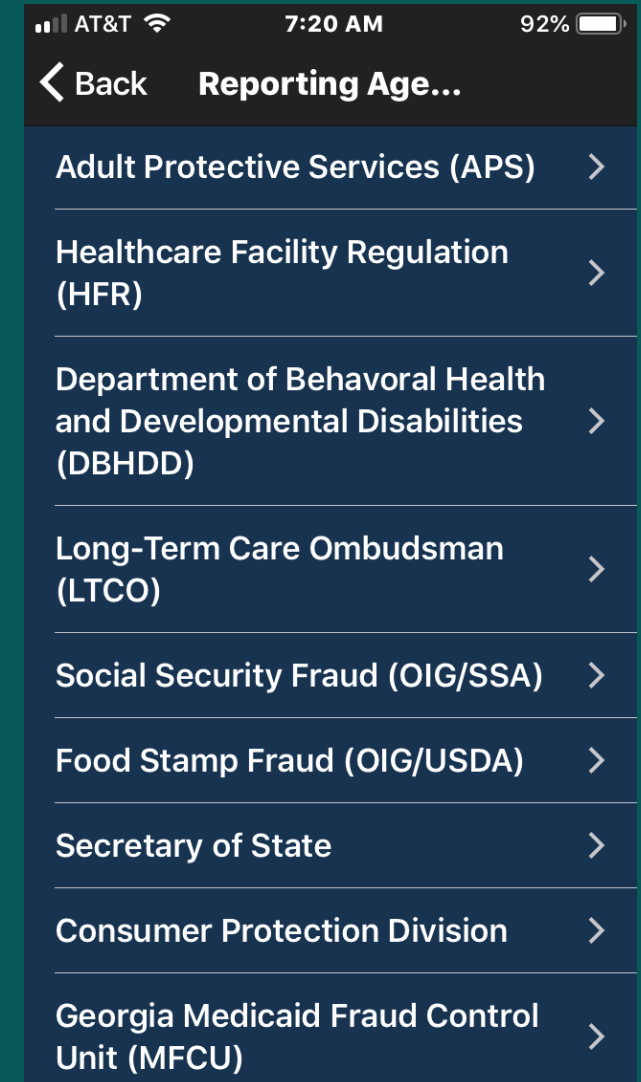
O.C.G.A. § 30-5-4 requires mandated reporting to both social services, regulatory agencies and law enforcement



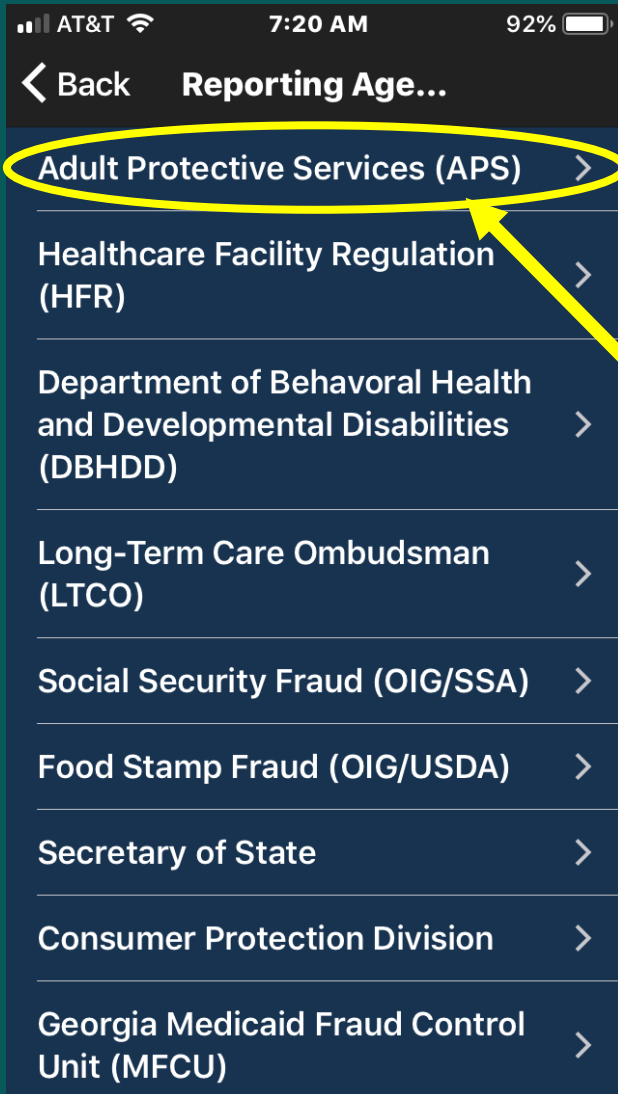
Reporting Agency Tab



Clicking on the
“Reporting Agency”
Tab will open the
Reporting Agencies
menu



Mandated reporting – In the community

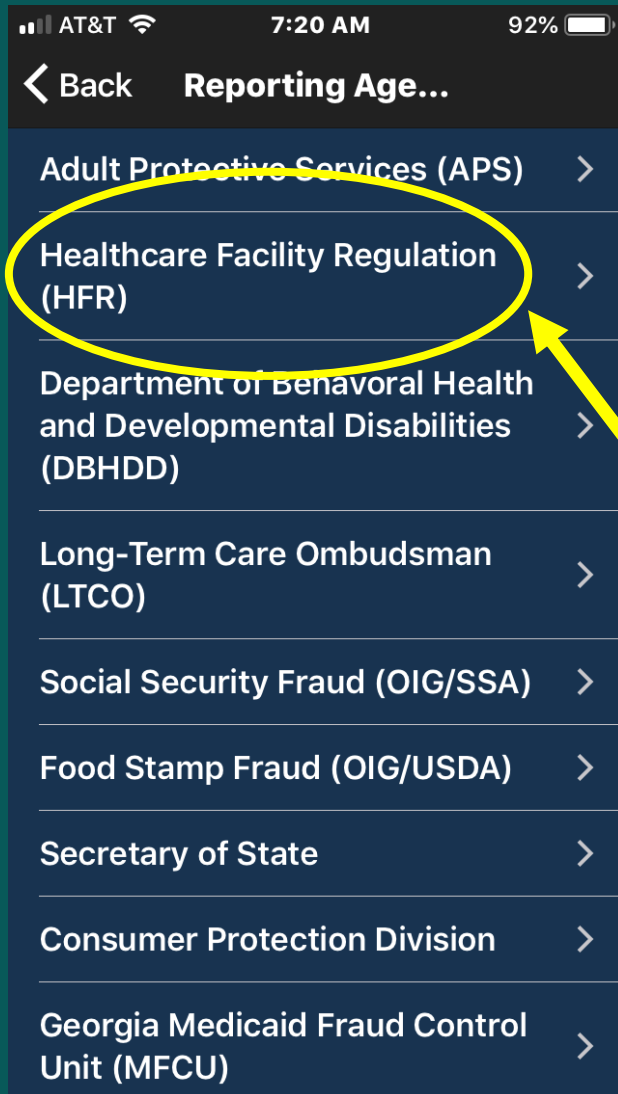


O.C.G.A. § 30-5-4 requires mandated reporting to both social services/regulatory agencies and law enforcement

To report suspect abuse in a home/community setting the agencies to contact would be Adult Protective Services and law enforcement



Mandated reporting – In a facility

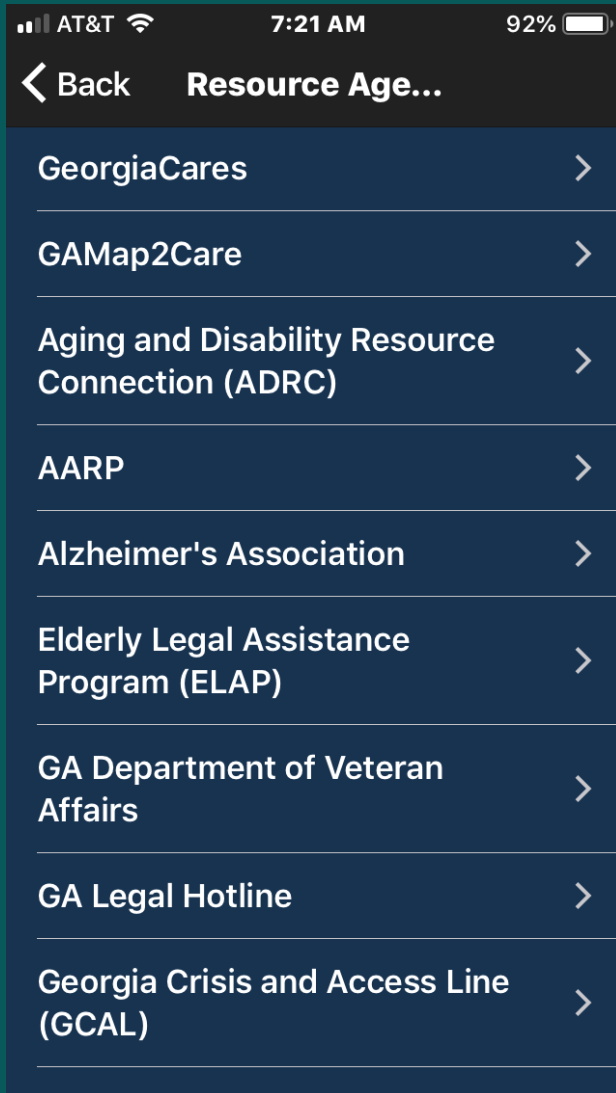


O.C.G.A. § 30-5-4 requires mandated reporting to both social services/regulatory agencies and law enforcement

To report suspect abuse in a facility setting (personal care home, nursing home, etc.) the agencies to contact would be Healthcare Facility Regulation and law enforcement



Resource Agency Tab



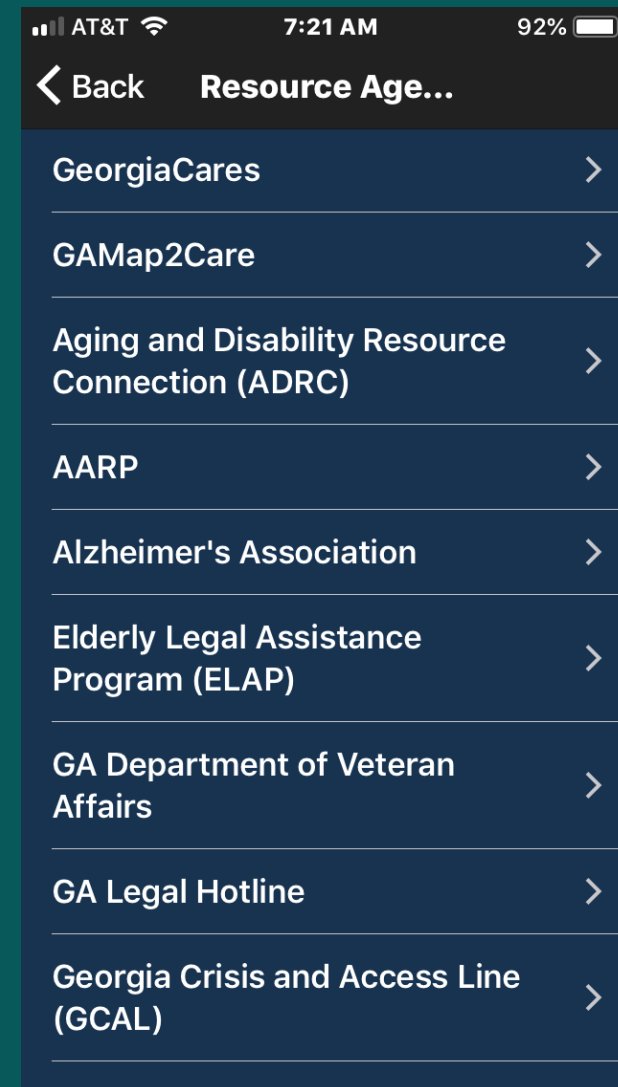
The Resource Agency Tab menu contains a list of different resource agencies and contact information that may be useful to the vulnerable/at-risk adult



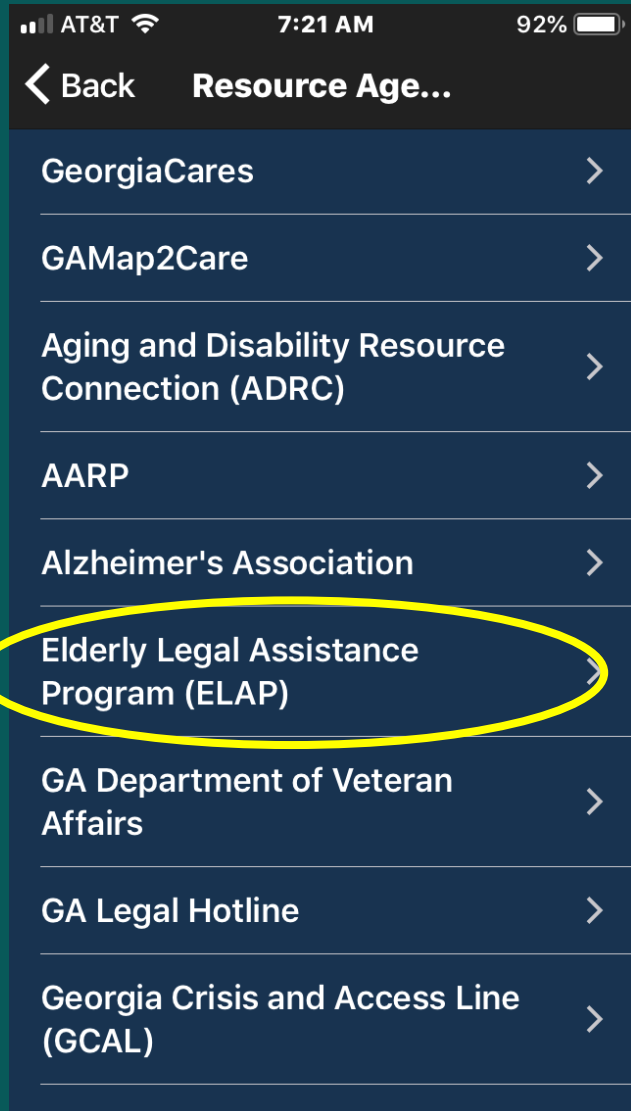
Resource Agency Tab



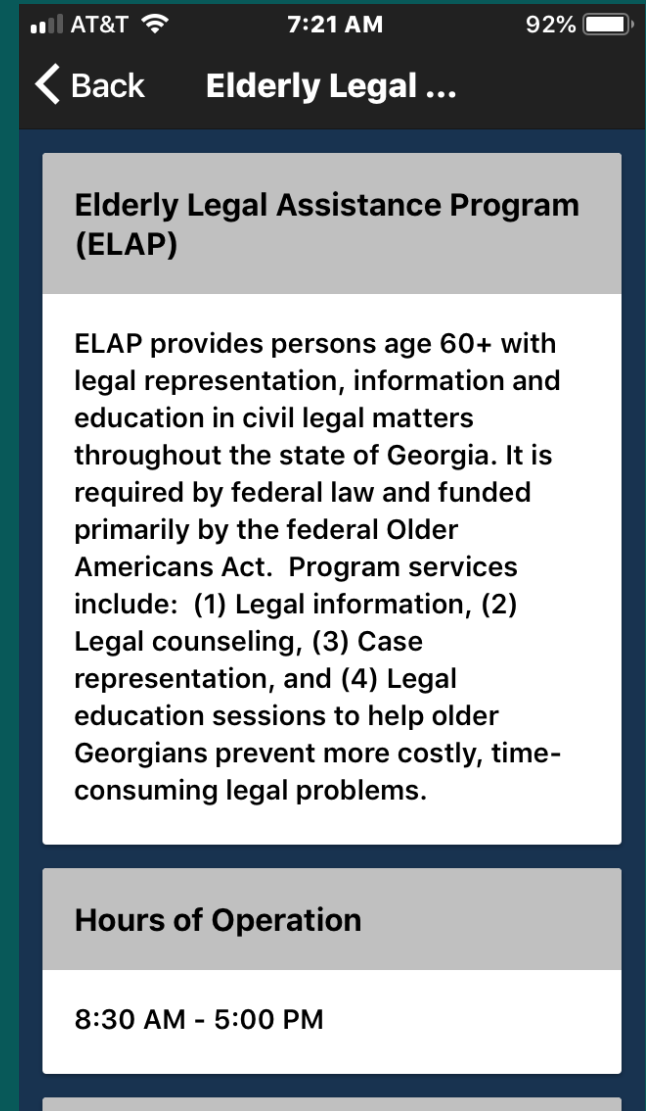
Clicking on the
“Resource Agency”
Tab will open the
Resources Agencies
menu



Resource Agency Tab (cont.)

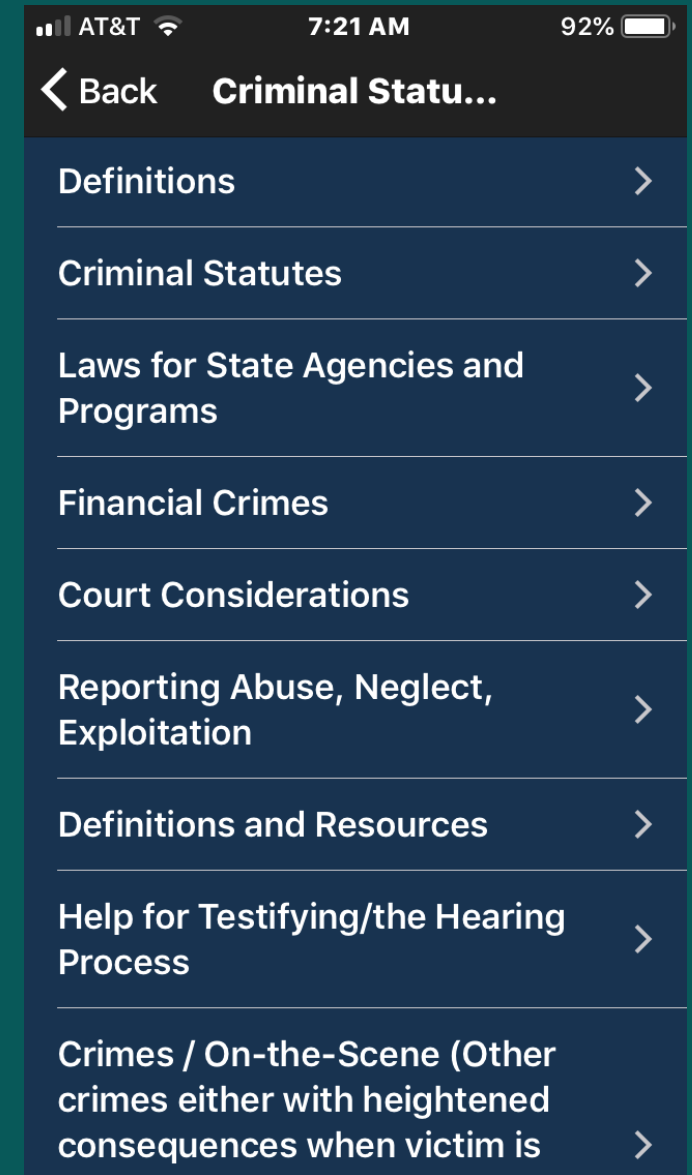
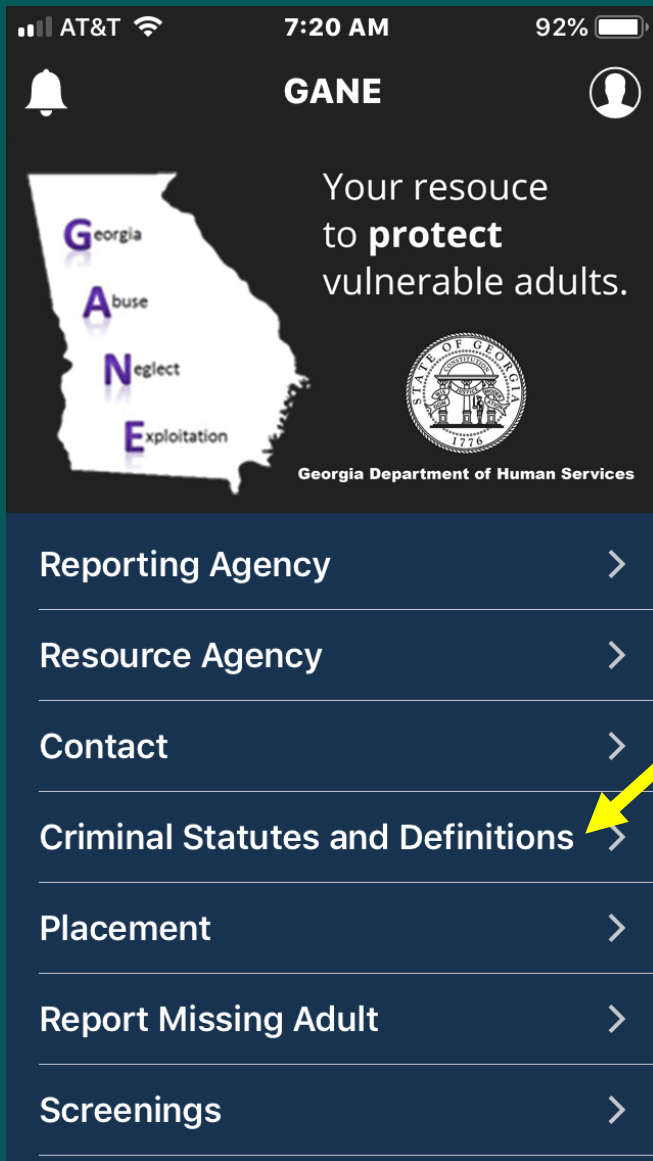


Tapping on the agency name opens a new page that describes the agency, provides an overview of services, and contact information

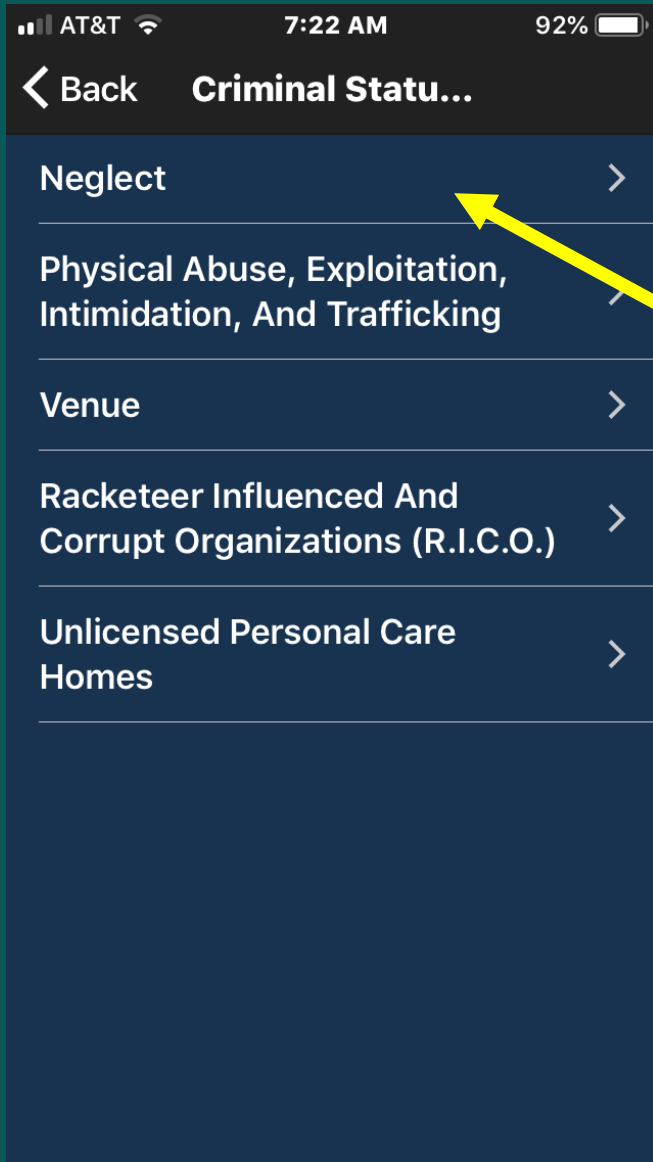


Criminal Statutes and Definitions Tab

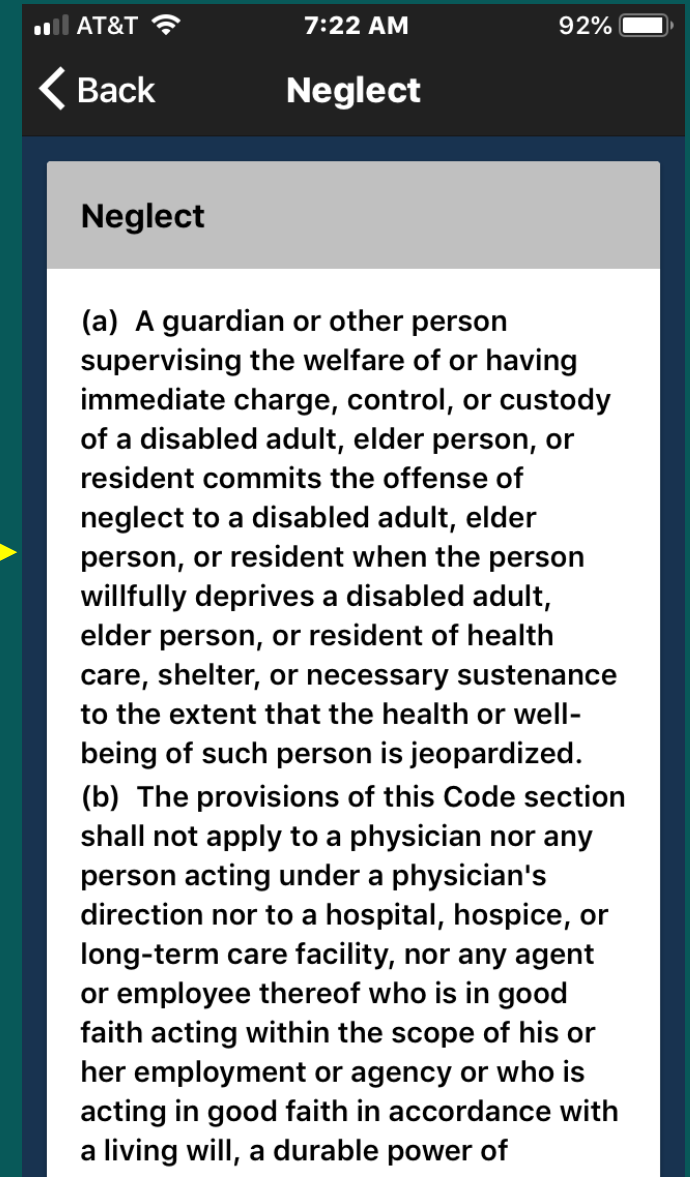
The Criminal Statutes and Definitions tab provides a list of crimes specifically related to at-risk adults and identifies crimes with enhanced penalties

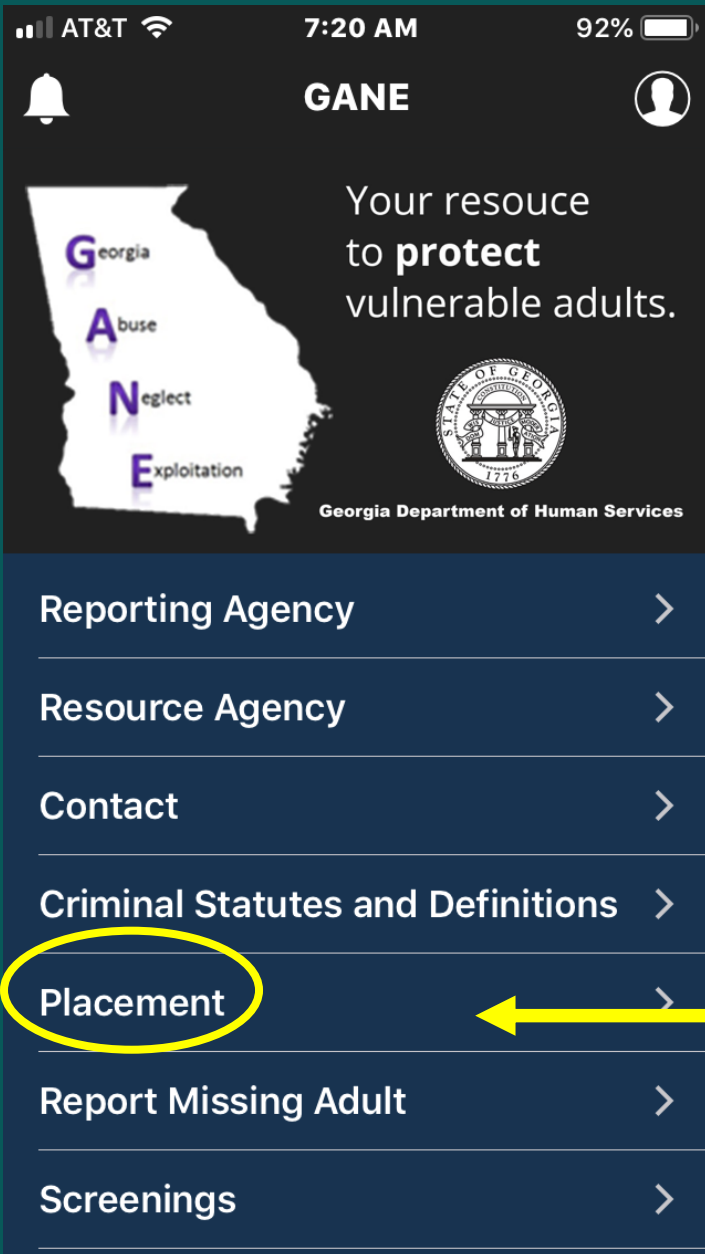


Criminal Statutes and Definitions Tab (cont.)



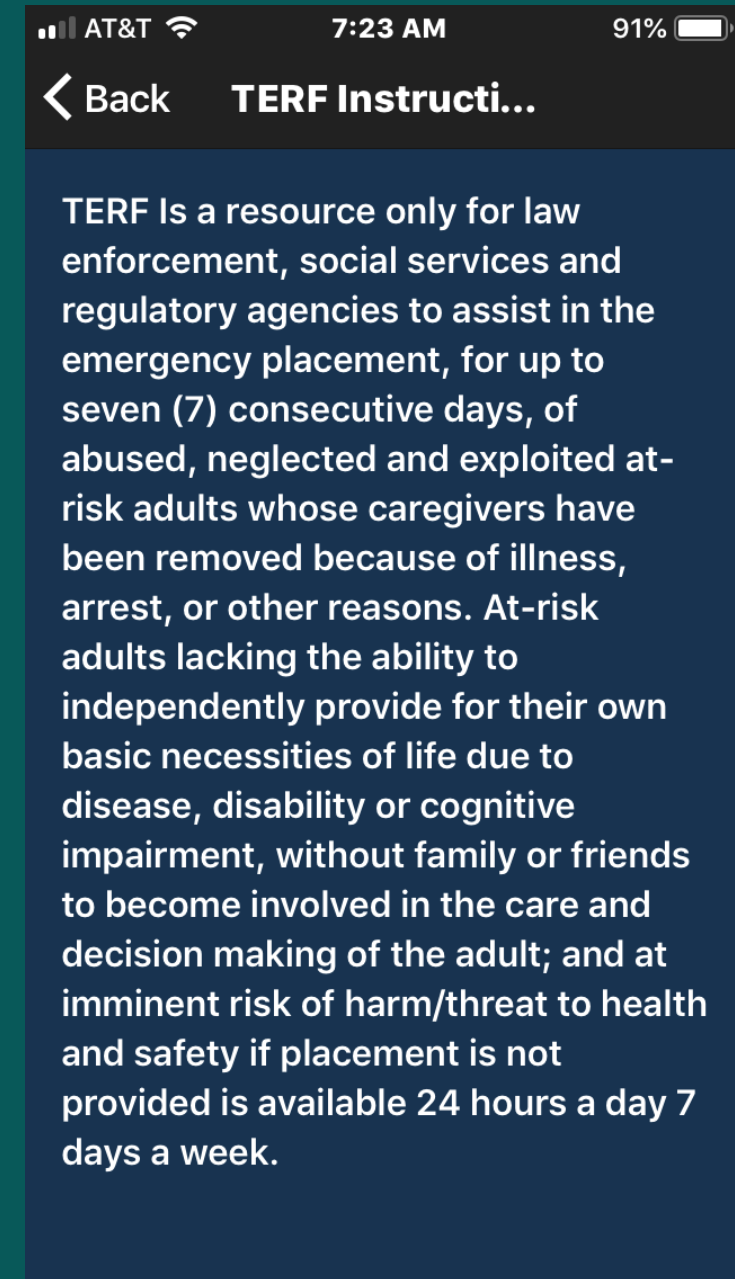
Tapping on specific laws will open a copy of that O.C.G.A. code section →

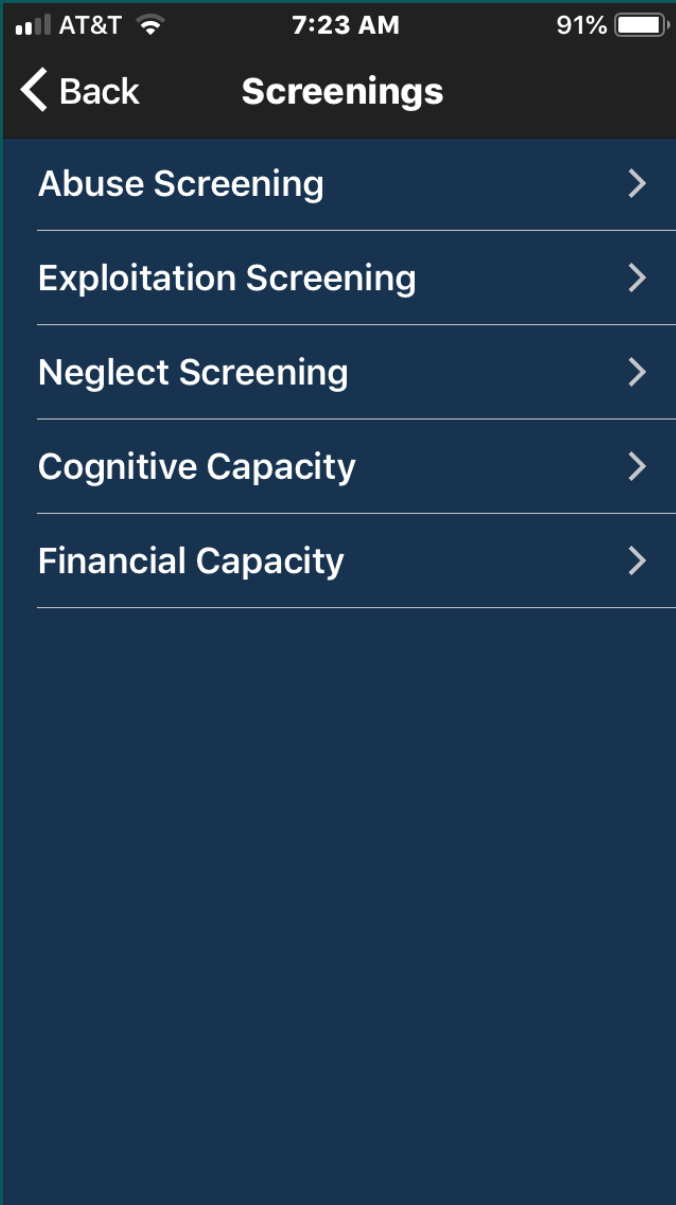




Placement Tab

Tapping on the Placement Tab provides the criteria for using the TERF program and allows the user to call TERF directly from the app



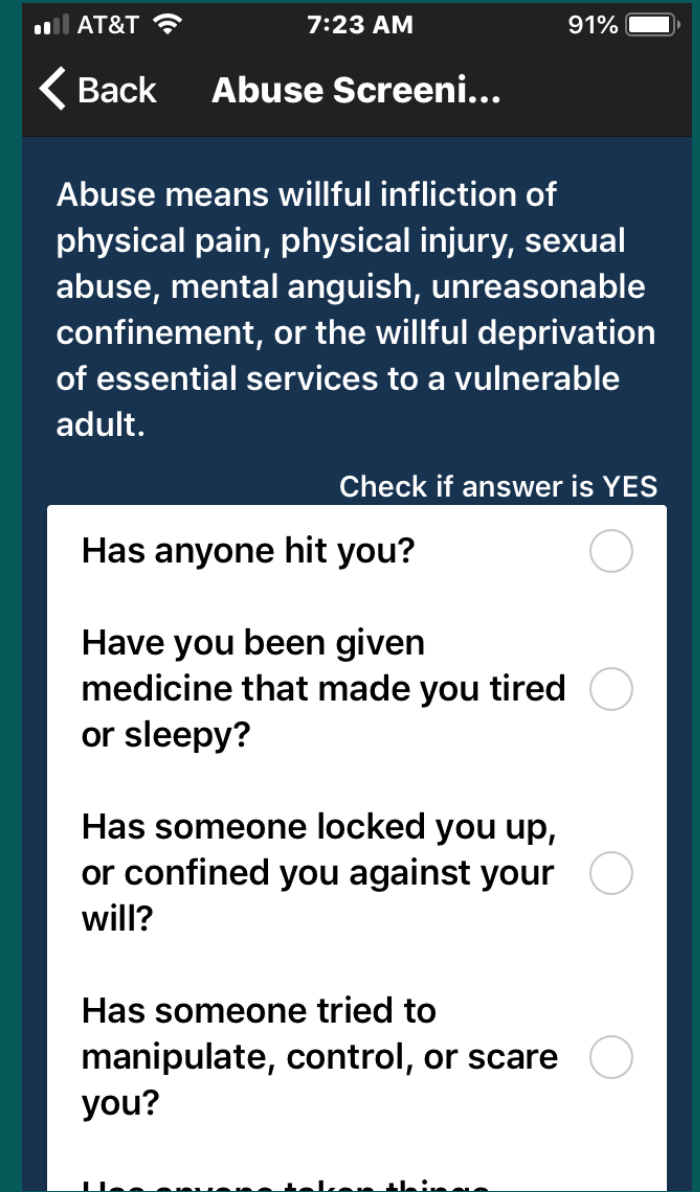


Screenings Tab



Each Tab under the Screening Tab opens to screening forms

The GANE App processes the answers and makes a determination as to whether or not the case should be referred to the appropriate state agency



44% 5:04 PM

← **Cognitive Capacity**

Please recite the following script, and upon asking questions, please check the questions the victim answers incorrectly

Hello. My name is Officer --SAY YOUR NAME--. Can you say my name? It is very important that you remember my name. Now I am going to ask you a few questions.

Check if INCORRECTLY answered

Can you tell me what time of day it is?

Can you tell me where we are?

What was my name?

76% 12:39 PM

← **Neglect Screening**

Neglect is the absence or omission of essential services to the degree that it harms or threatens with harm the physical or emotional health of a vulnerable adult.

Check if answer is YES

Does the adult have poor personal hygiene as evidenced by a noticeable odor, long and dirty fingernails, lice, or other parasites, and etc.?

Have signs and symptoms of disease or injury been ignored or left untreated?

Does the adult lack needed medication or medical

45% 5:04 PM

← **Abuse Screening**

Abuse means willful infliction of physical pain, physical injury, sexual abuse, mental anguish, unreasonable confinement, or the willful deprivation of essential services to a vulnerable adult.

Check if answer is YES

Has anyone hit you?

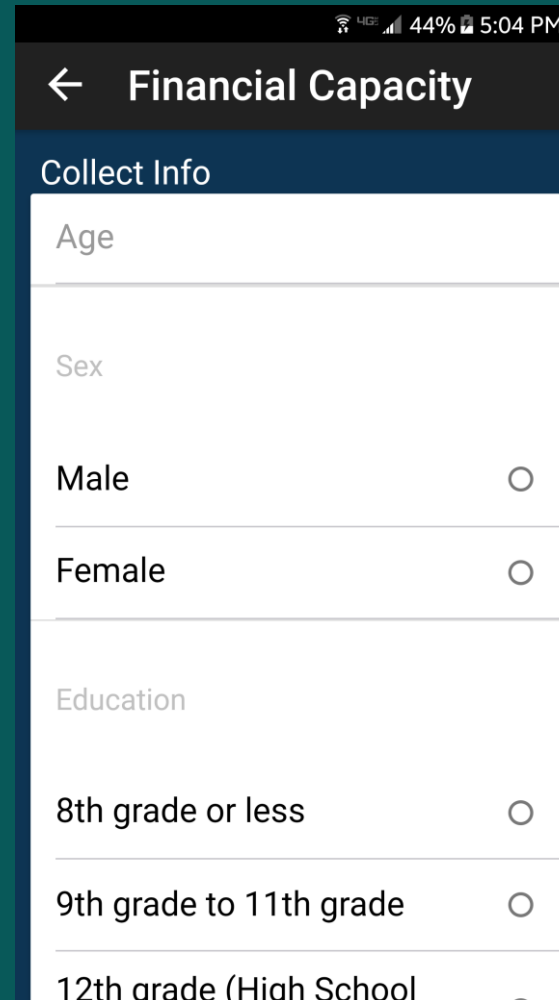
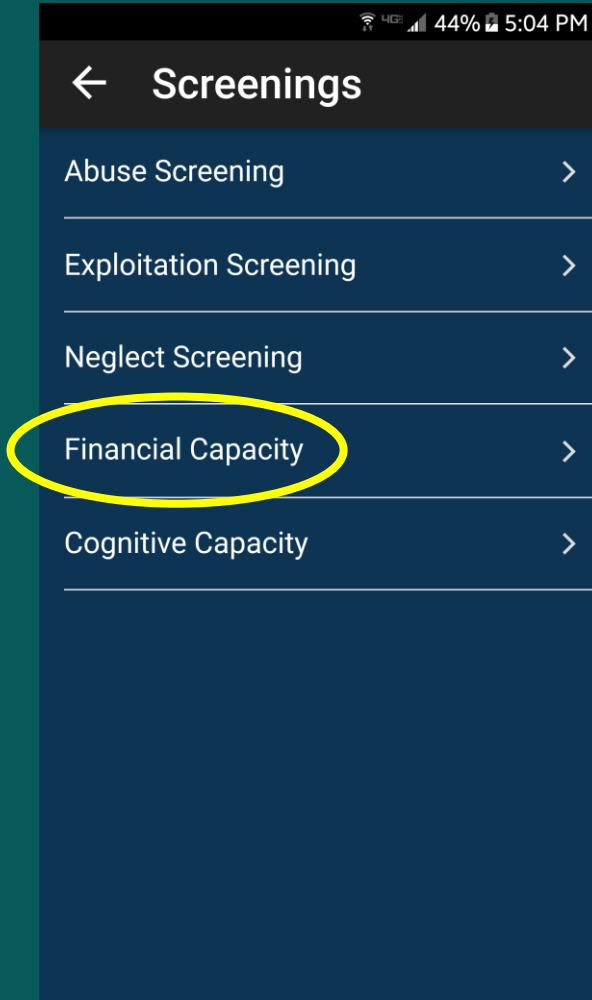
Have you been given medicine that made you tired or sleepy?

Has someone locked you up, or confined you against your will?

Has someone tried to manipulate, control, or scare



Financial Capacity Module



The Financial Capacity Module will allow law enforcement /APS identify persons at risk for diminished financial capacity (DFC) and/or financial exploitation (FE). Identified persons will then be referred for an expanded DFC/FE assessment using the UAB Brief Financial Capacity Screening (BFCS) tools.



Questions?

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