



KENTUCKY

# General News

June 2010

## Attorney General Conway Continues to Make Case Against LG&E and KU Rate Increases

Attorney General Conway has renewed his request for the Public Service Commission (PSC) to dismiss the LG&E and KU rate increase cases due to the pending sale of parent company E.ON to PPL. The PSC denied the Attorney General's June 2 request for dismissal, but indicated the issues could be raised during a planned hearing on the rate cases and the Attorney General's office could renew its request. The office filed a renewed motion to dismiss on Tuesday, June 29, 2010 after presenting additional testimony during the hearing.



"This is the largest combined rate increase in Kentucky history," General Conway said. "If these utilities are being sold, the new company that will be collecting these bills and reaping the benefits of the rate increases should have to make its case to the PSC, not a company that has a 'For Sale' sign in the yard."

General Conway also expressed concern that E.ON, by requesting these rate increases, is trying to raise its credit profile and make itself a more attractive company to Wall Street and to buyers.

More information — <http://tinyurl.com/2vnhy55>

## Six Counties Selected for Post Election Audit

A post-election audit of six Kentucky counties is underway following the May 18 primary election. Pulaski, Clinton, Bath, Breckenridge, Johnson and Hart counties were chosen in a random drawing on June 2 to undergo independent inquiries for any potential irregularities that may have occurred during the primary.

"These audits supplement the work our investigators did on the ground leading up to the primary election, and the process, as defined by Kentucky law, will ensure that voters in every corner of the Commonwealth encounter procedures at polling places that are fair and equitable," General Conway said.

The post-election audits, which are required by law (KRS 15.243) are conducted by the Office of the Attorney General. The inquiries include checking election forms and interviewing county officials.



## Two Indicted in Immigration and Identity Theft Probe

Attorney General Conway has announced the indictment of two people in connection with an ongoing investigation by his Department of Criminal Investigations (DCI) into the trafficking and use of identity information unlawfully obtained from United States' citizens living in Puerto Rico.

A Jefferson County grand jury indicted Enrique Escalante, 36, of Lexington, and Jose Reyes, 41, of Miami, Fla. for complicity to trafficking in stolen identities and complicity to theft of identity. The arrests follow a more than year-long investigation by DCI and other agencies. The charges carry a maximum penalty of up to 15 years in prison.

Both were taken into custody by agents of the Attorney General's Office in cooperation with Lexington Police, the Boone County Sheriff's Department and detectives from the Jefferson County Commonwealth's Attorney.

More information — <http://tinyurl.com/2emkrf8>



Kentucky Attorney  
General  
Jack Conway



## MEDICAID FRAUD & ABUSE

### Former Madison Manor Nurse's Aide Jailed after Violating Probation



A former nurse's aide at the Richmond Health and Rehabilitation Complex, formerly known as Madison Manor, is now jailed after violating the terms of her probation. A Madison District judge granted a request from the Attorney General's office that Jaelyn Dawn VanWinkle's conditional discharge be revoked after she pled guilty to both alcohol intoxication in a public place and rape and sodomy in the third degree.

VanWinkle is now serving the 12-month prison sentence she received in April 2009 after pleading guilty to a charge of reckless abuse of an adult in connection with the care of a former resident of Madison Manor. Two other caregivers have also pled guilty in connection to abuse at Madison Manor.

The investigation by the Attorney General's Office of Medicaid Fraud and Abuse Control into allegations of abuse and neglect at Madison Manor is ongoing.

### Two Former Madison County Caregivers Face Charges after Attorney General's Investigation

Two former caregivers at a Madison County group home are facing charges in connection with the abuse of a mentally handicapped man in their care. Charged are 46-year-old Verna Campbell and 58-year-old Hosea Farris. Campbell, a former assistant adult treatment supervisor at Independent Opportunities in Richmond, Ky. is charged with wanton abuse and neglect of an adult while Farris is charged with knowing abuse of a vulnerable adult.

Richmond Police arrested Campbell on June 21 on a warrant issued by Madison District Court. She is accused of abusing a patient in her care by pushing him into a shower, subjecting him to hot and cold shower temperatures, spraying him in the mouth and nose with water and forcing him onto a changing table.

Farris is accused of slapping and pulling the hair of the same mentally handicapped in September 2009. A charge is an allegation only. All defendants are innocent until proven guilty.



### Attorney General's Medicaid Fraud Investigator Receives Prestigious Award

An investigator in General Conway's Office of Medicaid Fraud and Abuse Control has been recognized for the work she has done to protect Kentucky's senior citizens. On June 16, ElderServe presented Nikki Henderson with the 2010 "Champion for the Aging" award.

"Nikki is a tireless crusader against elder abuse, and I am honored to have her on my staff," General Conway said. "We are thrilled that ElderServe is recognizing Nikki's accomplishments and her dedication to protecting Kentucky's senior citizens by presenting her with this prestigious award."

Henderson began working for the Attorney General's office in 2006. She has previously worked in the Division of Aging Services at the Cabinet for Health and Families. She is also a retired sergeant from the Louisville Metro Police Department, where she worked to create the Crimes Against Seniors Unit.





## **CPSC, Manufacturers Announce Recalls of More Than 2 Million Cribs**

The Consumer Product Safety Commission (CPSC) has joined with seven manufacturing firms to announce the voluntary recall of more than two million drop-side cribs to address entrapment, suffocation and fall hazards. The recalling firms, which include Child Craft, Evenflo and LaJobi, among others, are providing consumers with free repair kits to immobilize the drop sides. The kits will be provided to consumers upon request.

Earlier this year, Attorney General Conway partnered with the CPSC and the Kentucky Cabinet for Health and Family Services to launch the KY Kids Alert initiative to ensure that parents and child care providers are aware of the latest child product recall information. Nearly 3,000 Kentucky child care centers and certified family child care homes are now receiving child product recall alerts because of the KY Kids Alert program.

More information — <http://tinyurl.com/2ah6zla>

## **“Grandparent Scam” Still Targeting Kentucky Senior Citizens**

The “Grandparent Scam” is still a threat to Kentucky senior citizens according to Attorney General Jack Conway, and it is believed that social-networking sites are a contributing factor.

Reports of the scam escalated in 2009 with 1,134 reported in the U.S. General Conway’s office of consumer protection has received many phone calls from concerned consumers and a formal complaint from one victim who lost \$6,000 to the scam.

“The ‘Grandparent Scam’ continues to victimize seniors by preying on their generosity and desire to help a beloved grandchild.” General Conway said. “Social-networking sites, such as Facebook or MySpace, make personal information, such as family members’ names, readily available to scammers.”

In a typical scenario, the victim will receive a frantic phone call from someone claiming to be his or her grandchild. The caller says that they have been in an emergency, usually having been arrested or involved in a car accident. The caller then requests that the victim send money to them through a money transfer company, typically in an amount of several thousand dollars. Callers also request that their victims keep the phone call a secret and act quickly to wire money.

In order to prevent this type of scam, Kentuckians are urged to verify the caller’s identity. Rather than providing the name of a grandchild, instead ask for the caller’s name and contact a relative by cell phone to verify the situation. All Consumers should also check the security settings on social media accounts. Privacy settings should only allow confirmed friends to access personal information.

Consumers who suspect they have been a victim of scam can call the Attorney General’s Consumer Protection Hotline at 1-888-432-9257 or visit [ag.ky.gov/cp](http://ag.ky.gov/cp)

## **AG’s Office Joins State Partners to Offer Free Victim Advocate Training**

With the lingering state budget crisis, the Attorney General’s Office of Victims Advocacy joined with the Justice and Safety Cabinet and the Prosecutors Advisory Council to provide a free training conference on June 10 and 11 for nearly 200 of Kentucky’s victim assistance professionals and prosecutors. The training conference was held in coordination with a free training conference conducted by the Crime Victims Compensation Board at the Capitol Plaza Hotel in Frankfort.

“Despite budget constraints, my office remains committed to victim advocacy and ensuring justice and healing for Kentucky’s crime victims,” said General Conway.



The training conference offered a unique and valuable opportunity for victim assistance professionals to improve their skills and exchange views and ideas on how to more efficiently deliver services to victims of violent crime. Programs covered such topics as beginner victim assistance provider orientation, cyber security for children and adults and ethics for victims advocates and new trends in technology and how it can assist victim-service providers.



# CYBERCRIMES

## **Berea Man Convicted on Child Pornography and Drug Charges**

A Madison Circuit Court jury convicted a Berea man on child pornography and drug charges following an investigation by Attorney General Conway's Cybercrimes Unit. The jury found Gerald Jones guilty of 143 counts of possession of matter portraying a sexual performance by a minor, one count of marijuana cultivation and one count of possession of drug paraphernalia. Jones will receive the maximum of 20 years to serve on all counts when he is formally sentenced on August 12, 2010.

Cybercrimes investigators, with assistance from Berea Police, seized 103 videos and 40 images depicting child pornography after executing a search warrant at Jones' residence in January 2009. Berea Police also charged Jones with 1st degree rape and sodomy after investigators recovered a videotape depicting the alleged rape of a woman.

## **Woodford County Man Arrested on Child Pornography Charges**

Investigators from General Conway's Cybercrimes Unit, with assistance from Versailles Police, arrested a Woodford County man on charges of child pornography possession. Johnny H. Todd, 38, is charged with four counts of possession of matter portraying a sexual performance of a minor, a class D felony. Todd, who served 7.5 months of a one-year sentence for previous conviction for distribution of matter portraying a sexual performance by a minor, is a registered sex offender and is now being held in the Woodford County Detention Center.

Since its creation in June of 2008, Attorney General Conway's Cybercrimes Unit, a member of the Internet Crimes Against Children Task Force, has seized nearly 70,000 child pornographic images from the Internet and investigated more than 100 child pornography case in Kentucky.

A charge is merely an accusation and a defendant is presumed innocent until and unless proven guilty.