



KENTUCKY

General News

April 2009

Ex-Wife of “D.C. Sniper” Shares Powerful Story of Survival at Victims’ Rights Day Rally

Attorney General Conway says too often victims are forgotten

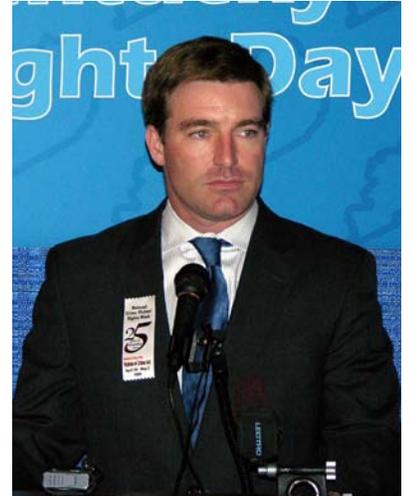
Attorney General Conway hosted the 18th annual Kentucky Crime Victims’ Rights Day rally on April 28 as part of National Crime Victims’ Rights Week. Advocates, victims and their families, law enforcement, prosecutors and volunteers attended the rally in the Capitol rotunda. General Conway said often victims are forgotten in the criminal justice process.

“Often you turn on the TV or see what is going on in a trial and you see lawyers talking or the defendant making his case, but too often we forget that the victims and their rights are the most important part of the process,” said General Conway.



He said his Office of Victims Advocacy often sees victims during their darkest hours and serves as “a shoulder to cry on” and a “voice of reason.” General Conway also welcomed featured speaker, Mildred Muhammad, a domestic violence survivor and the ex-wife of “D.C. Sniper,” John Muhammad. Muhammad urged victims of domestic help to seek help and plan to leave the abusive relationship.

“I will never tell anybody to leave, but I will tell you to plan. Because, in your planning, you will know when it is the right time to leave. You will have everything lined up so you will not return and that is the object of leaving an abusive relationship.”



To view photos and video clips — <http://ag.ky.gov/multimedia/>

Scam Artists May Target One-Time Economic Stimulus Payments

Attorney General Jack Conway and Cabinet for Health and Family Services Secretary Janie Miller are warning consumers who receive Social Security and other disability payments against possible scams as the federal government prepares to distribute a one-time economic stimulus payment of \$250 per beneficiary by late May.

“Scam artists targeting the economic stimulus payments will likely employ the same types of techniques as used previously when dealing with government issued payments. Secretary Miller and I want to ensure that Kentucky consumers do not fall victim to these con artists,” General Conway said.

The American Recovery and Reinvestment Act of 2009 provides a one-time payment of \$250 to adult Social Security, Supplemental Security Income (SSI), Veterans Affairs (VA) and Railroad Retirement Board (RRB) beneficiaries.

For more information — <http://tinyurl.com/dl2vck>

How to protect yourself against potential fraud:

- ▶ Beware of callers who claim to represent the government and claim to have problems depositing your stimulus payment.
- ▶ Beware of callers who claim that you qualify for the stimulus payment, but additional information is needed. You will NOT be contacted for additional information to receive the payment.
- ▶ Beware of websites, emails and online advertisements promising access to additional government grants.



Kentucky Attorney General Jack Conway

Prosecutions of Elder Abuse & Medicaid Fraud Recovery Rise

Cybercrimes and Office of Rate Intervention Also Report Successes

Attorney General Conway and his Office Medicaid Fraud and Abuse Control are pleased to report that prosecutions of elder abuse cases quadrupled in 2008. Despite a 20% budget cut, the Office of the Attorney General has also increased six-fold the amount of Medicaid Fraud recovery for our taxpayers. In 2008, we recovered nearly \$24-million in restitution for the Medicaid system.

“Protecting senior citizens and preventing elder abuse remain top priorities for me. It is gratifying to know that the hard work of our Medicaid fraud and elder abuse investigators is making a difference for senior citizens as well as taxpayers in the Commonwealth,” General Conway said.

Since its creation in June 2008, General Conway’s Cybercrimes Unit has seized 10,133 child pornography images and 2,158 videos. The unit executes one to two search warrants each week involving child pornography in Kentucky and has opened 20 new cases this year alone.

General Conway is also pleased to report that his Office of Rate Intervention, which serves as a watchdog for consumers relating to utility rates, has saved consumers approximately \$83 million since January 2008.



Two Community Presence Caregivers Sentenced in Death of Patient



*Matthew
Bortles*



*Branden
Starostka*

Attorney General Conway and prosecutors from his Medicaid Fraud and Abuse Division announce the sentencing of two caregivers on charges relating to the abuse and death of Michael Price, a mentally handicapped patient at Community Presence Inc.

Mathew Bortles, 21, of Soldier in Carter County, was sentenced to eight years in prison for manslaughter II, intentional abuse of a vulnerable adult and tampering with physical evidence. Branden Starostka, 23, of Grayson, was sentenced to five years for wanton abuse of a vulnerable adult and tampering with physical evidence.

“This was an egregious act by two people entrusted with the care of Mr. Price. Because of the hard work of our investigators and prosecutors working together with local law enforcement, these two men were brought to justice,” General Conway said.

Seven others have been indicted in connection with abusive behavior against adult residents at Community Presence, Inc., which has since closed. Their trial date is July 21, 2009.

Former Madison Manor Nurse’s Aide Pleads Guilty in Neglect Case

Two More Indictments Announced as Investigation Continues

A former nurse’s aide at Richmond Health and Rehabilitation Complex (Madison Manor) nursing home pled guilty on April 6, 2009 to reckless abuse of an adult in connection with the care of a former resident of Madison Manor in August 2008. Under the terms of the agreement, Jaclyn Dawn VanWinkle was sentenced to 12 months in the Madison County Jail. The sentence was probated for a period of two years conditioned on her good behavior and agreement to testify in any case involving alleged criminal behavior at Madison Manor.

On April 14, General Conway announced the indictments of Amanda Sallee and Valerie Lamb, two former nurse’s aides at Madison Manor. Sallee, of Richmond, was indicted for wanton abuse and neglect of an adult and Lamb, of Berea, was indicted for reckless abuse and neglect of an adult.

Prosecutors from the Office of the Attorney General’s Medicaid Fraud and Abuse Control Division are handling the prosecution of this case. The investigation at Madison Manor is ongoing.

Kentucky Receives \$116.9 Million in Tobacco Settlement Money

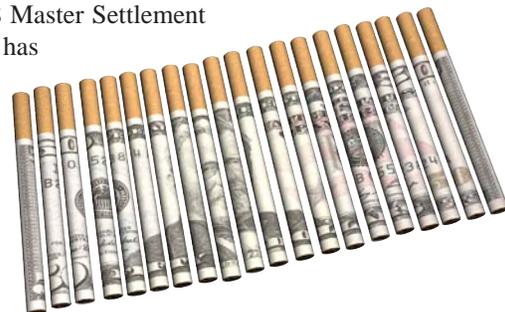
Attorney General Conway announced on April 20 that Kentucky, as required under the 1998 Master Settlement Agreement (MSA) between the major tobacco manufacturers and 52 states and territories, has received its annual payment of \$116.9 million in tobacco settlement money.

“My office continues to enforce the MSA, ensuring that Kentucky receives the money it’s owed from the agreement. The MSA provides funding for many invaluable programs – from agriculture to education,” said General Conway.

The total received by Kentucky since the initial MSA payment in 1999 is more than \$1.18 billion for “Phase I.” Kentucky tobacco farmers have also benefited by receiving an additional \$600 million under “Phase II,” the Tobacco Growers Trust Agreement.

Most of the MSA payment was paid by the three largest cigarette manufacturers – Philip Morris, RJ Reynolds and Lorillard.

More Information — <http://tinyurl.com/c79dpy>



Attorney General Conway Announces New Resource to Keep Kentucky Roads Safer

Prosecutors and law enforcement officers now have a new tool in their fight to reduce highway traffic fatalities. Attorney General Conway announced the launch of the Kentucky Traffic Safety website, www.kytrafficsafety.com on April 28 to help police and prosecutors access state and national statistical data and information to assist them. It will also serve as a contact point for community concerns involving traffic safety issues.

“It’s taken a team effort to create this website, and I believe police and prosecutors will benefit from having these resources available at their fingertips,” General Conway said.

The website construction and maintenance is funded through the Kentucky Office of Highway Safety with grant funds provided by the National Highway Traffic Safety Administration (NHTSA).

Transportation Secretary Joe Prather said the site will provide a much-needed resource for prosecutors and law enforcement personnel who need to be well-informed of DUI and other traffic-safety issues.

Christian County Attorney Mike Foster, who also serves as President of the Kentucky Association of Counties and as a member of the Prosecutor’s Advisory Council in endorsing the Kentucky Safety website stated: “Attorney General Conway is to be commended for his implementation of the Kentucky Traffic Safety website and his commitment to provide specialized training to prosecutors concerning traffic issues and related crimes. Traffic crashes claim nearly 43,000 lives per year nationally. Kentucky is no exception as traffic collisions took the lives of over 800 Kentuckians and severely injured many more.”

