

INTRODUCTION

We, the members of the Thirty-Fifth Statewide Investigating Grand Jury, having received and reviewed evidence pertaining to allegations regarding violations of the Pennsylvania Crimes Code and the Public Welfare Code occurring in and around Philadelphia County pursuant to Notice of Submission of Investigation No. 92, do hereby make the below findings of fact and recommendation of charges.

FINDINGS OF FACT

Special Agent Jennie Roth of the Office of Attorney General, Bureau of Criminal Investigations, Medicaid Fraud Control Section, received information from Homemaker Services ("Homemaker") that consumer Robin Crowe-Johnson, who suffered from arthritis, had been receiving home care services from attendant Shykeem Leslie. These services were billed through Medical Assistance via Homemaker from 2009 through 2012. However, it was reported to Homemaker in the fall of 2012 that Leslie had in fact died in 2010, but Crowe-Johnson nevertheless continued to submit signed time sheets in Leslie's name and profited by being in receipt of his payments for the alleged services.

SA Roth testified before the Grand Jury that the hours of care provided by an attendant are recorded on time sheets which are submitted by the consumer to the home health agency (i.e., Homemaker). Crowe-Johnson had received home attendant care services from two attendants through Homemaker from 2008 through 2012. David Thompson was her first attendant from April 13, 2008, through June 20, 2009. Based on the time sheets submitted by Crowe-Johnson, Leslie was her assigned attendant from June 21, 2009, through October 20, 2012. However, SA Roth testified that Leslie actually died on August 18, 2010.

SA Roth obtained Leslie's time sheets and respective checks for the alleged work provided

to Crowe-Johnson. His earnings statement reveals that Leslie had allegedly received checks from the beginning of his employment to the pay date of March 12, 2010, as well as for his last paycheck dated November 8, 2012, in the amount of \$732.21. However, between those dates and unlike Thompson, who only received payment via checks, Leslie's method of payment was switched from checks to a debit card issued by Medibank.

The supporting documentation from Medibank used for the application for the debit card contained Leslie's social security number and his date of birth, yet the address of the debit card owner is given as 1521 Clearview Street, Philadelphia, PA, which is actually the home address for Crowe-Johnson, not Leslie. Further, the Medibank documentation reveals that Leslie's debit card had been stolen and reissued with it consistently being reissued to Crowe-Johnson's home address and not the address of the rightful owner, Leslie. Lastly, the email address used to open the debit card was "getting rich at 50." Incidentally, Crowe-Johnson was born on October 1, 1957 whereas Leslie was born on June 1, 1986.

Crowe-Johnson testified that she was in fact the only one who filled out the respective time sheets, which she completed every two weeks, and that an attendant never filled out or signed blank time sheets. The only item completed by the attendant on the time sheet was his signature. Crowe-Johnson also stated that she was the only one that possessed the time sheets, not any of the attendants. As for Leslie's specific time sheets, Crowe-Johnson informed the Grand Jury that "[I] would've provided him the time sheet after [I] filled it out." She then responded in the affirmative to the question, "[A]nd he would've signed off on it?" After being questioned on Leslie's signature, Crowe-Johnson insisted that "it's always the same person [who provides the care]."

Crowe-Johnson was also shown a photograph of Leslie that was produced from his Pennsylvania driver's license photo, and she denied ever knowing who the individual was in the

photo. Specifically, she was asked if she had ever seen this person before and her reply was "never." Yet, she did admit that her attendant was in his 20's—Leslie was approximately 24 years old. She also acknowledged that she had the same attendant for the same period of time that matched Leslie's time sheets from 2009 through 2012. As for who was showing up at her house, providing her home care services, and using the name "Shykeem Leslie," Crowe-Johnson stated that she did not know this attendant personally (unlike Thompson) until he started to work for her and merely met him at an outreach program for convicted felons at her church. In fact, after hiring this convicted felon to be her attendant, Crowe-Johnson even went as far as providing him with a key to her residence even though she had not done that for her prior attendant, Thompson.

As for how she found out that Leslie was actually dead, Crowe-Johnson stated that she only learned this fact after receiving a call from Supports Coordinator Christina Edwards from Homemaker in which Edwards had requested to talk to Leslie. Upon being told that Leslie was running errands, Edwards informed Crowe-Johnson that Leslie was deceased. According to Crowe-Johnson, she called Homemaker back in five minutes with the so-called Leslie imposter on the other phone line. Crowe-Johnson further explained that after "[Edwards] asked him a series of questions" over the phone, the Leslie imposter got a "weird look on his face" and left the house in which she never saw him again.

However, Agent Roth testified to the Grand Jury that she interviewed Edwards regarding this phone call with Leslie and that Edwards never did speak to anyone other than Crowe-Johnson regarding the fact that Leslie had been dead for two years. In fact, Edwards elaborated on a prior meeting and conversation with Crowe-Johnson in which Edwards attempted to verify that an attendant was actually providing services to Crowe-Johnson. On February 29, 2010, Edwards conducted a face-to-face reassessment with Crowe-Johnson but her attendant Leslie was not

present. Edwards explained to Crowe-Johnson that she needed to have a face-to-face meeting with her attendant Leslie to make sure the services were going well. This meeting was scheduled to take place on April 20, 2012. However, when Edwards arrived at Crowe-Johnson's home on that date, Leslie was again not present. Edwards directed Crowe-Johnson to call Leslie so Edwards could speak to him at the very least. Edwards informed SA Roth during the interview that she overheard Crowe-Johnson's phone call conversation in which it seemed that whoever was on the line was giving Crowe-Johnson a hard time. Eventually, Edwards spoke over the phone with someone who identified himself as Leslie and verified his date of birth and Social Security number. However, Leslie would not provide his address to Edwards.

As for Leslie's last check dated November 8, 2012, in the amount of \$732.21 (issued after his death), Crowe-Johnson was asked about Thompson and Leslie's written endorsements found on the back of the check. Crowe-Johnson denied to the Grand Jury that she ever spoke to Thompson about cashing out the check and simply said that she had nothing to do with the check. In contrast, Thompson testified that there were two times in which Crowe-Johnson asked him to cash a check for her at his bank, an insurance check regarding a fire at her home and the above described check for \$732.21. Thompson explained that Crowe-Johnson did not have a bank account and that she did not want to pay check cashing fees, so she asked Thompson to deposit Leslie's check and to give her the money minus \$20 to \$40 to Thompson for his troubles.

Crowe-Johnson and Thompson both provided handwriting exemplars pursuant to a Grand Jury subpoena. Furthermore, SA Roth obtained known writings and signatures samples from Leslie. These exemplars and samples were used by a forensic document examiner, Khody R. Detwiler, for the purpose of determining who filled out and signed the submitted time sheets and endorsed checks. In his report submitted to the Grand Jury, Detwiler stated that, in his expert

opinion, Crowe-Johnson wrote Leslie's signature on all but one time sheet before Leslie's death on August 18, 2010, and wrote Leslie's signature on all time sheets after his death. As for the check dated November 8, 2012, for \$732.21, which was endorsed by Thompson and Leslie, Detwiler found that the Leslie's signature was actually written out by Crowe-Johnson. These findings are all in direct contrast to the testimony provided by Crowe-Johnson in which she stated that her attendants signed off on their time sheets as well as her denial of any involvement with the check dated November 8. As for the other checks, Detwiler determined that Leslie, before his death, did in fact endorse checks that were made payable to Leslie. This finding is also in contrast to Crowe-Johnson's statements in which she denied ever knowing Leslie as well as telling the Grand Jury that a so-called Leslie imposter is the one who showed up providing her home care services.

SA Roth testified that, due to the fraudulent time sheets submitted by Crowe-Johnson to Homemaker from August 18, 2010, through October 20, 2012, which amount to all submissions made after Leslie's death, Homemaker billed Medical Assistance for \$72,259.68, of which Crowe-Johnson received \$51,488.00 in compensation.
