

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
IN AND FOR ESCAMBIA COUNTY, FLORIDA**

**STATE OF FLORIDA
COUNTY OF ESCAMBIA
CASE NO.: MFCU-17-00031**

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

BEFORE ME, W. Joel Bales, a Judge of the Circuit Court of the First Judicial Circuit of Florida, personally appeared Melody Barnard, a law enforcement Lieutenant with the Florida Attorney General's Medicaid Fraud Control Unit, who being by me first duly sworn, deposes and further states as follows:

The MFCU operates under the supervision of the Florida Attorney General's Office and exists to investigate fraud in the Medicaid program. The MFCU is authorized to investigate the alleged abuse, neglect or exploitation of patients in health care facilities receiving payments under the Medicaid program, in coordination with the Agency for Health Care Administration, pursuant to 42 USCA §1396b(q) and §409.920(9), Florida Statutes. The MFCU may investigate any criminal violations discovered during the course of those investigations, as provided by §16.59, Florida Statutes.

_____ * are disabled adults as defined in §825.101(3), Florida Statutes, and suffer from developmental disabilities which limit their abilities to perform activities of daily living (*The names of the victims have been reduced to initials to avoid disclosure of confidential information pursuant to Federal HIPAA regulations, and Section 409.920(9)(f), 2014 Florida Statutes). All the residents resided at _____ a Medicaid receiving facility, located at _____ during the time Leandra Jones was employed as the Group Home Manager, from 06/09/14 to 01/06/17.

ARC Chief Operating Officer Cathy Lauterbach, Chief Operating Officer Melissa Rogers, and Residential Director Rebecca Baron all provided sworn recorded statements. Lauterbach explained she was first notified of a problem with financial logs at _____ shortly after the holidays by Baron. Lauterbach said the manager of the _____ was Leandra "Lela" Jones and Jones' immediate supervisor was Baron. According to what Lauterbach was told, Jones had not been filling out the cash logs properly. Once notified of the problem, Lauterbach retrieved all the financial documentation from _____. Lauterbach reviewed the documentation and receipts and based on her findings, felt it was warranted to suspend Jones on 01/04/17 pending an internal investigation.

According to Rogers, all the residents at the group home lacked capacity, but were not legally incompetent. Rogers stated "they (referring to the residents) would absolutely trust [Jones]" if asked to sign something.

Affiant's Initials WJB

Judges' Initials WJB

Lauterbach reported she noticed purchases for items that would not be considered appropriate for the six men residing at the group home. An example Lauterbach provided was a receipt for women's blue jeans. Lauterbach noticed there were purchases, particularly for food, transacted at times the residents would have been at the day program or working. Lauterbach stated the residents attend the day program Monday to Friday 8am to 2pm. Lauterbach also noticed debit card transactions on Saturdays which, according to Lauterbach, should not have been occurring since cash is withdrawn for weekend purchases. Lauterbach stated it was ARC's "best practice" to have the resident present when making purchases for them. Occasionally, Lauterbach explained, residents' bank account funds would be used to purchase a surprise birthday or Christmas gift without them present. After Lauterbach's initial review where questionable entries were noted, she pulled all the financial records from Jones' start date in July 2014.

Lauterbach explained each of the residents have their own bank accounts at SunTrust Bank wherein their personal needs allowance, a sum of money residents who receive Medicaid may retain from their personal income to spend as they wish, is deposited each month. Each account also has an assigned debit card. According to Lauterbach, there were debit card transactions on the residents' SunTrust accounts as well as cash withdrawals from July 2015 through December 2016. She analyzed all cash withdrawals for that time period and found there were large sums of cash withdrawn which were unaccounted for on the cash logs. Receipts were required to be maintained for purchases over \$25, but Lauterbach said staff was encouraged to retain all receipts.

According to Lauterbach, Baron, and Rogers, Jones was the only staff member at with access to the locked filing cabinet containing residents' money and logs. Lauterbach said weekend money was left out for weekend staff in case it was needed. Lauterbach explained it was the manager's responsibility to collect receipts and remaining cash to log back in after the weekend. Baron stated Jones kept residents' debit cards in a small pouch. Baron denied knowledge of Jones providing residents' debit cards to other staff members to make purchases. According to Baron, at the time of her suspension, Jones had the pouch of debit cards in her possession.

Rogers said Jones had access to \$100 petty cash per month for purchases for the home which she hardly utilized. Jones also had a Walmart card for grocery purchases for the group home. Rogers stated the Walmart purchases were reviewed regularly by the accounts payable office and there had never been any discrepancies brought to her attention involving Jones' purchases.

Lauterbach stated she provided Jones' initial training when she was hired. Group Home Managers Cat Lawson and Kim Ware provided on-the-job training to Jones. Lauterbach also confirmed Jones had attended in-house training. Rogers provided the certified personnel file for Jones which included training, disciplinary notices, and Jones' resignation as well as ARC's financial policy.

Deborah Ray-Allen provided a sworn recorded statement. Ray-Allen stated she has been employed with ARC since September 2016. She was hired by Jones and worked as a staff member at the until approximately February 2017 when she was promoted to Group Home Manager at the Ray-Allen explained she did not take the residents on outings much nor did she handle their cash. Ray-Allen said weekend spending money was taken from the residents' funds by Jones located in the locked cabinet of the office and placed into individual envelopes for each resident. Ray-Allen stated the amount provided to each resident varied

according to their normal routine or activities. The cash envelopes were placed in a bag in the office drawer to which weekend staff had access. According to Ray-Allen, receipts for purchases, along with the change were returned to the envelopes for Jones to log.

Your Affiant spoke with Catherine "Cat" Lawsen via telephone regarding her employment with ARC. Lawsen stated she worked for ARC from September 2012 to December 2015 when she resigned due to health reasons. Lawsen confirmed she provided some training to Jones in "tag team" style with Roderick Porter and Kim Ware. Lawsen stated she remembered the policy at ARC was to document all transactions with residents' funds on monthly logs. Each resident was permitted to have spending money on the weekends.

Gloria Daniels-Swails provided a sworn recorded statement regarding her contact with ARC and Jones. Daniels-Swails said she was an Agency for Persons with Disabilities (APD) Waiver Support Coordinator who provided services to four of the residents at . According to Daniels-Swails, Jones typically had documentation available when requested and information Jones provided seemed accurate.

Daniels-Swails explained that in November 2016, resident was due for Medicaid recertification. Daniels-Swails stated it was her responsibility to provide the necessary information to Medicaid for renewal. In that process for , Medicaid requested additional information including s checking account balance history. Daniels-Swails called Jones and requested the previous three months checking account statements. After reviewing the statements, Daniels-Swails noted there were questionable transactions, particularly in August 2016, including purchases at Walmart and Sam's. Daniels-Swails said she felt it was odd because the purchases were during the week, but residents typically made visits to those stores on the weekends. Daniels-Swails stated she contacted Jones and requested to see the receipts related to the transactions. Jones agreed to provide them on Daniels-Swails' next monthly visit. Daniels-Swails stated Jones was terminated before she made it back in January 2017, so Daniels-Swails never saw the receipts.

Daniels-Swails explained when she went for her home visit in December 2016, she spoke to Tonia Spies about the questionable transactions. During her visit, Daniels-Swails told she reviewed his checking account information. told Daniels-Swails he had not visited Sam's and denied he had an AARP membership which appeared on . . . 's statements. Following the home visit, Daniels-Swails called Jones to inquire about the transactions. Daniels-Swails stated Jones' explanation for the purchases at Walmart and Sam's in the month of August were for items requested by . . . for his birthday.

Tonia Spies provided a sworn recorded statement to your Affiant. Spies confirmed she worked for ARC as a caregiver for approximately one year until approximately January 2017. Spies stated she worked at the GH under Jones' supervision during most of her employment at ARC.

Spies said Jones told her to put the receipts in the residents' envelopes along with any change, but not to worry about logging anything. According to Spies, Jones put all the coins into a piggy bank under her desk and the bills were left in the envelopes. Spies said she noticed the change would "disappear" and rather than Jones adding additional cash to the envelopes from the previous week's change, she provided new \$20 dollar bills the next weekend.

Spies stated the cash was kept in a cabinet in the office at GH. Spies remembered a time Jones asked her to accompany her to the bank to withdraw residents' spending money. During that trip, Jones told Spies she was her "right hand girl" and that she was going to give Spies the residents' bank cards so she could conduct the transactions. Jones told Spies not to tell anyone about it because they would not be happy Jones was not handling the money. Spies stated she believed Jones knew she was about to be caught for what she was doing which was why she tried to shift the money responsibilities to Spies. Spies denied she obtained the bank cards or saw the residents' bank statements.

Spies stated there was no reason for Jones to have purchased women's or children's clothing items with the residents' money. Spies was not given items to take home which were purchased with residents' money and did not have conversations with Jones about the cash withdrawals from the residents' accounts. Spies remembered times when Jones went grocery shopping and would return with bags of items for the group home, but there were also bags for her to take home or to Girl Scout meetings. Spies also recalled when Jones purchased hygiene items for the residents there would always be items for Jones to take home.

Spies stated when she began to notice something funny with the residents' money, she asked Daniels-Swails to request receipts for the items on the residents' logs from Jones. Daniels-Swails told Spies that Jones agreed to provide the receipts, but then Jones left ARC.

On 09/29/17, Leandra Jones provided a sworn recorded statement at her residence. Jones was advised her statement was voluntary and she did not have to answer questions if she did not wish to do so. Jones was also advised she could terminate the interview at any time.

Jones confirmed she worked for ARC as a Group Home Manager from approximately June 2015 through January 2017. Jones stated she was the Group Home Manager of the GH the entire time she was employed with ARC. Jones stated her duties included taking care of the residents (taking them to doctors' appointments, managing their bank accounts, handling Medicaid and insurance, purchasing clothing and food, and bathing), managing the employees, and taking care of the household (purchasing groceries and cleaning). Jones stated she was also on call twenty-four hours a day, seven days a week.

Jones explained it was her responsibility to deposit the residents' excess money from their social security checks into their individual bank accounts each month. Jones confirmed there were logs at the group home which she was supposed to maintain. Jones stated she did not log the deposits and withdrawals immediately, but eventually logged deposits and withdrawals for the month. Jones claimed she maintained receipts for items she purchased over the required amount, which she believed was \$30 or more, but could not remember the exact amount.

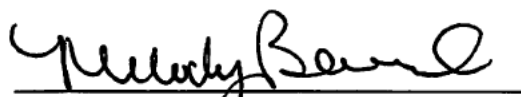
Jones stated she provided \$40 spending cash on Fridays per resident for the weekend. According to Jones, if the resident did not spend that much one weekend, she did not take out as much from their bank account the following week. Jones said, "I was taught this the right way." She went on to explain, on Mondays she placed everything back into their individual envelopes and logged the receipts. Jones stated she became lazy over time and did not always log items on Mondays. Jones stated she would add \$40 to whatever was left in their envelopes from the previous week and allow residents to use remaining funds throughout the week if needed. Jones stated she kept logs each month but had misplaced them in shifting work between the group home and her personal home. She claimed she did not know what happened to all the logs.

Jones stated she maintained the logs in a three-ring binder in the office at GH. According to Jones, each resident had a piggy bank where loose change was placed. When the piggy bank filled up, she took the money to Coinstar to cash it in. Jones stated the rest of the residents' funds were kept in a locked cabinet to which she, Baron, and Lauterbach had the key. Jones stated eventually all the residents received debit cards for their accounts which she also maintained. Jones denied she had a conversation with a waiver support coordinator related to bank statements or receipts for a resident just prior to her departure from ARC.

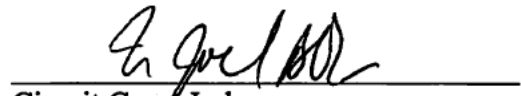
Jones was informed an audit was completed on the records and books she maintained and approximately \$8,000 was unaccounted for through the receipts and records. Jones expressed shock that ARC believed she took that amount of money. Jones agreed to meet with Auditor Coon to review receipts and Auditor Coon's calculations, but to date, has not contacted the MFCU office.

Auditor Coon reviewed the resident fund ledgers, bank statements, and receipts for the six male Medicaid recipients who resided at GH during the time Jones was the manager. Auditor Coon calculated \$6,307.42 as the amount of funds that appeared to not be used for the necessities of the residents. Items included in the calculation were purchases for women's and children's items, meals purchased while the resident was documented to be at their day program, and items for which ARC was responsible.

Based on the aforementioned facts, statements, and the totality of circumstances, Lieutenant Melody Barnard, who being duly sworn, deposes and says that she has reason to believe and does believe that probable cause exists to establish that between July 2014 and through January 2017, Leandra Denell Jones, a white female, whose date of birth is 01/14/1984, whose last known address is 1242 Plata Canada Drive, Cantonment, FL 32533, did commit a violation of §825.103(1)(e), Florida Statutes: Exploitation of an elderly person or disabled adult, a third degree felony, within Escambia, Florida.


Melody Barnard Affiant
Law Enforcement Lieutenant
Medicaid Fraud Control Unit

SWORN TO AND SUBSCRIBED BEFORE ME THIS 22nd OF April, 2019.


Circuit Court Judge
First Judicial Circuit of Florida

Affiant's Initials YMB

Judges' Initials gjk