

OVERVIEW OF THE CLARK COUNTY DISTRICT ATTORNEY'S OFFICE: THE ELDER ABUSE UNIT

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EXHIBIT E- SILVER HAIRD
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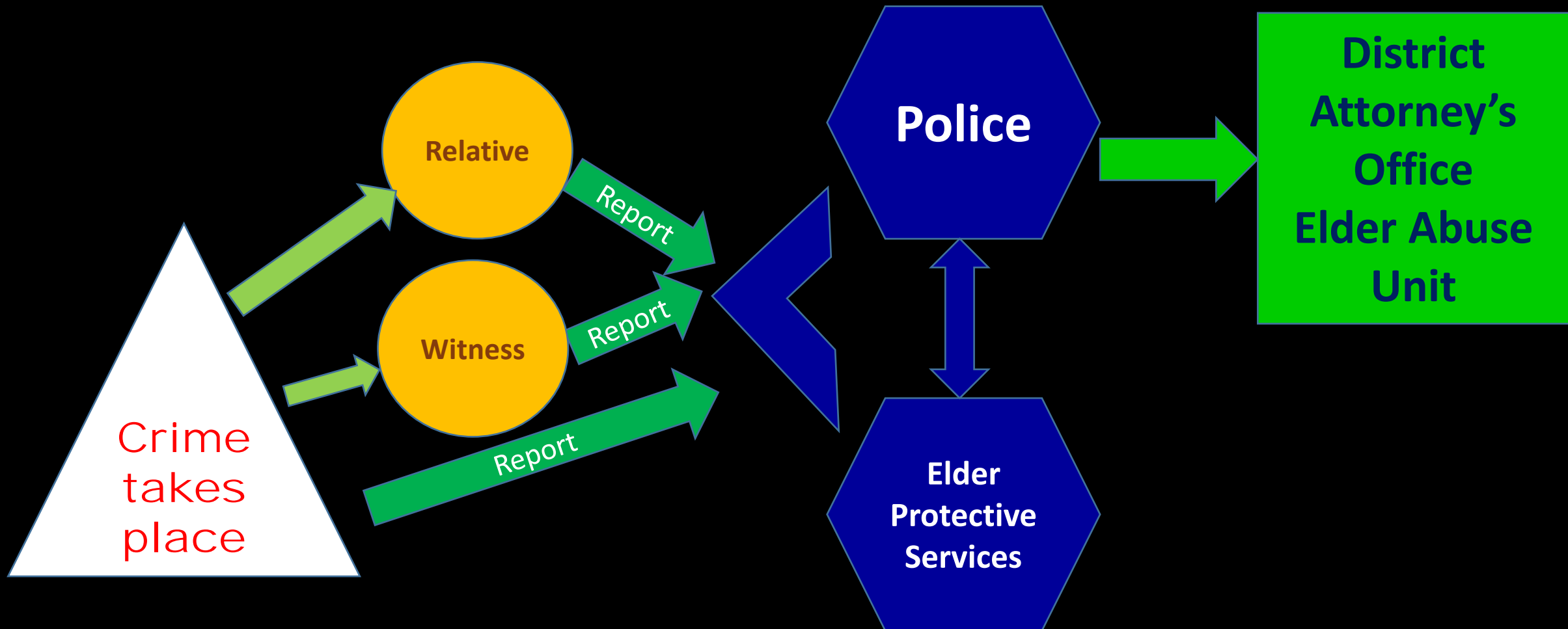
How Elder/Vulnerable Abuse cases handled prior to creation of Unit

- Physical abuse cases would end up with regular litigation teams, domestic violence teams, and occasionally our special victims unit
- Financial cases were going to Major Fraud (Raman) only if they exceeded \$100,000 in victim theft, otherwise to regular teams
- Nobody to liaison on a regular basis with LVMPD, HPD, NLVPD regarding Elder/Vulnerable cases
- Cases screened by DA screening department
- For the higher \$\$\$ loss exploitation cases, 1 DA who would split time between those type of cases, and all other Major Fraud cases

How Elder/Vulnerable Abuse cases handled after creation of Unit

- All physical abuse, financial exploitation, neglect, and abandonment cases of Elderly and Vulnerable victims are received, screened, and prosecuted by the Elder Abuse unit
- Two highly experienced DA's are now in the Major Fraud / Elder Abuse Unit
- Regular liaison work with law enforcement, elder protective services, and community groups regarding Elder / Vulnerable issues, making cases better – getting bad people prosecuted

How abuse or exploitation becomes a case

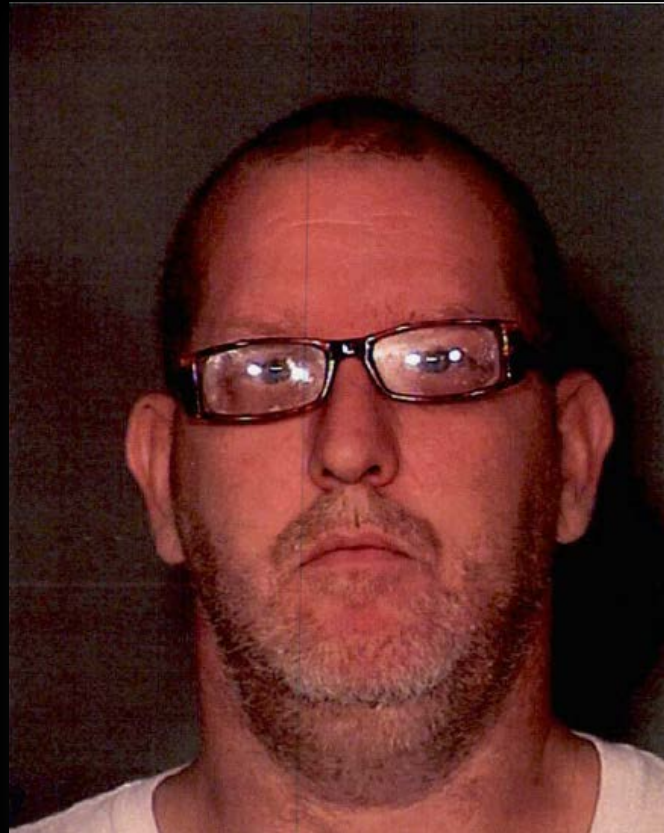


Cases we prosecute

- Victim's who are **elderly** (NRS defined as 60 years of age, or older)
- Victims who are **vulnerable**
- Vulnerable person" means a person 18 years of age or older who:
 - (a) Suffers from a condition of physical or mental incapacitation because of a developmental disability, organic brain damage or mental illness; or
 - (b) Has one or more physical or mental limitations that restrict the ability of the person to perform the normal activities of daily living.

Examples of cases
we have prosecuted

Case Study: Mitchell Liebman





Case Study: Mitchell Liebman

Facts

- Victim – Edward Quilty (Age 93)
- Edward Quilty had been a resident living at 2700 Clark Towers, also known as Gray Plunkett Jydstrup Senior Living
- February 2015, Quilty is transported to UMC Hospital for medical issues, and continues to be in the hospital for many months
- May 2015 a doctor reviews Quilty's condition, decides Quilty needs to be placed into guardianship – Clark County Public Guardian appointed



Case Study: Mitchell Liebman

Facts

- Edward Quilty suffers from Dementia – other health issues
- In June 2015 – CC Public Guardian reports to LVMPD that Quilty is a victim of debit card fraud
- Transactions had been occurring on Quilty's accounts throughout his stay in the hospital – no brainer
- LVMPD investigates, grand jury subpoena for all transactions and video surveillance, Jan 2015 – July 2015



Case Study: Mitchell Liebman

Findings

- Transactions begin immediately after Quilty is admitted to UMC
- Bank (Quilty's bank) showed losses from these withdrawals and transactions on multiple accounts:
- Retail transactions, total: \$60,283
- ATM withdrawals (total): \$9,500
- Total stolen **\$69,783** (account drawn down to negative balance)



Case Study: Mitchell Liebman

Interviews

- Edward Quilty was interviewed by police at UMC
 - Says he does not know Mitchell Liebman, did not allow him to withdraw money from his bank accounts
- Mitchell Liebman arrested / interviewed 9/3/15
 - Says he knew taking money from Quilty's accounts was wrong, but thought Quilty was going to die when he was taken to UMC
 - Says that before Quilty was taken to UMC, he gave him his debit card so that he could go get groceries for Quilty
 - Saw how much money Quilty had in bank, spent it shopping, gambling, etc.



Case Study: Mitchell Liebman

Fate

Pled guilty to Exploitation of Elderly

Will serve at least 26 to 65 months in prison

Case Study: Khang Dang





Case Study: Khang Dang



Facts

- Victim Jay Gurian lived in the Atria Senior Living Center
- Another resident there introduced Gurian to his friend – Khang Dang
- Dang presented himself as an accountant, and had a very friendly demeanor
- Gurian was having IRS problems, Dang offered to help
- Dang went with Gurian to the IRS offices, discovered that Gurian hadn't filed taxes since 2008



Case Study: Khang Dang



Facts

- Dang helped him file back-tax returns
- Dang was helpful in getting occasional comps at hotel/casinos when Gurian had family visit
- Dang earned Gurian's trust through the IRS help, trusted him with his personal finances
- Dang told Gurian that there 'was a problem' with California Tax Board trying to garnish his account because of tax problems



Case Study: Khang Dang



Facts

- Dang advised Gurian to move money from IRA to the bank account, and withdraw all of it
- Dang advised Gurian to go to the bank, withdraw funds, and give it to Dang to deposit in a 'safe' account
- April through May 2012, Dang advised Gurian to withdraw money, on a daily basis \$1000-\$5000, sometimes multiple times a day (Credit Unions)
- By June 2012 there was no money left in Gurian's bank accounts
- Dang advised Gurian that he was investing Gurian's money, showed him prospectus for CDs and other investments



Case Study: Khang Dang



Findings

- When later reported, police subpoena surveillance
- Several times, Dang is seen standing next to Gurian when he is withdrawing money
- Dang is seen at the ATM withdrawing Gurian's money without Gurian present
- Gurian confronted Dang about what happened with money, Dang provided fake list of what became of money



Case Study: Khang Dang



Findings

- Khang Dang is a multiple felon for securities fraud x3, many other fraud arrests (not an accountant)
- Surveillance is found that the friend who introduced Dang to Gurian is seen being wheeled to the bank by Dang, and negotiating bad checks with Dang right there
- Atria personal said that Dang was still spending time with the friend, and was possibly living with him at Atria
- Total Stolen from Gurian: \$185,043.40



Case Study: Khang Dang

Fate



- Pled Guilty to Theft (B felony) x2
- Sentenced to 4-10 years in prison; consecutive to parole case

Case Study: Valarie Bruno





Case Study: Valerie Bruno



Facts

- Victim, Farrell Walker 84, resides in Riverside, CA
- His wife passed away several years back (lives alone)
- April 15, 2015 LVMPD Responded to bank because circumstances suspicious, he is trying to withdraw \$7,000 and with suspicious and impatient female (Bruno)
- Bank personnel recognize Walker and Bruno from March 6, 2015 visit to bank that was suspicious, was trying to purchase a motorhome



Case Study: Valerie Bruno



Facts

- On the April 15, 2015 visit, the same bank representative asked Walker about the motorhome he had previously purchased – said he didn't have it, he lived at Budget Suites
- Bank representative takes Walker into her office as she suspects exploitation
- 20 minutes elapses, Bruno comes in from Taxi outside, inquires what's taking so long. Bank representative says they are just verifying things, asks for ID – she flees



Case Study: Valerie Bruno



Facts

- Police interview Walker soon after
- He said he is supposed to marry one of the girls, the younger one (21 y.o.), thinks her name is Elaine
- Said he regularly withdraws money for her, pays bills for her
- Walker could not say the names of his children, deceased wife of 40 years, or his address.
- Walker transported to hospital, diagnosed with advanced dementia, assigned a public guardian



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Case Study: Valerie Bruno



Facts

- Police track down surveillance from Taxi that Walker may have come in





Case Study: Valerie Bruno



Facts

- Police track down surveillance from Taxi that Walker may have come in





Case Study: Valerie Bruno



Fate

- Valerie Bruno pled guilty, was sentenced to 2-5 years prison
- Was on probation at the time for ID Theft (revoked as a result of this case)
- Arrest Warrant outstanding for sister, Brandy Bruno

Case Study: Karen Furlough





Case Study: Karen Furlough



Facts

- Victim Delores Hales met Karen Furlough working at an oil company in her native Oklahoma
- Hales had worked there for 24 years, Furlough came in as a temp
- Furlough told co-workers that her three children died along with her father in a car accident (garnered sympathy)
- Furlough said her grandfather was a rich baron from England, had left her a lot of money
- Furlough told people that her mother-in-law had stolen her identity, hence she had credit problems



Case Study: Karen Furlough



Facts

- Hales' husband passed away, and Hales' son unexpectedly passed away (emotionally vulnerable)
- Furlough became much closer with Hales, brought her flowers on a regular basis, baked for her, came to her home
- Furlough created rifts between Hales and her daughter-in-law saying the funeral was not being properly handled
- Furlough diverted Hales from her regular church attendance
- Threw lots of parties, took her out to expensive restaurants, trips



Case Study: Karen Furlough



Facts

- January 2013, Furlough went to Las Vegas, NV – alone
- Returns, tells Hales that she received a wonderful job offer from former boss “Billie” at the Bellagio, work as an engineer for computer mainframe
- Job came with a large house, pool, and guest house
- Suggests Hales come out with her to Las Vegas – says climate would be better for her health
- While on the trip, Hales slips on the floor and has to go to the hospital – Furlough convinces Hales that she should have a POA



Case Study: Karen Furlough



Facts

- Furlough rents a property on W. Cactus (large home), tells landlord that she made \$3,000,000 /yr., and rent of \$3800/mo. was no problem
- Landlord later has to evict them because of non-payment of rent



Case Study: Karen Furlough



Discovery

- May 2013 – Aging and Disability Services (ADSD) is contacted by One Nevada Credit Union about red flags
- Customer, Karen Furlough, is receiving large deposits from IRA of another person, an elderly person named Delores Hales
- Large withdrawals, short time period
- Social worker goes to the Cactus residence on June 3, 2013
- Told Hales that Furlough had been withdrawing large sums of money
- Hales did not believe that her friend Furlough would be capable of it, said she would address it with Furlough



Case Study: Karen Furlough



Discovery

- Hales confronted Furlough, and she denied everything
- Two days later, Furlough said she had to borrow the money for gallbladder surgery
- Furlough had withdrawn \$175,000 from Hales' IRA, \$9,884 from checking, leaving Hales with \$81.03
- All rent paid for the Cactus residence was paid from Hales money



Case Study: Karen Furlough



Discovery

- Furlough opened multiple credit cards with Hale's identity, using them to through the initial parties, restaurant visits, and trips (\$38k balances)
- Furlough did not get gallbladder surgery, she got lipo and a tummy tuck
- Furlough purchased a hot tub, a Hummer, a Polaris dune buggy, and a motorhome with the money
- Furlough also stole valuable heirlooms from Hales, antique guns, coin collection



Case Study: Karen Furlough



Discovery

- The family history all lies – kids, parents, all alive and well
- No rich grandfather baron (shocker)
- Furlough was a multiple felon, Forged Financial Instruments, Bank Fraud



Case Study: Karen Furlough

Fate



- Karen Furlough pled guilty to Theft (B Felony) and Forgery
- She was sentenced to 4-10 years in prison

Case Study: Patience Bristol





Case Study: Patience Bristol

Facts

- Well established Private Professional Guardian working for guardianship company / running her own also
- Previous employment at Clark County Public Guardian's Office, CPS



Patience Bristol: Victims Ly and Nguyen



- -An Thi Ly was a vulnerable person, age 55
- -Lung Van Nguyen was an elderly/vulnerable person, age 80
- Ly and Nguyen were a married couple
- Ly would care for her husband, Nguyen as she was in better health and he was in poor health
- Ly suffered a stroke which rendered her unable to communicate and incompetent to manage her own affairs
 - A doctor at Spring Valley Hospital conducted the evaluation, made determination



Patience Bristol: Victims Ly and Nguyen



- Nguyen suffered from advanced dementia
 - Diagnosed by a doctor
- When Ly was hospitalized and no one to care for Nguyen he was admitted to a care facility for hospice care

Timeline

- March 4, 2013 – Patience Bristol appointed guardian for Ly
- March 20, 2013 – Patience Bristol appointed guardian for Nguyen
- May 25, 2013 – Nguyen dies
- (Patience Bristol is guardian for Nguyen only for approximately 2 mo.)



Patience Bristol: Victims Ly and Nguyen



- When Bristol was appointed in March 2013 Ly and Nguyen's combined liquid assets were \$243,000 in two bank accounts
- Bristol closed those accounts, transferred to another bank account on March 20, 2013 (same day appointed for Nguyen), Bristol is sole signer "Anh Thy Ly c/o Patience M. Bristol, Guardian"
- May 9, 2013 Bristol closes the Bank account, transfers to another Bank
- Between March 20 and June 11, 2013, Bristol removes over \$155,000 through a series of cash withdrawals and check payments
- Only \$52,000 was used for the benefit of Ly & Nguyen



Patience Bristol: Victim Dutton



- Jean Dutton, a vulnerable person age 50, was appointed a guardian in 2010 – Patience Bristol
- Dutton's money was at same bank from 2010 – March 2013
- Bristol then moves the money to another bank, and then two months later moves the money to yet another bank
- Dutton had approximately \$100,000 at the time the money was moved



Patience Bristol: Victim Dutton



- Bristol removed \$32,000 over 46 transactions from March to June 2013
- This occurred sometimes on a daily basis
- Many of the cash withdrawal slips had notations such as “medications,” “personal spending,” and “personal items” suggesting it was used for the benefit of Dutton
- Dutton was interviewed in August 2013 – said during that timeframe had seen Bristol only 1x
 - She provided him with nothing
 - Facility Dutton stayed at confirmed the same, they had to step in and provide hygiene items because guardian wasn't



Patience Bristol: Victim Dutton



- During the timeframe, Bristol paid less than \$1,000 for the benefit of Dutton (phone bill, bank fees, and an assistant)
- Bristol paid herself \$5,792.00 for guardianship services during the period
 - Yet she did not meet with Dutton or provide any guardianship services on his behalf
 - Was not even returning Dutton's phone calls
- Total amount stolen from Dutton

\$38,494



Patience Bristol: Victim Berger



- Kristina Berger was a vulnerable person who's previous guardian was her mother, until her mother passed away in 2008
- Patience Bristol was appointed successor guardian
- In March 2013 two check were deposited in Berger's bank account, \$5,000 from Berger's father, and \$500 from her special needs trust
- All of the money was withdrawn through 16 cash withdrawals in March and April 2013
- Berger had not seen Bristol from February 2013 to May 2013, in May Bristol gave Berger three small checks for personal needs – they bounced



Patience Bristol: Victim Berger



- Besides stealing the \$5,500, Bristol:
- Took personal property that belonged to Berger, including heirlooms and other jewelry
- Bristol took 57 items of her and Dutton's and pawned them at pawnshops all of the valley
- After all of this, Berger was able to identify only 12 of her items at pawnshops
- For those 12 items that could be identified, Bristol had received \$5,000 from pawnshops
- Search warrant of Bristol's home uncovered several more pieces of Berger's and Dutton's jewelry



Patience Bristol: Victim Berger



- The approximately 30 pieces of jewelry taken from Berger were valued at \$47,873
- Emotional impact of this Victim's case more damaging than the financial impact – Mother's jewelry
- Berger said that Bristol had been emotionally terrorizing her
- Berger's father only sent the \$5,500 (later stolen) at the request of Bristol, saying that she needed the money to meet Berger's basic needs



Patience Bristol: Victims



When Bristol was later interviewed:

- Admitted she had a gambling problem, spent much of her wards money at bars around the valley
- Admitted that she falsely represented money taken that should have gone to funeral expenses (for Nguyen) or pre-need burial policy



Total amount stolen from

Ly and Nguyen: \$102,511

Dutton: \$38,494

Berger: \$19,475*



Patience Bristol: Fate

- Patience Bristol was charged with numerous counts of Exploitation of Elderly, Exploitation of Vulnerable, Burglary, and Obtaining Money Under False Pretenses
- In relatively quick fashion, she pled guilty to Exploitation of Elderly/Vulnerable Person
- She is serving 3-8 years in prison

Other types of cases prosecuted

- Lottery Scams
- Contractor's taking advantage
- Family member financial exploitation
- Physical altercations
- Neglect by family, caregivers, guardians
- Abandonment at casinos, other places

These are more unique cases, there aren't a lot of 'typical' cases

Legislative Fixes

- Elder Abuse Unit is trying to get legislative movement in the next session on the following issues:
- Penalties for Abuse/Neglect resulting in Substantial Bodily Harm or Death is only 2-6 years.
 - DUI SBH or Death, or Child Abuse SBH or Death would be 8-20 years
- Immunity has to be given for reporting under this title
 - Statute says anyone in good faith reports. Possible that a perpetrator self-reports (or if he is one of several persons committing the crime) and gets immunity from prosecution – Needs Fix.

Questions?