

ATTORNEY GENERAL CUOMO ANNOUNCES ARREST OF UNLICENSED ADULT HOME OWNER FOR STEALING FROM RESIDENT

ALBANY, NY (June 11, 2007) – Attorney General Andrew M. Cuomo today announced that the proprietor of an unlicensed Brooklyn adult home was arrested for stealing nearly \$1,000 from a dependent resident by using his ATM card and PIN information.

“Adult home owners are tasked with overseeing the protection and welfare of residents,” said Attorney General Cuomo. “It is unconscionable to use that position to take advantage of the vulnerable. We will prosecute owners who prey on residents rather than provide a safe and comfortable place to live. Thanks to coordination between my office and the Department of Health’s Adult Home Unit, the innocent residents were removed from this unsafe, untrustworthy and inhumane facility.”

Darrell Evans, 47, of Robert Dr. in New Rochelle, is the proprietor of Alberta’s House, located at 1067 Lafayette Ave. in Brooklyn, which until recently operated unlawfully as an adult home. He was charged in Brooklyn Criminal Court with Identity Theft in the Second Degree (a class E felony) carrying a maximum prison term of 1 1/3-to-4 years, and Petit Larceny, a class A misdemeanor.

During a visit to the home in the course of a separate investigation, investigators from the Attorney General’s Medicaid Fraud Control Unit learned that when a resident arrived at Alberta’s House in August 2006, he entrusted Evans with his ATM card and PIN number. Within days of arrival, according to the complaint, Evans used the resident’s personal information to make an unauthorized \$200 withdrawal from the resident’s Citibank account at a Brooklyn branch and a second withdrawal for \$700 at a Manhattan branch.

Additionally, during the visit, investigators observed unsanitary and dangerous conditions in the unlicensed facility. The matter was referred to the New York State Department of Health’s Metropolitan Area Regional Office Adult Home Unit, which arranged to voluntarily relocate nine residents who required adult home services – such as the administering of medication or counseling – to licensed facilities.

The charges against Darrell Evans are merely allegations, and the defendant is presumed innocent until and unless proven guilty.

The criminal case is being prosecuted by Special Assistant Attorney General Betty Rodriguez of the New York City Regional Office of the Attorney General’s Medicaid Fraud Control Unit under the supervision of Cassandra Bethel, Chief of the Patient Protection Section. Senior

Special Investigator Mitchell Scher and Special Investigator Edward Keegan also assisted in the investigation.