



Healthcare / Prescription Fraud

Agawam Doctor Indicted on Insurance Fraud in Prescribing Opioid Medications

Agawam—Indictments were returned against **Dr. Frank Stirlacci** and **Jessica Miller** on January 26, 2017. Each was charged with 20 counts of uttering false prescriptions and 23 counts of false health care claims. Stirlacci was also charged with one count of improper prescription. The investigation centered around the time period of April 2015 through May 2015 while Stirlacci was imprisoned in Kentucky for failure to pay child support. Allegedly, while imprisoned, narcotics were routinely being prescribed, through Miller, from Stirlacci's office on pre-signed prescriptions to patients who were not seen by a doctor. While the indictments centered on a four day period when 26 prescriptions and 2,030 pills were issued, the investigation found that while imprisoned, a total of 116 opiate prescriptions were allegedly issued accounting for 15,059 pills. The falsified prescriptions were billed to Cigna, Harvard Pilgrim, Aetna, Health New England and BlueCross/Blue Shield of Massachusetts. Stirlacci voluntarily surrendered his license to practice medicine in February 2016. The case is being prosecuted by Hampden County Assistant District Attorney Christopher Bourbeau. The case was investigated by the U.S. Drug Enforcement Administration, Federal Bureau of Investigation, Massachusetts State Police Detective Unit assigned to Hampden County District Attorney Anthony Gulluni's Office and the IFB.

Case Update – Registered Nurse Pleads Guilty to Writing False Opioid Prescriptions

Woburn—On January 12, 2017 **Marjorie Taylor** pleaded guilty to 35 counts of uttering a false prescription for a controlled substance in connection with a scheme to fraudulently obtain prescription opioid medications. She was sentenced to three years probation and ordered to surrender her nursing license. From May 2015 to August 2015, Taylor, a registered nurse, used a physician's prescription pad that did not belong to her to fill 35 forged prescriptions for thousands of painkillers including oxycodone, hydrocodone, hydromorphone and tramadol. The prescription pad was obtained while Taylor was being seen as a patient by a Boston physician and not through her role as a registered nurse. The prescriptions, which were written in Taylor's name and the names of relatives, were filled at pharmacies in Burlington, Lowell, Reading, Stoneham, Tewksbury, Wilmington and Woburn. Middlesex County Assistant District Attorney Graham Van Epps prosecuted the case.

Case Update - Ex-Ludlow Doctor Falsely Billed Patients

Ludlow - Ex-Ludlow doctor **Fernando Jayma** pleaded guilty to 19 counts of filing a false health care claim on December 15, 2016 in Hampden Superior Court. He was sentenced to two years probation

and ordered to pay \$1,179 in restitution. Jayma also must turn in his medical license. Jayma was out of the country and in Japan from July 8, 2015 to August 8, 2015 when he billed patients for services rendered. The case was prosecuted by Hampden County First Assistant District Attorney James Forsyth. The case was investigated by Ludlow Police, Massachusetts State Police and the IFB.

Inside this Issue of e-focusFraud

Workers' Comp Premium Evasion	page 2
Workers' Comp Claimant Fraud	page 3
Obstructing a Criminal Trial Case Update	page 4
Property Fraud	page 4
Provider Fraud	page 5
Insider Fraud	page 5
Automobile Fraud	page 5
CIFI Highlights	page 6

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Individuals who have been charged and whose names have been publicly disseminated have been identified.

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Workers' Compensation Premium Evasion

Owner of Multiple Businesses in Stoughton Arraigned for Workers' Compensation Fraud

Stoughton - **Manuel DeSousa** was arraigned in Norfolk Superior Court on January 23, 2017 on two counts of workers' compensation fraud and one count of larceny. DeSousa, owner of two Stoughton-based companies, allegedly made misleading statements during audits of his workers' compensation policies and failed to disclose the true size of his company payrolls. DeSousa was the sole owner of Enserv, Inc., a cleaning company, and president of Templink, Inc., a temporary employment agency. He allegedly avoided paying approximately \$40,000 in workers' compensation insurance premiums to Chartis and Travelers Insurance Companies. Assistant Attorney General Gabriel Thornton of Attorney General Maura Healey's Insurance and Unemployment Fraud Unit is prosecuting the case.

Case Update – Watertown Business Owner Pleads Guilty to Tax Evasion and Mail Fraud

Watertown - A Watertown businessman was sentenced in U.S. District Court on August 31, 2016 to one year and one day in federal prison plus 36 months of supervised release with special conditions. He was ordered to pay \$875,452 in restitution to the Internal Revenue Service, \$64,944 in restitution to AIM Mutual and a \$25,000 fine. The Watertown man pleaded guilty to one count of tax evasion and one count of mail fraud in April 2016 in connection with a scheme to evade taxes and workers' compensation insurance premiums by paying employees under-the-table for their work. At the time, he owned and operated a window and gutter cleaning company based in Watertown. From 2008 to 2012, the Watertown man devised and executed a scheme to defraud the company's workers' compensation insurer, AIM Mutual, and the IRS, by paying workers "under the table" and filing false tax returns. To do this, the Watertown man arranged to bring client checks to a check casher, and paid undocumented workers weekly wages in cash. By doing so, he concealed a substantial portion of the company's business revenues and payroll, and filed false tax returns, evading a significant portion of federal taxes, and fraudulently reducing the premiums for workers' compensation insurance owed in connection with the business. The case was prosecuted by Assistant U.S. Attorney Eve A. Piemonte of the office of former United States Attorney Carmen M. Ortiz. The case was investigated by the Internal Revenue Service, Homeland Security Investigations and the IFB.

Case Update – Milford Man Pleads Guilty to Workers' Compensation Fraud

Milford - A Milford man pleaded guilty in Worcester Superior Court on December 28, 2016 to larceny and workers' compensation fraud charges in connection with collecting more than \$18,000 in disability benefits while he continued to work. He was sentenced to six months in the House of Correction, suspended for two years with probation. A restitution hearing is scheduled in February 2017. Investigation revealed that the Milford man suffered an injury working as a vinyl siding installer in April 2012 and began receiving temporary total disability benefits after filing a workers' compensation claim with AIG. While collecting benefits, the Milford man owned and operated his own siding and windows business. As early as May 2012, he began collecting payments for work done by his company. He performed siding and roofing work, receiving more than \$76,000 in checks from homeowners and contractors. He did not report these earnings to AIG and stated that he was not working. He collected approximately \$20,742 in disability benefits between April 2012 and February 2013, more than \$18,000 of which were collected fraudulently. The case is being prosecuted by Assistant Attorney General Anuj Khetarpal of the AG's Insurance and Unemployment Fraud Unit.

Case Update – Hyannis Man Sentenced After Pleading Guilty to Workers' Compensation Fraud

Holyoke - On December 13, 2016 **Kevin Bingle** was sentenced to 2 ½ years in the House of Correction, one year to serve and two years suspended with probation. On June 13, 2016 he pleaded guilty in Hampden Superior Court to workers' compensation insurance fraud, perjury and attempt to commit larceny by false pretenses. On August 21, 2009, Bingle, who worked as an insulation installer in Holyoke, claimed he was late for work that morning due to a flat tire. Other employees had already loaded two company trucks with materials to be transported to a job site and were awaiting Bingle's arrival. Upon returning from the job site, Bingle was described by co-workers as being upset after an argument with one of the company co-owners regarding his frequent tardiness. Bingle quit his job as an installer that day. He subsequently filed for unemployment benefits but was denied. Bingle also reported a work related injury to the Department of Industrial Accidents claiming that he allegedly suffered a disc hernia at a job site and was unable to work. Bingle never informed the office manager or job supervisor at the installation company that he sustained an alleged work related injury. A DIA judge found in favor of the insulation company ruling that Bingle's injury did not occur at the jobsite. The case was prosecuted by Assistant Attorney General David Clayton of the AG's Insurance and Unemployment Fraud Unit.

Case Update – Brockton Man Admits Workers' Compensation Fraud

Brockton - A Brockton man admitted to sufficient facts on August 13, 2016 on charges of workers' compensation fraud, larceny and unemployment fraud for fraudulently collecting more than \$60,000 in benefits. The case was continued without a finding for three years. He was ordered to pay \$5,400 to the Department of Unemployment Assistance. Between April 2010 and December 2011, the Brockton man collected unemployment benefits while simultaneously collecting workers' compensation benefits from AIG. Investigation revealed that in January 2010, he suffered an on-the-job injury working as a truck driver and subsequently applied for and was awarded total disability workers' compensation benefits. He then applied for unemployment benefits from the DUA in April 2010 and fraudulently collected more than \$26,000 in unemployment benefits while continuing to collect workers' compensation benefits. The Brockton man collected more than \$34,000 in temporary total disability workers' compensation benefits during the same time period without disclosing that he was receiving unemployment benefits at the same time. The case was prosecuted by Assistant Attorney General Kristy Lavigne of the AG's Insurance and Unemployment Fraud Unit.

Obstructing a Criminal Trial Case Update

Three Individuals Sentenced in Connection with Corruptly Obstructing a Criminal Trial

Boston – On October 28, 2016 three individuals were sentenced in Suffolk Superior Court. **Janet Vaccari** and **Laura Battista** were each sentenced to two years of probation and 200 hours of community service. **William Penta** was sentenced to two years in the House of Correction, suspended with three years of probation, and 200 hours of community service. The three individuals pleaded guilty on March 29, 2016 to charges of perjury, obstruction of justice and conspiracy to corruptly obtain acquittals at a March 2012 auto insurance fraud criminal trial. The trio had entered into cooperation agreements in connection with the prosecution of David Forlizzi and Fred Battista who were sentenced in September 2016.

The original case investigation focused on an alleged insurance fraud scheme that involved intentionally damaging automobiles, falsely reporting that the vehicles had been involved in accidents, and collecting property damage proceeds from automobile insurance companies. During the investigation, Vaccari, Pistone and Penta gave recorded statements to investigators that Fred Battista and Forlizzi arranged the insurance fraud. In November 2008, Vaccari, Pistone, Penta and Laura Battista pleaded guilty to conspiring with Fred Battista and Forlizzi to carry out the fraud. In March 2012, during the trial of Fred Battista and David Forlizzi, Vaccari, Penta and Laura Battista gave testimony in direct contradiction to their prior recorded statements and guilty pleas, that they had initiated the false insurance claims totally on their own and without the involvement or knowledge of Fred Battista or Forlizzi. Pistone, who had given a recorded statement implicating Forlizzi in the insurance fraud, could not be located for trial. At the conclusion of the Commonwealth's evidence the judge entered verdicts of not guilty in favor of Battista and Forlizzi, and referred the matter to the Attorney General's Office to investigate for perjury, subornation of perjury and obstruction of justice.

That investigation uncovered evidence that Forlizzi and Fred Battista had procured perjured testimony at trial from Vaccari, Laura Battista and Penta, paid thousands of dollars to Laura Battista to obtain her false testimony, and paid money to Vaccari to keep Pistone out of state so she would be unavailable to testify at the trial.

The case was prosecuted by Assistant Attorneys General Peter A. Mullin, Kristen A. Stone and Anuj Khetarpal of Attorney General Maura Healey's Office.

Property Insurance Fraud

Holyoke Woman Alleges Two Break-Ins

Holyoke – Complaints were issued against a Holyoke woman on December 7, 2016 on charges of presenting a false insurance claim and attempt to commit a crime. On May 17, 2015 the woman called police to report that her apartment had allegedly been broken into. She reported that items stolen included three wrist watches valued at \$3,975 and seven pairs of Air Jordan sneakers from her husband's sneaker collection valued at \$1,500. Police determined that there were no signs of forced entry or damage. On May 21, 2015, the woman called police and reported that her apartment had allegedly been broken into a second time. She claimed that about twenty pairs of Jordan sneakers were stolen in this robbery. Again police found no signs of a forced entry. On May 21, 2015 the Holyoke woman applied for homeowners/renters insurance with Travelers Insurance and completed and signed an application of insurance. On May 25, 2015, she reported to Travelers that someone had allegedly broken into the basement of her apartment on May 21, 2015, and stole two watches and twenty pairs of Air Jordan sneakers from her husband's sneaker collection. Investigation determined that the Holyoke woman obtained the homeowners/renters insurance more than six hours after the reported May 21, 2015 break-in. A prosecutor from the Hampden County District Attorney's Office is prosecuting the case.

Provider Fraud

Topsfield Attorney Sentenced for Filing False Tax Returns

Topsfield – **John Molloy, Jr.**, an attorney, was sentenced in U.S. District Court on November 10, 2016 to one year of probation and ordered to pay restitution of \$332,019 to the Internal Revenue Service, a fine of \$5,000, and to complete 100 hours of community service. In August 2016, Molloy pleaded guilty to four counts of filing false tax returns. A substantial portion of Molloy’s law practice involved representing victims of automobile accidents. From 2006 to 2009, Molloy deposited settlement checks from automobile insurers into his business accounts, but used these business accounts to pay personal expenses. All of these funds were income to Molloy and should have been reported to the IRS; however, Molloy actively concealed almost \$1 million in income from the IRS over a four-year period. When accountants asked Molloy which funds in his business accounts should be reported to the IRS, Molloy told them that substantial chunks of money were not income and did not need to be reported – even though he knew this was untrue. From 2006 to 2009, Molloy failed to report \$979,341 in income to the IRS, resulting in failure to pay \$332,019 in taxes. Assistant U.S. Attorney David S. Schumacher of former United States Attorney Carmen M. Ortiz’s Criminal Division prosecuted the case.

Insider Fraud

Case Update – Former Claims Adjuster and Accomplice Plead Guilty to Insurance Fraud Charges

Raynham – **Maureen McCormack**, formerly known as Maureen Cronin, pleaded guilty on January 13, 2017 to charges of larceny and presenting a false insurance claim. She was sentenced to serve three months in the House of Correction plus three years probation. She was ordered to pay \$43,642 in restitution joint and several with an accomplice. The accomplice pleaded guilty on December 29, 2016 to a charge of larceny. He was sentenced to 2 ½ years in the House of Correction, suspended for three years with probation. Between September 2010 and July 2011, McCormack, in her role as an insurance company adjuster, altered documents, inserted falsified documents into valid claim files and falsified notes in claim files to support checks that she drafted and forged on claim files that she was assigned to process as an adjuster. The case was prosecuted by Bristol County Assistant District Attorney Thomas Hunt.

Automobile Insurance Fraud

Salem Man Admits Vehicle Hits Curb and Not Hit-While-Parked

Salem - The case against a Salem man was continued without a finding on October 26, 2016 for six months on a charge of motor vehicle insurance fraud. The Salem man reported to Mapfre Insurance that on April 23, 2013 his 2004 Acura was allegedly hit-while-parked resulting in damages to the driver side front bumper, headlight, fender and wheel. A forensic examination of the damages determined that the vehicle was in motion when it came into contact with a fixed object. The Salem man admitted that he was operating his vehicle when he hit a curb and abutment after leaving a car wash. Essex County Assistant District Attorney Philip Mallard prosecuted the case.

Case Update – Lynn Couple Admit to False Statements

Malden – On October 21, 2016 the case against a Lynn man was continued without a finding for six months on a count of motor vehicle insurance fraud. The case against his wife was continued without a finding for three months in August 2016. A Malden woman reported to Liberty Mutual Insurance that on May 2, 2011 she was stopped in a left turn lane at a stop light, with the Lynn woman's vehicle next to her, when an ambulance approached. As the vehicles attempted to pull over they collided. The Lynn woman reported to her insurer, Allstate Insurance, that she and her husband and two children were in the vehicle at the time of the accident. Both husband and wife claimed alleged injuries. The Malden woman reported that only the woman and a young girl were in the vehicle. The Lynn couple admitted they provided false statements because the wife was not listed as a primary operator on their policy. Middlesex County Assistant District Attorney Shannon Jurgens prosecuted the case.

Community Insurance Fraud Initiatives Highlights

Boston CIFI

On September 22, 2016 a Dorchester man admitted to sufficient facts on a charge of presenting a false insurance claim. The case was continued without a finding for one year. The man reported to police and Norfolk & Dedham Insurance that his 2000 Nissan Sentra had allegedly been hit-while-parked on November 15, 2013 resulting in damage to the entire rear of the vehicle. The Nissan was deemed a total loss. Norfolk & Dedham's investigation revealed a prior loss involving the Nissan occurred on March 6, 2013 and reported by the previous owner. In that incident, the vehicle was involved in a rear-end collision resulting in the same damages as reported by the Dorchester man. The Nissan was at that time also deemed a total loss and the owner was paid for his loss. The Dorchester man purchased the damaged Nissan on October 17, 2013 and then alleged damages to the rear of the Nissan from a November 2013 hit-while-parked incident. He subsequently admitted that he filed a false motor vehicle insurance claim and that the damages were from the prior loss before he purchased the vehicle.

The Boston task force is assisted by Boston Police Det. Steven Blair. Community Insurance Fraud Initiative (CIFI) cases are prosecuted by the Offices of Suffolk County District Attorney Daniel F. Conley and the Massachusetts Attorney General's Insurance and Unemployment Fraud Division.

Brockton CIFI

On October 4, 2016 the case against a Brockton man was continued without a finding for one year on charges of motor vehicle insurance fraud and attempt to commit a crime. On July 21, 2015 the Brockton man reported to Amica Mutual Insurance Company that his 2012 Hyundai Sonata had allegedly been vandalized with deep scratches and gouges over the entire vehicle. He was paid approximately \$4,914 by Amica for the loss. On January 2, 2016 the Brockton man reported his vehicle was allegedly vandalized a second time claiming the entire vehicle had sustained deep scratches and gouges. He stated the July 2015 damages had been repaired prior to the second loss. A vehicle analysis of the damages to the Hyundai concluded none of the July 2015 damage had been repaired. Investigation revealed that the auto body shop the Brockton man stated had completed repairs denied they performed any work on the Hyundai. However, they stated they had been requested by the Brockton man to create a false invoice for repair work for the July 2015 loss but had refused.

Brockton CIFI cases are prosecuted by the Office of Plymouth County District Attorney Timothy J. Cruz.

Chelsea/Revere CIFIs

A Chelsea man was arraigned on December 2, 2016 on a charge of motor vehicle insurance fraud. The Chelsea man reported to Arbella Mutual Insurance Company that on January 3, 2016 his 2014 Jeep Grand Cherokee was allegedly parked and unattended when it was struck by an unknown vehicle which fled the scene. The alleged incident resulted in damage to the passenger side front quarter area. A damage analysis determined the Jeep was in motion when it struck a fixed object and there was evidence of hot shock in the headlight. The Chelsea man stated no one else had access to the vehicle and that he was in possession of the only ignition key at the time of the incident.

The Chelsea task force is assisted by Chelsea Police Lt. Edward Noseworthy. The Revere task force is assisted by Revere Police Det. Sgt. Stacey Bruzzese. CIFI cases are prosecuted by Suffolk County Assistant District Attorney Vincent DeMore.

(Continued on page 7)

Look for other CIFI stories on the IFB website at www.ifb.org.

(Continued from page 6)

Lawrence CIFI

Kevin Flaherty pleaded guilty to motor vehicle insurance fraud and attempt to commit a crime on December 29, 2016. He was placed on probation for one year. Flaherty contacted Progressive Insurance Company on September 10, 2015 to reinstate coverage after his automobile policy had lapsed. He sought a new policy and added comprehensive coverage for his 2004 Nissan Titan pickup. Flaherty's prior coverage was cancelled on July 27, 2015. On September 16, 2015, Flaherty reported to Progressive that a tree limb fell on his vehicle during a September 13, 2015 storm. Investigation revealed that Flaherty had contacted the Department of Public Works and reported that a tree limb had fallen on his vehicle on September 10, 2015. A work order confirmed that Flaherty reported the incident prior to when his new policy went into effect. In addition, photographs Flaherty provided to support his loss claim were time stamped September 10. Flaherty admitted that he fabricated the date of loss in order to obtain coverage on the vehicle that would cover the repair costs.

The Lawrence CIFI task force is assisted by detectives from Lawrence and other area police departments. CIFI cases are prosecuted by Essex County Assistant District Attorney Joshua Speicher.

Lynn CIFI

On November 3, 2016 complaints were issued against an Ashby woman on charges of preparing a false insurance claim and attempt to commit a crime. The Ashby woman reported to MetLife Auto & Home that on September 3, 2014 her 2011 Chevrolet Traverse was parked and unattended in Lynn when it was struck by an unknown vehicle resulting in damage to both driver side doors. A damage analysis determined the damage to the side doors was caused when the vehicle was in motion and struck a yellow fixed object.

The Lynn task force is assisted by Lynn Police Sgt. Ned Shinnick. Lynn CIFI cases are prosecuted by Essex County Assistant District Attorney Douglas Sheehan.

New Bedford/Fall River CIFI

On December 26, 2016 a New Bedford woman was arraigned on charges of motor vehicle insurance fraud and attempt to commit a crime. The woman reported to Mapfre Insurance that on February 11, 2013 her 2006 Hyundai Elantra was allegedly hit-while-parked resulting in damages to the passenger side front corner bumper, front door and mirror. An accident reconstruction concluded the damages were not consistent with a hit-while-parked incident and the Hyundai was involved in two separate incidents. Damage to the front bumper, headlight, and fender occurred while the Hyundai was in motion and struck a stationary object. Damage to the front passenger door and mirror occurred during a separate incident. The New Bedford woman maintained that the Hyundai was hit-while-parked in front of her home when it sustained all damages.

The case against a Providence, RI woman was continued without a finding on December 19, 2016 for six months on charges of motor vehicle insurance fraud and attempt to commit a crime. On April 10, 2012 the woman reported to Mapfre Insurance that her 2010 Dodge Charger was parked in front of her mother's New Bedford residence on April 6, 2012 when it was allegedly stolen. The woman reported the vehicle was locked, the windows closed and she was in possession of both keys to the Dodge. On April 7, 2012, police responded to the scene of a hit-and-run accident. Police located the vehicle that had fled the scene shortly after the accident. The vehicle, a 2010 Dodge Charger, had extensive front end damage, and the Providence woman was found sleeping in the driver's seat with the key in the ignition. Pieces of the vehicle debris left at the scene of the accident matched pieces missing

(Continued on page 8)

(Continued from page 7)

from the Dodge. The police report indicated that the woman stated she had the keys to the vehicle in her possession, had not been involved in an accident that evening and did not know how the vehicle got damaged. The woman was cited for leaving the scene of property damage, operating a motor vehicle after license revocation and negligent operation of a motor vehicle. In addition, an examination of the vehicle showed that the ignition system was not defeated and the steering column showed no signs of tampering or forcing. The Dodge was equipped with transponder-based security and the engine could not be started without the use of the correct, specific transponder key programmed to the vehicle.

The New Bedford/Fall River task force is assisted by New Bedford Police Officer Greg Sirois and Fall River Police Lt. Paul Bernier. CIFI cases are prosecuted by the Office of Bristol County District Attorney Thomas M. Quinn III.

Western Massachusetts CIFI

Mayra Esperon admitted to sufficient facts on charges of motor vehicle insurance fraud and attempt to commit a crime on January 6, 2017. The case was continued without a finding for one year. She was ordered to pay \$225 in restitution. On June 14, 2013 a member of Esperon's household reported to Mapfre Insurance the alleged theft of Esperon's 2006 Chevrolet Trailblazer. The individual stated that Esperon had reported the alleged theft to both the insurer and police a month previous but no action had been made. On June 19, 2013 Esperon completed an Affidavit of Vehicle Theft for the insurance carrier. Investigation revealed that Esperon's previous insurer canceled her auto policy for non-payment. The Trailblazer had been repossessed on April 12, 2013 for non-payment. Esperon's new auto policy was obtained on May 2, 2013 and she made a theft report to police on May 8, 2013. She stated the alleged theft occurred on May 6, 2013.

The Western Massachusetts task force is assisted by area police departments and Massachusetts State Police assigned to the Offices of the Hampden and Northwestern District Attorneys. CIFI cases are prosecuted by Hampden County First Assistant District Attorney James Forsyth, Berkshire County Assistant District Attorney Gregory Barry and First Assistant District Attorney Steve Gagne of the Northwestern Massachusetts District Attorney's Office which covers Franklin and Hampshire counties.

Worcester CIFI

On January 3, 2017 **Kurtis Tracy** was arraigned on charges of motor vehicle insurance fraud and larceny. Tracy reported to Mapfre Insurance that his 2007 Toyota Scion was allegedly stolen on March 26, 2016 from a friend's home by an unknown individual who had taken the keys to the vehicle. Tracy stated that he allegedly left the keys at the friend's house so that the vehicle could be moved if necessary while he was gone. When he discovered his vehicle was missing he allegedly notified Worcester police who advised him that the vehicle had been involved in an accident. Investigation revealed that on March 26, 2016 the Toyota registered to Tracy was involved in an intersection collision. Police observed the operator of the Toyota fleeing the scene on foot. Tracy was later located and identified as the operator of the Toyota that was involved in the collision. However, he reported to Mapfre that whoever allegedly stole his vehicle from the friend's home was involved in the collision. Tracy claimed he reported the theft to police but was unable to obtain a copy of the theft report. Police charged Tracy with negligent driving to endanger and leaving the scene of an accident with injury and police presence.

The Worcester task force is assisted by Worcester Police Dets. Scott Blakeney and James O'Rourke and other area police departments. CIFI cases are prosecuted by Worcester County Assistant District Attorney John O'Leary.