



U.S. Department of Justice

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PRESS RELEASE

FOR IMMEDIATE RELEASE

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US Gets \$179,274 Judgment against St. Croix Woman for Social Security Fraud

St. Croix, USVI - United States Attorney Ronald W. Sharpe announced today that on January 10, 2011, visiting District Court Judge Timothy J. Savage entered judgment in the amount of \$179,274 in favor of the United States and against Winnifred Franklin of St. Croix, also known as Winifred Omarde Phillip, Winifred Alison Philip, Allison Franklin and Allison Omarde, for her fraudulent receipt of Social Security benefits.

The judgment was entered after a one-day civil trial on November 5, 2010, at the district court on St. Croix. After the trial, Judge Savage found that Franklin, who is 87 years old and a naturalized U.S. Citizen, had two different Social Security numbers with different names, which she used to apply for and receive Social Security benefits for which she was ineligible. In order to continue to receive Social Security benefits, a person must complete and sign, under penalty of making a false statement or misrepresentation of fact, a truthful statement concerning income levels and ownership of real property. In her statements for continuing benefits, Franklin falsely stated that she did not own land or buildings where she did not live. The Court listed six properties on St. Croix owned by Franklin.

Judge Savage found that Franklin violated the Federal False Claims Act, found at Title

31 of the United States Code, Section 3729-3730, which provides liability for those who submit or cause the submission of a false claim for federal funds. The False Claims Act provides for treble damages, plus a penalty of \$5,500 to \$11,000 for each false claim.

“The False Claims Act is the Government’s primary civil weapon against fraud on the federal dollar,” U.S. Attorney Sharpe said. “Not only is it used to combat fraud against Social Security, it is also used to recover federal money lost due to health care fraud, program fraud and fraud involving federal grants. Anyone can report fraud by calling the U.S. Attorney’s Office at (340) 774-5757.”

Persons who know of fraud against the United States may file lawsuits themselves on behalf of the Government under the False Claims Act. For example, employees or former employees of federal government contractors, agencies or grant recipients may file lawsuits. The Government will choose whether or not to intervene in the lawsuit. If the Government intervenes and monies are recovered, the employee or former employee who filed the lawsuit normally receives 15-25% of the monies recovered, plus costs and reasonable expenses and attorneys fees from the defendant. If the Government does not intervene in the suit, the employee receives between 25-30% of the monies recovered, plus costs and reasonable expenses and attorneys fees from the defendant.

The False Claims Act provides employees of federal government contractors, agencies or grant recipients who report fraud or who bring their own lawsuit on behalf of the Government from harassment by their employers. For example, it prohibits the employer from discharging, demoting, suspending or threatening the employee for lawful acts done by the employee in furtherance of the lawsuit. If the employer violates the law, remedies available to the employee

include reinstatement and double back pay, plus interest, special damages, costs and reasonable attorneys fees.

U.S. Attorney Sharpe commended the joint efforts of the Social Security Administration on St. Croix and the SSA's Office of Inspector General in San Juan, Puerto Rico, which resulted in the investigation and civil prosecution of this case.

This case was prosecuted by Assistant U.S. Attorneys Angela P. Tyson-Floyd and Joycelyn Hewlett.