

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Criminal No. 13-
v. :
DEBBIE HICKS : 18 U.S.C. §§ 1040 and 1001
18 U.S.C. § 2

INFORMATION

The defendant having waived in open court prosecution by indictment, the United States Attorney for the District of New Jersey charges:

1. At all times relevant to this Information:

The Defendant

- a. Defendant DEBBIE HICKS was a resident of Atlantic City, New Jersey.

Agencies

- b. The Federal Emergency Management Agency (“FEMA”) was a constituent agency of the United States Department of Homeland Security and a member of the executive branch of the United States Government.

- c. The United States Department of Housing and Urban Development (“HUD”) was a department and agency of the Executive Branch of the United States Government.

- d. The Housing Authority and Urban Redevelopment Agency of the City of Atlantic City (“ACHA” or “Housing Authority”) administered HUD funds in Atlantic City, New Jersey.

e. The Atlantic County Department of Family and Community Development (“ACDFCD”) administered the Work First New Jersey welfare reform program. ACDFCD also attempted to solve the problems of food stamp and Medicaid recipients and problems with housing and emergency assistance.

Disasters and Fraud on FEMA Generally

2. When a natural disaster or federal emergency occurred in the United States, federal agencies, such as FEMA, provided relief and assistance to effected individuals and entities. FEMA provided financial assistance by, among other things, helping effected individuals repair their property.

3. Due to FEMA's vast size and the typically large number of victims resulting from a disaster, FEMA frequently has been targeted in disaster fraud schemes by individuals or groups seeking FEMA monetary assistance for benefits to which they were not entitled. These individuals accomplished their schemes by submitting fraudulent applications to FEMA for among other things, repairs and rental assistance.

The Damage

4. In March 2010, the coastal counties of New Jersey, including Atlantic County, suffered severe storms which caused significant damage due to wind, rain, and flooding, hereinafter (“the storms.”)

5. On or about April 2, 2011, a Presidential Disaster Declaration for the State of New Jersey, Atlantic (DR-1897), was made pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistant Act, 42 U.S.C. § 5121-5206. This enabled eligible individuals to seek financial assistance from FEMA when displaced by the storms.

6. On or about April 14, 2010, defendant DEBBIE HICKS filed an application with FEMA seeking federal rental assistance under FEMA's Individual Assistance Program, claiming that her apartment in Atlantic City was damaged as a result of the severe storms and unfit for occupancy.

7. On April 13, 2010, a FEMA inspector confirmed defendant DEBBIE HICKS' occupancy and the damage to her rental unit, and declared HICKS' apartment uninhabitable. Thereafter, FEMA awarded HICKS rental assistance in the amount of \$923 per month.

The Charge

8. From in or about April 2010 to August 23, 2011, in Atlantic City, in the District of New Jersey, and elsewhere, in a matter involving benefits authorized, transported, transmitted, transferred, disbursed, and paid in connection with a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. § 5170, the defendant

DEBBIE HICKS,

knowingly made materially false, fictitious, and fraudulent statements and representations to FEMA, verbally and in writing, in a matter involving benefits authorized, transported, transmitted, transferred, disbursed, and/or paid in connection with a major disaster declaration.

The Scheme

9. In applying to FEMA for rental assistance, defendant DEBBIE HICKS was required to list her pre-disaster income. HICKS listed her monthly income from public assistance and food stamp support. HICKS listed her pre-disaster monthly rental expense as \$900.

10. At the time of the severe storms, defendant DEBBIE HICKS' rent was being paid

by ACDPCD's Supplemental Rental Assistance Program, which HICKS failed to disclose.

11. To support her continued rental assistance, defendant DEBBIE HICKS was required to complete FEMA forms, Declaration of Continuing Need for Temporary Rental Assistance. HICKS caused the forms, dated May 1, August 20, and November 20, 2010, and February 23 and August 23, 2011, respectively, to be sent via facsimile to FEMA in Hyattsville, Maryland. Each form contained the signature of "Debbie Hicks" and contained an affirmation that "My housing needs are not met by another source. I am not receiving housing assistance from another public agency such as the Department of Housing and Urban Development, Veteran Affairs, a local agency, or other organization." Each form also contained a declaration that it was submitted under penalty of perjury. At various times between May 2010 and September 2011, to support her continued rental assistance, HICKS also faxed false and fraudulent rental receipts claiming she was paying the rent directly to her landlord.

12. Between May 1, 2010 and May 1, 2011, ACDPCD paid defendant DEBBIE HICKS' rent directly to her landlord.

13. Between April 2010 and September 2011, FEMA paid defendant DEBBIE HICKS \$15,691 for rental assistance through the issuance of six U.S. Treasury Checks mailed to HICKS' address in New Jersey and one electronic fund transfer into a bank account provided by HICKS.

14. The total amount of benefits that defendant DEBBIE HICKS collected to which she was not entitled was approximately \$15,691.

In violation of Title 18, United States Code, Section 1040(a)(2) and Title 18, United States Code, Section 2.

COUNT 2
(False Statement - 18 U.S.C. § 1001)

1. Paragraphs 1 through 7 and 9 through 14 of Count 1 are incorporated by reference and realleged as if fully set forth herein.

HUD's Rental Assistance Programs

2. At all times relevant to this Information:
- a. HUD administered a number of programs intended to create or maintain affordable, decent, safe, and sanitary housing for low- or very-low income participants by subsidizing all or a portion of the participant's rent at a rental unit selected by the participant on the open market. One such program was the Housing Choice Voucher Program ("HCVP") which ACHA administered in Atlantic City, New Jersey.
 - b. Because the amount of rental assistance was calculated, in part, according to the participant's household income, taking into consideration any other financial assistance the participant might receive, each applicant or participant was required to truthfully disclose her income and/or sources of financial assistance. HUD also required that each Housing Authority establish policies which prohibited the admission of any family where a member had previously engaged in drug-related or violent criminal activity.
 - c. In order to assess whether an applicant met occupancy and eligibility requirements, and determine the amount or type of assistance the applicant would receive, ACHA required applicants to complete certain written declarations and applications which were designed to ensure the identity and background of each intended occupant of the public housing unit, as well as any sources of income or assistance. One such document was the Eligibility

Application Form, which asked, among other questions:

i. “Has anyone in your household been arrested or convicted for the felonious use, sale, manufacture [or] distribution of a controlled substance or abuse of alcohol? If yes, Who? When? Where?” and

ii. “Have you or anyone in your household ever been convicted of any crime other than traffic violations? If yes, please explain:”

iii. “Does anyone outside of your household pay for any of your bills or give you money?” and

iv. Do you “[n]ow receive, or expect regular monetary contributions from organizations, or from individuals not living in the unit?”

Once completed, the applicant signed each of these documents in the presence of an ACHA employee.

The False Statements

3. On or about April 26, 2010, defendant DEBBIE HICKS applied for housing with ACHA. HICKS listed her rent at the time as \$950. On February 22, 2011, HICKS submitted a statement of all financial assistance being provided to the housing applicant. On that form, HICKS listed her monthly welfare and food stamp support but not the fact that her rent was paid by ACDFCD or that FEMA was providing rental assistance. HICKS was then put on a waiting list for available public housing.

4. On or about March 9, 2011, defendant DEBBIE HICKS submitted an Eligibility Application and Asset Information Form to ACHA. On the form, HICKS provided the following answers to the following questions:

a. “Have you or anyone in your household been arrested or convicted for the felonious use, sale, manufacture, [or] distribution of a controlled substance?” HICKS falsely responded “No.” HICKS had been convicted of distributing a controlled dangerous substance in 1994 and possession of marijuana in 1997.

b. “Have you or anyone in your household ever been convicted of any crime other than traffic violations?” HICKS falsely responded “Theft 91/09.” At the time, HICKS had been convicted approximately 18 times for a variety of offenses, including simple assault, shoplifting, larceny, credit card theft, theft by deception, forgery, false statements, possession of marijuana, wrongful impersonation, between 1987 and 2008.

c. “Does anyone outside of your household pay for any of your bills or give you money?” HICKS falsely responded: “No.” Between April 2010 and May 2011, HICKS received disaster assistance from FEMA. Between May 2010 and September 2011, HICKS was also receiving rental assistance from ACDFCD.

d. Do you “receive, or expect regular monetary contributions from organizations, or from individuals not living in the unit?” HICKS falsely answered “No.” At the time, HICKS was receiving disaster assistance from FEMA and rental assistance from ACDFCD.

e. “Have you ever used a name or Social Security Number other than the one listed above? If yes, what name?” HICKS falsely answered “No.” At the time, HICKS had been arrested numerous times and used various aliases, including “Debra Jones,” “Debbie Morton,” “Cotina Richardson,” and “Medinah Hicks” and used approximately eight different Social Security numbers.

5. Defendant DEBBIE HICKS signed the applications submitted to ACRA which

contained written declarations that they were signed under the penalties of perjury.


6. The total amount of benefits that defendant DEBBIE HICKS collected to which she was not entitled was approximately \$7,200.

7. In or about March 2011, in Atlantic County, in the District of New Jersey, and elsewhere, in a matter within the jurisdiction of the executive branch of the Government of the United States, defendant

DEBBIE HICKS

did knowingly and willfully make materially false, fictitious, and fraudulent statements and representations, in connection with her eligibility to participate in HUD's housing voucher program, specifically false statements in a written application to the ACHA in which she falsely claimed: that she had received no income or monetary contributions from a source outside her household; that she had never been arrested or convicted for any crime, including the use or possession of a controlled substance; and that she had not used any names other than DEBBIE HICKS.

In violation of Title 18, United States Code, Section 1001 and Title 18, United States Code Section 2.



PAUL J. FISHMAN
United States Attorney

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DEBBIE HICKS

INFORMATION FOR

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18 U.S.C. § 2**

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