



DEPARTMENT OF THE ATTORNEY GENERAL

News Release

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WELFARE FRAUD DEFENDANT SENTENCED TO PRISON AGAIN

HONOLULU-Attorney General Mark Bennett announced today that: On February 4, 2004, First Circuit Court Judge Richard K. Perkins, revoked the probation sentence that he previously imposed on Honolulu resident Monica Leilani Nixon, 32, and sent her back to prison for a period of five years. In 1997, Ms. Nixon was placed on five years probation for theft in the second degree for fraudulently obtaining more than \$11,000 in public assistance benefits by concealing from the government that her minor children were not living with her. In 2000, Judge Perkins revoked her probation and sentenced Ms. Nixon to five years in prison for violating the terms and conditions of her probation. In 2001, after Ms. Nixon spent one year in jail, the court reconsidered its sentence and placed Ms. Nixon on probation for another five years.

Despite numerous opportunities to straighten out her life, Ms. Nixon again violated probation and was again sentenced to five years in prison.

Although many first time offenders convicted of welfare fraud related offenses receive probation sentences, the Criminal Justice Division and the county prosecuting attorneys bring a motion to revoke probation when a defendant fails to comply with the terms and conditions of probation. When probation is revoked, judges routinely impose incarceration sentences.

On February 4, 2004, Leslie Morimoto, also known as Leslie Kendall, 47, pled no contest to one count of theft in the first degree for fraudulently obtaining more than \$24,000 in public assistance and housing benefits from the State of Hawaii by concealing from the government her marriage and her husband's income. First Circuit Court Judge Michael D. Wilson set sentencing for May 4, 2004.

On February 9, 2004, California resident Maletina Punefu, 31, voluntarily returned to Honolulu and pled no contest to the charges in an Oahu grand jury indictment returned on May 16, 2001. The indictment charged her with two counts of theft in the second degree. Department of Human Services investigators discovered that Ms. Punefu fraudulently obtained more than \$17,000 in public assistance benefits, by concealing from government authorities the presence of the biological father of her minor child in the home and his income. First Circuit Court Judge Karl K. Sakamoto set sentencing for May 4, 2004.

On February 9, 2004, Honolulu resident Flory Irons, 50, pled guilty to one count of theft in the second degree. First Circuit Court Judge Michael A. Town set sentencing for April 20, 2004.

Department of Human Services investigators discovered that Ms. Irons fraudulently obtained more than \$11,000 in public assistance benefits by concealing from government authorities that she sent three of her minor children back to Micronesia in 2002. Investigators also discovered that she did not report all of her income to the government and she falsified documents to show that she was continuing to participate in family literacy training when in fact she was not going to the classes.

Hawaii is tough on welfare fraud. Welfare fraud defendants who leave the jurisdiction to avoid prosecution are given an opportunity to voluntarily return to Hawaii at their own expense to answer welfare fraud charges. If they do not, the State of Hawaii will seek to extradite them.

Theft in the first degree is a class "B" felony punishable by up to ten years in prison and by a fine of up to \$25,000 or twice the value of the property stolen whichever is greater.

Theft in the second degree is a class "C" felony punishable by up to five years in prison and by a fine of up to \$10,000 or twice the value of the property stolen whichever is greater.

Typical types of welfare fraud include concealing the true composition of a household and the income of the household, reporting non-existent children as dependants, reporting children in the home when the children are living elsewhere, concealing assets including personal injury settlements, worker's compensation settlements, large bank deposits, and stock brokerage accounts, concealing employment income, falsely reporting that a childcare provider is being paid to watch children, using multiple identities to obtain public assistance, concealing from authorities that a recipient is wanted for new felony criminal offenses or for a parole or probation violation, forging documents to show that a recipient is participating in mandatory mental health treatment or substance abuse treatment, and falsely reporting participation in mandatory work or training programs.

Reporting suspected welfare fraud to authorities saves the State of Hawaii millions of dollars annually.

Anyone having information concerning welfare fraud should call the Welfare Fraud Hotline at (808) 587-8444.

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