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FOR IMMEDIATE RELEASE

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**JENNIFER ELAINE HIRSCHFIELD PLEADS GUILTY IN
U.S. FEDERAL COURT**

Bill Mercer, United States Attorney for the District of Montana, announced today that during a federal court session in Great Falls on July 10, 2008, before U.S. District Judge Sam E. Haddon, JENNIFER ELAINE HIRSCHFIELD, a 33-year-old resident of Great Falls, pled guilty to theft of federal money. Sentencing is set for October 6, 2008. She is currently released on special conditions.

In an Offer of Proof filed by the United States, the government stated it would have proved at trial the following:

D.P. applied for Social Security disability insurance benefits on December 15, 1994. He served as his own payee before suffering a severe head injury in 1998 while living in Evergreen, Colorado. Due to the extent of D.P.'s injuries, he was no longer able to manage his own financial affairs.

On February 16, 1998, D.P.'s daughter, HIRSCHFIELD, applied to be selected as D.P.'s representative payee, someone appointed by the Social Security Administration (SSA) to receive and manage a beneficiary's monthly payments on their behalf. On this application, HIRSCHFIELD made the following statements:

I understand that: I must use all payments made to me as the representative payee for the claimant's current needs or (if not currently needed) save them for his/her future needs;" and,

I agree to: Use the payments for the claimant's current needs and save any currently unneeded benefits for future use."

Based upon this application, HIRSCHFIELD began receiving monthly payments on D.P.'s behalf on March 3, 1998. She continued receiving monthly payments for D.P. through November 3, 2006, when SSA changed the representative payee to the Center Director at the VA Medical Center in Ft. Meade.

D.P. moved into the Ft. Meade Medical Center in March 1998, and has lived there ever since. All of D.P.'s living expenses were covered by the VA, and the agency maintained an account for him for his spending money. The VA's records, dating back to his admission in 1998 and continuing through August 2006 when the VA became his representative payee of D.P.'s SSA monies, indicate that 47 deposits were made to the account totaling \$12,235. According to the Social Security Administration, between March 3, 1998 and November 3, 2006, there were 104 payments issued to HIRSCHFIELD for the benefit of D.P. totaling \$94,843.

At D.P.'s request in September of 2006, the VA sent a letter to Judge Rodgers in Jefferson County, Colorado, regarding the fact that HIRSCHFIELD, the court-appointed guardian and conservator of D.P.'s estate, had failed to provide D.P. with access to his benefit monies. The VA indicated that D.P. wished to receive all of his entitled earnings for his personal use and would no longer like HIRSCHFIELD to serve as his conservator. The letter contained D.P.'s signature as well as that of a VA representative.

Judge Rodgers called a hearing on the matter, which eventually resulted in HIRSCHFIELD being removed as D.P.'s conservator.

HIRSCHFIELD was interviewed by an agent from the Office of Inspector General for SSA. She said she knew the funds she received on D.P.'s behalf were for his current needs and that any leftover funds were to be saved for his future needs. She also admitted that she had received all of the funds SSA administered on D.P.'s behalf between March 3, 1998, and November 3, 2006. HIRSCHFIELD identified her signature on the backs of several of the checks issued to D.P. and said she deposited the checks into her account with Montana Federal Credit Union in Great Falls. HIRSCHFIELD admitted that when she was experiencing financial hardships several years ago, she began using her father's money to get by.

HIRSCHFIELD explained that she did not write checks from the account. Rather, she would make cash withdrawals from the account and pay her bills with money orders or pay local bills in person. HIRSCHFIELD reviewed the records from D.P.'s account with Ft. Meade documenting the funds she had sent to her father since his admission. She agreed that the amounts seemed accurate. Prior to 1999, when HIRSCHFIELD left for Germany, she said she would occasionally give her father cash during her visits to Ft. Meade.

HIRSCHFIELD admitted receiving Representative Payee Reports from SSA. She thought she recalled returning several of the forms, but admitted she had never returned the most recent form covering the period of January 2004 through November 2006. HIRSCHFIELD said she knew she had misused the funds she received during that period

and was therefore reluctant to respond to SSA's inquiry. HIRSCHFIELD admitted that she knew she was not entitled to her father's benefits, and that what she did was wrong.

D.P. was re-contacted by law enforcement. D.P. said he never made special arrangements with HIRSCHFIELD regarding his SSA benefits. He said he never told HIRSCHFIELD she could use the funds for her own expenses. Furthermore, D.P. said he felt he did not have enough spending money for his personal expenses at Ft. Meade.

HIRSCHFIELD faces possible penalties of 10 years in prison, a \$250,000 fine and 3 years supervised release.

Assistant U.S. Attorney Carl L. Rostad prosecuted the case for the United States.

The investigation was conducted by the Inspector General's Office for the Social Security Administration.

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