

>> Good day.

You're listening to "Ability  
Radio."

I am one of your co-hosts,  
Amelia Headley LaMont, Executive  
Director of the Disability  
Rights Center of the Virgin  
Islands.

And today our special guest is  
one of our staff members by the  
name of Attorney Kippy Roberson.

"Robe-er-son." Sorry, Kip.

Good day. How are you?

>> Good day, everybody.

Good day, Amelia.

>> Well, one of the things that  
we would like to focus on today  
is one of our newest programs.

And usually it's kind of boring.

One might say, "Oh, gee, another  
program.

What does this involve?"

But this particular activity  
that we've been charged with has  
a very interesting history, and  
I trust you'll be able to share  
some of that with us.

>> I would like to share with the listening audience some of the background behind our organization, and then this program in particular.

As I said, my name's Kippy Roberson.

I'm an attorney licensed to practice in the U.S. Virgin Islands.

I've been working with the Disability Rights Center in the St. Croix office as their in-house counsel for approximately the last three years.

We have an office in St. Thomas, as well, with the supervising attorney, Archie Jennings and Kishma Creque, who staff that office.

And then, in our office here on St. Croix, there's our director, Ms. Amelia Headley LaMont, who's with us today, and then myself as staff attorney, and Kimie Tonge and Iris Bermudez are our

advocates and office staff  
within the St. Croix office.

And I don't know how familiar  
the listening audience is with  
the Protection and Advocacy  
System or the National  
Disability Rights Network, so  
I'll give you a little bit of  
history on that.

And then, as far as myself, as I  
said, I'm a practicing attorney  
in the Virgin Islands.

I was in private practice in  
Oregon for about 10 years.  
Moved down to the Virgin Islands  
in May of 2007.

I worked as a criminal  
prosecutor for the Virgin  
Islands Department of Justice  
for a little over eight years,  
and then began work in the  
Disability Rights office here in  
St. Croix.

And what we do is, we provide  
legal assistance and advocacy on  
behalf of individuals with  
disabilities, whether those are

intellectual or physical  
disabilities.

We investigate regarding  
allegations of discrimination in  
workplace, education, whether  
there's a lack of services or  
actual abuse or neglect in any  
of our local institutions.

So, we work with education in  
the schools for individual  
education plans, assisting  
parents and children with  
acquiring services for education  
or special education.

We work with the hospitals.

We have Medicaid programs,  
assisting in applications for  
Medicaid.

We also do monitoring in all of  
the residential facilities.

Whether the public is aware or  
not, we have about 30 different  
residential facilities, either  
public or private, between the  
different jurisdictions -- St.

Thomas, St. John, St. Croix.

And we also are involved in

monitoring and advocating for individuals in the prison system.

>> And I daresay that your background, having to do with criminal justice, has helped us enormously, particularly with respect to monitoring facilities and investigating instances where there's allegations of harm.

>> Well, and in my practice, private practice in Oregon, about half of my practice was doing indigent defense, criminal defense under contract with the state.

So I have been a defense attorney, and assisting people who couldn't afford to hire their own attorneys, and then here in the Virgin Islands I've worked as a prosecutor.

So I've been on both sides of the bar in the criminal-justice system.

So approximately 20 years of

practice, so it has made me familiar with the criminal-justice system.

But a major component of the criminal-justice system is mental health and drug addiction, because the vast majority of people involved in the criminal-justice system have varying degrees of either mental illness, drug addiction, or personality disorders that lead to violent behaviors or antisocial behaviors.

So mental health and mental-health treatment and drug addiction are a major component of what drives the criminal-justice system.

>> Okay.

Well, let's talk about -- you mentioned a little bit earlier, let's give a little bit of a background about the Protection and Advocacy System, and then we'll go into the newest component of what the

Disability Rights Center is  
focusing on.

>> Well, the Protection and  
Advocacy System came into  
existence in 1975, and that was  
due to a United States Congress  
mandate that created the  
Protection and Advocacy System.

And that's throughout the United  
States and all the territories.

There are now 57 agencies in all  
50 states and all the U.S.

territories that do what we do.

We advocate and investigate on  
behalf of individuals with  
disabilities, and that's to  
protect their rights, to make  
sure that they are provided the  
services they're entitled to  
legally, and then also to  
protect them from abuse or  
neglect.

Now, the Protection and Advocacy  
System is under the penumbra of  
a national organization called  
the National Disability Rights  
Network, and that all came to

be, at least a major driving force behind this entire organization, was an exposé that originated from Geraldo Rivera back in 1972.

And what he'd done is, he and a cameraman -- there had been numerous allegations of abuse and neglect at an institution called the Willowbrook State School.

>> And that's located in Staten Island, New York, I believe.

>> That's correct.

It was in a 375-acre complex in Staten Island, New York.

Now, that facility opened in 1947.

And at the time Geraldo Rivera did his exposé in 1972, there were about 6,200 residents at this facility.

>> That's a lot of people.

>> And it's especially a lot when you consider that it was designed to hold 4,000.

>> Oh, my goodness. Okay.

>> So it was tremendously over capacity.

At the time, it was the largest run state facility for individuals with mental disabilities.

And that wasn't even correct, because a good portion of their population didn't have mental disabilities.

A number of them had cerebral palsy, which is a physical disability.

A person can be perfectly capable intellectual, but if they have cerebral palsy, then they have a physical disability that inhibits their ability to communicate.

So, this facility, what led to the exposé was the complaints about this facility.

There were numerous, numerous complaints from the public and the families of residents.

>> What kind of complaints were made?

>> Well, there were complaints that it was filthy, the residents were being starved, physically and sexually abused, and neglected.

They even were having medical experiments performed on them without permission or consent.

>> Wow.

>> So it was a horribly abusive environment.

And despite all of the complaints -- and even Robert Kennedy had commented maybe seven years prior that this was a snake pit.

They they were aware -- the politicians were aware, the government was aware of the horrid conditions in this facility, but nothing was being done.

So Geraldo Rivera and his cameraman snuck into one of the buildings and took footage of the conditions within the facility, and that led to such

moral outrage throughout the country that there was finally action taken.

So, this facility was opened in 1947.

There was finally a class-action suit filed in 1972 as a result of Geraldo Rivera's efforts, and that resulted in a consent decree in 1975 to improve the conditions.

And, ultimately, the facility was completely closed in 1987.

But the result of a lot of that was in 1975, the U.S. Congress creating the Protection and Advocacy --

>> System, they call it.

>> Yeah, essentially a system throughout the country.

And that's what our office participates in.

So we're part of this push dating back to 1975 to make sure that there's a watchdog group nationally for government-run and private-run facilities to

make sure that kind of abuse  
doesn't occur again.

>> That sounds like a very  
telling history.

And, in fact, you've made it  
quite clear that it took many  
years before any action was  
taken with respect to  
Willowbrook, right?

>> Right.

And that's been kind of the  
history, is there will be  
complaints, complaints,  
complaints, but the government  
agencies involved, until they  
are really forced to make  
substantial changes, will ignore  
those complaints or make, you  
know, minor efforts to rectify  
it, but don't have any really  
sweeping or changing renovation  
of their practices.

>> Until such time as the press  
brings it to the fore, so to  
speak.

At least in this instance.

>> Right.

And that seems to be what happens.

And particularly now, with social media, it's a lot easier to access large populations within the country with media postings, publications that can reach more people.

Back at that time, unless it was through the major television networks, you had a limited capability to effect change.

>> Well, we're gonna follow through on a little bit more of this.

We're gonna take a short break.

You're listening to "Ability Radio."

We'll be right back.

>> We're back.

You're listening to "Ability Radio."

I'm your co-host, Amelia Headley LaMont, Director of the Disability Rights Center.

And let me let our audience know that if you've missed any portion of this show today, this program is recorded, and it will be posted on our website, which is located at [DRCVI.org](http://DRCVI.org).

This broadcast will also be transcribed for your reading pleasure, okay?

Our guest today is Kippy Roberson.

He is a staff attorney here at the Disability Rights Center.

And he's giving all of us a historic account of the Protection and Advocacy System, of which the Disability Rights Center of the Virgin Islands is a part of.

So, Attorney Roberson, where do we go from here?

>> Well, and the reason I wanted to present this information to the public today is that we do have a newer program under the Social Security Administration, and our office is a sole

designee within the U.S. Virgin Islands to work as a contractor with Social Security to do, again, protection and advocacy, to do investigations for abuses within the Social Security system.

And in particular, it's what's called the Representative Payee Program.

>> What's a representative payee?

>> That's when you have either a juvenile or a person that's incapacitated either physically or mentally that can't manage their own financial affairs.

So when they're getting a Social Security benefit, they have to rely on a third party to manage that money for them, to expend the resources on their behalf, to make sure that they're properly cared for physically, emotionally, medically, and that their Social Security benefits are used for

that purpose, and not for some other.

So what we do is, we rely on the public to make reports to us of instances of abuse.

And abuse include financial abuse, physical abuse, or otherwise when the person's Social Security funds are not being put to use for the proper purposes to care for the beneficiary.

So, if a case of abuse comes to our attention, we'll mount an investigation and determine what the circumstances are, and try to make sure that the person is properly cared for, and their funds are being used properly for their benefit.

>> Can you give us some examples of what might be considered inappropriate or abusive?

>> If the person is kept in an unsanitary environment, if they aren't provided with proper medical care, even if the money

that is supposed to go to the beneficiary isn't directly used for their own benefit.

And the representative payees oftentimes are organizations.

Well, in 2017, there were 5.8 million representative payees in the United States representing 8.1 million beneficiaries.

So this is a very large program. Millions of people involved in it.

So the Social Security Administration has difficulty, obviously, doing checks, health checks, verification of proper use of funds.

So, in 1939, the U.S. Congress authorized the Social Security Administration to use this Representative Payee Program, which is very beneficial, because if people can't take care of themselves and their own finances, they need someone to assist them.

And that can be a family member,

loved ones, an organization.

So, the representative payee has to qualify.

They have to be either a qualified organization or an individual without certain felony convictions on their record.

They have to have a background check, verify that they don't have a criminal record so that

--

>> Do you know what the process is?

Do they have to appear before the Social Security Office and, I don't know, take a test or take an oath or...?

>> They have to be investigated by the Social Security office to make sure that they don't have any of the disqualifying factors to make sure that they would be eligible under the guidelines.

So, right, that's up to the Social Security office to verify

those facts.

And if it comes to the attention of Social Security or someone in the community that the person isn't being properly cared for, then there needs to be an investigation and a follow-up on that.

Now, this can also lead to criminal allegations if the abuse is so severe.

That can be prosecuted by the Department of Justice, either locally or federally.

But primarily what we do is deal with the financial aspects to make sure there's no improprieties as far as the money being used for the proper purposes.

But if it gets beyond that, if the abuse is too substantial, then we would refer it to law enforcement for criminal prosecution.

>> Now, how did this representative payee present

itself to the Protection and  
Advocacy network?

How did we initially get  
involved in this at all?

>> Well, what happened, again,  
nationally, there were  
complaints and instances of  
abuse under the Representative  
Payee Program.

And some of the more significant  
that had come to national  
attention was one in particular  
in February of 2009, and it came  
from fire officials in Iowa.

They closed down a place called  
Henry's Turkey Service.

Henry's Turkey Service was a  
business that was a  
representative payee for several  
dozen men from Texas.

And the fact that these men were  
from Texas and had be relocated  
to Iowa is suspicious in itself.

But these Texas men with  
intellectual disabilities were  
housed in a 19th-century  
schoolhouse that was used as a

bunkhouse, and they were forced to work in a turkey-processing facility.

Now, their Social Security money was supposedly used for their sustenance, their housing, meals, medical care.

But these men were essentially turned into slave labor and housed in substandard conditions, and their money was put to improper use, and utilized by Henry's Turkey Service instead of for the benefit of the beneficiaries.

And in this instance, there were numerous complaints to the government authorities about what was going on at the facility and what was occurring with these gentlemen from Texas, but nothing was done about it.

>> Any idea about how many are we talking about?

I have no recollection.

>> I don't know exactly how many they were, and I'm sure that

that changed over time...

>> Right.

>> ...as some came and went or they passed away.

But it was significant enough to run an entire turkey-processing plant.

So, I don't know the exact number of individuals involved.

But the way that it came to public attention is, the sister of one of the residents finally got in contact with the media and the press, and they disclosed the years of abuse that had been occurring there, and it was finally put an end to it.

But the fact that the fire officials are ultimately the ones who took care of this instead of Social Security or law enforcement gives an indication of the kind of casual disregard that occurs for our vulnerable citizens.

So, again, that's an example of

why you need an independent watchdog group that specializes in these investigations.

There was another instance in October 2011 in Philadelphia, when it was actually a complaint by a landlord, who had gone in to visit one of his rentals and discovered that there were four individuals who were being locked in the basement.

And these were individuals with mental disabilities, again, supposed to be receiving their Social Security benefits, but the representative payee was taking the money and essentially locking them in a basement.

And based upon that investigation, the representative payee was charged with sex trafficking, murder, forced labor, fraud, and now is serving a life prison sentence. So a very severe abuse and neglect situation, I mean, to the point of having murdered

some of the Social Security beneficiaries.

And if this hadn't come to the attention by at least the landlord investigating on their own, nobody would have known about it.

So that's why it's absolutely critical for not just the agencies, but for the citizens in the community to have a watchful eye.

I mean, this could be your neighbors.

>> Right.

>> It could be people you know.

You might see even family members of someone with a disability, who you see that there's a suspect circumstance.

I mean, they're ill-kept, they're in bad health, they never are allowed outside.

And if you see that happening in your neighborhood, it needs to be reported to us so that we can investigate.

And then, if it's too severe, as I said, I mean, we will involve law enforcement.

And these can be anonymous referrals as long as we know who the names are, and the location of the people involved.

We can mount our investigation and do what we can to protect those people's rights.

>> You touched upon a very important point, and that is that the Disability Rights Center is not an arm of the government of the Virgin Islands.

We are a private, independent, nonprofit organization, and so that allows us to be removed and not unduly influenced by any particular governmental entity that would prevent us from doing the work that we've been assigned to do.

>> That's absolutely correct.

We don't have to answer to any local authorities.

>> Right.

>> A good portion of what our funding comes from is through the federal government.

In particular, one of the major agencies is SAMHSA, which is the Substance Abuse and Mental Health Services Administration.

So, they oversee some of our grants.

So, really, our people that we answer to are typically the federal government at the national level, not even the local level.

We also work cooperatively with Cornell University, the Americans with Disability Act, to advocate with individuals with disabilities under a grant with them.

So there are various entities that we work with that are under the umbrella of, but none of them are local.

So we have -- are we are granted tremendous autonomy under that

congressional mandate.

We can access medical records.

We can access investigation records through law enforcement, the U.S. Attorney, the prison.

So there is -- with probable cause, there's a tremendous amount of authority given to the protection-and-advocacy groups to do these investigations.

So, there are some real teeth in what we're allowed to investigate and report on.

>> Now, the fact that you can follow up, or our office, any protection-and-advocacy entity can follow up on doing the investigations as an agent for Social Security Administration.

That's not something that was done lightly, correct?

There's a process.

Therefore, even being deputized, so to speak -- is that what the process is?

I know you had to go through some rigorous background checks

and the like.

Can you tell us, what did it entail?

>> Well, it originated from the House Resolution 4547 that was signed into law on April 13, 2018, and that's an act called Strengthening Protections for Social Security Beneficiaries Act of 2018.

And what that did is mandated that Social Security cooperate with protection-and-advocacy groups as an independent auditing entity to investigate Social Security claims of abuse or fraud.

The Social Security Administration is obligated to provide at least \$25 million a year nationally, at a minimum, for these case reviews.

And Social Security, since they're a secure database, and in today's age of computer hacks and stealing people's information, Social Security has

to have a tremendous amount of security in order to keep their records secure and private.

So in order to have access to their database or to communicate with the Social Security Administration, you've got to go through a pretty exhaustive security check, background check.

It took about 90 hours of work to get approved for a Social Security access and equipment in order to communicate and provide information to the Social Security Administration as an investigator.

>> Okay.

We're gonna come back to that, because you make it sound like it was an easy walk in the park, and I recall it was not, and hasn't been.

We're gonna take a quick break, and we'll be right back.

You're listening to "Ability Radio."

>> We're back.

You're listening to "Ability  
Radio."

I'm you co-host, Amelia Headley  
LaMont, and I am joined today by  
our staff attorney, Kippy  
Roberson.

And just before this particular  
break, we were talking about the  
requirements for any individual  
who's doing this kind of work,  
investigative work --  
investigative work --

[ Laughs ]

I can't speak today.

...on behalf of Social Security,  
having to go through quite a bit  
of, what, background check.

You had to have a check on your  
own background, right?

I mean, they really -- tell us  
what's involved, and why.

>> Well, you are required to  
submit fingerprints.

They check them against the

national database.

They do a background check on where you've lived and your associations in the past.

>> Mm-hmm.

>> So, it's similar to the background check that you would have to do for FBI or any law-enforcement arm of the federal government, so it is fairly extensive, and very time-consuming.

And in addition, you know, you've got to be provided with hardware so you can communicate and provide data back based upon the results of your investigation.

We ourselves are mandated to perform at least six case reviews a year for the Virgin Islands, which, you know, we have about 100,000 population currently.

I think the 2010 census had us at 106,000 population.

I think it's dropped somewhat

since the storms and all the trauma that our locals have been through over the past few years.

But that's at a minimum, as far as case reviews, to make sure that individuals that are referred to us, or investigating even government agencies that the individual's funds are being used for the proper purposes.

And we are designated, I had said earlier, as the only contractor authorized within the U.S. Virgin Islands for performing this service.

And one of the major entities in the Virgin Islands as far as handling the Representative Payee Program is our Department of Human Services.

So, they are the representative payee for individuals receiving Social Security funds at Adult Protective Services, Herbert Grigg Home for the Aged, Queen Louise Home for the Aged.

They also, even though

individuals may be housed or residents with, like, the eight facilities for Lutheran Social Services, the Department of Human Services still oversees the distribution and use of Social Security funds.

So they're a major component of this administrative process for Social Security and representative payee.

But there's also private family members and private parties that use the money for the benefit of either their children or family members or parents who are either, due to age or disability, not able to manage their own financial affairs.

So, those are all under the auspices of Social Security Administration, and subject to review by our office.

>> There's also a reporting component to this, as well, is there not?

>> Right.

If someone brings a referral to us, what we do is, we take that information, we try and verify as much of the specific information regarding the individual as possible, and then we submit that to the Social Security Administration to have an approval for a review of the case.

Social Security will then verify that they are actually a representative payee, where they're located, verify the information that we give them, and then authorize the completion of the review.

And in that instance, then, we make contact with the beneficiaries, we make contact with the representative payee, we acquire all of the financial records for at least the last year -- where the money has been spent and for what purposes.

We'll do an interview with all parties involved, make sure that

the beneficiary is properly treated and in good health, and check their environment.

We'll go to where they reside and make sure that it's a proper environment, a healthy and sanitary environment.

So, it's a pretty extensive investigation, both individually, situationally, and financially for anybody that receives those Social Security benefits.

>> Now, you mentioned that there is an investigation aspect to it.

Is there, like, an "informal hearing" that's available to somebody who may be accused of not performing their duties appropriately?

>> This is -- As far as our involvement, it is the investigation that we perform and submit it to Social Security, and then Social Security will make their

determination on whether the funds should be continued to be distributed or we need to change the representative payee or what actions are to be taken.

And as I said, if the situation is egregious enough, we will refer to law enforcement, as well.

And there is a local statute within the Virgin Islands for elder abuse financially.

So if you're taking someone's money and you're not entitled to it, you can be prosecuted on the local level, as well as loss of benefits or potential fraud through the Social Security system.

>> Okay.

Well, what I'm trying to understand, though, is, let's say Mr. X has been accused of misappropriation of funds.

[ Coughs ]

Excuse me.

Is there an administrative

process?

>> Yes.

The individuals can contest the findings or the submission to Social Security, and it can be reviewed.

So, yes, they have a right --

If there's a finding of impropriety, then they do have an opportunity to address that with the Social Security Administration.

So, I mean, what we have to say or what we report isn't necessarily the end of the process.

So, right -- there's an administrative process to go through if there's a finding of abuse, or there's a corrective-action plan, is what they call it.

So if we see that something isn't properly documented or the money isn't being properly used, we'll suggest a corrective-action plan to

rectify the situation.

And if that isn't adequate or the representative payee is not cooperative, then Social Security will take further action.

>> I guess because this program is so new, we still don't have a sense as to what the time line is with regard to any of these cases.

>> Well, that's correct.

And, as I said, this statute was passed on the federal level just in April of 2018.

So, in Social Security and our Disability Rights Network, our Protection and Advocacy System are still working out the finer details as far as the implementation, getting the designated contractors, the background checks.

I mean, it takes a while to implement a program of this size and scope.

I mean, we're talking about

millions -- literally over 8 million beneficiaries.

And even that, even with our extensive P&A, Protection and Advocacy System, you can still only do a certain percentage of the cases for reviews.

Even in the larger offices in the larger metropolitan centers, I mean, they're still only doing a selective-percentage sample of the general population that are receiving these benefits.

But we hope, by at least community reporting, watchdogs -- we ourselves have put the word out to all of our community partners at every opportunity.

As I said, we're relatively new to this system or this program under the federal statute, so we're still putting the word out to our local community partners.

And that's what the purpose of this radio show is today, is to let the community know that we provide this service, and we

will aggressively pursue any complaints or any reports of abuse or neglect.

So, this service is available.

It can be anonymous as far as the reports.

As long as we only have the correct information of the beneficiary and the payee and what their location is, we can initiate an investigation.

>> And any reports would come -- could come, conceivably, from any of the four Virgin Islands, correct?

>> Yes, anywhere within the jurisdiction of the territory of the U.S. Virgin Islands.

And that can be referred to through our phone number at 340-772-1200, our website, by mail.

Any form of contact with the Disability Rights Center of the Virgin Islands will initiate an investigation by our office into the allegations.

>> And these kinds of contacts  
are indeed confidential,  
correct?

>> They are confidential.

Anything we do is confidential.  
Whether it's under the Social  
Security program or otherwise,  
the reporting parties,  
individuals agree -- they enjoy  
the same level of  
confidentiality that you would  
with any attorney.

So, your personal information,  
the situation with your family,  
or the allegations of abuse or  
neglect are all confidential  
communications, just as you  
would have with any law office.

We communicate with our national  
boards, the people that oversee  
our grants.

We report on the investigations  
and the casework that we do, but  
that all remains confidential  
information.

>> Actually, if I'm not  
mistaken, the vehicle through

which you submit reports is quite protected, as well.

Correct?

>> That's correct.

That's a secure database, just as it would be with Social Security or any national database.

>> Right.

All right.

We're gonna take another little break, and we'll be right back.

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>> This is "Ability Radio."

I'm one of your co-hosts, Amelia Headley LaMont, Executive Director of the Disability

Rights Center of the Virgin  
Islands.

And I am joined today by our  
staff attorney, Kippy Roberson.

"Robber-son"? "Robe-erson"?

How do you prefer your  
pronunciation?

>> "Robber-son."

>> Roberson. Okay.

>> Roberson.

>> Roberson. Sorry about that.

>> Hey, close counts.

I'm not particular.

>> [ Chuckling ] Okay.

>> Call me whatever you want,  
except for late for lunch,  
right?

>> Right.

We've been talking about one of  
our new programs having to do  
with persons who receive Social  
Security Disability insurance.

Because in the U.S. Virgin

Islands, there is no

supplemental security income.

There's no SSI.

So with respect to this

Representative Payee Program that we're talking about, it applies to individuals who are recipients of Social Security Disability insurance, is that correct?

>> That's correct.

And the purpose of our visit here today is to get the word out in the community that we are authorized as an investigatory arm for the Social Security Administration in the U.S.

Virgin Islands.

We're a designated agent to act on behalf of Social Security to do investigations into abuse of Social Security benefits, and in particular the benefits under the Representative Payee Program, that being when a person is to receive Social Security benefits but they are not capable of handling their own financial affairs, either due to their age -- being a minor -- or if they have such an

intellectual or physical disability they can't handle their own affairs, they have to rely on a third party to manage their finances with the Social Security funds.

Now, those representative payees can be an organization, such as our own Department of Human Services, or they can be individuals within the family -- spouses, children, cousins, anybody that passes the examination with Social Security to be designated as a representative payee and allowed to handle the Social Security funds.

And what we do, or what our mandate is, is to investigate allegations of abuse -- either financial or physical abuse -- if people are not being properly cared for by the ones entrusted to handle their finances and their well-being.

So, we have to rely on the

community in large part to bring these cases to our attention.

We need local people, friends and neighbors.

If there's a situation that you're aware of or makes you suspicious that someone is not being properly cared for and would fall under the auspices of the Social Security Administration, it's our duty, our responsibility to make an investigation and make sure that there's not any impropriety, either, financially or physically, regarding the beneficiaries of the Social Security funds.

>> That's a tall order.

And, again, I would suspect -- not suspect.

I feel that, given your background in criminal justice -- on both sides, prosecutorial and defense -- that this is a task that -- I won't say came easy.

Setting it up was a challenge.

But, certainly, dealing with these kinds of cases is certainly something that I, at least, have not observed that you've been at all shy about.

>> No.

And I've got approximately 20 years in the criminal-justice system, either as a defense attorney or a prosecutor, so I'm very familiar with the legal system.

And the issues that arise under situations of abuse or neglect, they're a common occurrence within the criminal-justice system.

And just because this program comes under Social Security and really is oriented toward the use of those funds, that doesn't mean that there wouldn't be a more thorough investigation if the situation is egregious enough to lead to a criminal investigation through either the

local or federal Department of Justice.

Because not only do they have a criminal investigation, but the local and federal arm also have a Civil Rights Division, so even if someone's civil rights are being violated due to the abuse or the neglect, it can also be pursued as a civil case in addition to a criminal case through the Civil Rights Division.

So, there are a number of avenues of relief and justice available to beneficiaries under these programs, so we're just one of the methods that we can to seek justice and make sure that our vulnerable population is properly cared for.

>> All right.

Well, we talked about the Representative Payee Program. Tell us a little bit about -- just a little bit about what other programs falls under the

auspices of Disability Rights

Center?

>> We have a number of programs that we participate in.

We have what's called PAIR, the Protection and Advocacy for Individual Rights, and that's a general program where an individual with a disability has their rights violated in some way.

We also deal with guardianships.

If a person has a developmental disability and has to have a third party take care of them or look out for their legal and -- their physical well-being as well as their legal rights, we also assist with that.

So even if it's not associated with Social Security directly, we can assist individuals with getting guardianships.

We've assisted with getting benefits under GERS, if they were injured on the job and now have a disability, to receive

their benefits as a disabled  
worker.

We do parent training for  
parents of children with  
developmental disabilities,  
whether that's autism or a Down  
syndrome situation.

We assist those parents in  
getting proper services through  
Department of Education or  
special education, we attend IEP  
meetings, which is an individual  
education plan to make sure that  
a child's special needs are  
identified and addressed within  
the school system.

So we provide a number of  
services within the community  
beyond the Social Security  
program.

We also work with traumatic  
brain injury.

Someone that's had a head injury  
and has their mental or physical  
capacity is influenced by that,  
we'll assist.

We assist with the Ticket to

Work Program through Social Security, as well, and that's when someone is on Social Security Disability and would like to return to the workforce, we help them in getting in contact with vocational rehabilitation so they can get additional training, therapy, whatever needs to happen to allow them to re-enter the workforce.

And under that program, they can work for up to five years without affecting their Social Security Disability.

So they can work in a part-time or full-time capacity as they try to re-enter the workforce.

If they're unable to do so, then they retain their Social Security benefits.

But if they're able to re-enter the workforce on a full-time basis, then that would terminate their Social Security benefits, and they can re-enter the

workforce.

But if they become disabled again at a later date, they can reapply for their benefits and get back to Disability.

But by and large, the large percentage -- according to studies done, 80% of people on Disability would prefer to work, it's just if they're able to, or able to get additional training for a new position that they're able to perform.

So that's one of the avenues we can use to help our clients and people in the community to re-enter the workforce if they are willing and able to do so.

>> And there is an entity that's called AMSI -- and I forgot what that acronym stands for -- that provides assistance to Social Security Disability beneficiaries who want to return to work.

>> That's correct.

There's a group, they actually

originated in Puerto Rico, that are active in the Virgin Islands that help with that.

Sharia Green, with our own Vocational Rehabilitation Office here in the Virgin Islands, also provides that service through their arm there.

Their offices are currently at the cottage at the Youth Rehabilitation Center.

They're currently housed there temporarily, at least until some of the government buildings can be prepared.

But they work cooperatively at vocational rehabilitation to assist people in re-entering the workforce.

And that means they're working with Department of Labor, as far as identifying and placing people with employment.

They work through Department of Education for children up to 21 years of age to try and get re-trained, or to get vocational

training so they can enter the workforce.

So it's actually the Department of Education, Department of Human Services Vocational Rehabilitation, and Department of Labor working cooperatively to assist individuals with disabilities to enter the workforce.

>> 'Cause the whole point, I would imagine, in this is to try and match the individuals' skills, aspirations, training, with the job, correct?

>> Absolutely.

And it helps employers, and it helps the people that want to work.

I mean, if you check the "VI Views," there are hundreds of jobs available within the Virgin Islands, and it's trying to match the individuals and their skill set with those jobs.

And if your skill set doesn't exactly meeting the job

description, well, Vocational Rehabilitation will assist you in obtaining the skills that you need in order to fill some of those positions that are available.

>> All right.

What are some other programs that the Disability Rights Center has?

We have about 11.

[ Laughter ]

I don't expect you to say all 11 of them.

But what's the biggest one?

>> Well, PAIMI, the Protection and Advocacy for Individuals with Mental Illness, is our largest grant, and that's exactly what it sounds like.

If a person has a mental illness, we advocate on their behalf, whether it's in employment or for services, to help deal with their disability.

So that's a big one.

Our Protection and Advocacy for

Developmentally Disabled

Individuals is also one of our larger grants, and that applies to children, adults, anybody with a developmental disability, intellectual disability.

>> And a developmental disability is one in which the disability had its onset before the age of 22, correct?

>> Right.

>> Right.

>> So, that's one of the programs that we participate in.

We also do Zika.

We have a Zika grant that we work under to reach out to the community for education and assistance in avoiding the Zika virus.

There are a number of --

We do public outreach to try and reach the community, to educate and provide services for avoiding Zika.

>> Or any kind of mosquito-borne illness.

>> Yeah, that's right.

>> Particularly in the wake of the hurricanes, one of the things that we have found is, we've had to, in some respects, do a bit of a shift in our work as a response to Irma and Maria, the two hurricanes that we had in 2017.

>> Right.

And a big portion of today's life is access to technology, and we also assist with access to technology.

If an individual with a disability needs a way to communicate, either electronically or otherwise, we help with trying to be innovative in communication techniques and technology techniques to assist them in their day-to-day lives.

We also help with voting access.

So we work with the Board of Elections on an annual basis for accessibility and interactions

with individuals with  
disabilities with the voting  
staff.

>> Okay.

Well, you passed the test.

[ Laughs ]

We've covered quite a bit of  
ground.

We're gonna take another short  
break, and we'll be right back.

You're listening to "Ability  
Radio."

>> In the few minutes that's  
remaining, Attorney Roberson,  
tell us what you see the future  
for our newest program, the  
Representative Payee Program.  
How can somebody get in touch  
with you if they suspect that  
there's some exploitation taking  
place?

>> You can contact us through  
our website at [DRCVI.org](http://DRCVI.org).

You can call us at our office  
phone numbers at 340-772-1200.

And this is an ongoing program,  
and it's just in its fledgling  
stages right now, since the  
congressional statute was passed  
in April of 2018.

It's a newer program, where we  
do investigations for  
representative payees to make  
sure that beneficiaries of  
Social Security funds receive  
the funds and are properly cared  
for.

So if there are allegations of  
misuse of funds or physical  
abuse, we will investigate that  
and refer it to the proper  
authorities.

This is going to be an annual  
and ongoing effort within the  
Virgin Islands and through our  
office in particular, because we  
are the only designated agent  
within the Virgin Islands to  
investigate and review cases on  
behalf of the Social Security  
Administration.

So it's going to be an annual,

ongoing program mandated through  
the U.S. Congress and working  
cooperatively with the Social  
Security Administration.

>> Well, thank you so much for  
bringing this to our attention.

I look forward to many  
successful years in advocating  
on behalf of people who are not  
in a position to protect  
themselves in the event of abuse  
and exploitation.

Thank you so much.

Folks, have a great day, and  
thank you for listening.

Bye-bye.