



GREGORY D. TOTTE
District Attorney

NEWS RELEASE

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TRUCK DRIVER PLEADS GUILTY TO WORKERS' COMPENSATION FRAUD

VENTURA, California – District Attorney Gregory D. Totten announced today that Jaime Serna (DOB 1/29/1972), formerly of Fillmore, pled guilty to a felony violation of Insurance Code section 1871.4(a)(1)—making a fraudulent statement of a material fact for the purpose of obtaining workers' compensation benefits.

Serna was employed by Agromin in Santa Paula as a truck driver and injured his right shoulder on May 12, 2010. He was placed off work on temporary total disability and had shoulder surgery on September 10, 2010. He remained off work and continued to collect temporary total disability benefits of two-thirds of his salary, tax free. On February 12, 2012, Agromin received a tip that Serna was working on cars and engaging in physical activities that contradicted his claimed physical limitations. Agromin notified their workers' compensation insurance administrator, who retained private investigators to conduct surveillance of Serna.

Investigators obtained seven and a half hours of surveillance video of Serna working on cars at his residence. He was seen removing a radiator from the engine compartment, removing and replacing batteries and the wheels and tires of the vehicle. He picked up a 36-pound floor jack with his right arm and carried it into his garage.

On July 12, 2012, Serna gave a deposition and lied under oath about his injuries. He stated he could not do anything at home and said the heaviest thing he could carry was one gallon of milk. He denied working on cars and said he was not even able to change the spark plugs on his vehicle.

Serna will be sentenced in courtroom 12 of the Ventura Superior Court, County of Ventura, on July 16, 2019, at 9:00 a.m. He faces a maximum of five years in jail.

Workers' compensation insurance fraud is not a victimless crime. It impacts honest business owners who provide insurance coverage for their employees. In the United States, fraudulent claims cost insured employers \$2 billion annually, with much of these costs passed onto the public. Our office will vigorously prosecute unscrupulous employees who attempt to victimize employers.

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The Ventura County District Attorney's Office is the public prosecutor for the county's 850,000 residents. The office employs approximately 280 employees including attorneys, investigators, victim advocates, and other professional support staff who strive to seek justice, ensure public safety, and protect the rights of crime victims.

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