



GREGORY D. TOTTEN
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NEWS RELEASE

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Truck Driver Sentenced for Workers' Compensation Fraud

VENTURA, California — District Attorney Gregory D. Totten announced today that Jaime Serna (DOB 1/29/1972), formerly of Fillmore, was placed on formal probation for a period of 36 months after pleading guilty to a felony violation of Insurance Code section 1871.4(a), making a fraudulent statement of a material fact for the purpose of obtaining workers' compensation benefits. Serna must make restitution to the victim, American Claims Management, in the amount of \$27,955 and serve 180 days in the Ventura County jail as a condition of his probation.

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 its 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, and removing and replacing batteries and the wheels and tires off the vehicle. He was also observed picking up a 36-lb. floor jack and carrying it into his garage. In July 2012, Serna gave a deposition and lied under oath about his injuries.

Workers' compensation insurance fraud is not a victimless crime. It impacts honest business owners who provide insurance coverage to 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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