



# Department of Justice

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## **SENTENCES HANDED DOWN TO FORMER WORKFORCE WEST VIRGINIA GRANTS MANAGER AND OTHERS FOR DEFRAUDING FEDERAL PROGRAM**

### *Initiative to Combat Theft of Government Funds*

CHARLESTON, W. Va. – A former grant program manager for WORKFORCE West Virginia and others were sentenced today for their roles in defrauding a federal grant program which provides funds to the State of West Virginia. Mary Jane Bowling, 59, of Cross Lanes, West Virginia, was sentenced along with her son, Martin Robinson Bowling, 30, and Christine Karen Gardner, 58, both of Cross Lanes, and Albert Hendershot, 62, of Myrtle Beach, South Carolina for their respective roles in a federal grant program fraud involving funds awarded under the “State Set-Aside Program.” The program, funded through the Workforce Investment Act of 1998 (“WIA”) and administered by the state employment agency, WORKFORCE West Virginia, provides annual grants to public and private entities across the state to be used for employment training and workforce development.

All four individuals previously pleaded guilty to misappropriation of WIA funds. Mary Jane Bowling, who admitted she falsified grant evaluation forms to ensure her son’s company received a \$100,000 State Set-Aside grant, was sentenced to five years probation and a six-month term of home confinement. Additionally, she was fined \$1,000 and ordered to pay \$11,633 in restitution. Mary Jane Bowling administered federal grant funds provided to the State of West Virginia from the U.S. Department of Labor pursuant to WIA.

Bowling’s son, Martin Bowling, a former chief technology officer for the grant recipient COMAR, Inc., was sentenced to five years probation and a one-month term of home confinement for diverting \$5,000 of State Set-Aside grant funds to himself and \$5,000 to Gardner, his mother’s roommate. Martin Bowling was also sentenced to six months in prison and one year supervised release for aggravated identity theft. He was ordered to pay approximately \$13,733 in restitution.

Gardner, who previously admitted she illegally submitted an invoice and received \$5,000 of grant proceeds for work that was not performed on the State Set-Aside grant while she was employed as a grant specialist for the West Virginia State University Extension Office, was sentenced to three years probation, a \$250 fine, and \$5,000 in restitution for her actions.

Finally, Hendershot, CEO for COMAR, was sentenced to five years probation, the first six months of which must be served at a community confinement facility, a \$1,000 fine and \$5,000 in restitution for diverting \$5,000 of the State Set-Aside grant funds to Martin Bowling.

“This case is indicative of our commitment to hold accountable those who defraud programs meant for those in need – whether those funds are meant to assist with medical care, housing, or as in this case, much needed job training and development for the people of West Virginia,” stated U.S. Attorney

Booth Goodwin. “This office will vigorously prosecute theft and misappropriation of taxpayer dollars, especially where, as here, persons holding a public trust are involved.” Goodwin continued.

According to court documents, during the 2008-09 funding cycle, Mary Jane Bowling admitted that she used her position to influence the award of a \$100,000 grant to VEC<sup>3</sup>, LLC, a wholly-owned subsidiary of COMAR, Inc. Mary Jane Bowling’s son, Martin Bowling, served as VEC<sup>3</sup>’s Chief Technical Officer. She did not disclose this relationship to her supervisors during the grant review process. Further, she reviewed the COMAR grant during the evaluation process and gave the proposal a perfect score, then falsely represented that the COMAR proposal had been reviewed by another WORKFORCE WV employee.

In July 2009 after VEC<sup>3</sup> received the grant, Hendershot, COMAR’s President, diverted \$5,000 of the grant funds to Martin Bowling as a “bonus” for helping obtain the grant. To disguise the payment, Hendershot and Martin Bowling agreed that Hendershot would draft the check to Bowling’s then-girlfriend, now wife. Martin Bowling created a contract and invoice to submit to WORKFORCE WV that showed his girlfriend performed “a needs assessment study for small businesses.” However, his girlfriend provided no services under the grant.

Martin Bowling also created false invoices to pay Gardner, his godmother, \$5,000 for helping him write the grant in March and April 2009. The grant guidelines specifically prohibit COMAR from using grant funds to pay expenses incurred before July 1, 2008, when the grant was officially awarded. Gardner, an economic development specialist for West Virginia State University Extension Office, was aware of this prohibition. In late July 2008, after the grant was awarded, Gardner submitted an invoice indicating that she provided “professional consultation” services from July 10 to July 21, 2009.

The Federal Bureau of Investigation and the West Virginia Commission on Special Investigations conducted the investigation. Assistant United States Attorney Thomas C. Ryan handled the prosecution. United States District Judge John T. Copenhaver, Jr. presided over the proceedings.

This case was prosecuted as part of the US Attorney's Initiative to Combat Theft of Government Benefits. The Initiative is designed to protect public funds and to prosecute those who steal benefits from public programs or agencies such as the Railroad Retirement Board, US Veterans Administration, Social Security Administration, and the Department of Labor. The following is a link to the press release concerning the initiative:

[http://www.usdoj.gov/usao/wvs/press\\_releases/2008/jun08/061708.html](http://www.usdoj.gov/usao/wvs/press_releases/2008/jun08/061708.html)

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