

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CRIMINAL DIVISION

COMPLAINT

DCTN: _____
Lockup No: _____
Case No: _____

District of Columbia ss:

Defendant's Name: LORRAINE WHARTON
(First) (MI) (Last) (PDID) (CCNO)
Address: 6617 LANDING WAY, HYATTSVILLE, MD

On or about 11/16/06, within the District of Columbia, LORRAINE WHARTON did KNOWINGLY AND WILLFULLY INFLICTED OR THREATENED TO INFLICT PHYSICAL PAIN OR INJURY BY SLAPPING AND HITTING LUCY MCARDLE (ABUSE OF A VULNERABLE ADULT, IN VIOLATION 22 DC CODE 933, (2004 ED))

Co-Defendants:

Jan L. White
Affiant's Name

Subscribed and sworn to before me this 16 day of January 2007
Robert H. Tugman
(Judge) (Deputy Clerk)

WARRANT

To The United States Marshal or any other authorized federal officer or the Chief of Police of the District of Columbia:
WHEREAS the foregoing complaint and affidavit supporting the allegations thereof have been submitted, and there appearing probable cause and reasonable grounds for the issuance of an arrest warrant for

YOU ARE THEREFORE COMMANDED TO BRING THE DEFENDANT BEFORE SAID COURT OR OTHER PERSON ENUMERATED IN 18 U.S.C. 3041 forthwith to answer said charge.

Issued January 16 2007
Robert H. Tugman
Judge - Superior Court of the District of Columbia

Rule 105:

Sex: Female	DOB:	CCN:	PDID:
Papering Officer: MCMILLAN	Badge No.: 0033250		

OFFICER MUST EXECUTE RETURN

Officer's Name:	Date / Time:
AUSA Signature:	Fel. I <input type="checkbox"/> AFTC <input type="checkbox"/> Fel. II <input type="checkbox"/>

Superior Court of the District of Columbia

CRIMINAL DIVISION

AFFIDAVIT IN SUPPORT OF AN ARREST WARRANT

USW NO.:

DEFENDANT'S NAME: LORRAINE WHARTON					CCR:	PDID:	
SEX: FEMALE	RACE: BLACK	DOB: 09/10/1954	HEIGHT: 5' 2"	WEIGHT: 160	EYES: BROWN	HAIR: BLACK	COMPLEXION: DARK
DEFENDANT'S HOME ADDRESS: 6617 LANDING WAY, HYATTSVILLE, MD 20784						TELEPHONE NUMBER: (301) 213-3126	
DEFENDANT'S BUSINESS ADDRESS:						TELEPHONE NUMBER:	

COMPLAINANT'S NAME:

LUCY McARDLE

LOCATION OF OFFENSE:

3720 UPTON STREET, NW, WASHINGTON, DC 20010

DATE OF OFFENSE:

November 16, 2006

TIME OF OFFENSE:

2:00 P.M.

GIVE BRIEF DESCRIPTION OF WHAT HAPPENED: Page 1 of 1

On November 20, 2006, the District of Columbia Office of Inspector General Medicaid Fraud Control Unit (MFCU) received an Unusual Incident Report (UIR) from the Washington Home (WH) located at 3720 Upton Street, NW, Washington, DC. The UIR stated that on November 17, 2006, resident Lucy McArdle (C1) told the staff at WH that she was verbally and physically abused by her caregiver, who was later identified as Lorraine Wharton (S1). C1 is a 76-year old female diagnosed with several conditions that substantially impair her from adequately providing for her own care. Pursuant to D.C. Code § 22-932, C1 is a vulnerable adult.

Affiant interviewed C1 on December 7, 2006. C1 stated that recently, S1 had handled her roughly and spoke to her in a mean manner, which made her fearful of S1. C1 stated that on several occasions, S1 had pointed her finger at her face and threatened her. C1 stated that on November 16, 2006, S1 was assigned to care for her. S1 appeared to be angry about something while she was assisting C1 with getting dressed. While S1 was putting on C1's sweater, S1's was so rough that C1's right arm hurt and became bruised. C1 then stated that S1 pointed her finger in C1's face and said, "If you put one toe from that bed, I will put you in a wheelchair for the rest of your life." C1 stated that she is so afraid of S1 that she can not sleep.

Affiant interviewed (W1), the charge nurse on C1's floor, on December 7, 2006. W1 stated that on November 17, 2006, C1 asked to speak with her regarding "a problem with an employee." W1 stated that C1 said, "I am having problems with S1 and it is getting worse." C1 told her that while S1 was assisting her dressing on the pervious day, S1 injured her arm. W1 stated that she notified the Director of Nursing and then examined C1. W1 stated that C1 had some minor discoloration on her right wrist area. W1 stated that she has supervised S1 for the past three years.

Affiant interviewed S1 on December 18, 2006. S1 agreed to a non-custodial interview and gave Affiant permission to take a colored photograph of her. S1 denied all allegations of abuse towards C1, but advised that this was not the first complaint filed on her by the residents at the WH.

On January 9, 2007, Affiant showed C1 a colored photograph of S1 taken on December 18, 2006. C1 confirmed that individual depicted in the picture is the person who abused her and who she knows by name. On January 9, 2007, Affiant showed the Director of Nursing and the Social Worker handling the case internally the colored photograph of S1 taken on December 18, 2007. Both confirmed that individual depicted in the picture is the person who they know as S1.

Based upon evidentiary information obtained during the investigation, Affiant believes S1 committed the crime of Criminal Abuse of a Vulnerable Adult as defined in D.C. Code § 22-933, subsection (1), when she caused pain to C1.

Based on the above mentioned facts and circumstances, Affiant believes that probable cause exists for the District of Columbia Superior Court Judge to issue a warrant for the arrest of Lorraine Wharton.

AFFIANT'S SIGNATURE:

X SA. Van McMillan, I.D. # IG-33250, 202-727-5864, ORI # DC0010400

PLEASE ISSUE A WARRANT FOR:

LORRAINE WHARTON

CHARGED WITH: Abuse of Vulnerable Adult

ASSISTANT UNITED STATES ATTORNEY

SUBSCRIBED AND SWORN TO BEFORE ME THIS

16 DAY OF January 2007

(JUDGE) (DEPUTY CLERK) SUPERIOR COURT OF THE DISTRICT OF COLUMBIA

Sbx
1/16/07

1/16/07

Bob A. Tennis