

# Statement for the Record

January 17

# 2014

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Name: Elsiebeth Brandee McCoy and Sarah Carver

Employees from Huntington, WV SSA/ODAR (As a preliminary matter we do not represent the Social Security Agency and the statements in this correspondences are our opinion).

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**Re: Chairman Johnson Announces Hearing on Social Security  
Disability Fraud Scheme in New York**

Response: SSA/ODAR Huntington, W.Va. - The Agency has promoted and rewarded managers for engaging in reprisal and has paid an employee \$31,000 in what appears to be hush money for her participation in scheme to "take out" a whistleblower

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January 17, 2014

Chairman Johnson  
Committee on Ways and Means Committee

Re: SSA/ODAR Huntington, W.Va. - The Agency has promoted and rewarded managers for engaging in reprisal and has paid an employee \$31,000 in what appears to be hush money for her participation in scheme to "take out" a whistleblower

Chairman Johnson,

Thank you for asking Commissioner Colvin if she is going to hold managers in West Virginia responsible on January 16, 2014 in the hearing before the Committee on Ways and Means. I regret to hear she reported that, "We're not making any changes in the administration at all. There is no suggestion, in my understanding, that we need to do that at this time."

### **Background**

We are employees in Huntington, WV that reported to Senator Coburn's investigative staff that a whistleblower, Sarah Carver, was followed by a private detective. I, Brandee McCoy, found out after my Hearing Office Director Stephen Hayes and an employee Sandra Dyer admitted that they conspired to stalk Carver in an effort to ruin her credibility before the United States Senate Committee on Homeland Security and Governmental Affairs and then have her fired. Dyer also implicated Chief Judge ALJ Sherri Laba. With the release of the staff report released by the United States Senate Committee on Homeland Security and Governmental Affairs; *How Some Legal, Medical and Judicial Professionals Abused Social Security Disability Programs for the Country's Most Vulnerable: A Case Study of the Conn Law Firm* on October 7, 2013 we discovered that Chief ALJ Charlie P. Andrus and Eric C. Conn also participated in the scheme. Some of these facts have also been confirmed by the Office of General Counsel and Office of Inspector General for the Agency.

Stephen Hayes and Sherri Laba were promoted and Sandra Dyer has been placed on administrative leave and paid \$31,000 allegedly in consideration, "to keep her mouth shut." Charlie Andrus has been allowed to retire on the taxpayer's dime. Sadly, managers John Patterson and Carrie Roland knew that Sarah was stalked long before I made disclosures in

the spring of 2012. Specifically they received a fabricated video tape from Eric C. Conn, an attorney accused of case fixing. Through the discovery process it has come to employee's attention that managers including, Bobby Bentley, seek guidance from **Deputy Commissioner's Glen Sklar's** office on how to silence and break employees who speak out about the prohibited personnel practices in this office. Since we have made disclosures, we have weathered storms of reprisal. Others who speak out are on the fast track of removal. There would be more but employees live and work in fear of losing a "good job."

### **Proposed Solution**

With all due respect, we are asking the Committee to place a bite in the NO FEAR ACT and recommend to the agency that these managers be removed from their positions and barred from federal service. Instead, many have been promoted or have been given training opportunities in New York (during holiday season on the taxpayers dime). Managers who have engaged in the reprisal lack the necessary legal knowledge and moral compass to spot and weed out corruption. With the tools they have available to them managers have financially handicapped, bullied and ostracized employees in Huntington and New York for speaking out or cooperating in investigations. Finally, managers have cost the agency and taxpayers a considerable amount of time, money and resources by forcing employees to file grievances with the Union, EEO, OSC, MSPB and their elected representatives to seek redress due to the reprisal.

### **West Virginia's Connection to New York**

Please be advised that there may be a link between Huntington and New York, NY. During the course of the 2011 congressional and criminal probe into the Huntington ODAR hearing office, the agency may have rid the office of all NY files. Last week, I asked the Chief of Police to report the FBI in New York, NY that the Huntington ODAR office completed 8,000 cases from New York from the years of 2003-2005. Sarah Carver reported the information to investigators from the Committee on Homeland Security and Governmental Affairs. We both called prosecutors in New York and given the lead.

Sincerely,

McCoy/Carver

