

ARREST / NOTICE TO APPEAR

AD M I N I S T R A T I O N	OBTS Number		Agency ORI Number 0500400		Agency Name Delray Beach Police Department		Agency Report Number (N.T.A.'s only) 4 0 16-016064		1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Capias 3		JUVENILE		
	Charge Type: Check as many as apply: <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Location of Arrest (Including Name of Business)		Location of Offense (Business Name, Address) 3200 S CONGRESS AVE 102, BOYNTON BEACH, FL 33426		If Weapon Seized Enter Type: None/not Applicable		Multiple Clearance Indicator 05				
	Date of Arrest		Time of Arrest		Booking Date		Booking Time		Jail Date		Jail Time		
	Name (Last, First, Middle) KIGAR, JAMES FRANCIS		Sex M		Date of Birth 05/16/1961		Height 5'11		Weight 180		Eye Color HAZEL		Hair Color BROWN
D E F E N D A N T	Race W - White B - Black O - Oriental/Asian W		Complexion MEDIUM		Build		Scars, Marks, Tattoos, Unique Physical Features (Location, Type, Description)		Marital Status M		Religion		
	Local Address (Street, Apt. Number) 801 SW 5TH ST, BOCA RATON, FL 33486		(City)		(State)		(Zip)		Phone		Residence Type: 1. City 2. County 3. Florida 4. Out of State 2		
	Permanent Address (Street, Apt. Number) 801 SW 5TH ST, BOCA RATON, FL 33486		(City)		(State)		(Zip)		Phone		Address Source		
	Business Address (Name, Street) WHOLE LIFE RECOVERY OWNER, 3200 S CONGRESS AVE, BOYNTON		(City)		(State)		(Zip)		Phone		Occupation Owner		
C O D E F	D/L Number, State K260446611760 / FL		Soc. Sec. Number		INS Number		Place of Birth (City, State) INDIANAPOLIS, IN		Citizenship US		Indication of: Alcohol Influence Drug Influence Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unk. <input type="checkbox"/>		
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		
	Co-Defendant Name (Last, First, Middle)		Race		Sex		Date of Birth		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		<input type="checkbox"/> 1. Arrested <input type="checkbox"/> 2. At Large <input type="checkbox"/> 3. Felony <input type="checkbox"/> 4. Misdemeanor <input type="checkbox"/> 5. Juvenile		
	<input type="checkbox"/> Parent <input type="checkbox"/> Legal Custodian		Name (Last, First, Middle)		Address (Street, Apt. Number)		(City)		(State)		(Zip)		
J U V E N I L E	Notified by: (Name)		Date		Time		JUVENILE DISPOSITION 1. Handled/Processed within Department and Released 2. TOT JAC 3. Incarcerated		Residence Phone		Business Phone		
	Released To: (Name)		Relationship		Date		Time		The above address was provided by <input type="checkbox"/> defendant and/or <input type="checkbox"/> defendant's parents. The child and/or parent was told to keep the Juvenile Court Clerk's Office (Phone 355-2526) informed of any change of address.		School Attended		
	Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		Value of Property		Grade		Property Crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Description of Property		
	Drug Activity N. N/A P. Possess		S. Sell B. Buy T. Traffic		R. Smuggle D. Deliver E. Use		K. Disperses/ Distribute		M. Manufacture/ Produce/ Cultivate		Z. Other		
C H A R G E	Charge Description Aiding, Abetting, Advising, or Participating in Patent Brokerage		Statute Violation Number 817.505(1)(d)		Violation of ORD #		Bond		Drug Type N. N/A A. Amphetamine		B. Barbiturate C. Cocaine E. Heroin		
	Charge Description		Statute Violation Number		Violation of ORD #		Bond		H. Hallucinogen M. Marijuana O. Opium/Deriv.		P. Paraphernalia/ Equipment S. Synthetic		
	Charge Description		Statute Violation Number		Violation of ORD #		Bond		U. Unknown Z. Other				
	Charge Description		Statute Violation Number		Violation of ORD #		Bond						
I N T A K E	Health / Apparent Physical Condition of Defendant		Any knowledge of the following: <input type="checkbox"/> Mental <input type="checkbox"/> Escape Risk <input type="checkbox"/> Medication <input type="checkbox"/> Deformities <input type="checkbox"/> Injuries		Explain:		PROPERTY - Received By		Released By		Released To		
	Check which applies: <input type="checkbox"/> Released O.R. <input type="checkbox"/> Released to Parent/Guardian <input type="checkbox"/> T.O.T. County Jail <input type="checkbox"/> Postol Bond <input type="checkbox"/> South County Mental Health		Date Transported		Time Transported		Other						
	Transported By		Date Transported		Time Transported		Other						
	INSTRUCTION NO. 1 - Mandatory appearance in court INSTRUCTION NO. 2 - You need not appear in Court but must comply with instructions on Page 2.		Location (Court, Room)		Court Date and Time								
N O T I C E T O A P P E A R	I AGREE TO APPEAR AT THE TIME AND PLACE DESIGNATED TO ANSWER THE OFFENSE CHARGED OR TO PAY THE FINE SUBSCRIBED. I UNDERSTAND THAT SHOULD I WILLFULLY FAIL TO APPEAR BEFORE THE COURT AS REQUIRED BY THIS NOTICE TO APPEAR, THAT I MAY BE HELD IN CONTEMPT OF COURT AND A WARRANT FOR MY ARREST SHALL BE ISSUED.		Signature of Defendant (or Juvenile)		Date Signed		Name Verification (Printed by Arrestee)		(PRINT)		PAGE 1 OF 1		
	HOLD for Other Agency		Signature of Defendant (or Juvenile)		Date Signed		Name Verification (Printed by Arrestee)		(PRINT)		PAGE 1 OF 1		
	<input type="checkbox"/> Dangerous <input type="checkbox"/> Resisted Arrest <input type="checkbox"/> Suicidal <input type="checkbox"/> Other		Signature of Defendant (or Juvenile)		Date Signed		Name Verification (Printed by Arrestee)		(PRINT)		PAGE 1 OF 1		
	Intake Deputy		L.D. #		Pouch #		Signature of Defendant (or Juvenile)		Date Signed		Name Verification (Printed by Arrestee)		

☐ COURT ☐ STATE ATTORNEY ☐ AGENCY ☐ CENTRAL RECORDS ☐ JAIL ☐ CRIME ANALYSIS ☐ P. I. O. ☐ DEFENDANT

OBTS Number		PROBABLE CAUSE AFFIDAVIT		1. Arrest 2. N.T.A. 3. Request for Warrant 4. Request for Copies		3	JUVENILE
A	Agency ORI Number		Agency Name		Agency Report Number		
D	FL 0500400		DELRAY BEACH POLICE DEPARTMENT		4 0 16-016064		
M	Charge Type: Check as many as apply. <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 6. Other						Special Notes:
N	Name (Last, First, Middle)						Alias
D	KIGAR, JAMES						Race
E							Sex
F							Date of Birth
C	Charge Description						Charge Description
H	PARTICIPATING IN PATIENT BROKERING						
A	Charge Description						Charge Description
R							
G							
E							
S							
V	Victim's Name (Last, First, Middle)						Race
I	STATE OF FLORIDA,						W
C							M
T	Local Address (Street, Apt. Number)						Phone
I	FLORIDA, FL						(561) -
M	Business Address (Name, Street)						Occupation
							(561) -
<p>The undersigned certifies and swears that he/she has just and resonable grounds to believe, and does believe that the above named Defendant committed the following violation of law.</p> <p>The Person taken into custody...</p> <p><input type="checkbox"/> committed the below acts in my presence. <input type="checkbox"/> was observed by _____ who told _____ that he/she saw the arrested person committ the below acts.</p> <p><input type="checkbox"/> confessed to _____ admitting to the below facts. <input checked="" type="checkbox"/> was found to have committed the below acts, resulting from my (described) investigation.</p> <p>On the 30 day of June, 2016 at 00:00 (Specifically include facts constituting cause for arrest.)</p> <p>The following investigation was conducted between June and October of 2016 in Palm Beach County, Florida regarding an ongoing patient brokering scheme between the owner of a sober home and a substance abuse treatment facility.</p> <p>On June 30, 2016, I met with a past proven reliable confidential informant (DBPD CI # V 16-0025), who advised that he/she currently had a contract for patient referral fees with James Kigar ("Jimmy"), an owner/operator of a substance abuse treatment facility named Whole Life Recovery, LLC ("Whole Life"). The contract between Kigar and the CI was referred to as a "case management" agreement. CI # V16-0025 explained the referral process as follows: when a new resident moved in CI #V 16-0025 would send Whole Life the resident`s insurance information for a Verification of Benefits (VOB). Once that person`s insurance was approved, CI #V 16-0025 would refer the resident to Whole Life for substance abuse treatment and the person would begin attending Intensive Outpatient (IOP) or Outpatient (OP) treatment. IOP is a form of substance abuse treatment that includes individual and group therapy. OP is similar but less intensive with visits occurring less frequently. The contract stipulated that the CI would be paid a patient referral fee of \$400 per week, per insured patient that he/she referred to Whole Life for treatment. The CI was required to complete a "Whole Life Recovery Weekly Individual Case Management Report" on each of those patients. The form was documentation of the services to be provided by the sober home for the patient. To this day, no agent, employee, or owner of Whole Life has ever visited the sober home of CI # V16-0025 to inspect the living condition and/or to verify completion of any "case management" services they claim to be paying for.</p> <p>There have been reports that the case management agreement was developed by treatment facilities in an attempt to circumvent Florida`s patient brokering statute which states "it is unlawful for any person to offer or pay any commission, bonus, rebate, kickback, or bribe, or engage in any split-fee arrangement to induce the referral of patients or</p>							
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OBTS Number		PROBABLE CAUSE AFFIDAVIT SUPPLEMENT		1. Arrest 2. N.T.A.	3. Request for Warrant 4. Request for Capias	3	JUVENILE
A D M I N I S T R A T I V E	Agency ORI Number FL 0500400		Agency Name DELRAY BEACH POLICE DEPARTMENT		Agency Report Number 4 0 16-016064		
	Charge Type: Check as many as apply. <input checked="" type="checkbox"/> 1. Felony <input type="checkbox"/> 2. Traffic Felony <input type="checkbox"/> 3. Misdemeanor <input type="checkbox"/> 4. Traffic Misdemeanor <input type="checkbox"/> 5. Ordinance <input type="checkbox"/> 6. Other		Special Notes:				
Name (Last, First, Middle) KIGAR, JAMES				Alias	Race	Sex	Date of Birth
<p>patronage to or from a health care provider" §817.505, Fla. Stat. (2016). A health care provider includes "any substance abuse service provider licensed under chapter 397. Whole Life is a licensed facility under 397.</p> <p>Based on an extensive number of interviews with people involved in substance abuse treatment, sober home owners typically refer their residents to a particular facility based on the patient's insurance and the referral fee paid by the facility.</p> <p>On August 19, 2016, I sought and received court approval to conduct an undercover operation at Whole Life pursuant to 42 U.S.C. section 2.</p> <p>On August 23, 2016, CI # V16-0025 received a call from a Whole Life employee stating he/she had been fired by James Kigar and would not be there that day when the CI picked up his/her check. At approximately 1300 hrs., a representative from Whole Life called the CI and advised that his/her check (patient referral fee) was ready. A controlled meeting was scheduled for the CI # V16-0025 to pick up the patient referral fees. At approximately 1354 hrs I met with the CI at a predetermined location and placed an [REDACTED] device on him/her. The CI then proceeded directly to Whole Life where Investigator Ted Padich observed him/her enter at approximately 1402 hrs. The CI turned in multiple "Whole Life Recovery Weekly Individual Case Management Report"s one for each of the patients he/she was housing and collected a check from a W/F. The CI asked for James Kigar. He/she was told Kigar was there earlier in the day when he dropped off the checks, but he was no longer there. Then the CI sat down for a meeting with a W/M that was new to him/her. The person identified himself as Chris Hutson. He was later identified as Christopher Lee Hutson DOB 3/16/80, who had recently been released from prison and was currently under supervision by the United States District Court, Southern District of Florida Probation Office.</p> <p>The CI told Hutson he/she would like to talk about a contract for bringing more clients for more money. Hutson said he was working on creating contracts with his attorney. Hutson explained there are 2 task forces through the State Attorney's Office and he has learned what to expect and what not to do. Hutson told the CI that he attends the "Sober Homes Task Force" meetings. I checked the Sober Homes Task Force meeting sign-in sheets. Hutson's name was written directly below James Kigar's name on the August 8, 2016 Sober Homes Task Force Proviso meeting sign-in sheet. Hutson said, Whole Life Recovery will now be using W-2s and will make CI # V160025 a "Bona Fide Employee with a bonus structure". Hutson explained that Whole Life would make the CI an employee. At that time the CI would no longer be their own entity they will be part of Whole Life. Under this new agreement, the CI will be paid a weekly base salary, then after a specified number of patients the CI will also get a bonus. Hutson told the CI they were switching to the new format because the State Attorney thought that a sober home referring clients to a treatment facility is considered patient brokering. Hutson said that he and his attorney Jeffrey Lynne attend the Sober Homes Task Force meetings twice</p>							
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p>[REDACTED]</p> <p>NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p><u>10/20/16</u> DATE</p> </div> <div style="width: 45%; text-align: right;"> <p>SIGNATURE [REDACTED]</p> <p><u>10/19/2016</u> DATE</p> </div> </div>							
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a month and they want to get away from "case management."

Hutson recapped the CI's future contract, explaining that the CI would become a "marketer" for Whole Life and would be paid \$1,200 to \$1,250 per week for four clients. Any number of clients past 4 would result in a bonus. The CI would have to complete a W-2, have taxes taken out each month, and become a "bona fide Whole Life employee." Hutson said his attorney Jeffrey Lynne was assisting him with completing the new contracts, and they would remain on a scale to avoid trouble. Hutson offered the CI to come up with an amount he/she would be comfortable with per client. Then he would talk to Kigar and see if they could come to an agreement. On a later date during a telephone conversation, Hutson and the CI came to an agreement of \$500 per patient per week. On September 22, 2016, during a recorded visit, Hutson acknowledged the new agreement.

The CI told Hutson that some of their residents have Blue Cross Blue Shield of Florida policies. Hutson told the CI that they do not accept that type of insurance. Hutson asked the CI what he/she thought about Whole Life Recovery. The CI said they thought it was chaotic and Verifications of Benefits take more than a week. Hutson told the CI "that will never happen again. Not while I am here."

Hutson said he wanted to go to the CI's sober home and acknowledged that he had never been there before. According to former employee, S.J., Whole Life never checked/visited any of the physical locations of the sober homes. To this day, no agent, employee, or owner of Whole Life has ever visited the sober home of CI # V16-0025 to inspect the living condition and/or to verify completion of any "case management" services they claim to be paying for.

The CI left the business at approximately 1436 hrs., he/she returned to a predetermined location to meet with me. I retrieved the [REDACTED] and took a picture of the envelope and check given to the CI by Whole Life. The envelope had the CI's 1st initial, last name and the 1st part of the name of his/her sober home on it. The check was written to the CI's sober home in the amount of \$1,184.00. The check was a hand written Whole Life Recovery, LLC check dated August 22, 2016, and signed by James Kigar. On the notes line "CM WK of 8/15-8/21" was written (meaning Case management for the week of 8/15/16 to 8/21/16). The check was a BB&T bank check account number [REDACTED]. The CI advised this was a payment for 4 clients.

During this meeting and all subsequent meetings with Hutson he is clearly seen in the video making decisions on behalf of Whole Life. He is seen directing employees and terminated employees will testify that they were fired by Hutson. A recent report by Kigar to the Department of Children and Families neglects to mention that Huston works there.

On August 30, 2016, another controlled meeting was scheduled for the CI # V16-0025 to pick up his/her patient referral fees. I met with the CI at approximately 1350 hrs at a

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<p>predetermined location. At that time I placed the [REDACTED] device on him/her. The CI proceeded directly to Whole Life. [REDACTED] observed the CI enter Whole Life at approximately 1354 hrs. The CI was greeted by a female. She said the checks were not ready until "Jim" came and signed them around 2pm. She said Stephanie was not there anymore and she was training Erika Gonzalez to be the new case manager. She offered for the CI to wait for Kigar's arrival or she would meet him/her later to give them the check. The CI asked if they could fill out their case management reports while he/she waited. The CI was given the forms and sat down in the lobby to complete them.</p> <p>Then the CI was then sent into Christopher Hutson's office. The CI told Hutson he/she had completed four case management reports. Hutson asked how everything was going. CI said good and that he/she thought their sober home was about to get some new clients. Hutson said "Everyone wants to make money, I completely understand that" and "I ain't never going back to prison again, no one is ever gonna come here and try to set me up or do anything that is gonna hurt me in any kinda way. Cause I'll tell you what, it ain't gonna happen this time. Not to me. It happened last time. That's how 33 of us went to prison. A lot of people talked shit and said we did stuff we didn't do." Hutson says, "We can't pay more. I know some people are paying way more, but at the end of the day, there is a market value and they perceive that." Hutson then asked the CI, "a lot of people, they do do this right, they have you sign the case management forms? CI said yes, he/she signs them every week. Hutson confirms "with other company's?" CI said yes. Hutson asked "same thing? That's good." Hutson asked if the other companies "already have this in place for you." CI said the forms were already being used and each week he/she completed the forms. Hutson said "good". CI said that he/she fills the forms out on arrival at Whole Life each week, but could fill them out and have them ready on arrival. Hutson asked if that would be easier. CI said yes. Hutson said then they should do it that way. Hutson talked about some people being paid \$300, \$400 and over \$400. He said now that he was there he changed it and everyone was going to be paid the same \$400 per week. Hutson said he had been so busy, but would be coming by the CI's sober home. Hutson continued, "So, I know you want to make more money, but right now, I wish I could, but. How much do you get paid everywhere else?" CI said "\$500." Hutson whistles. CI said "I am supposed to be getting \$525 here." Hutson said "I know."</p> <p>Then the CI asked where Kigar was, and reminded Hutson he/she was there to collect his/her check. Hutson said that Kigar was supposed to be there soon. The CI barely spoke during this meeting. The CI left the location at approximately 1454 hours, without receiving his/her referral payment. The CI met me at a predetermined location at approximately 1507 hrs. I collected the recording device and the case management reports he/she had just filled out for patients, E.G, M.T., C.P., and T.H. I made a copy of the forms and returned them to the CI.</p> <p>At 1507 hrs Investigator Padich observed Kigar arrive at Whole Life Recovery. Kigar was</p>							
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p>[REDACTED]</p> <p>NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p><u>10/19/16</u> DATE</p> </div> <div style="width: 45%;"> <p>SIG [REDACTED]</p> <p>NAME OF OFFICER (PLEASE PRINT)</p> <p><u>10/19/2016</u> DATE</p> </div> </div>							

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Name (Last, First, Middle) KIGAR, JAMES				Alias	Race	Sex	Date of Birth
<p>driving a white Jeep FL tag GXTU46. The vehicle was registered as a lease to Kelly Kigar. Shortly thereafter the CI received a call from a Whole Life employee stating the checks were ready.</p> <p>At approximately 1727 hrs I met with the CI and placed the [REDACTED] on him/her. The CI proceeded directly to Whole Life where [REDACTED] observed the CI enter at approximately 1729 hrs. The CI collected his/her check from a female with glasses. The CI left the business at approximately 1733 hrs. He/she then met with me at a predetermined location at approximately 1739 hrs where. I retrieved the [REDACTED] and took a picture of the check given to the CI by Whole Life. The CI was also given a letter detailing a program schedule change made in observance of Labor Day. I also photographed the letter.</p> <p>The check was written to the CI's sober home in the amount of \$1,600.00. The check was a hand written Whole Life Recovery LLC check # 1596, dated August 30, 2016 and signed by James Kigar. On the notes line "CM WK of 8/22-8/28" was written (meaning Case management for the week of 8/22/16 to 8/28/16). The check was a BB&T bank check account number [REDACTED]. The CI advised this was a payment for 4 clients.</p> <p>On September 8, 2016, another controlled meeting was scheduled for the CI # V16-0025 to pick up his/her patient referral fees. At approximately 1053 hrs., I met with the CI at a predetermined location and placed the [REDACTED] on him/her. The CI then proceeded directly to Whole Life. Boynton Beach Police Department [REDACTED] observed the CI enter Whole Life at approximately 1058 hrs. The CI was handed 4 blank case management reports to complete, one for each of his/her clients who attend Whole Life. He/she completed the forms in the lobby. After he/she completed and returned the reports a female gave him/her their check. The CI left the business at approximately 1113 hrs. He/she returned to a predetermined location to meet with me. I retrieved the [REDACTED] and photographed the check given to the CI by Whole Life Recovery. The check was written to the CI's sober home in the amount of \$1,600.00. The check was a hand written Whole Life Recovery LLC check # 1620, dated September 6, 2016 and signed by James Kigar. On the notes line "CM WK of 8/29-9/4" was written (meaning Case management for the week of 8/29/16 to 9/4/16). The check was a BB&T bank check account number [REDACTED]. The CI advised this was a payment for 4 clients.</p> <p>On September 15, 2016, another controlled meeting was scheduled for the CI # V16-0025 to pick up his/her patient referral fees. At approximately 1147 hrs I met with the CI at a predetermined location and placed the [REDACTED] on him/her. I also photographed the case management reports dated 9/15/16 that the CI was about to turn in, for patients "E.G.", "M.T.", "C.P.", and "T.H." The CI then proceeded directly to Whole Life. At approximately 1151 hrs [REDACTED] BBPD observed the CI enter the business. The CI turned in the reports and was given his/her check and miscellaneous</p>							
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Name (Last, First, Middle) KIGAR, JAMES		Alias		Race		Sex	
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paperwork explained below. The CI left the business at approximately 1206 hrs. He/she returned to a predetermined location to meet with me, where I retrieved the [REDACTED].

The CI showed me a hand written Whole Life Recovery LLC check # 1648, dated September 13, 2016 and signed by James Kigar for \$1,150.00. On the notes line "CM 9/5-9/10" was written (meaning case management for the week of 9/5/16 to 9/1/16). The check was a BB&T bank check account number [REDACTED]. The check came in an envelope that had a Whole Life sticker on it. The CI was also given a W-9 form to complete, and a case management weekly attendance sheet. The "Case Management Weekly Attendance" sheet listed patients M.T. (OP), E.G. (IOP), C.P. (OP), and T.H. (OP). The attendance sheet showed the OP patients attending 2 times and the IOP patient attending 3 times during the listed week. There was also a dollar amount next to each patient, \$250 each for OP and \$400 for the IOP patients. I took pictures of all of the listed items.

On September 22, 2016, another controlled meeting was scheduled for the CI # V16-0025 to pick up his/her patient referral fees. At approximately 1230 hrs I met with the CI at a predetermined location and placed the [REDACTED] on him/her. The CI then proceeded directly to Whole Life Recovery. At approximately 1236 hrs [REDACTED] observed the CI enter the business. An older W/F greeted the CI and asked what he/she was there for. The CI said to see "Chris or Christl" and fill out the... she interrupted and said "Case management form?" The CI said yes. She said Christl isn't there, but she will ask Hutson for them. Hutson came into the room and said "I thought you were going to hook me up when I told you that new price for your new clients." CI responded that he/she had to get them first. Hutson: "I said all new clients you bring \$500, and you didn't even do nothing yet." CI said "there are a million halfways in the area". The lady gave the CI the forms and said "here are the case management forms and here is a clip board, you know the drill, you sign here and here is your check." The female told the CI that the clients are now getting massage and chiropractic treatments on Monday and Wednesdays. They discussed that M.T. was discharged, so the CI only had 3 clients there. The CI said he/she had another client wanting to attend Whole Life but she had Blue Cross Blue Shield insurance. The female said if the policy is half way decent they would take her. She told the CI to get the insurance info over to Christl and Christl would run it, and that they were going for PHP (Partial Hospitalization Program) now. This means they are intending to provide additional higher level of care services. PHP includes residential along with 5 days per week of treatment. At 1253 hrs the CI exited the business, and met me at a predetermined location. I retrieved the [REDACTED] and photographed the check provided to the CI by Whole Life Recovery, LLC. The check was a hand written Whole Life Recovery LLC check # 1673, dated September 19, 2016 and signed by James Kigar for \$900. On the notes line "CM 9/12-9/18" was written (meaning Case management for the week of 9/12/16 to 9/18/16). The check was a BB&T bank check account number [REDACTED].

On September 22, 2016 I met with a prior employee of Whole Life who actually provided some of the "case management services" that Whole Life claimed to be paying the sober

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<p>home owners for. Prior employee, initials S.J. provided the following statement: he/she was hired in April 2016 as a "Case manager" his/her responsibilities included helping clients obtain bus passes, food stamps, finding doctors for other ailments... and he/she was the liaison between the sober homes and Whole Life. I asked why he/she was handling the "ancillary" services because based on the case management agreements the sober home owners were responsible for them. He/she said if the patient told him/her it wasn't done he/she took care of it. After a short time, he/she became the admissions coordinator.</p> <p>When he/she started, a few other sober homes such as True Sober Living, Blue waters, and a few others already had case management contracts in place with Whole Life. These sober homes were getting paid a patient referral fee of \$525 per insured patient per week. All of the sober homes that contracted with Whole Life after his/her employment began were paid \$400 per week per insured patient. Issues arose between the sober home owners and Whole Life over payments. Whole Life wanted to pay less for each patient with a Florida Blue insurance policy and wanted to wait to pay the sober homes their referral fee until they received the pay out from the insurance company. The sober home owners argued that their contracts detailed a \$525 or \$400 payment per week as long as the patients attended all of their treatment sessions. He/she reported that Whole Life continued to honor the contracts. They did this even though they were reportedly having financial difficulty, as a result of billing issues and lack of insurance payouts. Kigar finalized all of the case management contracts with the sober homes. S.J. said that a visit/inspection of the sober home by Whole Life was not necessary prior to the contracts being finalized. To his/her knowledge, no agent, employee, or owner of Whole Life ever inspected or visited any of the sober homes they contracted with to provide case management services for their patients. He/she said all of the sober home/Whole Life case management contracts were stored in Christl Rush's office.</p> <p>He/she explained the case management payments to sober homes. A patient would attend all of their weekly treatment sessions and then the halfway house owner would be paid the following Tuesday. Kigar signed all of the checks for Whole Life. This included case management checks, payroll checks, rent and any other business checks. After Kigar signed the checks, Christl Rush filled out the details and amounts.</p> <p>He/she said there were multiple owners of Whole Life. They did not see them often, but they would come through on their way to the billing company, when there were billing issues. Brian Mangines, Kevin Koshi, Matthew Driscoll and Kent Murry were the other owners. He/she said Murry was currently incarcerated, but Whole Life makes payments to his son Kenny Murry.</p> <p>During the last few weeks that he/she worked at Whole Life, Hutson started working there. The owners brought in Hutson because Kigar wanted to get out of the daily operations of the business and focus on his other business. She also noted, neither Whole Life nor any of its agents or employees ever checked/visited any of the physical locations of the sober homes.</p>							
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<p>On September 23, 2016, PBSO CI # 1173 wore a [REDACTED] and entered the business to meet with Christopher Hutson. He/she told Hutson that he/she had people that were looking for treatment. The CI said he/she would organize the housing for these people. The CI asked if he/she could have the same deal as everyone else. Hutson told the CI that [REDACTED] may have a problem with it ethically, but he is fine with it. Hutson told the CI that he/she needed to get a VOB completed prior to admittance. The CI asked if the VOB should go through Erika, and Hutson said yes. Hutson told the CI that he/she would have to sign a contract when he/she was ready to bring in new clients, and the CI acknowledged.</p> <p>All of the recordings, documents and photographs detailed above were entered into evidence on October 4, 2016.</p> <p>Based on the aforementioned facts probable cause exists to arrest James Kigar for 5 counts of Aiding, Abetting, Advising, or Participating in Patient Brokering. For the referral of patients from the CI's sober home to Whole Life Recovery, LLC. each week for five weeks as documented above pursuant to F.S.S. 817.505(1)(d), Fla. Stat.</p>							
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<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>SWORN AND SUBSCRIBED BEFORE ME</p> <p>[REDACTED]</p> <p>NOTARY PUBLIC / CLERK OF COURT / OFFICER (F.S.S. 117.10)</p> <p><u>10/28/16</u> DATE</p> </div> <div style="width: 45%;"> <p>SIGNATURE OF OFFICER</p> <p>[REDACTED]</p> <p>NAME OF OFFICER (PLEASE PRINT)</p> <p><u>10/19/2016</u> DATE</p> </div> </div>							