

Minnesota Reformer

COMMENTARY

A Somali-American former investigator: why you're hearing about fraud in my community

KAYSEH MAGAN JULY 17, 2024 6:00 AM



📷 FBI agents raided the home of Abdimajid Mohamed Nur of Shakopee. He was later indicted as part of a bribery investigation. Photo by Madison McVan/Minnesota Reformer.

The Minnesota Attorney General's Office, where I previously worked as a fraud investigator, announced last year its largest ever Medicaid fraud case, charging **18 people** with stealing \$9.5 million. Not long after, the AG charged **three people** with stealing nearly \$11 million, again in Medicaid funds. In May, **eight** were charged with defrauding Medicaid of \$2.6 million. Last month, the AG charged **five** people with stealing more than \$10 million. These cases – all charged in the past year – carry a combined dollar amount greater than the sum of all 261 criminal convictions for Medicaid fraud secured by the attorney general since October 2018.

You may not have read or seen much about these cases, but you've surely heard about the **five people found guilty** last month of multiple charges in the first trial in what has become known as the Feeding Our Future fraud.

In total, 70 people have been charged in the scheme to bilk the federal government of more than \$250 million meant to feed hungry children during the pandemic. The *Reformer* **reported**

that almost half the defendants who were charged in the federal meals program had *other* businesses that received funds from the state.

We must grapple with something that is uncomfortable and true: Nearly all of the defendants in the cases I've listed are from my community. The Somali community.

We began arriving in the U.S. to escape civil war and famine in the early 1990s. Minnesota, with its unforgiving winters, became an unlikely magnet for many of my people. But word spread that Minnesota is an inviting place, with generous social programs and a history of welcoming immigrants. Minnesota is now home to the largest Somali population in the United States. The vast majority of us are working people, joining the throngs of immigrants who have come before us from all over the globe, in search of freedom and opportunity.

Somalis set up a plethora of businesses and nonprofits to meet the needs of our community. Many of these businesses and nonprofits rely on taxpayer-funded programs that provide services to low-income Minnesotans.

My fellow Minnesotans have wondered – almost always privately – why so many fraud stories have centered on the Somali community. My experience as a fraud investigator has taught me that fraud occurs when desire meets opportunity.

My community, like others, has its share of people who are poor, desperate and seek shortcuts. Many were skilled professionals whose experience and education credentials are not recognized in the U.S. As a result, they have had to resort to working menial jobs, which can be emotionally debilitating while failing to deliver financial security.

Additionally, a significant number of Somalis are the sole providers for extended family members who live back home, where the annual per capita GDP is about \$600. The remittances they send every month sustains their extended family members and keeps afloat the local economy.

That covers the desire, and here's where opportunity comes into play: Minnesota's public programs don't adequately guard against organized fraud.

The systems intended to catch fraud are mostly designed to root out *recipient* fraud. It is exceedingly difficult to guard against *providers* who collude with recipients, which is the type of fraud most pervasive in the Somali community. It is both time-consuming and resource-intensive to investigate complex fraud schemes involving providers who work with recipients to defraud the government, though investigators have trained their eyes: The charges in the most recent Medicaid fraud case allege that the co-conspirators paid kickbacks to lure recipients to their agency.

Let me explain how providers are often duping or colluding with recipients: Both in tradition and culture, and as refugees living in another country, we are a tight-knit community. We share the same language, culture and faith.

Unlike the wider American society, which is increasingly fractured and mistrustful of each other, Somalis inherently trust one another. This creates a vast opening for fraudsters.

The conduit for fraud in publicly funded programs are the recipients, who require services. Somali recipients face language and cultural barriers. In an unfamiliar country, they lean heavily on other Somalis. Somali providers are in a position of trust, and some have taken advantage.

What's often lost is that Somalis are usually the victims in many of these cases – their identities have been stolen by providers, or they have been used by providers to get state money but never receive the services that they need – like desperately needed mental health services, for instance.

Somali recipients are often courted by Somali providers based on clan ties and familial relations, not necessarily the quality of the service they intend to provide. This relationship, which blurs the traditional boundaries between a recipient and a provider, can enable fraud.

Legitimate providers in my community say it's challenging to keep recipients because some rival providers offer kickbacks to induce recipients to switch. Somali recipients may not always be aware that they are partaking in or enabling fraud. When they are, fear of ostracism can prevent them from reporting fraud or cooperating with investigators.

The close community bond also magnifies and accelerates information sharing. For those inclined to commit fraud and who operate a business that receives public funds, this includes the vulnerabilities in publicly-funded programs. Word spreads quickly of new programs and their vulnerabilities.

The Feeding Our Future fraud is the most notorious example. Some in my community opened meal sites, and invited their family and friends to do the same after restrictions were loosened due to the Covid-19 pandemic. According to court documents, various meal sites throughout the state engaged in the same scheme to defraud the government, with some using the same names of children, some generated by a website.

Our system of *qaaraan* provides a social safety net in the form of financial assistance to those who have fallen on hard times. Unfortunately, it has also been used to financially support people who have been charged with defrauding the government. Funds raised by the community have gone towards paying bail and expensive legal bills incurred by fraudsters. This assistance from the community has reduced the stigma once associated with criminality and enabled fraudsters to offload onto others the financial costs associated with their crimes.

Fraudsters have also sought to exploit the burgeoning political power of the Somali community, and the feckless fear that establishment politicians and state agencies show when confronted with charges of racism or Islamophobia.

Consider: In November 2020, the Feeding Our Future nonprofit sued the state Department of Education and alleged that “thousands of qualified children in low-income and minority communities are going without desperately needed federal food programs because MDE refuses to process Feeding Our Future applications.”

In June 2021, more than 100 people, mostly Somali, protested outside MDE’s office. Many held signs that read “F.O.F. Feeds our kids, MDE won’t” and accused MDE of discrimination. So far, at least two people who attended that rally are among those charged.

MDE officials told the Office of Legislative Auditor that “the threat of legal consequences and negative media attention affected MDE’s decisions about the regulatory action it did and did not take against Feeding Our Future.”

Then there was the attempt to bribe juror No. 52 the day before jury deliberations were expected to begin in the first Feeding Our Future fraud trial. Five people were indicted in this alleged bribery attempt. According to the indictment, the juror was selected in part because she appeared to be the only person of color on the jury.

According to the FBI, the alleged conspirators prepared written arguments for juror 52. One argument read, “We are immigrants: they don’t respect or care about us.” Another stated: “Why why why is it always people of color and immigrants prosecuted for the fault of other people including Kara Lomen and even the Governor.”

During my time at the Office of the Attorney General, I witnessed some members of my community who were under investigation by our office brazenly level false accusations of discrimination against my colleagues. Rather than retain an attorney to argue their case in court, some sought out the attorney general at public events; others reached out to Somali elected officials.

Members of my community must cease the leveraging of race and religion to avoid accountability, and Minnesota’s (mostly DFL) politicians must muster the courage to address the systemic fraud in our publicly funded programs.

Fraud in government programs leaves taxpayers feeling resentful, and rightfully so. Rampant fraud in these programs erodes public support for them and in the long run hurts our community and those who rely on them.

Of course, as long as there are people who possess the desire and opportunity to commit fraud, fraud will occur, and I implore my fellow Somalis to respect the law.

But the responsibility for preventing the fraud rests with our elected leaders. Let's hope they get to work.