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Accountant gets 6 years for embezzlement

Nearly \$170,000 taken from region's kidney foundation

BY BILL MCKELWAY

TIMES-DISPATCH STAFF WRITER

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Robert B. Graves Jr., an accountant, didn't need a calculator yesterday to compute the years he will spend in prison.

Six.

It might be tougher for the former accounting director to make good on the money he took from the National Kidney Foundation of the Virginias. That equals \$169,939. Plus \$20,000 more for the cost of the investigation.

Standing before Judge Catherine C. Hammond of Henrico County Circuit Court, Graves, 56, apologized profusely for his misdeeds and recognized the harm his embezzlement scheme over a six-year period had done to his family and to an organization dedicated to serving people with kidney problems.

"I'll do my best to straighten everything out," he told the judge. "I'd like to leave this Earth with a clean slate."

But prosecutor Frank LaRuffa challenged the likelihood of Graves ever making restitution, given his age and meager moneymaking abilities.

Even in the course of the embezzlement, Graves worked as a cashier at a grocery and stationery store to generate more money.

"He was working these jobs just trying to maintain the standard of living his family had been accustomed to," said defense lawyer Brice Lambert.

LaRuffa said that lifestyle, while not exotic, was beyond Graves' means.

No money has been recovered, and Graves appears to have spent it at low-budget clothing and merchandise stores.

And while he never contributed out of his own pocket to the kidney foundation, investigators found that Graves had made a \$925 donation from the foundation's own assets.

Hammond paused at one point, wondering how she could balance Graves' sentence with one from another judge last week that had sent Robert B. Wilton III to prison for 23 months for stealing \$1.4 million.

But Graves had a previous conviction for larceny. Twelve years ago, he was found to have diverted \$78,000 from a hotel complex in Chesterfield, where he was the controller. He received a 25-year suspended sentence and served no time in prison.

Hammond sentenced Graves to 10 years each on six charges, suspending all but six years.

Next month, he will appear before a Chesterfield judge who could impose some portion of the suspended sentence he received there.

A spokesman for the foundation, which covers most of Virginia and southern West Virginia, said this year that the theft did not significantly erode services provided to kidney patients. The not-for-profit health agency has worked to shore up security since it was discovered in March 2005 that Graves had a criminal record.

Graves left the courtroom in handcuffs yesterday, while a daughter who watched the proceedings left through another door in tears.

Lambert said Graves' wife did not have the heart to attend.

"They can't bring themselves to talk about what happened," he said.

The family will likely lose their home, he said. Graves' wife is delivering newspapers to try to supplement the family income.

Contact staff writer Bill McKelway at bmckelway@timesdispatch.com or (804) 649-6601.