

# **Successful UI Fraud Prosecutions in Texas**

**2008 National UI Integrity  
Professional Development  
Conference**

**Salt Lake City, Utah  
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# UI Fraud

- **Check based with unreported earnings**
- **Statistics**
  - 2006
    - 411 cases referred for prosecution
    - 90 successful dispositions
    - \$1,152,948 in restitution
  - 2007
    - 156 cases referred for prosecution
    - 164 successful dispositions
    - \$1,275,881 in restitution



# Prosecution Dispositions

## *Common Examples*

- March 13, 2007
- Angel L. Martinez, age 40
- Received 4 yrs **deferred adjudication probation** from the 144<sup>th</sup> District Court, Bexar County
- **State jail felony Theft**
- Restitution ordered: \$2,918
- Fine: \$1,500
- Community service hours: 320
- Paid \$2,000 restitution before sentencing

# Prosecution Dispositions

## *Common Examples*

- April 6, 2007
- Sherreese L. Smith, age 38
- **Convicted**, received 4 yrs **regular probation** from the 265<sup>th</sup> District Court, Dallas County
- State jail felony **Securing Execution of Document by Deception**
- Restitution ordered: \$9,307
- Fine: \$1000
- Community service hours: 120

# Prosecution Dispositions

## *Common Examples*

- March 19, 2005
- Derrick D. Pellum, age 29
- Received 2 yrs deferred adjudication probation from the Panola County Court at Law
- **Class A misdemeanor Fraudulently Obtaining Unemployment Insurance Benefits**
- Restitution ordered: \$7,872
- Fine/court costs: \$100/\$291
- Community service hours: 80

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# Contributing Factors

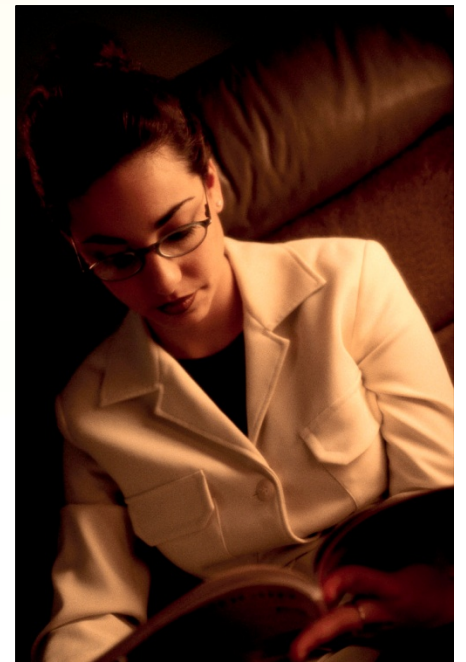
- **Single Prosecution Packet**
- **Make it simple – tell a story**

*Remember: prosecution must prove each and every element of the offense “beyond a reasonable doubt.”*

- **Be a teacher – Frank Allison Case, Ellis County**
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# Evidence in Check-Based Cases

- **Getting through the door**
  - Certified evidence
  - Certified checks
- **Debit-card-based cases**



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# Venue: Where to File

*The Travis County Trick*



# Publication of Results

*Deterrence*

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# Successful UI Fraud Prosecutions in Texas

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