

Successful UI Fraud Prosecutions in Texas

**2008 National UI Integrity
Professional Development
Conference**

**Salt Lake City, Utah
April 22-23**



J. D. Bynum

J. R. Lewis

T. N.

Williams

C. R.

Thompson
D. McKinney

A. C. Carter

G. W. Taylor

W. E. Payne

K. T. Johnson

C. Minor, Jr.

C. Williams, Jr.

M. M.

Anderson
J. K. Farr

B. L. Wyatt

R. Griffin, Jr.

L. Fanner

T. L. Mayfield

T. Nickson

J. Y. Perez

C. Johnson

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 144th 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 265th 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

Contributing Factors

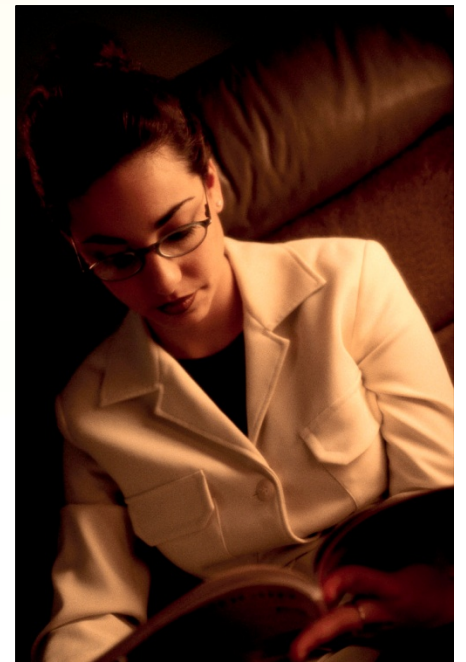
- **Single Prosecution Packet**
- **Make it simple – tell a story**

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

- **Be a teacher – Frank Allison Case, Ellis County**
-

Evidence in Check-Based Cases

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



Venue: Where to File

The Travis County Trick



Publication of Results

Deterrence

Successful UI Fraud Prosecutions in Texas

Evan S. Farrington, Attorney
Manager, Fraud Prosecutions Unit
Regulatory Integrity Division
Texas Workforce Commission
Austin, Texas
evan.farrington@twc.state.tx.us

2008 National UI Integrity Professional
Development Conference
Salt Lake City, Utah
April 22-23

