

DEPARTMENT OF BENEFIT PAYMENTS

October 18, 1974



ALL COUNTY LETTER NO. 74-207

TO: ALL COUNTY WELFARE DIRECTORS
SPECIAL INVESTIGATIVE UNITS
ALL DISTRICT ATTORNEYS

SUBJECT: PERJURY IN FAIR HEARINGS

A system has been instituted in this Department whereby referrals are being made to the Operations Security Office (OSO) of cases in which perjury is alleged or suspected in testimony given in fair hearings. OSO has been directed to refer these cases to local agencies for investigation and possible prosecution.

The following procedure will govern the handling of such cases:

1. Upon receipt of an allegation of perjury in a fair hearing, OSO will procure a copy of the tape of the fair hearing and forward it, with any pertinent supporting documents and a copy of the allegation, to the Special Investigative Unit (S.I.U.) of the county concerned. If the county does not have an S.I.U. or welfare fraud investigator, such materials will be sent to the person in the welfare department designated by the county director to refer cases to the district attorney for investigation.
2. The county S.I.U. will conduct a full and prompt investigation of the allegation, and if the evidence justifies it, will request a criminal complaint from the district attorney. If the county welfare department has no S.I.U. or welfare fraud investigator, the case will be referred to the law enforcement agency which handles welfare fraud investigations.
3. No later than thirty days after such a referral is sent to the county and at sixty-day intervals thereafter, county welfare departments will inform OSO in writing as to the status of the case. OSO will maintain such contacts as may be necessary to

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insure proper investigation and follow-up. County welfare departments will inform OSO of the decision of local law enforcement officials to prosecute or not to prosecute.

4. For statistical purposes, such cases will be treated as "other" AFDC investigations.

Sincerely,



JAMES M. MOOSE, JR.
Deputy Director

cc: CWDA

STANDARD

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CWDA