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February 1, 2007

TO: Each Supervisor

FROM: Bryce Yokomizo, Director

SUBJECT: BOARD OF SUPERVISORS: MOTION ON DEVELOPMENT OF COMPREHENSIVE PROGRAM TO IDENTIFY, PROSECUTE AND PREVENT FOOD STAMP TRAFFICKING IN LOS ANGELES COUNTY (BOARD ORDER #61-A – DECEMBER 12, 2006)

On December 12, 2006, your Board directed our Department, in consultation with the District Attorney (DA) and the Countywide Criminal Justice Coordination Committee (CCJCC), to report on the development of a comprehensive program to identify, prosecute and prevent food stamp trafficking in Los Angeles County. In response to your motion, DPSS and representatives from the DA met with state and federal agencies to identify several options for identifying, prosecuting and preventing food stamp trafficking.

On January 17, 2007, DPSS met with representatives from the DA, and senior managers from FNS and the USDA/OIG to discuss what can be done to deter and investigate food stamp trafficking. While OIG informed us that they are responsible for the identification, investigation and prevention of trafficking by merchants; they did agree that they would be willing to work with us to identify ways in which we could work together to curb this type of fraud.

Among the areas discussed were expanding responsibility for investigation and prosecution and how the agencies involved can best work together on prevention activities. The departments agreed to explore the following and meet again to discuss:

- Funding sources which could be accessed by DPSS and the District Attorney for the investigation of food stamp trafficking, including funding for specialized training for DA Investigators by OIG staff on investigating merchant trafficking.

- The feasibility of obtaining funding to allow the District Attorney to prosecute some merchant trafficking cases referred by the Federal Prosecutor and the criteria for these referrals.

- Use of existing data on food stamp reports that could potentially alert us to food stamp trafficking.

Additionally, DPSS and the DA will work to implement the following activities which focus on the prevention of food stamp trafficking:

- Develop a Public Awareness Campaign, including posters in DPSS District Offices, advising applicants and recipients of the penalties for selling their food stamp benefits and how to report suspected food stamp trafficking by both vendors and recipients.

- Request WeTip include information on food stamp trafficking in its public service announcements and any brochures provided at events such as neighborhood fairs.

- Explore implementing an Administrative Disqualification Hearing process in Los Angeles County. Disqualification Hearings allow a penalty to be imposed on participants when the total food stamp over-issuance falls below the DA's minimum loss for prosecution in criminal court, however it should be noted that the standard of proof is the same as required for prosecution in criminal court.

Finally, we made a presentation to the CCJCC on January 17, informing them of the motion and the fact that we will keep them updated on our activities in this area.

We are hopeful that our collaborative efforts with the USDA and the DA will result in a reduction of food stamp trafficking in Los Angeles County. We will update your Board in 90 days.

BY:mh

c: Chief Administrative Officer
District Attorney
Executive Officer, Board of Supervisors