

U.S. Department of Justice  
Civil Rights Division  
950 Pennsylvania Avenue, NW  
Special Litigation Section  
Washington, D.C. 20530

February 11, 2011

To Whom It May Concern:

The purpose of this letter is to request a formal investigation of the state of Oregon, by and through its Department of Justice, into what we believe to be serious violations of the civil rights of disabled veterans in Oregon by the past and present Oregon Attorney Generals (Hardy Meyers and John Kroger) and various employees of the Oregon Department of Justice. Thank you in advance for your prompt attention to this matter.

The Oregon War Veterans Association (OWVA) has been working for years to advocate for veterans in our state, and as part of that work, we discovered in 2003 that the Oregon Department of Justice's Child Support Section (herein "DOJ") had a pattern and practice of intentionally causing financial harm to veterans and persons with disabilities. We believe the reason the DOJ has been engaged in this fraudulent behavior in order to defraud the federal government of millions of dollars the state of Oregon would not otherwise be entitled to.

Specifically we found that when a 100% disabled person in Oregon was (1) divorced, (2) paying child support as required by a court order, through the state of Oregon, and (3) made all the payments as required in a timely fashion, the person was nevertheless not getting the required "credit" for the payments the person was actually making. As a result, the state of Oregon would report the person to national credit reporting agencies (even though the person was not in arrears), which caused the person's credit to be completely ruined, causing an increasing in the interest rates the person would pay.

Worse, the DOJ would report these persons to the federal government as "deadbeat dads," supposedly in an effort to pad the number of "deadbeat dads" in Oregon, in order to increase the amount of federal enforcement dollars the DOJ would be eligible to receive. Keep in mind, the DOJ would report these numbers to the federal government, even though the state of Oregon, and the DOJ, knew the numbers were inflated.

We believe from testimony during the 2001 and 2003 legislative sessions, that the DOJ administrative rules affected about 700 US Military Disabled Veterans -and many more additional SSI recipients. The time when this problem began was estimated at sometime before 1995.

One of our members was told by an anonymous source in the DOJ that about \$1.5 million in additional federal funds was raised (per year) by leaving the names of disabled persons on the deadbeat dad's list, even though they made their payments as scheduled. We have testified in legislative committees that we believe those funds were received fraudulently. If our estimates are correct, the DOJ has received more that twenty million dollars in fraudulent funds, since 1995.

In 2003, we were able to get the Oregon Legislature to require the DOJ to give a dollar for dollar credit for all future payments made toward child support by disabled veterans and other disabled persons in Oregon. But, the DOJ continued to fight us on giving retroactive credit for payments already made.

The OWVA was unsuccessful in changing the law in the 2005 and 2007 legislative years.

In November of 2008, the OWVA was successful in convincing the soon-to-be elected attorney general (John Kroger) that he needed to change the agency policy (under threat of a class action lawsuit that OWVA was preparing on behalf of disabled payors of child support in Oregon).

Kroger did change the applicable administrative rules in 2009 shortly after he took office, and formed (at our insistence) a relationship with the Oregon Department of Veteran Affairs to help educate veterans about future child support issues.

The OWVA also continued to attempt to pass legislation that guaranteed **a permanent statutory solution** to the problem, but the AG's office fought us in the 2009 Senate Judiciary Committee. Though the committee chair heard our testimony, he decided to let the problem be solved via a departmental administrative ruling, rather than through permanent legislation.

Though the AG did make the administrative changes necessary to keep the previous problems from continuing, he has done nothing about our claim that the federal government was potentially defrauded of tens of millions of dollars through the child-support issue, and there has been no attempt to remedy any of the problems caused by keeping disabled veterans on the list from (est.) 1995 through 2009.

We are not sure why the Oregon Attorney General has not made public the issue of possible fraud in his department. He knows that we are aware of this, and have planned to ask for an investigation if he didn't do something about it.

Aside from our belief that fraud has been committed, the lingering effects of the abusive treatment (including costs associated with the high credit costs of rents, house payments, car payments credit card purchases, etc. caused by poor credit ratings reported by DOJ, etc) and other civil rights violations of disabled persons, including veterans in Oregon who were affected by the DOJ child support collection policies will never go away.

The OWVA has tried to remedy the fraud/abuse issues at the state level, but we feel we now need to make these complaints to federal agencies, so they can be investigated properly. We believe that a simple request for internal communication documents relating to the Child Support issue, and the "deadbeat dad list" enforcement plan will probably reveal all that you need to know to discover a potential cover-up of the issues we have alleged. So, we formally ask that your division properly investigate this situation.

Please keep us as apprised as possible, because as veteran advocates, we would like to inform Oregon's disabled veterans of any recourse they may have to remedy their personal problems caused by this horrible treatment.

Respectfully,

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