



OFFICE OF THE
DISTRICT ATTORNEY
ORANGE COUNTY, CALIFORNIA
TONY RACKAUCKAS, DISTRICT ATTORNEY

CHARLES MIDDLETON
CHIEF ASSISTANT D.A.

JIM TANIZAKI
SENIOR ASSISTANT D.A.
FELONY OPERATIONS 1

WILLIAM FECCIA
SENIOR ASSISTANT D.A.
FELONY OPERATIONS 2

DAVID HIMELSON
SENIOR ASSISTANT D.A.
BRANCH COURT OPERATIONS

DONALD BLANKENSHIP
CHIEF
BUREAU OF INVESTIGATION

LISA BOHAN - JOHNSTON
DIRECTOR
ADMINISTRATIVE SERVICES

June 3, 2004

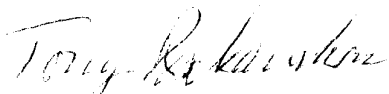
The Honorable Judge Frederick P. Horn
Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

RE: Orange County Grand Jury Report of March 26, 2004
"County Fraud Hotline---Does it Work?"

Dear Judge Horn:

Our office is in receipt of the above referenced Grand Jury Report. Please find attached the Orange County District Attorney's Office response to the specific Grand Jury Report.

Sincerely,


Tony Rackauckas
Orange County District Attorney

WJF/TR:vlb
Attachment

REPLY TO: ORANGE COUNTY DISTRICT ATTORNEY'S OFFICE

WEB PAGE: <http://www.oc.ca.gov/da/>

MAIN OFFICE
401 CIVIC CENTER DR W
P.O. BOX 808
SANTA ANA, CA 92701
(714) 834-3600

NORTH OFFICE
1275 N. BERKELEY AVE.
FULLERTON, CA 92631
(714) 773-4480

WEST OFFICE
8141 13TH STREET
WESTMINSTER, CA 92683
(714) 896-7261

SOUTH OFFICE
30143 CROWN VALLEY PKWY.
LACINA, NICHOLS, CA 92677
(949) 249-5026

HARBOR OFFICE
4601 JAMBOREE BLVD
NEWPORT BEACH, CA 92663
(949) 476-4650

JUVENILE OFFICE
341 CITY DRIVE SOUTH
ORANGE, CA 92668
(714) 935-7824

CENTRAL OFFICE
700 CIVIC CENTER DR. W
P.O. BOX 808
SANTA ANA, CA 92701
(714) 834-3600

The Honorable Frederick P. Horn

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June 3, 2004

RE: Orange County Grand Jury Report of March 26, 2004

"County Fraud Hotline---Does it Work?"

Finding Number 7. The Orange County Office of Risk Management, the District Attorney and the I.A.D. all operate hotlines, yet those three organizations do not coordinate their systems.

Response to Grand Jury Finding Number 7.

Partially Agrees with Finding

The Office of the District Attorney operates a phone line to receive complaints of fraud. It is not referred to as a "hotline." There is a telephone number in our office that members of the public are referred to when they want to report a crime that might be within the purview of our Economic Crimes unit or our Consumer Protection unit. This number is usually answered by a paralegal who will provide (usually by mail) the caller a form to be used in reporting the potential crime. The reported potential crimes are not limited to fraud within county government but include all fraud within the county.

Upon receipt of the complaint it is analyzed to ascertain if it is appropriately handled by this office or another governmental agency. If the complaint is appropriately handled by another governmental or police agency it will be referred to that agency and the complaining party so informed. If handled by this office an investigator is initially assigned to handle the initial investigation. If evidence of a crime is thereby uncovered a prosecutor will be assigned to determine if criminal or civil charges are warranted.

If the complaint is to be handled by our office, we may not formally coordinate our investigation with other non law enforcement agencies that operate "hotlines". This is because law enforcement investigations generally must be conducted in a confidential manner to be most effective. As an example, if we were to commence an investigation of potential criminal fraud in another county agency, premature disclosure of our efforts could be detrimental to that investigation. In addition if the complaint is later determined to be without merit, disclosure could unfairly damage the lives of innocent citizens. It is for this reason that criminal investigative files are exempted from disclosure under Government Code section 6254(f) (California Public Records Act).