



The CITY of BREA Police Department

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June 29, 2004

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

Re: Response to Grand Jury Identity Theft Findings

The Orange County Grand Jury produced a report entitled "Identity Theft: What Are Local Law Enforcement and Prosecutors Doing to Combat the Problem?" In the Grand Jury report, the Brea Police Department was specifically requested, pursuant to Penal Code 933.05(f), to respond to three listed findings (findings 3-5). Below are the findings and our recommended responses to those findings for your review and comments.

FINDINGS

3. "The Orange County District Attorney, the Orange County Sheriff-Coroner Department, and the city police departments in Orange County take steps to form and actively participate in a countywide Regional Identity Theft Task Force comprised of representatives of each of these agencies. The task force should seek the cooperation and participation of the United States Postal Inspector, the United States Secret Service, the United States Immigration and Naturalization Service, and the United States Federal Trade Commission. (Finding 3)"

RESPONSE

Currently, the Brea Police Department has three detectives assigned to investigate all identity-theft related crimes reported to our jurisdiction. Due to budget eliminations and the nature of task forces, our ability to investigate identity theft cases would not be enhanced by the creation of a task force. Our experience is that the task forces usually set a high standard on the kind of cases the task force would take on, leaving the majority of cases left to the local agencies to investigate. Without additional funding, participation in

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a task force would necessitate reducing our local investigative staff to fund the task force position.

Another reason that we believe a task force is not in the best interest of our department is that our existing resources assigned to investigate identity thefts at the Brea Police Department can be used for other investigations as needed. Typically, officers that would be assigned to a task force would be limited to task force activities and unavailable for other investigative department needs.

We believe there is sufficient cooperation between local, state, and federal agencies without a task force. The Orange County Financial Crimes Investigators Association (OCFCIA) serves as a venue for information sharing. Our investigators frequently collaborate and share information with various agencies on identity theft investigations. For these reasons, we disagree with Finding 3.

FINDING

4. “Orange County city police departments and the Orange County Sheriff-Coroner Department work cooperatively to develop standardized public information materials, possibly modeled after excellent pamphlets that now exist, for use by all departments. (Finding 4)”

RESPONSE

The Brea Police Department has developed and made available to the public a printed brochure and a dedicated page on our website with public information materials related to identity-theft crimes. Our information includes specific information for reporting those crimes to the Brea Police Department. The Financial Crime Unit of the Brea Police Department also conducts training and speaks to merchants and public groups about identity prevention. The Financial Crimes Unit is an active member of the Corporate Security Council, a group of Brea security managers for large employers, and frequently provides crime prevention information to Brea merchants and the security managers on identity theft incidents.

Although a generic brochure developed on countywide basis may have some benefits, we believe our public information exceeds the requirements advocated by the Grand Jury.

FINDING

5. “Orange County city police departments and the Orange County Sheriff-Coroner Department adopt a standardized identity-theft crime-reporting form, possibly modeled after forms now in use by several police departments. (Finding 5)”

RESPONSE

The Brea Police Department agrees with Grand Jury Findings 5, that there is a benefit to the creation of standardized forms for reporting, investigation, and filing of identity-theft crimes. This recommendation will not be implemented because additional analysis is required. Within six months, the Brea Police Department will investigate the forms used by other agencies and submit a report to the Chief of Police to determine if a standardized form should be implemented. Should the Orange County Chiefs of Police and Sheriff's Association decide to use a standardized identity theft reporting form, the Brea Police Department would collaborate in its creation and participate in its use.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. J. Messina". The signature is written in a cursive, flowing style.

MICHAEL J. MESSINA, CHIEF OF POLICE
BREA POLICE DEPARTMENT