

## CITY OF FOUNTAIN VALLEY

10200 SLATER AVENUE • FOUNTAIN VALLEY, CA 92708-4736 • (714) 593-4400, FAX: (714) 593-4498

### EXCERPT OF MINUTES OF THE CITY COUNCIL OF THE CITY OF FOUNTAIN VALLEY, CALIFORNIA

A Regular Meeting of the City Council of the City of Fountain Valley was held on June 15, 2004.

COUNCIL MEMBERS PRESENT: Ayer, Brothers, Collins, Crandall, Carrozzo

COUNCIL MEMBERS ABSENT: None

17. RESPONSE TO GRAND JURY IDENTITY THEFT FINDINGS

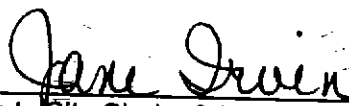
The Vote was 5-0 to accept the responses to the Grand Jury Report and forward them to the Grand Jury and Judge Horn.

ADJOURNMENT: Mayor Guy Carrozzo declared the meeting adjourned at 8:30 p.m.

STATE OF CALIFORNIA            )  
COUNTY OF ORANGE            )ss  
CITY OF FOUNTAIN VALLEY        )

I, Jane Irvin, Deputy City Clerk of the City of Fountain Valley, hereby certify the foregoing to be a full, true, and correct copy of the minute entry on record in the Office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the City of Fountain Valley this 30<sup>th</sup> day of May, 2004.

  
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Deputy City Clerk of the City of  
Fountain Valley, California



# **CITY OF FOUNTAIN VALLEY**

## **COUNCIL ACTION REQUEST**

TO: Honorable Mayor and  
Members of the City Council

Agenda Date: June 15, 2004

**SUBJECT: RESPONSE TO GRAND JURY IDENTITY THEFT FINDINGS**

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### **EXECUTIVE SUMMARY:**

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 Fountain Valley Police Department, along with other law enforcement agencies, was specifically requested to respond to three listed findings (findings 3-5) pursuant to Penal Code 933.05(f). State Law requires a comment on the finding in the Grand Jury report be made by the governing body and mayor of each City under the Grand Jury's jurisdiction. The following includes recommended responses to the Grand Jury Report.

### **DISCUSSION:**

Pursuant to Penal Code Section 933.05(a) and (b), the City must respond to each of the findings in the Grand Jury report. This report was made public on April 16, 2004. Cities must respond 90 days after the report is made public, or by July 16, 2004. The Police Chief must also respond to the report, within 60 days, or by June 16, 2004. The Chief's response is identical to the recommended responses in this report. Of the Report's five Findings, only 3, 4, and 5 require response, since Findings 1 and 2 directly relate to the Orange County District Attorney's Office.

The Grand Jury's report is in response to the increase in thefts due to criminals using pertinent personal information of victims to their own ends. From the Grand Jury's report:

"In September 2003, the Federal Trade Commission issued the report, 'Federal Trade Commission-Identity Theft Report' in which the Commission notes that 27.3 million Americans have been the victims of identity theft in the last five years, including 9.9 million in the last year alone" (Orange County Grand Jury, 2004)

The Fountain Valley Police Department has worked, like our neighboring agencies, to combat this crime trend. Below are the findings in the Grand Jury report to which the City must respond, and the recommended responses to each finding as they relate to the Fountain Valley Police Department. It should be noted that the Orange County

Chiefs and Sheriff are responding similarly, and request that their governing bodies respond similarly.

#### GRAND JURY FINDING

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 County-wide 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."

#### RESPONSE

The Fountain Valley Police Department has a Detective assigned to work identity-theft-related crimes reported within our jurisdiction. Once a determination has been made that a crime has been committed, resources from local, State and the Federal Government (including the United States Postal Inspector, Secret Service, Immigration and Naturalization Service and the Federal Trade Commission) are already available to provide local assistance or assume jurisdiction for the investigation.

The forming of a task force would not benefit our Department, as sufficient resources and cooperation currently exist between law enforcement agencies informally. Our Detective attends monthly meetings with the Orange County Fraud and Credit Card Investigators Association, the Southern California Fraud Investigators Association and the International Association of Fraud and Credit Card Investigators Association. These meetings include law enforcement agencies from the local and federal levels and the private sector, such as banks, credit card companies and the credit bureaus. In addition, our existing resources assigned to investigate identity thefts at the Fountain valley Police Department can be used for other investigations as needed. This is crucial at a time of limited financial resources and a limited work force. Typically, Officers assigned to a task force are unavailable for other investigative Department needs.

#### GRAND JURY 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."

## RESPONSE

The Fountain Valley Police Department developed a pamphlet several years ago addressing identity theft and has a dedicated page on the Department's website as well. The brochure contains information on how to prevent identity theft, how to report it and numerous other resources available related to the subject matter. This written material has been made available to the public in English and has been shared with numerous state and federal law enforcement agencies.

## 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."

## RESPONSE

The Fountain Valley Police Department does not currently have a report form dedicated to identity theft. The departments that use such forms developed them for the purpose of having the public complete them. As such, the forms prompt the victim for the information needed. Our Department has a Police Officer or a trained civilian employee obtain the necessary information and write the police report. We do not have the victim complete the report form. As a result, a fill-in-the-blank-style report form is not necessary for our Department.

The response to the Grand Jury Report should be made to the Honorable Frederick P. Horn, Presiding Judge of the Superior Court, 700 Civic Center Drive West, Santa Ana, CA 92701, with a separate copy and an electronic format (PDF preferred) mailed to the Orange County Grand Jury, 700 Civic Center Drive West, Santa Ana, CA 92701.

## ALTERNATIVES:

**Alternative No. 1:** Accept the responses to the Grand Jury Report and forward them to the Grand Jury and Judge Horn.

**Alternative No. 2:** Do not accept the responses to the Grand Jury Report and direct Staff to readdress the Grand Jury findings.

## FINANCIAL ANALYSIS:

If Council accepts Alternative No. 1, there will be no financial impact to the City.

**RECOMMENDATION:**

Staff recommends City Council adopt Alternative No. 1: Accept the responses to the Grand Jury Report and forward them to the Grand Jury and Judge Horn.

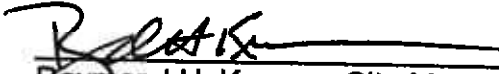
PREPARED BY:

  
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Paul A. Sorrell, Chief of Police

REVIEWED BY:

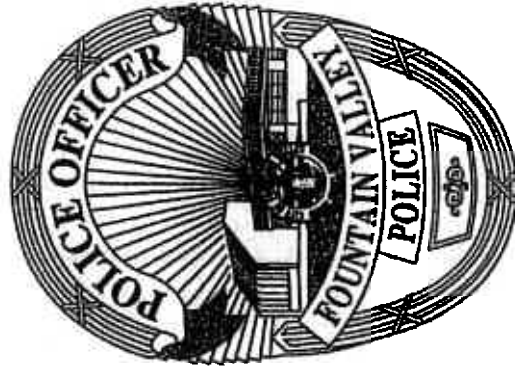
  
\_\_\_\_\_  
Alan R. Burns, City Attorney

APPROVED BY:

  
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Raymond H. Kromer, City Manager

# IDENTITY THEFT

## A Quick Reference Guide



### FOUNTAIN VALLEY POLICE DEPARTMENT

Elvin G. Miali  
Chief of Police

#### PC 530.5: Unauthorized Use of Personal Identifying Information

(a) Every person who willfully obtains personal identifying information, as defined in subdivision (b), of another person without the authorization of the person, and uses that information for any unlawful purpose, including to obtain, or attempt to obtain, credit, goods, services, or medical information in the name of the other person without consent of that person is guilty of a public offense.

- Report all lost or stolen credit cards immediately.
- Closely monitor expiration dates on your credit cards. Contact the credit card issuer if replacement cards are not received prior to the expiration dates.
- Beware of mail or telephone solicitations disguised as promotions offering instant prizes or awards designed solely to obtain your personal information on credit card numbers.

#### Internet and On-Line Services

- Use caution when disclosing checking account numbers, credit card numbers or other personal financial data at any Web site or on-line service location unless you receive a secured authentication key from your provider.
- When you subscribe to an on-line service, you may be asked to give credit card information. When you enter any interactive service site, beware of con artists who may ask you to "confirm" your enrollment service by disclosing passwords or the credit card account number used to subscribe. Don't give them out.

#### Fountain Valley Police Department Economic Crime Detail

10200 Slater Avenue  
Fountain Valley, CA 92708  
(714) 593-4461

[www.fountainvalley.org](http://www.fountainvalley.org)

- and other financial information you don't want before discarding them.
- Empty your wallet of extra credit cards and IDs, cancel the ones you do not use and maintain a list of the ones you do.
- Order your credit report from the three credit bureaus once a year to check for fraudulent activity or other discrepancies.
- Never leave receipts at bank machines, bank counters, trash receptacles, or unattended gasoline pumps. Keep track of all your paperwork. When you no longer need it, destroy it.
- Memorize your social security number and all of your passwords. Do not record them on any cards or on anything in your wallet or purse.
- Sign all new credit cards upon receipt.
- Save all new credit card receipts and match them against your monthly bills.
- Be conscious of normal receipt of routine financial statements. Contact the sender if they are not received in the mail.
- Notify your credit card companies and financial institutions in advance of any change of address or phone number.
- Never loan your credit cards to anyone.
- Never put your credit card or any other financial account number on a postcard or on the outside of an envelope.
- If you applied for a new credit card and it hasn't arrived in a timely manner, call the bank or credit card company involved.

## WHAT IS IDENTITY THEFT?

Identity theft involves acquiring key pieces of someone's identifying information, such as name, address, date of birth, social security number, and mother's maiden name, in order to impersonate them. This information enables the identity thief to commit numerous forms of fraud which include, but are not limited to, taking over the victim's financial accounts, opening new bank accounts, purchasing automobiles, applying for loans, credit cards and social security benefits, renting apartments, and establishing services with utility and phone companies.

### What to do if you become a victim:

- Set up a folder to keep a detailed history of this crime.
- Keep a log of all your contacts and make copies of all documents.
- Contact all creditors, by phone and in writing to inform them of the problem.
- Notify the US Postal Inspector if your mail has been stolen or tampered with.

You can find the telephone number for the US Postal Inspector listed under the Federal Government section of the phone book. You can also access them over the internet at:

[www.usps.gov/websites/department/inspect](http://www.usps.gov/websites/department/inspect)

- Contact the Federal Trade Commission to report the problem at: [www.ftc.gov](http://www.ftc.gov) The FTC is the federal clearing house for complaints

by victims of identity theft. The FTC helps victims by providing information to help resolve financial and other problems that could result from identity theft. Their hotline telephone number is 1-877-IDTHEFT (438-4338).

- Call each of the three credit bureaus' fraud units to report identity theft. Ask to have a "Fraud Alert/Victim Impact" statement placed in your credit file asking that creditors call you before opening any new accounts.
- Request that a copy of your credit report be sent to you.

### Credit Bureaus

#### Equifax:

PO Box 74021, Atlanta, GA 30374-0241  
1-800-525-6285 or to order your report call 1-800-685-1111.

#### Experian:

PO Box 949, Allen, TX 75013-0949 1-888-397-3742 or to order your report call 1-888-397-3742.

#### Trans Union:

PO Box 390, Springfield, PA 19064-0390  
1-800-680-7289 or to order your report 1-800-916-8800.

- Request a change of PIN and Alert your banks to flag your accounts and contact you to confirm any unusual new password.
- If you have any checks stolen or bank accounts set up fraudulently, report it to the following companies.

- National Check Fraud Service - 1-843-571-2143
- SCAN - 1-800-262-7771

- TeleCheck - 1-800-710-9898 or 1-800-927-0188
- CheckRite - 1-800-766-2748
- Equifax Check Systems - 1-800-437-5120
- International Check Services - 1-800-526-5380

- Contact the Social Security Administration's Fraud Hotline at 1-800-269-0271.
- Contact the state office of the Department of Motor Vehicles to see if another license was issued in your name. If so, request a new license number and fill out the DMV's complaint form to begin the fraud investigation process.
- Obtain a description of the suspect (if known).
- Obtain witness information.
- What is the financial loss to you?
- Attach all supporting documentation.

### Preventive Actions

- Promptly remove mail from your mailbox.
- Deposit outgoing mail in Post Office collection mailboxes or at your local Post Office. Do not leave your mail in unsecured mail receptacles.
- Never give personal information over the phone, such as your social security number, date of birth, mother's maiden name, credit card number, or bank PIN code, unless you initiated the phone call. Protect this information and release it only when absolutely necessary.
- Shred pre-approved credit applications, credit card receipts, bills