



CITY OF FULLERTON

Office of the Mayor and City Council

CITY COUNCIL

Mayor, Mike Clesceri
Mayor Pro Tem, Shawn Nelson
Don Bankhead
F. Richard Jones, M.D.
Leland Wilson

June 15, 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

Dear Judge Horn,

I have reviewed the Orange County Grand Jury's report, "Identity Theft: What are local Law Enforcement and Prosecutors Doing to Combat the Problem." In a letter from Mr. T.W. Staple, dated April 13, 2004, the City of Fullerton was identified as one of the respondents to findings and recommendations extracted from that report. The following paragraphs contain our responses to cited findings and recommendations:

Finding 3

Identity Theft Sub-Task Forces are in place in five major population centers in California and are functioning to facilitate better communication, coordination and cooperation among federal, state and local law enforcement and public record-keeping agencies involved in prevention, investigation and prosecution of identity theft. Orange County does not have an Identity Theft Task Force or Sub-Task Force.

Recommendation 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.

Crimes involving identity theft are investigated by our Police Department's Property Crimes Unit. There are six detectives assigned to the unit, two having specialized forensic computer skills. Each detective may be assigned a variety of criminal cases including

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Identity Theft. Each assigned Identity Theft case is evaluated for appropriate jurisdiction and solvability. The detectives then use government resources at the federal, state and local levels, as well as resources from the private sector, to resolve the cases.

Taking into consideration our current staffing levels and prevailing fiscal circumstances, our participation in a task force is not feasible at this time. We do, however, remain open to participating in such a task force should staffing levels permit. Although the formation and staffing of a task force would be a challenge, we agree that having a multi-jurisdictional resource could greatly aid in the ability to investigate and prosecute Identity Theft cases. Our recommendation for such a task force would include operational guidelines ensuring proactive investigative efforts, in addition to reactive efforts. A proactive approach should consider undercover operations targeting criminal enterprises engaged in the large scale theft of items and information used to facilitate their crimes.

Finding 4

The Orange County District Attorney's Office, Orange County city police agencies and the Orange County Sheriff-Coroner Department provide some form of public information and resource materials outlining how one can prevent identity theft as well as corrective steps to take where identity theft has occurred.

Recommendation 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.

The Fullerton Police Department currently provides a single sheet, tri-fold style pamphlet to victims. We also offer a two page "Identity Theft Prevention Tips" information sheet created by the California Department of Consumer Affairs. Additionally, we refer victims to the Federal Trade Commission website. They have an outstanding booklet. This booklet can be accessed, viewed, printed and downloaded via their internet site at <http://www.consumer.gov/idtheft/>.

Our City would not oppose issuing any standardized informational material developed cooperatively within Orange County. We would prefer to issue this information in addition to the information we already provide, believing the information we provide and resources we refer exceed the expectations of the Grand Jury.

Finding 5

Eight city police agencies in Orange County have developed specialized identity-theft crime reporting forms that incorporated standardized terms and information formats. These forms can help identity-theft victims repair damaged credit history more quickly.

Recommendation #5

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

We are currently in the process of developing an Identity Theft (economic crimes) information reporting form. We have used a sampling of other Orange County local law enforcement forms as templates. The intention of our form is not to place the burden of reporting upon the victim. Rather, the form was designed to aid officers and victims in getting the necessary information to the detectives. This form should be completed, reviewed, approved, and implemented within our organization within 90 days.

Again, our City would not oppose employing any standardized reporting method developed cooperatively within Orange County, as long as such an instrument contained all of the pertinent information we have found necessary to adequately investigate these cases.

I hope I have adequately addressed the issues raised in the Grand Jury report. I am including a binder containing some of the information I have referenced. If you require any additional information please contact Captain Greg Mayes at (714) 738-6840 or GMayes@FullertonPD.org. He will gladly assist you.

Sincerely,



MIKE CI FSCFRI
Mayor

MC:gem

cc: Orange County Grand Jury
City Manager
City Council
Chief Pat McKinley

**City of Fullerton
Police Department**

**Brochure with Additional information is available to view at
the Orange County Public Law Library
515 North Flower
Santa Ana, CA 92703
(Building 32, Civic Center Plaza)**