



July 14, 2004

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

Dear Judge Horn:

RE: Response to Grand Jury Identity Theft Report Findings

I recently received a copy of the Orange County Grand Jury report, "Identity Theft: What Are Local Law Enforcement and Prosecutors Doing to Combat the Problem?" I have reviewed it and discussed it with my staff.

The Grand Jury has requested that we respond to recommendations 3-5, pursuant to PC 933.05(a) and PC 933.05(b). 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 Secret Service, the United States Immigration and Naturalization Service, and the United States Federal Trade Commission (Finding 3)".*

RESPONSE

Currently, the Irvine Police Department has three investigators dedicated to the investigation of Identity Theft. Each reported identity theft case is reviewed by a supervisor, and then assigned to an investigator. Upon receipt, an investigator will review the case to determine:

- If it is criminal or civil in nature
- The proper jurisdiction (local, state or federal)
- The proper investigative response, based upon suspect leads and other relevant information.

Once a determination is made that a case requires follow-up, our investigators can call upon the resources of several different local, state, federal and private agencies. The agencies that regularly assist us include:

- All 21 Orange County municipal law enforcement agencies
- Law enforcement agencies from surrounding counties, such as Long Beach PD and the Los Angeles County Sheriff's Department
- Orange County District Attorney's Office
- Orange County Sheriff's Department
- California Department of Justice
- California Department of Insurance
- Californian Department of Health Services
- United States Postal Service
- United States Secret Service
- Federal Bureau of Investigation
- Major financial institutions
- Council on Aging
- Credit reporting agencies
- Social Security Administration
- Identity Theft 911
- Other major corporations, such as Ralph's Grocery Company, The Home Depot, Costco, and others

In addition, there is a formal Orange County Financial Crimes Investigators Association (OCFCIA) that meets ten times a year. Members of this Association include representatives from the agencies above and share valuable information on a regular basis.

The OCFCIA provides a membership directory to all members, facilitates networking among members at monthly meetings, fosters discussion of pending investigations and crime trends, and provides monthly training.

Based upon our existing network and our current inter-agency cooperation, there is not a need to form a task force to address the crime of identity theft. In addition, our existing investigators assigned to identity theft are often called upon to assist in other types of crimes. Traditionally, investigators assigned to a particular task force are not available for other department needs.

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 Irvine Police Department agrees that providing public information materials to victims of identity theft can be extremely helpful. Several years ago, our detectives who investigate identity theft cases developed a comprehensive informational pamphlet that is given to each victim of identity theft. The pamphlet contains tips on identifying and preventing possible victimization, provides phone numbers for several important agencies and other valuable information. In addition, we are currently in the process of developing identity theft resource information that will soon appear on our website.

We would agree that standardized materials for distribution by all agencies would ensure all victims of identity theft receive consistent, pertinent information. However, we believe our public information materials exceed the requirements recommended by the Grand Jury. We would gladly share our pamphlet with any agency interested in designing identity theft resource materials.

FINDINGS

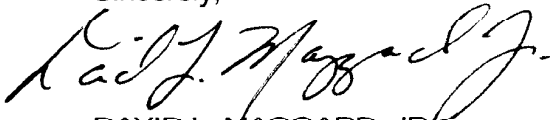
5. *"Orange County city police departments and the Orange County Sheriff-Coroner Department adopt a standardized identity-theft crime-reporting form, possibly modeled after forms now in use by several police departments (Finding 5)".*

RESPONSE

The Irvine Police Department has developed and implemented a crime reporting form specifically for identity theft. This form is unique inasmuch as it captures specific information relevant to the crime of the identity theft and in fact serves as an investigative tool for the officer or investigator utilizing it.

We believe our form meets the necessary requirements for reporting identity theft, and we do not believe a countywide form is needed. Our form can be made available to other agencies in Orange County that may not have such a specific identity-theft crime report.

Sincerely,



DAVID L. MAGGARD, JR.
Chief of Police

DLM/mh

Attachments

**City of Irvine
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)**