



June 17, 2004

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

Dear Judge Horn:

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 Laguna Beach 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). Below are the findings and our recommended responses to those findings for your review.

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 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. "

RESPONSE:

Currently, The Laguna Beach Police Department has one detective that primarily investigates all identity-theft related crimes reported to our jurisdiction. The assigned detective makes a determination about relevant issues after initial review of the case including:

- Agency jurisdiction
 - Local
 - State
 - Federal

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- Case Status
 - Criminal

- Investigation Status
 - Held in Abeyance
 - Follow up investigation required
 - Case Cleared by Arrest
 - Case Cleared by Other

Once a determination has been made that a crime has been committed, resources from the federal government (including the United States Postal Inspector, Secret Service, Immigration and Naturalization Service and Federal Trade Commission), are already available to provide local assistance or assume jurisdiction for the investigation.

There is no need to form a task force to investigate identity theft as sufficient resources and cooperation exists between law enforcement agencies informally. In addition, there is a formal Orange County Financial Crimes Investigators Association (OCFCIA) which meets ten times each year. Members of that association include representatives from:

- All 21 Orange County municipal law enforcement agencies
- Orange County District Attorney's Office
- Long Beach Police Department
- California Department of Justice
- California Department of Insurance
- California Department of Health Services
- United States Postal Service
- United States Secret Service
- Major financial institutions (banks, credit unions, credit card services, mortgage corporations, and private sector investigative services)
- Costco Wholesale
- Council on Aging
- Home Depot, Inc.
- Identity Theft 911
- Ralph's Grocery Company
- TransUnion
- Western Collection Recovery

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The OCFIA supplies a written membership directory to all members, facilitates networking between members at their monthly meetings, supports the opportunity to discuss pending investigations and crime trends, and provides monthly training. As an example, the membership was provided specific training on handling identity-theft investigations and had an opportunity to discuss the finding revealed in the Orange County Grand Jury report at their May meeting.

Another reason that we believe a task force is not in the best interest of our department is that our existing resource assigned to investigate identity thefts at the Laguna Beach 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.

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 Laguna Beach Police Department has developed and made available to the public a printed brochure with information related to identity-theft crimes. The pamphlet includes specific information for reporting these crimes to the Laguna Beach Police Department.

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

FINDING #5:

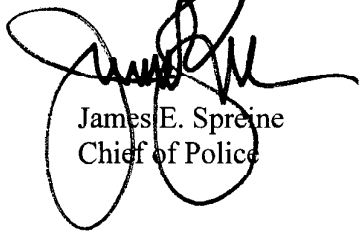
“Orange County city police departments and the Orange County Sheriff-Coroner Department adopt a standardized identity-theft crime-reporting form, possibly modeled after forms now in use by several police departments.”

RESPONSE:

The Laguna Beach Police Department utilizes a standard crime reporting form which requires all of the information necessary to investigate these crimes and also meets the mandated state reporting information.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'James E. Spreine', written over the typed name and title.

James E. Spreine
Chief of Police

cc: Cheryl Kinsman, Mayor, Laguna Beach
Kenneth Frank, City Manager, Laguna Beach
City Council, Laguna Beach