



City of La Habra

"A Caring Community"

DARE
TO KEEP KIDS
OFF DRUGS.

POLICE DEPARTMENT

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June 28, 2004

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

Dear Honorable Judge Horn:

The purpose of this letter is comply with *Penal Code 933.05 (a) and (b)* and to provide a response to the findings and recommendations of the 2003-2004 Orange County Grand Jury report, "Identity Theft: What are Local Law Enforcement and Prosecutors Doing to Combat the Problem?"

In the findings of their report, the grand jury required responses from the La Habra Police Department for items 3-5. In response to findings 3-5 and in compliance with the penal code, the La Habra Police Department shall do one of the following:

- (1) Agree with the finding.
- (2) Disagree wholly or partially with the finding and specify the portion of the finding that is disputed and provide an explanation of the reason(s).

GRAND JURY 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."

RESPONSE:

The response by the La Habra Police Department to grand jury finding #3: Agree.

GRAND JURY FINDING #4:

"The Orange County's 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."

RESPONSE:

The response of the La Habra Police Department to grand jury finding #4: Agree.

GRAND JURY FINDING #5:

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

RESPONSE:

The response of the La Habra Police Department to grand jury finding #5: Agree.

In the recommendations of their report, the grand jury required responses from the La Habra Police Department for recommendation items 3-5. In response to recommendations 3-5 and in compliance with Penal Code 933.05 (b) the La Habra Police Department can report one of the following actions:

- (1) The recommendation has been implemented, with a summary regarding the implemented action.
- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.
- (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.
- (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

GRAND JURY 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 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. (Finding 3).”

RESPONSE:

The response to grand jury recommendation #3 is that it will not be implemented because it is not reasonable at this time due to the following:

Currently, the La Habra Police Department is in a no growth budget year. The no growth budget year follows the previous budget year's loss of 8 positions within the police department due to shortfalls from state revenues. The police department's loss of 8 positions due to budget constraints included: 6 sworn peace officer positions and 2 civilian positions. The state's upcoming budget is not conducive to adding personnel at this time.

The La Habra Police Department currently participates in 3 other Orange County Task Forces:

1. The Orange County Auto Theft Task Force (OCATT).
2. The Orange County Clandestine Lab Task Force.
3. The Orange County Gang Task Force (TARGET).

The Habra Police Department's Investigation Bureau already has 2 investigators assigned to investigate identity theft crimes. Both detectives actively investigate identity theft cases and work with the district attorney's office to arrest and prosecute those who perpetrate identity theft crime. In addition, the identity theft investigators participate in monthly meetings with other identity theft investigators from other Orange County law enforcement agencies.

GRAND JURY 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. (Finding 4)."

RESPONSE:

The response to grand jury recommendation #4 is that it will not be implemented because it is not warranted at this time. However, the La Habra Police Department would certainly collaborate and participate with other agencies in utilizing a standardized countywide form if the Orange County Chiefs of Police and Sheriff's Association decided to implement such a pamphlet.

The La Habra Police Department has an excellent identity theft pamphlet that it uses. The department distributes the pamphlet to members of the community. The public information pamphlet includes what identity theft is. What to do if you become the victim of identity theft and information on how to contact the various credit bureaus. Additionally, the information material includes preventative measures and actions to take

to prevent becoming the victim of identity theft. A copy of the identity theft pamphlet was previously given to the grand jury during their investigation of identity theft in Orange County.

GRAND JURY RECOMMENDATION #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).”

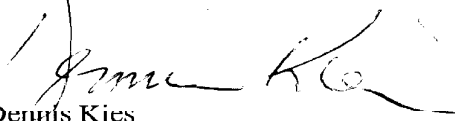
RESPONSE:

The response of the La Habra Police Department to grand jury recommendation #5 is that it will not be implemented at this time because it is not warranted. However, should the Orange County Chiefs of Police and Sheriff's Association decide to use a standardized identity theft reporting form, the La Habra Police Department would certainly collaborate and participate.

Currently, the La Habra Police Department utilizes an excellent and very functional crime report form that documents law violations including the crime of identity theft. A copy of this report was provided to the grand jury during their investigation of identity theft in Orange County. The crime report form meets or exceeds the needs of the community as well as reporting requirements mandated by the state and federal government. Patrol officers and detectives successfully initiate and investigate identity theft crimes using the current crime report format. Deputy district attorneys also use the current department report format to successfully prosecute and convict identity theft crime suspects in both the North and Central Justice Centers of Orange County.

If the La Habra Police Department can be of any further assistance, please do not hesitate to contact me at (562) 905-9750

Sincerely,



Dennis Kies
Chief of Police

DRK/bw

cc: La Habra City Council Members
Brad Bridenbecker, City Manager