ANDREW E. HALL
CHIEF OF POLICE

City of Westminster

POLICE DEPARTMENT
8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683
(714) 898-3315 * FAX: (714) 379-9604

MARGIE L. RICE
MAYOR

ANDY QUACH
MAYOR PRO TEM

FRANK G. FRY
COUNCIL MEMBER

KERMIT D. MARSH
COUNCIL MEMBER

RUSSELL C. PARIS
COUNCIL MEMBER

VANGIE SCHOCK
CITY MANAGER

July 12, 2004

Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

RE: Identity Theft – Westminster Police Department Response

Dear Grand Jury:

The Westminster Police Department is in receipt 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 report, five findings and recommendations relating to the current status of identity theft criminal investigations were identified. Pursuant to our responsibilities contained in California Penal Code § 933.05 (a) and (b), we are providing the following response to three of the findings and recommendations as identified below.

The Grand Jury findings and recommendations are identified in bold followed by our response. Should any additional information be necessary, please don't hesitate to contact Sgt. Bill Collins at (714) 898-3315 extension 408.

Sincerely,

ANDREW E. HALL
CHIEF OF POLICE

By: _____
Mitch Waller, Captain
Acting Chief of Police

Enclosure

Westminster Police Department

Identity Theft: What Are Local Law Enforcement and Prosecutors Doing to Combat the Problem?

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.***

WPD Response: The Grand Jury finding correctly observes Orange County does not have an Identity Theft Task Force or Sub-Task Force.

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.***

WPD Response: The Grand Jury finding correctly observes Orange County law enforcement agencies provide some form of public information and resource materials to victims of Identity Theft. WPD has a pamphlet providing this information.

Finding 5: ***Eight city 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.***

WPD Response: WPD is aware of several Orange County law enforcement agencies that have specialized forms for Identity Theft Victims. Currently, WPD does not use a standardized form for Identity Theft crimes.

Standardized forms have a tendency to limit the questions asked and information received by officers in reference to Identity Theft. We reviewed a few of the forms other agencies provide, and we determined that we collect the equivalent amount of data, if not more, by using our current report writing system.

Our experience with investigating identity theft indicates victims are required to provide a report number and date of report only to the credit agency to begin the credit restoration process; the other information collected on the forms (which primarily aids with the law enforcement investigation, if one is pursued) is not required by credit agencies/companies.

The forms we reviewed required the victim to complete the document, and then an officer to review the data. Since our officers document the incident(s)

themselves, the victim is saved the time and inconvenience of filling out a form. In addition, our Records personnel would have to add the data collected into our report writing system, which is a delay in getting the information to the detective.

Finally, except in rare cases of extreme fraud (loss in excess of $10,000, and sometimes exceeding $50,000) most of the credit agencies/companies simply "write off" the loss, and perform no formal investigation into the crime—making the copy of the crime/incident information received by the victim from a standardized form unused by the agency/company. Of course, if the victim or credit agency/company requests a copy of our report, they can receive it within five days.

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.***

WPD Response: WPD would be interested in reviewing the possibility of participating in a county-wide task force as described by the Grand Jury. However, the scope of crimes usually handled by a task force of such size would usually far exceed the typical crimes occurring in Westminster. Participation would be dependent on state and local fiscal realities, as well. The timeline of discussions/ implementation would depend on other agencies and the schedule of the coordinating agency.

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.***

WPD Response: Many jurisdictions, including WPD, already have pamphlets with very similar information included in them: some information is dictated by state law, and other information is related to local investigative procedures. WPD would be interested in participating in this dialogue in order to improve the service to all citizens of Orange County. The implementation would be dependent on the coordinating agency's schedule and timeline.

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.***

WPD Response: For the reasons stated above (in the response to Grand Jury finding number 5), we believe our current reporting system meets or exceeds the current standard within the County; however, we continue to re-evaluate our report requirements and system in order optimize our investigations and the data we collect. WPD would be interested in participating in any discussion of basic information requirements for all cities in order to confirm we are collecting data meaningful to all law enforcement agencies in Orange County.