

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
ACTION AGENDA SUMMARY

DEPT: District Attorney *BA*

BOARD AGENDA # *B-6

Urgent Routine

AGENDA DATE October 20, 2009

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Accept the Fiscal Year 2009-2010 grant from the Department of Insurance for the District Attorney's Office Automobile Insurance Fraud Program

STAFF RECOMMENDATIONS:

1. Accept the FY 2009-2010 Grant from the Department of Insurance for the District Attorney's Office Automobile Insurance Fraud Program totaling \$249,412.
2. Authorize the District Attorney to sign the grant award agreement including any extension, or amendments.
3. Approve a formal resolution as required by the state to receive this grant funding.
4. Direct the Auditor-Controller to decrease appropriations and estimated revenue in the amount of \$65,052 as detailed in the attached Budget Journal form.

FISCAL IMPACT:

Projected revenues and expenditures for this grant totaling \$314,464 were reflected in the Fiscal Year 2009-2010 final budget process. Since the final budget process, the Department of Insurance had a reduction in the amount of monies to be distributed to the counties. The new award amount for this year's grant was reduced to \$239,749 for Stanislaus County. A carryover amount from 2008-2009 of \$9,663 was approved by the Department of Insurance to use for this fiscal year. The funding for this grant will now be \$249,412. The grant award will fund salaries for a Criminal Investigator at 100%, a Paralegal at 81.5%, a Deputy District Attorney at 25% along with funds for training the DDA new to this grant. There is no county match obligation associated with this grant.

BOARD ACTION AS FOLLOWS:

No. 2009-696

On motion of Supervisor Monteith, Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:

Christine Ferraro

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

In FY 1996-1997, the District Attorney's Office was awarded funding for the Automobile Insurance Fraud Grant. This will make FY 2009-2010 the thirteenth consecutive year that the District Attorney's Office has received funding from the Department of Insurance for the Automobile Insurance Fraud Grant.

Insurance fraud affects the citizens of Stanislaus County through increased insurance rates. The District Attorney's Office is committed to the aggressive prosecution of those who commit insurance fraud, and the acceptance of the Department of Insurance's Automobile Insurance Fraud Prosecution grant has allowed this aggressive prosecution to occur. This agenda item is being submitted for Board approval in order to authorize acceptance of the grant and to authorize the District Attorney to sign the final grant award. A formal resolution is attached.

In 2008-2009, the Auto Insurance Fraud unit investigated 108 cases of either Insurance Fraud, or Economic Car Theft. The majority of cases were Economic Car Theft. During the same time period, 18 cases were prosecuted as a felony. The objectives for the grant in Fiscal Year 2009-2010 will have an emphasis on economic vehicle theft and its relation to auto insurance fraud. The Criminal Investigator will continue to work with the Stanislaus County Auto Theft Task Force.

Due to the Department of Insurance reduction in monies available for distribution to the counties, the amount of the available funding for Stanislaus County was decreased by \$65,052 from the original amount projected at the time of the final budget process. The decreased amount will allow for funding salaries for a Criminal Investigator II, 81.5% of a Paralegal III, 25% of a Deputy District Attorney's salary, training for the Deputy District Attorney newly assigned to this grant, along with "bait car" expenditures and required audit costs.

POLICY ISSUES:

Acceptance of this grant will assist the District Attorney's Office in meeting the Board's goal of a safe community.

STAFFING IMPACTS:

There are no staffing impacts at this time.

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: October 20, 2009

No. 2009-696

On motion of Supervisor Monteith Seconded by Supervisor O'Brien
and approved by the following vote,

Ayes: Supervisors: O'Brien, Chiesa, Grover, Monteith, and Chairman DeMartini

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # *B-6

THE FOLLOWING RESOLUTION WAS ADOPTED:

RESOLUTION
STANISLAUS COUNTY BOARD OF SUPERVISORS
FY 2009/10 AUTOMOBILE INSURANCE FRAUD PROGRAM

WHEREAS, the Stanislaus County Board of Supervisors desires to continue a certain project designated AUTOMOBILE INSURANCE FRAUD PROGRAM to be funded from funds made available through the CALIFORNIA INSURANCE CODE Section 1872.8, California Code of Regulations Subchapter 9, Article 4, Section 2698.65, administered by the DEPARTMENT OF INSURANCE (hereafter referred to as DOI).

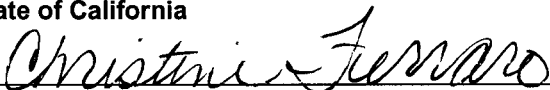
NOW, THEREFORE, BE IT RESOLVED that the District Attorney of Stanislaus County is hereby authorized, on its behalf to accept this grant award from DOI and is authorized to sign and approve on behalf of the Stanislaus County Board of Supervisors the Grant Award Agreements including any extension, augmentation or amendments thereof.

BE IT FURTHER RESOLVED that the applicant agrees to provide all matching funds required for said projects (including any amendments thereof) under the Program and the funding terms and conditions of DOI.

IT IS AGREED that any liability arising out of the performance of these Grant Award Agreements, including civil court actions for damages, shall be the responsibility of the grant recipient and the authorizing agency. The State of California and the DOI disclaim responsibility for any such liability.

BE IT FURTHER RESOLVED that grant funds receive hereunder shall not be used to supplant expenditures controlled by this body.

ATTEST: CHRISTINE FERRARO TALLMAN, Clerk
Stanislaus County Board of Supervisors,
State of California





STEVE POIZNER
Insurance Commissioner

September 15, 2009

The Honorable Birgit Fladager
Stanislaus County District Attorney's Office
800 11th Street, Room 200 P.O. Box 442
Modesto, CA 95354

RE: Grant Award for Automobile Insurance Fraud Program, Fiscal Year 2009-10

Dear District Attorney Fladager:

I am very pleased to inform you that Stanislaus County has been awarded the amount of \$239,749 under the Automobile Insurance Fraud Program for fiscal year 2009-10. This grant award is contingent on the total amount collected and is to be used for the investigation and prosecution of automobile insurance fraud and economic car theft pursuant to the California Insurance Code, Section 1872.8 and the California Code of Regulations, Section 2698.63.

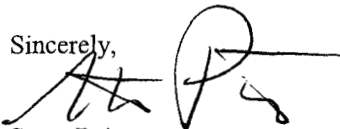
For fiscal year 2009-10, the available funding for local assistance was appropriated at **\$17,554,000**. Originally the funding availability was appropriated at \$17,594,000. However, as stated in Section I of the Request for Application, the CDI reserves the right to adjust district attorney funding levels pursuant to the FY 2009-10 State Budget Act. The revised planning formula has been provided. It is possible that the total collection could fall short of the projected amount. Therefore, the final disbursement will reflect the county's portion.

The grant award totaling \$239,749 for Stanislaus County was based on the following criteria:

- **Qualifications** - personnel assigned to the program
- **County Statistics** - warrants, arrests, convictions, fines and restitutions in relation to the turn of investment to the program
- **Problem Statement** - a description of the problem in the county and what is needed to resolve the problem, including supporting data, evidence, or indicators of fraudulent activity related to automobile insurance
- **Strategies and Coordination** - used the joint plan as a roadmap to conduct automobile insurance fraud investigations and prosecutions
- **Outreach Plan** - defined as to return on investment
- **Budget** - request was specific and justified

If you have any questions regarding your participation in the Automobile Insurance Fraud Program, please contact Ms. Mary Spaid, Manager, Fraud Division Headquarters, Local Assistance Unit, at (916) 854-5774 or at spaidm@insurance.ca.gov.

Sincerely,


Steve Poizner
Insurance Commissioner

cc: Dave Harris, Chief Deputy District Attorney
Wendy Duggan, Financial Manager

**County of Stanislaus: Auditor-Controller
Legal Budget Journal**

Database
Set of Books


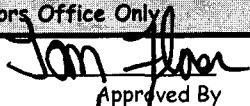
FMS11IDB.CO.STANISLAUS.CA.US.PROD
County of Stanislaus

Balance Type		Budget
Category	* List - Text	Budget - Upload
Source	* List - Text	
Currency	* List - Text	USD
Budget Name	List - Text	LEGAL BUDGET
Batch Name	Text	
Journal Name	Text	
Journal Description	Text	Reduce appropriations and revenue for AIF Grant
Journal Reference	Text	
Organization	List - Text	Stanislaus Budget Org

Upl	Fund	Org	Acc't	GL Proj	Loc	Misc	Other	Debit		Credit		Period	Line Description
								incr appropriations decr est revenue (format > number > general)	decr appropriations incr est revenue	incr appropriations decr est revenue	decr appropriations incr est revenue		
Pb	1712	0023212	26520	0000000	000000	000000	000000	65,052				OCT-09	Decrease Revenue
Pb	1712	0023212	50000	0000000	000000	000000	000000			41,424		OCT-09	Decrease appropriations
Pb	1712	0023212	52000	0000000	000000	000000	000000			2,806		OCT-09	Decrease appropriations
Pb	1712	0023212	52010	0000000	000000	000000	000000			3,003		OCT-09	Decrease appropriations
Pb	1712	0023212	53000	0000000	000000	000000	000000			5,983		OCT-09	Decrease appropriations
Pb	1712	0023212	55130	0000000	000000	000000	000000			870		OCT-09	Decrease appropriations
Pb	1712	0023212	60400	0000000	000000	000000	000000			3,800		OCT-09	Decrease appropriations
Pb	1712	0023212	62400	0000000	000000	000000	000000			1,539		OCT-09	Decrease appropriations
Pb	1712	0023212	63090	0000000	000000	000000	000000			2,000		OCT-09	Decrease appropriations
Pb	1712	0023212	66180	0000000	000000	000000	000000			3,627		OCT-09	Decrease appropriations

Totals: 65,052 65,052

Explanation: Reduce appropriations and revenues for AIF grant

Requesting Department	CEO	Data Entry	Auditors Office Only
Lori Acree			
Signature	Signature	Keyed by	Prepared By
10/13/2009	10.15.09		10/15/09
Date	Date	Date	Date