

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

DEPT: DISTRICT ATTORNEY

BOARD AGENDA # \*B-2

Urgent

Routine

AGENDA DATE June 18, 2013

CEO Concur with Recommendation YES  NO   
(Information Attached)

4/5 Vote Required YES  NO

SUBJECT:

Approval to Accept the Fiscal Year 2013-2014 Grant from the Department of Insurance for the District Attorney's Office Auto Insurance Fraud Program

STAFF RECOMMENDATIONS:

1. Approve the grant from the Department of Insurance for the District Attorney's Office Automobile Insurance Fraud Program in the amount of \$205,209 for the period of July 1, 2013 through June 30, 2014.
2. Authorize the District Attorney to sign the grant award agreement including any extension, or amendments upon receipt from the Department of Insurance.
3. Approve a formal resolution to be submitted to the Department of Insurance accepting the grant award.

FISCAL IMPACT:

Estimated revenues and appropriations of \$205,209 for this grant were projected in the Fiscal Year 2013-2014 Proposed Budget. The grant will fund salaries and benefits for a Criminal Investigator at 100%, a Paralegal at 20% and a Deputy District Attorney at 37%. The grant will also fund operating expenditures to include wireless communications, audit expenditures and training for the Auto Insurance Fraud staff. Retirements in the department's paralegal division continue to cause understaffing. The paralegal assigned to the Auto Insurance Fraud Unit needs to be available to work outside of the grant.

(Continued on Page 2)

BOARD ACTION AS FOLLOWS:

No. 2013-292

On motion of Supervisor Monteith, Seconded by Supervisor Withrow

and approved by the following vote,

Ayes: Supervisors: O'Brien, Withrow, Monteith, De Martini and Chairman Chiesa

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None


1)  Approved as recommended

2)  Denied

3)  Approved as amended

4)  Other:

MOTION:

  
CHRISTINE FERRARO TALLMAN, Clerk

ATTEST:

CHRISTINE FERRARO TALLMAN, Clerk

File No.

Approval to Accept the Fiscal Year 2013-2014 Grant from the Department of Insurance for the District Attorney's Office Auto Insurance Fraud Program

**FISCAL IMPACT: (Continued)**

Therefore, the percentage budgeted for the paralegal remains at 20% and the Deputy District Attorney assigned to the grant also has a percentage of his salary and benefits budgeted to the grant. The District Attorney's general fund will fund the remaining 80% of the Paralegal position and 63% of the Deputy District Attorney position for whom this is a collateral assignment.

**DISCUSSION:**

In Fiscal Year 1996-1997, the District Attorney's Office was awarded funding for the Automobile Insurance Fraud Grant. This will make Fiscal Year 2013-2014 the seventeenth consecutive year that the District Attorney's Office will have 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 investigation and prosecution of those who commit insurance fraud; the acceptance of the Department of Insurance's Automobile Insurance Fraud Prosecution grant has allowed this investigation and 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 Fiscal Year 2012-2013, the objectives of the grant will continue to focus 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.

**POLICY ISSUES:**

Acceptance of this grant will assist the District Attorney's Office continue in meeting the Board's goal of A Safe Community by investigating and prosecuting those who commit insurance fraud.

**STAFFING IMPACTS:**

The grant funds 100% of an Investigator, 20% of a Paralegal and 37% of a Deputy District Attorney. These staffing levels are able to sustain the reporting requirements of the grant.

**CONTACT INFO:**

Dave Harris, Chief Deputy District Attorney (209) 525-5550

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

Date: May 18, 2013

No. No. 2013-292

On motion of Supervisor Monteith Seconded by Supervisor Withrow  
and approved by the following vote,  
Ayes: Supervisors: O'Brien, Withrow, Monteith, De Martini, and Chairman Chiesa  
Noes: Supervisors: None  
Excused or Absent: Supervisors: None  
Abstaining: Supervisor: None

THE FOLLOWING RESOLUTION WAS ADOPTED:

Item # \*B-2

RESOLUTION  
STANISLAUS COUNTY BOARD OF SUPERVISORS  
FY 2013/14 AUTOMOBILE INSURANCE FRAUD PROGRAM

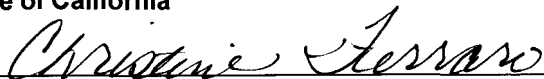
WHEREAS, the Stanislaus County Board of Supervisors desires to continue a certain project designated AUTOMOBILE INSURANCE FRAUD PROGRAM to be funded from funds made available through the CALIFORNIA INSURANCE CODE Section 1872.8, California Code of Regulations Subchapter 9, Article 4, Section 2698.65, 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.

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 received 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



**INSURANCE COMMISSIONER  
OF THE STATE OF CALIFORNIA**

**GRANT AWARD AGREEMENT**  
Fiscal Year 2013-14  
**Automobile Insurance Fraud Program**

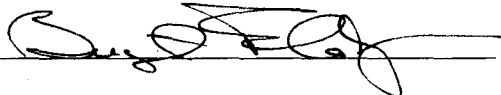
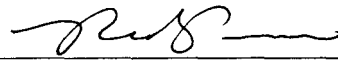
The Insurance Commissioner of the State of California hereby makes an award of funds to **Stanislaus County**, Office of the District Attorney, in the amount and for the purpose and duration set forth in this grant award.

This grant award consists of this agreement and the application for the grant and made a part hereof. By acceptance of the grant award, the grant award recipient agrees to administer the grant project in accordance with all applicable statutes, regulations and Request-for-Application (RFA).

**Duration of Grant:** The grant award is for the program period, **July 1, 2013 through June 30, 2014.**

**Purpose of Grant:** This grant award is made pursuant to the provisions of California Insurance Code Section 1872.8 and shall be used solely for the purposes of enhanced investigation and prosecution of automobile insurance fraud and economic car theft cases.

**Amount of Grant:** The grant award agreed to herein is in the amount of **\$200,633**. This amount has been determined by the Insurance Commissioner. However, the actual total award amount for the county is contingent on the collection and the authorization for expenditure pursuant to the Government Code Section 13000 et seq. The grant award shall be distributed pursuant to Section 1872.8 of the Insurance Code and to the California Code of Regulations Subchapter 9, Article 4, Section 2698.65.

<p>Official Authorized to Sign for Applicant/Grant Recipient</p> <p style="text-align: center;"></p> <p>Name: <b>Birgit Fladager</b> Title: District Attorney</p> <p>Address: 832 12th Street, Room 300 Modesto, CA 95354</p> <p>Date: <u>8-14-13</u></p>	<p><b>DAVE JONES</b> Insurance Commissioner</p> <p style="text-align: center;"></p> <p>Name: <b>Rick Plein</b> Title: Deputy Commissioner</p> <p>Date: <u>9-11-13</u></p>
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I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of this expenditure.

  
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Caleb Horel, Budget Officer, CDI

9/17/13  
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Date