

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

DEPT: District Attorney

BOARD AGENDA # *B-11

Urgent

Routine

AGENDA DATE December 4, 2007

CEO Concurs with Recommendation YES NO
(Information Attached)

4/5 Vote Required YES NO

SUBJECT:

Approval to Accept the Fiscal Year 2007-2008 Grant from the Department of Insurance for the District Attorney's Office Automobile Insurance Fraud Program

STAFF RECOMMENDATIONS:

1. Accept the Fiscal Year 2007-2008 Grant from the Department of Insurance for the District Attorney's Office Automobile Insurance Fraud Program totaling \$186,912.
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.

FISCAL IMPACT:

Projected revenues and expenditures for this grant totaling \$168,220 were reflected in the Fiscal Year 2007-2008 Final Budget. This figure was based on the planning budget of the Deputy District Attorney's salary at 20% for the grant. Based on a recalculation of statistics for investigations/cases related to the grant, the percentage of salary for the Deputy District Attorney was determined it should be increased to 35% instead. The grant award of \$186,912 plus prior year funds of \$2,590, once approved by the State, will bring the total available grant funding to \$189,502. There is no county match obligation associated with this grant. A request to increase this budget will be made at a later date.

BOARD ACTION AS FOLLOWS:

No. 2007-937

On motion of Supervisor Mayfield, Seconded by Supervisor Grover
and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

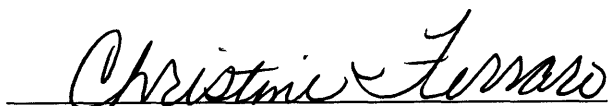
1) X Approved as recommended

2) _____ Denied

3) _____ Approved as amended

4) _____ Other:

MOTION:



ATTEST: CHRISTINE FERRARO TALLMAN, Clerk

File No.

DISCUSSION:

In Fiscal Year 1996-1997, the District Attorney's Office first acquired funding for the Automobile Insurance Fraud Grant. This will make Fiscal Year 2007-2008 the eleventh 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. The 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 as required by the State funding agency is attached.

The Automobile Insurance Fraud Prosecution Unit provides aggressive prosecution against those who knowingly commit automobile insurance fraud. For the Fiscal Year 2007-2008, the full amount of grant funding \$186,912 was awarded and the carryover amount of \$2,590 will be requested for use in the current year. The total amount of grant funding will be \$189,502 . A request to adjust the budget will be made at a later date.

In 2006-2007, the AIF unit investigated 76 cases of either Insurance Fraud, or Economic Car Theft. The majority of cases were Economic Car Theft. During the same time period, 46 cases were prosecuted as a felony. In the unit, 29 were prosecuted to disposition. The objectives for the grant in Fiscal Year 2007-2008 are 60 new investigations to be initiated by the unit, and 40 new prosecutions. An emphasis will be put on professional or organized insurance "defrauders" and re-evaluating arson case review to develop new cases.

The amount of the award and deferred revenue will allow for funding a portion of a Deputy District Attorney V, a full-time Criminal Investigator II, and a portion of a Paralegal III. Due to workload issues, a portion of the Paralegal's time will be dedicated to this grant with the remaining portion of her time will be dedicated to the Workers' Compensation Fraud Unit. The Attorney will work a portion of her time in this grant and the remaining portion of her time will be devoted to the District Attorney's Office Fraud Unit. Both will record their time accordingly in order to charge their salary expenses against the appropriate unit.

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

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and approved by the following vote,

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

Noes: Supervisors: None

Excused or Absent: Supervisors: None

Abstaining: Supervisor: None

Item # *B-11

THE FOLLOWING RESOLUTION WAS ADOPTED:

RESOLUTION

STANISLAUS COUNTY BOARD OF SUPERVISORS
FY 2007/08 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 and that the cash match will be appropriated as required.

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

