

# OFFICE OF THE DISTRICT ATTORNEY

## County of Ventura, State of California

**GREGORY D. TOTTEN**  
District Attorney

**JAMES D. ELLISON**  
Chief Assistant District Attorney

**MICHAEL K. FRAWLEY**  
Chief Deputy District Attorney  
Criminal Prosecutions

**GREGORY W. BROSE**  
Chief Deputy District Attorney  
Special Prosecutions

**MICHAEL D. SCHWARTZ**  
Special Assistant District Attorney

**ROBERT A. BRINER**  
Chief Investigator

December 8, 2009

Board of Supervisors  
County of Ventura  
800 South Victoria Avenue  
Ventura, CA 93009

Re: Adopt and Authorize Chair to Sign Resolution to Accept Grant Funds Administered by the California Department of Insurance for the Automobile Insurance Fraud Prosecution Program

### RECOMMENDATION:

It is recommended that your Board:

Adopt and authorize the Chair to sign the attached resolution authorizing the District Attorney to accept State of California grant funds in the amount of \$410,328 in order to continue the Automobile Insurance Fraud Prosecution Program funded pursuant to California Insurance Code section 1872.8, California Code of Regulations Title 10, Chapter 5, Subchapter 9, Article 4, section 2698.65, for the grant period of July 1, 2009, through June 30, 2010.

### FISCAL/MANDATE IMPACT:

Mandatory:	Yes – Penal Code Section 550
Source of Funding:	State of California Department of Insurance
Funding Match Required:	None
Impact on Other Departments:	None



Summary of Revenue and Total Costs:

	<u>FY 2009/10</u>	<u>FY 2010/11</u>
Revenue:	\$ 410,328	\$ 0
Costs:		
Direct:	\$ 410,328	\$ 0
Indirect:	\$ Minimal	\$ 0
Total Costs:	\$ 410,328	\$ 0
Net County Cost Including Indirect:	\$ 0	\$ 0

CURRENT BUDGET PROJECTIONS:

FY 2009-10 Budget Projection for District Attorney BU#3400				
	Adopted Budget	Adjusted Budget	Projected Budget	Estimate (Savings/Deficit)
Appropriations	\$36,130,114	\$36,798,210	\$36,798,210	\$0
Revenue	\$14,613,309	\$14,613,309	\$14,613,309	\$0
Net Cost	\$21,516,805	\$22,184,901	\$22,184,901	\$0

DISCUSSION:

The passage of the *Insurance Fraud Prevention Act* in 1989, California Insurance Code section 1871, et seq., established funding to support auto insurance fraud prevention, investigation, and prosecution. Since fraudulent activities account for a significant amount of all auto insurance payments and payouts, the ultimate goal of the *Insurance Fraud Prevention Act* continues to be the reduction of auto insurance premiums by preventing fraudulent claim activity.

Since the program began in 1990, felony complaints or indictments were filed against 149 individuals, resulting in 125 convictions through June 2009. However, Ventura County remains fertile territory for continued increases in auto insurance fraud-related crimes as the numbers of vehicles, businesses, law firms, and medical providers increase.

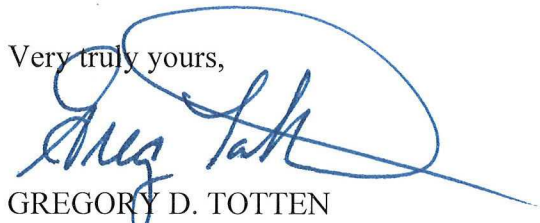
The grant award of \$410,328 will provide funding for one full-time deputy district attorney, one full-time district attorney investigator, and one part-time legal processing assistant. Grant revenue and costs associated with this program have been included in the FY 2009/10 adopted budget. This is an ongoing grant and has been included on the list of recurring grants for the fiscal year; however, the Department of Insurance is requesting a certified copy of the Resolution

Board of Supervisors  
County of Ventura  
December 8, 2009  
Page 2

of the Board of Supervisors. I respectfully urge your continued support of this very important program and your approval of this request.

This item has been reviewed by the County Executive Officer, the Auditor-Controller's Office, and County Counsel. Questions regarding this item may be directed to Supervising Deputy District Attorney Kevin Drescher at 662-1722, or Chief Deputy District Attorney Gregory Brose at 662-1705.

Very truly yours,



GREGORY D. TOTTEN  
District Attorney

GDT\cb

pc: Marty Robinson, Chief Executive Officer  
Christine Cohen, Auditor-Controller  
Noel A. Klebaum, County Counsel