



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** District Attorney  
**Department No.:** 021  
**For Agenda Of:** October 20, 2015  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Joyce Dudley, District Attorney, 568-2308  
Head:  
Contact Info: Kerry Bierman, DA Director of Administration, 568-2304

**SUBJECT:** Agreement with the California Department of Insurance for an Automobile Insurance Fraud Prosecution Unit in the District Attorney's Office

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**County Counsel Concurrence**

As to form: Yes

**Other Concurrence:** N/A

As to form: No

**Recommended Actions:**

It is recommended that the Board of Supervisors:

- a) Adopt a Resolution authorizing the District Attorney to enter into an Agreement with the California Department of Insurance for an Automobile Insurance Fraud Prosecution Unit in Fiscal Year 2015-16; and
- b) Determine that the above action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378(b)(4), because it consists of government funding mechanisms or other government fiscal activities, which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment.

**Summary Text:**

The Automobile Insurance Fraud program is designed to prosecute automobile insurance fraud cases which are investigated by various law enforcement agencies. Board approval is required to receive grant revenue for this program in FY 2015-16.

**Background:**

False insurance claims are a serious problem across the United States. The latest data from the California Department of Insurance indicates that automobile insurance fraud is on the rise in Santa Barbara County. There is a direct correlation between automobile insurance fraud and increases in insurance premiums throughout the industry. These factors led the Santa Barbara County District Attorney to develop the Automobile Insurance Fraud program, which brings together local businesses, the California Department of Insurance, and the District Attorney to tackle Automobile Insurance Fraud in Santa Barbara County.

The Automobile Insurance Fraud program is financed through fees assessed by the State Insurance Commissioner as part of the automobile insurance rates. The long term goal of this initiative is to reduce automobile insurance fraud in Santa Barbara County through crime prevention and deterrence, to be accomplished through a combination of community education and criminal prosecution of fraud cases.

This is the second year of the program. To date, a total of seven cases have been filed (five felonies and two misdemeanors) charging ten defendants with insurance fraud. Seven defendants have already pled guilty. There are three more cases pending filing, five cases involving eight defendants under active investigation by a law enforcement agency and seven cases presently under review by the Auto Insurance Fraud unit.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			
State	\$ 138,089.00	\$ 138,089.00	
Federal			
Fees			
Other:			
Total	\$ 138,089.00	\$ 138,089.00	\$ -

One full-time Deputy District Attorney (Contractor on Payroll) and a part-time Investigator will report to a lead, part-time Deputy District Attorney. Their efforts will be countywide. The current fiscal year revenue includes the FY15-16 allocation of \$108,420 plus carryover of \$29,669 from the prior year for a total of \$138,089. This includes \$122,814 in salary and benefit costs, \$3,588 in operating costs and \$11,687 in overhead associated with the program. This is the second year of funding for this program.

**Staffing Impacts:**

<b><u>Legal Positions:</u></b>	<b><u>FTEs:</u></b>
Deputy DA, (Contractor on Payroll)	1.00
Deputy DA	.05
Investigator	.40

**Special Instructions:** Please return executed Resolution to Jo Ann Slattery, DA Business Manager

**Attachments:** Board Resolution

**Authored by:** Jo Ann Slattery, DA Business Manager