

Proposed for Adoption: July 28, 2011

PROPOSED PARAMETERS AND GUIDELINES

Penal Code Section 530.6, Subdivision (a)

Statutes 2000, Chapter 956

Identity Theft

03-TC-08

City of Newport Beach, Claimant

I. SUMMARY OF THE MANDATE

The test claim statute requires local law enforcement agencies to take a police report and begin an investigation when a complainant residing within their jurisdiction reports suspected identity theft.

On March 27, 2009, the Commission found that Penal Code section 530.6, subdivision (a), as added by Statutes 2000, chapter 956, mandates a new program or higher level of service for local law enforcement agencies within the meaning of article XIII B, section 6 of the California Constitution, and imposes costs mandated by the state pursuant to Government Code section 17514 for the following activities only:

- take a police report supporting a violation of Penal Code section 530.5 which includes information regarding the personal identifying information involved and any uses of that personal identifying information that were non-consensual and for an unlawful purpose, including, if available, information surrounding the suspected identity theft, places where the crime(s) occurred, and how and where the suspect obtained and used the personal identifying information; and,
- begin an investigation of the facts, including the gathering of facts sufficient to determine where the crime(s) occurred and what pieces of personal identifying information were used for an unlawful purpose.

II. ELIGIBLE CLAIMANTS

Any local law enforcement agency that incurs increased costs as a result of this reimbursable state-mandated program is eligible to claim reimbursement of those costs.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557, subdivision (e), states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The County of Alameda filed the test claim on September 25, 2003, establishing eligibility for reimbursement beginning July 1, 2002. Therefore, costs incurred for compliance with the mandated activities are reimbursable on or after July 1, 2002.

Reimbursement for state-mandated costs may be claimed as follows:

1. Actual costs for one fiscal year shall be included in each claim.
2. Pursuant to Government Code section 17561, subdivision (d)(1)(A), all claims for reimbursement of initial fiscal year costs shall be submitted to the State Controller within 120 days of the issuance date for the claiming instructions.
3. Pursuant to Government Code section 17560, subdivision (a), a local agency may, by February 15 following the fiscal year in which costs were incurred, file an annual reimbursement claim that details the costs actually incurred for that fiscal year.
4. If revised claiming instructions are issued by the Controller pursuant to Government Code section 17558, subdivision (c), between November 15 and February 15, a local agency filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim. (Government code section 17560, subdivision (b).)
5. If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed except as otherwise allowed by Government Code section 17564.
6. There shall be no reimbursement for any period in which the Legislature has suspended the operation of a mandate pursuant to state law.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any given fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable to and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

Evidence corroborating the source documents may include, but is not limited to, time sheets, worksheets, cost allocation reports (system generated), purchase orders, contracts, agendas, calendars, and declarations. Declarations must include a certification or declaration stating, "I certify (or declare) under penalty of perjury under the laws of the State of California that the foregoing is true and correct," and must further comply with the requirements of Code of Civil Procedure section 2015.5. Evidence corroborating the source documents may include data relevant to the reimbursable activities otherwise reported in compliance with local, state, and federal government requirements. However, corroborating documents cannot be substituted for source documents.

The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below.

For each eligible claimant, the following ongoing activities are eligible for reimbursement:

- A. Take a police report supporting a violation of Penal Code section 530.5 which includes information regarding the personal identifying information involved and any uses of that personal identifying information that were non-consensual and for an unlawful purpose, including, if available, information surrounding the suspected

identity theft, places where the crime(s) occurred, and how and where the suspect obtained and used the personal identifying information.

- B. Begin an investigation of the facts, including the gathering of facts sufficient to determine where the crime(s) occurred and what pieces of personal identifying information were used for an unlawful purpose. The purpose of the investigation is to assist the victims in clearing their names. Reimbursement is not required to complete the investigation for purposes of criminal prosecution.

Providing a copy of the report to the complainant is not reimbursable under this program.

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for the reimbursable activities identified in section IV of this document. Each reimbursable cost must be supported by source documentation as described in section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

2. Materials and Supplies

Report the cost of materials and supplies that have been consumed or expended for the purpose of the reimbursable activities. Purchases shall be claimed at the actual price after deducting discounts, rebates, and allowances received by the claimant. Supplies that are withdrawn from inventory shall be charged on an appropriate and recognized method of costing, consistently applied.

3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the services that were performed during the period covered by the reimbursement claim. If the contract services were also used for purposes other than the reimbursable activities, only the pro-rata portion of the services used to implement the reimbursable activities can be claimed. Submit contract consultant and invoices with the claim and a description of the contract scope of services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for

purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1, Salaries and Benefits, for each applicable reimbursable activity.

B. Indirect Cost Rates

Indirect costs are costs that are incurred for a common or joint purpose, benefiting more than one program, and are not directly assignable to a particular department or program without efforts disproportionate to the result achieved. Indirect costs may include: (1) the overhead costs of the unit performing the mandate; and (2) the costs of the central government services distributed to the other departments based on a systematic and rational basis through a cost allocation plan.

Compensation for indirect costs is eligible for reimbursement utilizing the procedure provided in 2 CFR Part 225 (Office of Management and Budget (OMB) Circular A-87). Claimants have the option of using 10% of labor, excluding fringe benefits, or preparing an Indirect Cost Rate Proposal (ICRP) if the indirect cost rate claimed exceeds 10%.

If the claimant chooses to prepare an ICRP, both the direct costs (as defined and described in 2 CFR Part 225, Appendix A and B (OMB Circular A-87 Attachments A and B)) and the indirect costs shall exclude capital expenditures and unallowable costs (as defined and described in 2 CFR Part 225, Appendix A and B (OMB Circular A-87 Attachments A and B)). However, unallowable costs must be included in the direct costs if they represent activities to which indirect costs are properly allocable.

The distributions base may be: (1) total direct costs (excluding capital expenditures and other distorting items, such as pass-through funds, major subcontracts, etc.); (2) direct salaries and wages; or (3) another base which results in an equitable distribution.

In calculating an ICRP, the claimant shall have the choice of one of the following methodologies:

1. The allocation of allowable indirect costs (as defined and described in 2 CFR Part 225, Appendix A and B (OMB Circular A-87 Attachments A and B)) shall be accomplished by: (1) classifying a department's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate which is used to distribute indirect costs to mandates. The rate should be expressed as a percentage which the total amount of allowable indirect costs bears to the base selected; or
2. The allocation of allowable indirect costs (as defined and described in 2 CFR Part 225, Appendix A and B (OMB Circular A-87 Attachments A and B)) shall be accomplished by: (1) separating a department into groups, such as divisions or sections, and then classifying the division's or section's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect

costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate that is used to distribute indirect costs to mandates. The rate should be expressed as a percentage which the total amount of allowable indirect costs bears to the base selected.

VI. RECORDS RETENTION

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter¹ is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Any offsets the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate received from any federal, state or non-local source shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558, subdivision (b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561, subdivision (d)(1)(A), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon the request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

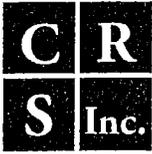
In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (a), and California Code of Regulations, title 2, section 1183.2.

¹ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.

Received
February 23, 2011
Commission on
State Mandates



Cost Recovery Systems, Inc.

February 23, 2011

Mr. Drew Bohan
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Ms. Juliana Gmur
MAXIMUS
2380 Houston Avenue
Clovis, CA 93611

RE: Draft Staff Analysis, Proposed Parameters and Guidelines
Identity Theft (03-TC-08)

Dear Mr. Bohan,

I have reviewed the Proposed Parameters and Guidelines for the Identity Theft program and request more detailed clarifying language regarding eligible activities be included in the final Parameters and Guidelines.

The reimbursable activity to "Take a police report supporting a violation of Penal Code section 530.5" in cases of identity theft is identified, however, we believe that the language should clearly state that the time to "to draft, review and edit the identity theft report" is eligible for reimbursement.

These activities were allowed in similar programs: most recently in the Crime Statistics Report for the Department of Justice mandate (02-TC-04 and 02-TC-11) recently approved by the Commission. We would request that the same activities also be noted in the Identity Theft Ps and Gs and subsequent claiming instructions. We believe this change is consistent with the intent of the mandate and would avoid future confusion:

It is standard law enforcement policy to have all crime reports reviewed by supervisory or command staff. We recently sent a declaration supporting this identical allegation with for the recently approved "Crime Victims Reports for the Department of Justice" program in July, 2010. A declaration attesting to this fact was made by the City of Newark Police Department.

Thank you for the opportunity to comment on this draft staff analysis.

Sincerely,

A handwritten signature in black ink, appearing to read 'Annette Chinn', written in a cursive style.

Annette Chinn
President
Cost Recovery Systems



ITEM 6
PROPOSED PARAMETERS AND GUIDELINES
FINAL STAFF ANALYSIS

Penal Code Section 530.6(a)

Statutes 2000, Chapter 956

Identity Theft

03-TC-08

City of Newport Beach, Claimant

EXECUTIVE SUMMARY

The test claim statute requires local law enforcement agencies to take a police report and begin an investigation when a complainant residing within their jurisdiction reports suspected identity theft. A claimant representative proposes activities in addition to the activities adopted in the statement of decision. The State Controller's Office proposes nonsubstantive revisions to the parameters and guidelines. Staff finds that pursuant to section 1183.1 of the Commission on State Mandates' (Commission) regulations, there is evidence in the record to show that the additional activities proposed by the claimant representative are the most reasonable methods of complying with the mandate, and included the proposed activities. Staff also included the revisions proposed by the State Controller. Staff recommends the Commission adopt the proposed parameters and guidelines and authorize staff to make any necessary technical corrections following the hearing.

STAFF ANALYSIS

Claimant

City of Newport Beach

Chronology

09/25/2003	Claimant files test claim with the Commission on State Mandates (Commission)
03/27/2009	Commission adopts statement of decision
04/17/2009	California State Association of Counties (CSAC) submits intent to develop joint reasonable reimbursement methodology (RRM)
05/07/2009	Department of Finance submits intent to develop joint RRM
02/16/2011	Commission issues letter indicating that parties have not met deadlines for submitting a joint RRM and therefore, Commission is setting the parameters and guidelines for hearing
02/16/2011	Commission issues proposed parameters and guidelines for comment
02/23/2011	Cost Recovery Systems submits comments

03/15/2011	State Controller's Office submits comments
04/05/2011	Department of Finance notifies CSAC that it no longer intends to pursue RRM
06/09/2011	Commission staff issues draft staff analysis
06/28/2011	State Controller's Office submits comments on draft staff analysis and proposed parameters and guidelines
06/30/2011	Department of Finance submits comments on draft staff analysis and proposed parameters and guidelines

I. Background and Summary of the Mandate

The test claim statute requires local law enforcement agencies to take a police report and begin an investigation when a complainant residing within their jurisdiction reports suspected identity theft.

On March 27, 2009, the Commission found that Penal Code section 530.6(a), as added by Statutes 2000, chapter 956, mandates a new program or higher level of service for local law enforcement agencies within the meaning of article XIII B, section 6 of the California Constitution, and imposes costs mandated by the state pursuant to Government Code section 17514 for the following activities only:

- take a police report supporting a violation of Penal Code section 530.5 which includes information regarding the personal identifying information involved and any uses of that personal identifying information that were non-consensual and for an unlawful purpose, including, if available, information surrounding the suspected identity theft, places where the crime(s) occurred, and how and where the suspect obtained and used the personal identifying information; and
- begin an investigation of the facts, including the gathering of facts sufficient to determine where the crime(s) occurred and what pieces of personal identifying information were used for an unlawful purpose.

II. Commission's Responsibility for Adopting Parameters and Guidelines

If the Commission approves a test claim, the Commission is required by Government Code section 17557 to adopt parameters and guidelines for the reimbursement of any claims. The successful test claimant is required to submit proposed parameters and guidelines to the Commission for review. The parameters and guidelines shall include the following information: a summary of the mandate; a description of the eligible claimants; a description of the period of reimbursement; a description of the specific costs and types of costs that are reimbursable, including activities that are not specified in the test claim statute or executive order, but are determined to be reasonably necessary for the performance of the state-mandated program; instructions on claim preparation, including instructions for the direct or indirect reporting of the actual costs of the program or the application of an RRM; and any offsetting revenue or savings that may apply.¹

As of January 1, 2011, Commission hearings on the adoption of proposed parameters and guidelines are conducted under Article 7 of the Commission's regulations.² Article 7 hearings are quasi-judicial hearings. The Commission is required to adopt a decision that is based on

¹ Government Code section 17557; California Code of Regulations, Title 2, section 1183.1.

² California Code of Regulations, Title 2, section 1187.

substantial evidence in the record, and oral or written testimony is offered under oath or affirmation.³ Each party has the right to present witnesses, introduce exhibits, and submit declarations. However, the hearing is not conducted according to the technical rules of evidence. Any relevant non-repetitive evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs. Irrelevant and unduly repetitious evidence shall be excluded. Hearsay evidence may be used to supplement or explain, but is not sufficient in itself to support a finding unless the hearsay evidence would be admissible in civil actions.⁴

Should the Commission adopt this analysis and proposed parameters and guidelines, a cover sheet would be attached indicating that the Commission adopted the analysis as its decision. The decision and adopted parameters and guidelines are then submitted to the State Controller's Office to issue claiming instructions to local governments, and to pay and audit reimbursement claims. Issuance of the claiming instructions constitutes the notice of the right of local governments to file reimbursement claims with the State Controller's Office based on the parameters and guidelines.

III. Discussion

Government Code section 17557.1 authorizes claimants, statewide associations representing claimants, and the Department of Finance to jointly develop a reasonable reimbursement methodology (RRM) in lieu of adopting parameters and guidelines. In 2009, the California State Association of Counties (CSAC) and the Department of Finance each submitted notices of their intent to develop an RRM for this program. Under Government Code section 17557.1, a notice of intent to develop a joint RRM must include the date the claimant or statewide association and Finance will submit a plan for the RRM, including the date the RRM will be submitted to the Commission. The date the RRM is submitted must be no later than 180 days after the notice of intent is filed. Upon request of the parties, the Commission may provide up to four extensions of this 180-day period.

This process was not followed by the parties. The parties indicated a plan would be submitted on May 31, 2009, but no plan was submitted. The proposed RRM was not submitted to the Commission within 180 days, and no requests for extensions were requested. In fact, no RRM was ever submitted, and the Commission did not notify plaintiffs that the time to submit a plan had run.

On February 16, 2011, Commission staff issued a letter indicating that the parties have not met deadlines for submitting a joint RRM and therefore, the Commission is setting the parameters and guidelines for hearing.

Section 1183.12 of the Commission's regulations authorizes Commission staff, within 10 days after adoption of a statement of decision, to expedite parameters and guidelines by drafting proposed parameters and guidelines to assist the claimant. Government Code section 17554 authorizes the Commission to waive procedural requirements, upon the agreement of parties. With the parties' agreement, staff drafted and issued the proposed parameters and guidelines for comment.⁵

³ Government Code section 17559(b); California Code of Regulations, Title 2, section 1187.5.

⁴ California Code of Regulations, Title 2, section 1187.5.

⁵ Exhibit A.

A. Comments Filed by Cost Recovery Systems

Comments were received by Annette Chinn of Cost Recovery Systems, representing claimants in the mandates process.⁶ Ms. Chinn requested that more detailed clarifying language regarding eligible activities be included in the proposed parameters and guidelines. Specifically, she requested that the language to “draft, review and edit” the identity theft report be eligible for reimbursement. Ms. Chinn also pointed out that the Commission recently approved the same clarifying language in the parameters and guidelines for the *Crime Statistic Reports for Department of Justice* (02-TC-04, 02-TC-11, 07-TC-10).

B. Comments Filed by the State Controller’s Office

The State Controller’s Office filed comments on the initial proposed parameters and guidelines and the draft staff analysis, and requested that non-substantive, technical changes be made to the proposed parameters and guidelines for purposes of clarification, consistency with language in recently adopted parameters and guidelines, and conformity to the statement of decision and statutory language.⁷ Staff accepted the revisions proposed by the State Controller’s Office.

C. Comments Filed by the Department of Finance

The Department of Finance filed comments on the draft staff analysis stating that it had no concerns with the proposed parameters and guidelines, but encouraged claimants to implement the program in “a reasonable, non-excessive amount of time.”⁸

D. Staff Analysis

Staff reviewed the statement of decision, draft parameters and guidelines, and the comments received, and made nonsubstantive technical changes that conform these parameters and guidelines with parameters and guidelines previously adopted by the Commission, and to address the Controller’s request for technical revisions.

Staff made substantive changes to the following section:

Section IV. Reimbursable Activities

Cost Recovery Systems proposed additional activities in order to provide further clarification to the parameters and guidelines. (The activities approved in the statement of decision are listed below. Cost Recovery System’s proposed clarifying language is also listed below in italics.)

- A. Take a police report supporting a violation of Penal Code section 530.5 which includes information regarding the personal identifying information involved and any uses of that personal identifying information that were non-consensual and for an unlawful purpose, including, if available, information surrounding the suspected identity theft, places where the crime(s) occurred, and how and where the suspect obtained and used the personal identifying information. *This activity includes drafting, reviewing, and editing the identity theft police report.*
- B. Begin an investigation of the facts, including the gathering of facts sufficient to determine where the crime(s) occurred and what pieces of personal identifying information were used for an unlawful purpose. The purpose of the investigation is to

⁶ Exhibit B.

⁷ Exhibits C and D.

⁸ Exhibit E.

assist the victims in clearing their names. Reimbursement is not required to complete the investigation for purposes of criminal prosecution.

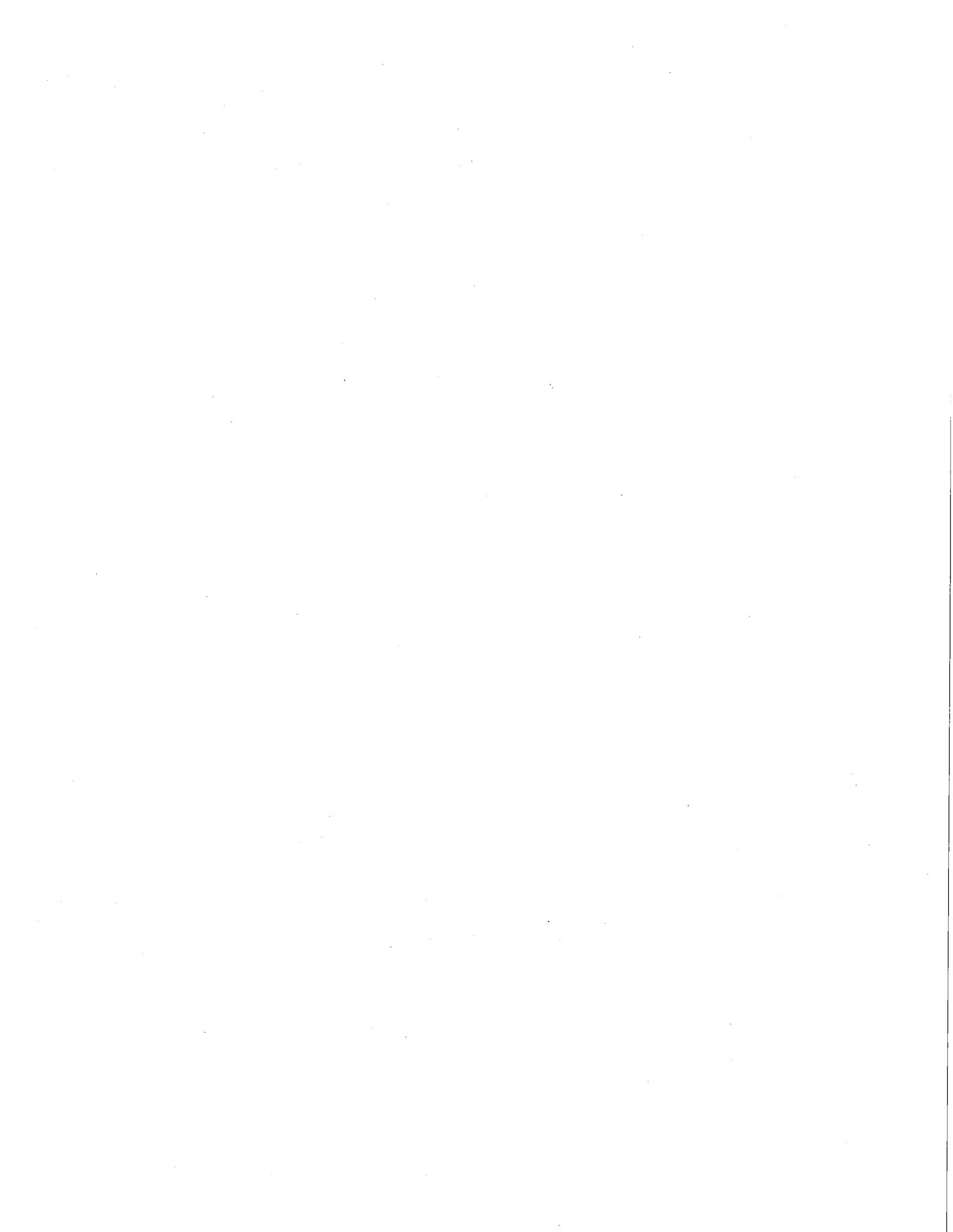
Section 1183.1(a)(4) of the Commission's regulations authorizes the Commission to include the "most reasonable methods of complying with the mandate" in the parameters and guidelines. The "most reasonable methods of complying with the mandate" are "those methods *not specified in statute or executive order* that are necessary to carry out the mandated program." (Emphasis added.)

In order to comply with the legislative intent of the test claim statute to assist victims of identity theft in clearing their names, identity theft police reports must be completed. Staff finds that drafting, reviewing, and editing are standard procedures for completing reports, and are reasonably necessary to implement this program. Therefore, staff included the language requested by Cost Recovery Systems.

Staff Recommendation

Staff recommends that the Commission adopt the proposed parameters and guidelines, as modified by staff, beginning on page 6.

Staff also recommends that the Commission authorize staff to make any non-substantive, technical corrections to the parameters and guidelines following the hearing.



PROPOSED PARAMETERS AND GUIDELINES

Penal Code Section 530.6(a)

Statutes 2000, Chapter 956

Identity Theft

03-TC-08

City of Newport Beach, Claimant

I. SUMMARY OF THE MANDATE

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- begin an investigation of the facts, including the gathering of facts sufficient to determine where the crime(s) occurred and what pieces of personal identifying information were used for an unlawful purpose.

II. ELIGIBLE CLAIMANTS

Any ~~local city, county, or city and county~~ whose law enforcement agency ~~that~~ incurs increased costs as a result of this reimbursable state-mandated program is eligible to claim reimbursement of ~~these~~ these costs.

III. PERIOD OF REIMBURSEMENT

Government Code section 17557(e), states that a test claim shall be submitted on or before June 30 following a given fiscal year to establish eligibility for that fiscal year. The ~~County of Alameda~~ City of Newport Beach filed the test claim on September 25, 2003, establishing eligibility for reimbursement beginning July 1, 2002. Therefore, costs incurred for compliance with the mandated activities are reimbursable on or after July 1, 2002.

Reimbursement for state-mandated costs may be claimed as follows:

1. Actual costs for one fiscal year shall be included in each claim.
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5. If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed except as otherwise allowed by Government Code section 17564(a).
6. There shall be no reimbursement for any period in which the Legislature has suspended the operation of a mandate pursuant to state law.

IV. REIMBURSABLE ACTIVITIES

To be eligible for mandated cost reimbursement for any given fiscal year, only actual costs may be claimed. Actual costs are those costs actually incurred to implement the mandated activities. Actual costs must be traceable to and supported by source documents that show the validity of such costs, when they were incurred, and their relationship to the reimbursable activities. A source document is a document created at or near the same time the actual cost was incurred for the event or activity in question. Source documents may include, but are not limited to, employee time records or time logs, sign-in sheets, invoices, and receipts.

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The claimant is only allowed to claim and be reimbursed for increased costs for reimbursable activities identified below.

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- A. Take a police report supporting a violation of Penal Code section 530.5 which includes information regarding the personal identifying information involved and any uses of that personal identifying information that were non-consensual and for an

unlawful purpose, including, if available, information surrounding the suspected identity theft, places where the crime(s) occurred, and how and where the suspect obtained and used the personal identifying information. This activity includes drafting, reviewing, and editing the identity theft police report.

B. Begin an investigation of the facts, including the gathering of facts sufficient to determine where the crime(s) occurred and what pieces of personal identifying information were used for an unlawful purpose. The purpose of the investigation is to assist the victims in clearing their names. Reimbursement is not required to complete the investigation for purposes of criminal prosecution.

B. Draft, review, and edit the identity theft police report.

Providing a copy of the report to the complainant is not reimbursable under this program.

Referring the matter to the law enforcement agency where the suspected crime was committed for further investigation of the facts is also not reimbursable under this program.

V. CLAIM PREPARATION AND SUBMISSION

Each of the following cost elements must be identified for the reimbursable activities identified in section IV of this document. Each reimbursable cost must be supported by source documentation as described in section IV. Additionally, each reimbursement claim must be filed in a timely manner.

A. Direct Cost Reporting

Direct costs are those costs incurred specifically for reimbursable activities. The following direct costs are eligible for reimbursement.

1. Salaries and Benefits

Report each employee implementing the reimbursable activities by name, job classification, and productive hourly rate (total wages and related benefits divided by productive hours). Describe the specific reimbursable activities performed and the hours devoted to each reimbursable activity performed.

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3. Contracted Services

Report the name of the contractor and services performed to implement the reimbursable activities and attach a copy of the contract to the claim. If the contractor bills for time and materials, report the number of hours spent on the activities and all costs charged. If the contract is a fixed price, report the dates when services that were performed and itemize all costs for those services during the period covered by the reimbursement claim. If the contract services were also used for purposes other than the reimbursable activities, only the pro-rata portion of the services used to implement the reimbursable activities can

be claimed. Submit contract consultant and invoices with the claim and a description of the contract scope of services.

4. Fixed Assets and Equipment

Report the purchase price paid for fixed assets and equipment (including computers) necessary to implement the reimbursable activities. The purchase price includes taxes, delivery costs, and installation costs. If the fixed asset or equipment is also used for purposes other than the reimbursable activities, only the pro-rata portion of the purchase price used to implement the reimbursable activities can be claimed.

5. Travel

Report the name of the employee traveling for the purpose of the reimbursable activities. Include the date of travel, destination, the specific reimbursable activity requiring travel, and related travel expenses reimbursed to the employee in compliance with the rules of the local jurisdiction. Report employee travel time according to the rules of cost element A.1, Salaries and Benefits, for each applicable reimbursable activity.

B. Indirect Cost Rates

Indirect costs are costs that are incurred for a common or joint purpose, benefiting more than one program, and are not directly assignable to a particular department or program without efforts disproportionate to the result achieved. Indirect costs may include: (1) the overhead costs of the unit performing the mandate; and (2) the costs of the central government services distributed to the other departments based on a systematic and rational basis through a cost allocation plan.

Compensation for indirect costs is eligible for reimbursement utilizing the procedure provided in 2 CFR Part 225 (Office of Management and Budget (OMB) Circular A-87). Claimants have the option of using 10% of labor, excluding fringe benefits, or preparing an Indirect Cost Rate Proposal (ICRP) if the indirect cost rate claimed exceeds 10%.

If the claimant chooses to prepare an ICRP, both the direct costs (as defined and described in 2 CFR Part 225, Appendix A and B (OMB Circular A-87 Attachments A and B)) and the indirect costs shall exclude capital expenditures and unallowable costs (as defined and described in 2 CFR Part 225, Appendix A and B (OMB Circular A-87 Attachments A and B)). However, unallowable costs must be included in the direct costs if they represent activities to which indirect costs are properly allocable.

The distributions base may be: (1) total direct costs (excluding capital expenditures and other distorting items, such as pass-through funds, major subcontracts, etc.); (2) direct salaries and wages; or (3) another base which results in an equitable distribution.

In calculating an ICRP, the claimant shall have the choice of one of the following methodologies:

1. The allocation of allowable indirect costs (as defined and described in 2 CFR Part 225, Appendix A and B (OMB Circular A-87 Attachments A and B)) shall be accomplished by: (1) classifying a department's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate which is used to distribute indirect costs to mandates. The

rate should be expressed as a percentage which the total amount of allowable indirect costs bears to the base selected; or

2. The allocation of allowable indirect costs (as defined and described in 2 CFR Part 225, Appendix A and B (OMB Circular A-87 Attachments A and B)) shall be accomplished by: (1) separating a department into groups, such as divisions or sections, and then classifying the division's or section's total costs for the base period as either direct or indirect; and (2) dividing the total allowable indirect costs (net of applicable credits) by an equitable distribution base. The result of this process is an indirect cost rate that is used to distribute indirect costs to mandates. The rate should be expressed as a percentage which the total amount of allowable indirect costs bears to the base selected.

VI. RECORDS RETENTION

Pursuant to Government Code section 17558.5(a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter¹ is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

VII. OFFSETTING REVENUES AND REIMBURSEMENTS

Any offsets the claimant experiences in the same program as a result of the same statutes or executive orders found to contain the mandate shall be deducted from the costs claimed. In addition, reimbursement for this mandate received from any federal, state or non-local source shall be identified and deducted from this claim.

VIII. STATE CONTROLLER'S CLAIMING INSTRUCTIONS

Pursuant to Government Code section 17558(b), the Controller shall issue claiming instructions for each mandate that requires state reimbursement not later than 60 days after receiving the adopted parameters and guidelines from the Commission, to assist local agencies and school districts in claiming costs to be reimbursed. The claiming instructions shall be derived from the test claim decision and the parameters and guidelines adopted by the Commission.

Pursuant to Government Code section 17561(d)(1)(A), issuance of the claiming instructions shall constitute a notice of the right of the local agencies and school districts to file reimbursement claims, based upon parameters and guidelines adopted by the Commission.

IX. REMEDIES BEFORE THE COMMISSION

Upon the request of a local agency or school district, the Commission shall review the claiming instructions issued by the State Controller or any other authorized state agency for

¹ This refers to Title 2, division 4, part 7, chapter 4 of the Government Code.

reimbursement of mandated costs pursuant to Government Code section 17571. If the Commission determines that the claiming instructions do not conform to the parameters and guidelines, the Commission shall direct the Controller to modify the claiming instructions to conform to the parameters and guidelines as directed by the Commission.

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557(ad)(1), and California Code of Regulations, title 2, section 1183.2.

X. LEGAL AND FACTUAL BASIS FOR THE PARAMETERS AND GUIDELINES

The Statement of Decision is legally binding on all parties and provides the legal and factual basis for the parameters and guidelines. The support for the legal and factual findings is found in the administrative record for the test claim. The administrative record, including the Statement of Decision, is on file with the Commission.



JOHN CHIANG
California State Controller
Division of Accounting and Reporting

March 15, 2011

Mr. Drew Bohan
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: **Proposed Parameters and Guidelines**
Identity Theft, 03-TC-08
Penal Code Section 530.6, subdivision (a)
Statutes 2000, Chapter 956
City of Newport Beach, Claimant

Dear Mr. Bohan:

We have reviewed the proposed parameters and guidelines drafted by your office. Below are our comments and recommendations. Proposed additions are underlined and deletions are indicated with strikethrough as follows:

II. ELIGIBLE CLAIMANTS

Page 1

Any ~~local~~ city or county whose law enforcement agency that incurs increased costs as a result of this reimbursable state-mandated program is eligible to claim reimbursement of ~~those~~ these costs.

COMMENT: Pursuant to Government Code section 17518, "local agency" means any city, county, special district, authority, or other political subdivision of the State. The Summary of Findings of the Statement of Decision states: The Commission finds that the test claim statute imposes a reimbursable state-mandated program for cities and counties for some of the required activities within the meaning of article XIII B, section 6 of the California Constitution.

III. PERIOD OF REIMBURSEMENT

Page 1

The ~~County of Alameda~~ City of Newport Beach filed the test claim on September 25, 2003, establishing eligibility for reimbursement beginning July 1, 2002.

COMMENT: The City of Newport Beach is the claimant who filed the test claim (03-TC-08).

Mr. Drew Bohan
March 15, 2011
Page 2

Page 2

Reimbursement for state-mandated costs may be claimed as follows:

4. If In the event revised claiming instructions are issued by the Controller pursuant to Government Code section 17558, subdivision (c), between November 15 and February 15, a local agency filing an annual reimbursement claim shall have 120 days following the issuance date of the revised claiming instructions to file a claim. (Government Code section 17560, subdivision (b)).

COMMENT: We recommend changing the language to conform to Government Code section 17560, subdivision (b).

5. If the total costs for a given fiscal year do not exceed \$1,000, no reimbursement shall be allowed except as otherwise allowed by Government Code section 17564, subdivision (a).

COMMENT: Add subdivision (a) to Government Code section 17564 for specific reference.

VI. RECORDS RETENTION

Page 5

Pursuant to Government Code section 17558.5, subdivision (a), a reimbursement claim for actual costs filed by a local agency or school district pursuant to this chapter is subject to the initiation of an audit by the State Controller no later than three years after the date that the actual reimbursement claim is filed or last amended, whichever is later. However, if no funds are appropriated or no payment is made to a claimant for the program for the fiscal year for which the claim is filed, the time for the Controller to initiate an audit shall commence to run from the date of initial payment of the claim. In any case, an audit shall be completed not later than two years after the date that the audit is commenced. All documents used to support the reimbursable activities, as described in Section IV, must be retained during the period subject to audit. If an audit has been initiated by the Controller during the period subject to audit, the retention period is extended until the ultimate resolution of any audit findings.

COMMENT: The title should read "RECORD RETENTION" and we recommend adding the above sentence to be consistent with current boilerplate.

IX. REMEDIES BEFORE THE COMMISSION

Page 5

In addition, requests may be made to amend parameters and guidelines pursuant to Government Code section 17557, subdivision (~~a~~), (d)(1) and California Code of Regulations, title 2, section 1183.2.

COMMENT: Change from Government Code section 17557, subdivision (a) to Government Code section 17557, subdivision (d)(1) for correct reference.

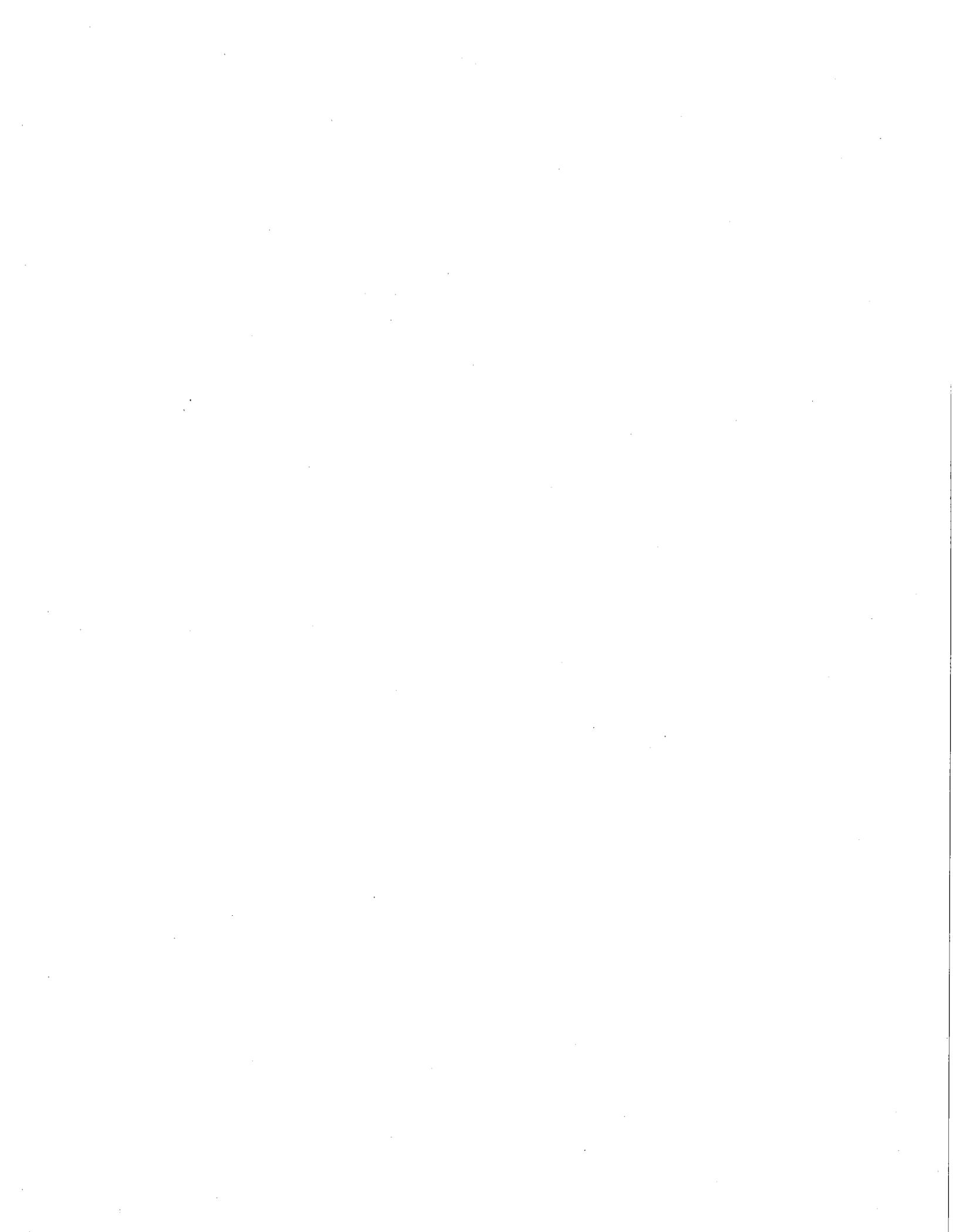
Mr. Drew Bohan
March 15, 2011
Page 3

Should you have any questions regarding the above, please contact Carlos Garcia at (916) 323-0766, or e-mail to cegarcia@sco.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "JAY LAL", written in a cursive style.

JAY LAL, Manager
Local Reimbursements Section





Received
June 28, 2011
Commission on
State Mandates

JOHN CHIANG
California State Controller
Division of Accounting and Reporting

June 28, 2011

Mr. Drew Bohan
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Re: **Proposed Parameters and Guidelines**
Identity Theft, 03-TC-08
Penal Code Section 530.6, subdivision (a)
Statutes 2000, Chapter 956
City of Newport Beach, Claimant

Dear Mr. Bohan:

We have reviewed the proposed parameters and guidelines drafted by your office. Below are our comments and recommendations. Proposed additions are underlined and deletions are indicated with strikethrough as follows:

II. ELIGIBLE CLAIMANTS

Page 6

Any city, county, ~~and~~ or city and county whose law enforcement agency incurs increased costs as a result of this reimbursable state-mandated program is eligible to claim reimbursement of these costs.

COMMENT: Change "and" to "or".

III. REIMBURSABLE ACTIVITIES

Pages 7-8

- A. Take a police report supporting a violation of Penal Code section 530.5 which includes information regarding the personal identifying information involved and any uses of that personal identifying information that were non-consensual and for an unlawful purpose, including, if available, information surrounding the suspected identity theft, places where the crime(s) occurred, and how and where the suspect obtained and used the personal identifying information. This activity includes drafting, reviewing, and editing the identity theft police report.
- B. Begin an investigation of the facts, including the gathering of facts sufficient to determine where the crime(s) occurred and what pieces of personal identifying information were

Mr. Drew Bohan
June 28, 2011
Page 2

Received
June 28, 2011
Commission on
State Mandates

used for an unlawful purpose. The purpose of the investigation is to assist the victims in clearing their names. Reimbursement is not required to complete the investigation for purposes of criminal prosecution.

~~C. Draft, review, and edit the identity theft report.~~

Providing a copy of the report to the complainant is not reimbursable under this program. Referring the matter to the law enforcement agency where the suspected crime was committed for further investigation of the facts is not reimbursable under this program.

COMMENT: The change proposed by Cost Recovery Systems merely clarifies the nature of the reimbursable activity to "Take a police report supporting a violation of Penal Code section 530.5". It should be included under heading "A". We also recommend adding the statement about "Referring the matter" to clarify the activities that are not reimbursable based on the Statement of Decision adopted by the Commission on March 27, 2009.

VI. RECORDS RETENTION

Page 10

COMMENT: The title should read "RECORD RETENTION" to be consistent with current boilerplate.

Should you have any questions regarding the above, please contact Carlos Garcia at (916) 323-0766, or e-mail to cegarcia@sco.ca.gov.

Sincerely,



JAY LAL, Manager
Local Reimbursements Section

Received
June 29, 2011
Commission on
State Mandates



EDMUND G. BROWN JR. ■ GOVERNOR

915 L STREET ■ SACRAMENTO CA ■ 95814-3706 ■ WWW.DOF.CA.GOV

June 30, 2011

Mr. Drew Bohan
Executive Director
Commission on State Mandates
980 Ninth Street, Suite 300
Sacramento, CA 95814

Proposed Parameters & Guidelines 03-TC-08 "Identity Theft—City of Newport Beach."

Dear Mr. Bohan:

The Department of Finance (Finance) has reviewed the draft staff analysis of the proposed Parameters and Guidelines for the Identity Theft mandate submitted by the City of Newport Beach (claimant). We do not have significant concerns with a majority of the reimbursable activities. However, if reimbursement is provided for the activity of, "drafting, reviewing, and editing the identity theft police report," it should be limited to a reasonable, non-excessive amount of time, as should be the case for all reimbursable activities.

Pursuant to section 1181.2, subdivision (c)(1)(E) of the California Code of Regulations, "documents e-filed with the Commission need not be otherwise served on persons that have provided an e-mail address for the mailing list."

If you have any questions regarding this letter, please contact Jeff Carosone, Principal Program Budget Analyst at (916) 445-8913.

Sincerely,

NONA MARTINEZ
Assistant Program Budget Manager

Enclosure

Received
June 29, 2011
Commission on
State Mandates

Enclosure A

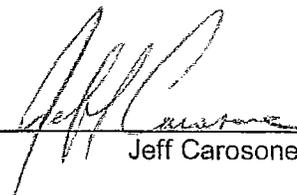
DECLARATION OF JEFF CAROSONE
DEPARTMENT OF FINANCE
CLAIM NO. CSM-03-TC-08

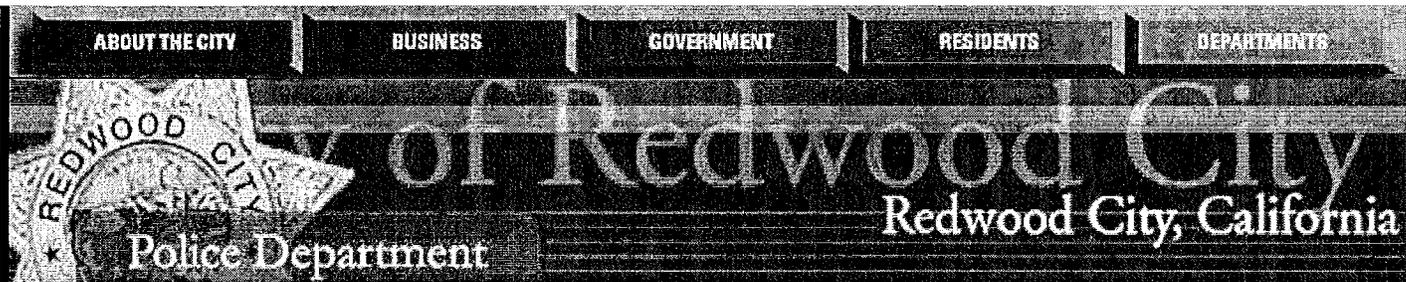
1. I am currently employed by the State of California, Department of Finance (Finance), am familiar with the duties of Finance, and am authorized to make this declaration on behalf of Finance.

I certify under penalty of perjury that the facts set forth in the foregoing are true and correct of my own knowledge except as to the matters therein stated as information or belief and, as to those matters, I believe them to be true.

6-23-11

at Sacramento, CA


Jeff Carosone



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**REPORT
CRIME
ONLINE**

**Parking
Tickets**

PAY ONLINE
[picket.com](#)

Online Reporting

English | [Español](#)

*****IF THIS IS AN EMERGENCY, PLEASE CALL 911*****

Welcome to the Redwood City Police Department Online Reporting System. We hope you find this system convenient and easy to use. We are offering this system to the public to enhance our customer service by providing alternative methods of reporting crimes. Some of the benefits of reporting crimes online include:

Reports Filed Anytime, Anywhere

You can file a report anytime, anywhere with an internet connection, and you do not have to wait for an officer to be dispatched.

Secure Communication

All collected information is securely transferred to the servers through an encrypted channel.

Immediate Report Copy

You can immediately print a temporary copy of the report after filing it. An official copy with a permanent case number will be emailed to you once it is approved by an approving officer free of charge.

Who can use the Online Crime Reporting System?

As long as you can answer NO to the following questions, you can use the Online Crime Reporting System.

- Is this an Emergency?
- Did your incident happen outside of Redwood City limits?
- Do you know who the suspect is?
- Did your incident happen on a state highway or freeway?

If you answered YES to any of the above questions, review our [Online Citizen Police Report Frequently Asked Questions](#) to see how you should proceed.

What happens when I complete the Online Form?

After you complete the online form and click the SUBMIT button, you will:

- See the words: "Your online police report has been submitted" showing that your police report is complete.
- Be given a police report case number.
- Be able to print a copy of the police report to keep for your records.

****Turn off your Pop-Up Blocker before continuing****

Please Note:

- All cases filed online will be reviewed.
- Upon review, if further investigation of your case is needed, you may be contacted.
- We can now accept two images, the combined size not to exceed 1MB, for Hit and Run Traffic Collision reports, Theft from a vehicle reports and Vandalism reports.
- **Filing a false police report is a crime.**

- [Crime Tip](#)
- [Hit and Run](#)
- [Lost Property](#)
- [Vandalism/Graffiti**](#)
- [Vehicle Tampering**](#)
- [Harassing Phone Call](#)
- [Identity Theft](#)
- [Theft](#)
- [Theft From Vehicle**](#)

Questions or comments about the system? Need some help? [Click here to send us an email](#) and we will respond as soon as we can.

**We can now accept two images, the combined size not to exceed 1MB

[CITY HOME](#)

[SITE MAP](#)

[SEARCH](#)

[CONTACT US](#)

[SUGGESTIONS](#)

City of Redwood City
Redwood City, California

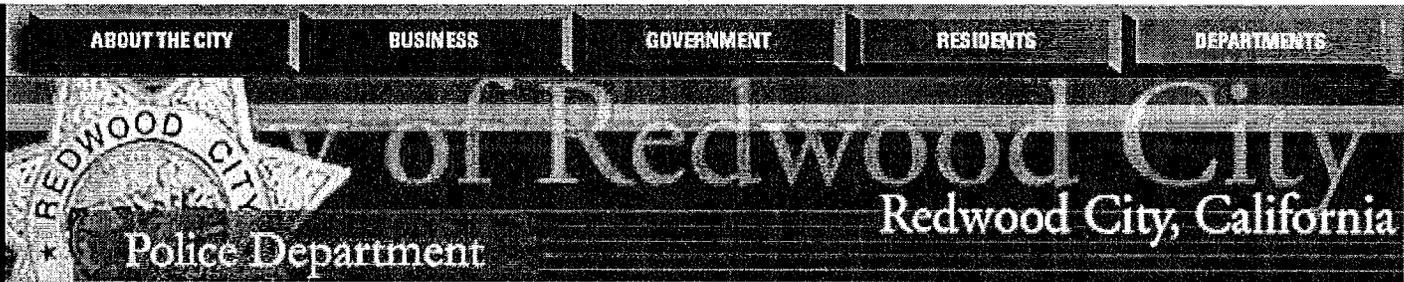


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Please read our [Terms of Service](#)

Please email any comments or suggestions to webmaster@redwoodcity.org

Unless otherwise noted, all phone numbers are in area code 650.



Home » Police Department » Online Reporting » Identity Theft

Identity Theft

About Us

Welcome Message

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Community

Volunteer

FAQ

Contact Us

Welcome to the Redwood City Police Department Citizens Online Police Reporting System. Using this internet police reporting system you will be able to report the incident without waiting and print a copy of the report for free.

If you are the victim of identity theft or fraud please retain all papers, receipts, cancelled checks, mail from companies, etc. related to this crime. We may contact you to get these items if needed and you should keep copies for your records.

There are some groups you should notify if you are the victim of identity theft or fraud. These organizations may ask for the report number you will receive at the end of this online police report process. Please complete the report then contact:

Agency	Web URL	Contact Telephone Number
Equifax	http://www.equifax.com/	1-800-525-6285
Experian	http://www.experian.com/	1-888-397-3742
Trans Union	http://www.transunion.com/	1-800-680-7289
U.S. Federal Trade Commission	http://www.ftc.gov/	1-877-438-4338
Department of Motor Vehicles		1-866-658-5758



Click below and pick Identity Theft to start the report.

Start Report

Helpful Tips:

- Protect your social security number and only give it out when required by law.
- No bank, auction site or other business should send you an email asking you to enter credit card information, passwords, social security numbers or other personal information. Often these fake emails will contain links to pages that look real but are not. If you suspect you are being directed to a fake site please go to the actual home web site of the company and inform them of what has happened.
- Avoid mail theft by obtaining a locked mailbox and dropping off outgoing mail at the local post office or postal mailbox.
- Do not give out your personal information or credit card number over the phone unless you initiated the call.
- Shred credit card offers and bank statements before you throw them away if you do not plan on using them.

CITY HOME

SITE MAP

SEARCH

CONTACT US

SUGGESTIONS

City of Redwood City
Redwood City, California

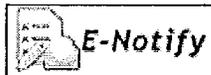


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Please read our [Terms of Service](#)

Please email any comments or suggestions to webmaster@redwoodcity.org

Unless otherwise noted, all phone numbers are in area code 650.



*Interested in City information?
Want to know what is happening in Hayward?
Sign up for E-Notify and we will send you
information directly!*

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- MAYOR & CITY COUNCIL
- CITY COUNCIL MEETINGS
- PLANNING COMMISSION MEETINGS
- BOARDS, COMMISSION & COMMITTEES
- COUNCIL STANDING COMMITTEES
- OTHER MEETINGS

- AIRPORT
- CODES, ORDINANCES & FEES
- DEPARTMENTS
- EMPLOYMENT
- LOCAL LINKS
- VOLUNTEERING



File a Police Report

English | Español

You can complete and submit a police report online for **eight types of non-emergency incidents** - harassing phone calls, hit and run, lost property, theft, vandalism, vehicle burglary and vehicle tampering.

If the incident is an Emergency please call 9-1-1 now.

Before using the online reporting system, be aware that the incident must meet the following conditions:

■ **Be a non-emergency.**

Call **9-1-1** if the incident is an emergency.

■ **Other than Identity theft, all incidents must have occurred within the Hayward City limits only - not in another city, nor in the unincorporated areas of Alameda County, nor on a State freeway.**

If the incident happened in another city, call the police department in that city. If the incident happened on a State freeway, call the California Highway Patrol office nearest you. If the incident happened in the unincorporated area of Alameda County (Ashland, Castro Valley, Cherryland, Fairmont Terrace, Fairview, Mt. Eden and San Lorenzo) contact the Alameda County Sheriff's Department at 510-667-7721.

■ **Have no known suspects.**

This means neither you nor someone else knows who did the crime, or that person's location, or the license plate of the vehicle driven by those who committed the crime.

■ **Identity Theft.**

Police reports regarding identify theft may be taken online if the victim lives or works within the city limits OR if there is evidence of the crime occurring within the City of Hayward's limits. You must review the Identity Theft Instructions page (link below) prior to filing your report.

If the non-emergency incident occurred in the Hayward city limits, but does not meet the other conditions listed above, call 510-293-7272.

After completing and submitting the online report:

You will get a case number, and be able to print a copy of the report.

Your report will be reviewed by a police officer.

You may be contacted if further investigation of your case is needed.

Filing a false police report is a crime.

For **IDENTITY THEFT** of reports:

For **ALL OTHER TYPES** of reports:

**Water
Conservation**

**Mural Art
Program**

■ Harassing Phone Call - Additional Step Required

After filing a report, call AT&T (1-800-348-8727) with the report number and for more instructions.



-- 777 B STREET - HAYWARD, CA 94541 --

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Identity Theft Prevention Tips and Instructions for Victims



*Interested in City information?
Want to know what is happening in
Hayward?
Sign up for E-Notify and we will send you
information directly!*

IDENTITY THEFT is the fastest growing crime in the nation! It is best defined as the illegal possession or use of your personal information to obtain credit, goods or services, work, benefits, access your existing accounts or even commit crimes using your name. It costs businesses and individuals over 50 billion dollars a year, with only 25% of victims reporting.

If you are a Hayward resident or work in Hayward and become a victim of identity theft, make your preliminary report with the Hayward Police Department and your case will be forwarded to and investigated by the jurisdiction where the crime occurred. Please visit the following links for resources to help protect yourself from ID Theft or recover your good name once you have become a victim.

If you live or work in the City of Hayward and believe that you are the victim of identity theft, there is also now a **FREE SERVICE** that will provide advice and support to help you get through it.

This unique service is a partnership between the City of Hayward Police Department and the Identity Theft Council, a non-profit group of identity theft and security experts who are volunteering their time to provide FREE assistance to identity theft victims locally.

To speak to a Counselor by phone, call 1(888) 771-0767, or you can email them at hayward@identitytheftcouncil.org. Please visit the Identity Theft Council website at identitytheftcouncil.org/hayward

Robo de Identidad - En cumplimiento de la Sección 530.6 del Código Penal del Estado de California, el Departamento de Policía de la Ciudad de Hayward deberá crear un reporte de policía de cualquier persona que vive o trabaja en los límites de la jurisdicción del Departamento de Policía de la Ciudad de Hayward y que se ha enterado o que sospecha que su identificación personal ha sido ilegalmente usada por alguien, tal y como se describe en Subdivisión (a) de la Sección 530.5 del Código Penal de California.

El Departamento de Policía de la Ciudad de Hayward dará al denunciante una copia del reporte e iniciará una investigación de los hechos. Si el crimen que se sospecha fué o tuvo lugar en una jurisdicción diferente, el Departamento de Policía de Hayward referirá el caso a la agencia de ley responsable donde el crimen que se sospecha tuvo lugar para investigar los hechos.

Si usted vive o trabaja en la Ciudad de Hayward y cree que ha sido víctima de robo de identidad, ahora hay también un SERVICIO GRATIS para obtener asesoramiento y apoyo para ayudarlo a superar el problema.

Este servicio único es una alianza del Departamento de Policía de la Ciudad de Hayward y el Consejo de Robo de Identidad, esta es una entidad no lucrativa con expertos en robo de identidad y expertos en seguridad que trabajan como voluntarios para proporcionar asistencia GRATIS a nivel local a víctimas de robo de identidad. Para hablar con un Consejero por teléfono, llame al 1 (888) 771-0767, o a través de correo electrónico a

hayward@identitytheftcouncil.org Por favor visite el sitio de Internet del Consejo de Robo de Identidad:

<http://www.identitytheftcouncil.org/hayward>

Los investigadores podrán o no investigar el caso basados en la información proporcionada en el reporte y dependiente de la jurisdicción donde el robo de

identidad o transacciones se cree que ocurrieron.

Si usted conoce a cualquier persona o tiene cualquier información que podría indicar quien cometió el crimen por favor llame al Departamento de Policía de la Ciudad de Hayward al 510-293-7000 para presentar su reporte por teléfono o en persona y proporcionar toda la documentación necesaria.

DON'T BECOME A VICTIM!

To Start Id Theft Report (English): **START REPORT**

To Start Id Theft Report (Spanish): **START REPORT**

IDENTITY THEFT PREVENTION

Use the attached resources to help protect yourself from the fastest growing crime in the United States.

Identity Theft Prevention - WORD

Resource List - WORD

Credit Freeze Instructions - Website

Credit Freeze Template Letters - WORD

INSTRUCTIONS FOR IDENTITY THEFT VICTIMS

Once you discover you are the victim of identity theft: Keep a written log of every phone call, copies of all correspondence and expenses associated with managing your identity theft case.

ID Theft Case Management - EXCEL

- 1. Order a FREE copy of your credit report from all three credit reporting bureaus. (Experian, Equifax and TransUnion)**

To order your once yearly FREE report, visit www.annualcreditreport.com, or call 1-877-322-8228. (You will also be entitled to additional free credit reports as a victim of Identity theft.)

By ordering your report you will be able to determine whether there are any additional fraudulent accounts and/or inquiries that you need to report to law enforcement and the credit reporting bureaus.

- 2. Complete ID Theft Affidavit.**

ID Theft Affidavit and Instructions - PDF

- 3. File a preliminary police report with the law enforcement agency that services the jurisdiction in which you live or work.**

- Supply the law enforcement agency with a copy of your completed ID Theft Affidavit and any supporting documentation you have collected. These documents will be included with your report and evaluated for follow-up by the reporting agency and/or forwarded the agency(s) where the crime(s) occurred. (California Penal Code section 530.6)

- Obtain a copy of your police report. You will need to provide a copy of this report to each of the creditors and credit reporting bureaus when reporting the fraud.

- 4. Report the fraud to the three major credit reporting bureaus and place a preliminary "fraud alert" on your**

credit files. A fraud alert notifies a creditor to contact you at a specific phone number before granting credit.

Experian. P.O. Box 9532, Allen, TX 75013
www.experian.com or 1-888-397-3742.

TransUnion. P.O. Box 6790, Fullerton, CA 92834-6790
www.transunion.com or 1-800-680-7289.

Equifax. P.O. Box 740241, Atlanta, GA 30348
www.equifax.com or 1-800-525-6285.

The fraud alert will only remain in place for 90 days. Protect yourself by extending the fraud alert to 7 years. A 7 Year Fraud Alert Request must be done in writing and include a copy of your police report. (See template letter)

7 Year Fraud Alert Request-Equifax - WORD

7 Year Fraud Alert Request-Experian - WORD

7 Year Fraud Alert Request-TransUnion - WORD

***A fraud alert is only as good as the creditor who sees it. You may also "Freeze" your credit files, which prevents a creditor from even viewing your credit history, so credit will not be granted without you personally lifting the "Freeze". A credit freeze may be placed online at each of the three credit reporting bureaus or in writing. (See Credit Freeze Instructions and Template Letters)

Credit Freeze Instructions - PDF

Credit Freeze Template Letters - WORD

- Follow up with "Blocking" letters to each of the three credit reporting bureaus requesting that all inquiries, fraudulent accounts, or collection information, as a result of fraud, be removed from your credit files. (See blocking letter templates)

Equifax Blocking Letter - WORD

Experian Blocking Letter - WORD

TransUnion Blocking Letter - WORD

- 5. Call Creditors and dispute fraudulent charges and any new accounts that the thief opened in your name. Request documents associated with the fraudulent account and/or transactions.**

- Tell the creditors that you are the victim of identity theft and ask them not to hold you responsible for new accounts opened by the thief or fraudulent charges made on your existing accounts. Ask the creditors to give you copies of documents associated with the new accounts or fraudulent charges, which you are entitled to by law. (530.8 PC)

- Follow up your phone call with a letter to the creditors, reiterating what you said in your phone call. (See dispute letter templates)

Dispute Letter for Existing Accounts - WORD

Dispute Letter for New Accounts - WORD

6. If you are contacted by a collection agency...

- Tell the debt collector you are the victim of identity theft, that you dispute the debt, and are not responsible for it. Even if the debt collector assures you that they have relieved you of the debt, send the debt collector a certified follow-up letter, within 30 days, reiterating what you said or they may transfer your debt to another debt collector. (See collection agency dispute letter template)

Collection Agency Dispute Letter - WORD

7. If your checks, ATM card or bank account information is lost or stolen...

- Call the bank and close your bank account. Open a new account with a new account number. Tell the bank you want to use a new password for access to your new account.

- Contact the major check verification companies listed below and ask them to notify retailers who use their databases not to accept checks on your closed account. (If you do not take this step retailers will accept the check then attempt to collect from you when the check is returned "Account closed".)

Telecheck: 1-800-710-9898

Certegy, Inc: 1-800-437-5120

SCAN: 1-800-262-7771

8. If you are wrongly accused of a crime committed by an identity thief...

-There is a special database in the California Department of Justice that can help victims of "Criminal Identity Theft", which occurs when a suspect in a criminal investigation identifies themselves using the identity of another, innocent person.

MORE INFO »

9. When your child's identity is stolen...

-Children are the fastest growing group of identity theft victims.

MORE INFO »

10. Identity Theft and the Deceased...

-The deceased are frequently targets of identity theft.

MORE INFO »

11. 'Active Duty' Alert Helps Protect Military Personnel from Identity Theft:

MORE INFO »

To Start Id Theft Report (English): [START REPORT](#)

To Start Id Theft Report (Spanish): [START REPORT](#)

INTERNET CRIMES AND COMPLAINTS:

Unless you have suffered a financial loss and a police report is required for insurance purposes, report all Internet Crimes or suspected scams to the Internet Crime Complaint Center. www.IC3.gov. The IC3 is a partnership between the Federal Bureau of Investigation, National White Collar Crime Center and the Bureau of Justice Assistance, which provides a central referral mechanism for complaints involving Internet related crimes.

OTHER RESOURCES:

California Office of Privacy Protection

**California Office of Privacy Protection
Federal Trade Commission
ID Theft Resource Center
Privacy Rights Clearing House
Social Security Administration
Department of Motor Vehicles
U.S. Postal Inspection Service**

Service Contacts:

Investigations Bureau 510-293-7034

Additional Information:

To report any crime, call 510-293-7000.

To report a life-threatening emergency, call 9-1-1

Look for other Answers

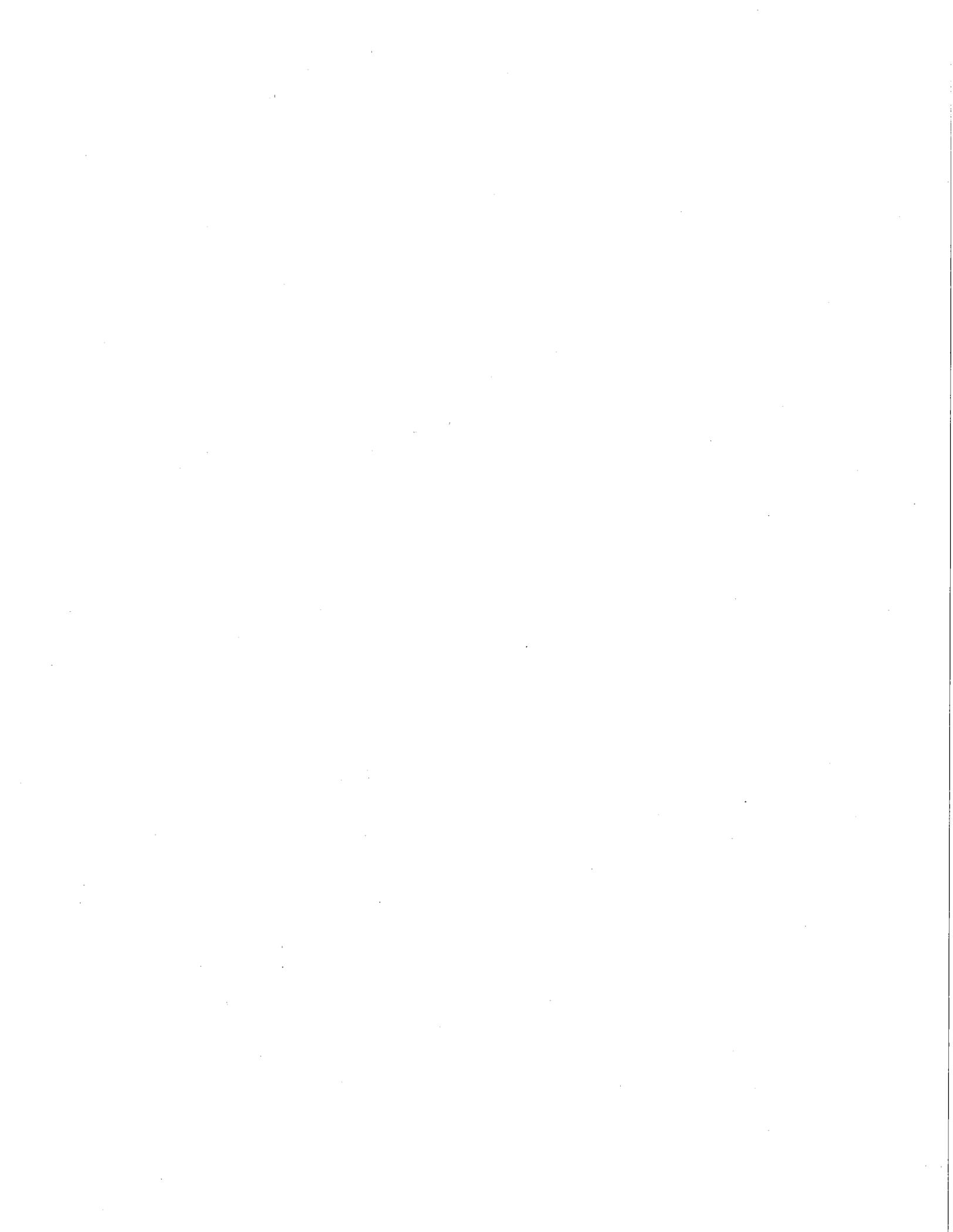
**Display more Topics for 'Police and Public Safety'
Return to ACCESS HAYWARD**

-- 777 B STREET - HAYWARD, CA 94541 --

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Identity Theft

Definition The use of ones personal identifying information, without permission, to obtain credit, goods or services.

Examples Someone obtains a credit card using your Social Security number or obtains phone service using your personal information without your permission.

Confirm Question(s)

Have you read the Hayward Police Department's Information page on Identity Theft for resources and other legal disclosures? Yes No

Is this a crime in progress requiring an immediate police response? Yes No

Do you have a known suspect (by name)? Yes No

Do you live or work in the City of Hayward or have cause to believe the crime occurred in the City of Hayward? Yes No

[Start Report](#)



Identity Theft and Cyber Attacks

How Can I Avoid Identity Theft?

Identity theft and cyber crime are growing problems in our 21st century world. Find out what you can do to protect yourself, what to do if you have been a victim and what to expect from OPD.

- [What is identify theft?](#)
 - [How to file an identity theft report](#)
 - [Jurisdictional limitations](#)
 - [What you can expect from the Oakland Police Department](#)
 - [Protect yourself from identity theft](#)
 - [What else can you do?](#)
-

What is Identity Theft?

- Simply put, identity theft is illegally using someone else's personal information (for example, a Social Security number) in order to obtain money or credit.
 - California Penal Code Section 530.5 (a) states that any person who **willfully obtains** personal identifying information of another person **without consent and uses it for an unlawful purpose** has committed identity theft.
 - Examples of unlawful purpose include:
 - Taking over the victim's financial accounts.
 - Opening a new bank account.
 - Applying for loans, credit cards, and phone services by using the victim's personal information.
-

How to File an Identity Theft Report

- Victims of Identity theft who live or work in Oakland can make a report to the Oakland Police Department.
 - Use the online reporting system to file your [Identity Theft Report](#). (Download the [Identity Theft Resource document](#) for additional help.)
 - Once the report has been reviewed by an officer you will receive a copy via email.
 - The investigators may or may not investigate the case based on the information provided in the report. **INVESTIGATORS WILL ONLY CONTACT VICTIMS IF THEY ARE ASSIGNED THE CASE.**
-

Jurisdictional Limitations

A victim of identity theft may make a police report with the law enforcement agency that has jurisdiction over his/her actual residency or place of business. The law enforcement agency is required to take the report.

- However, if the suspected crime was committed in a different jurisdiction (i.e., the suspect is using the victim's information to cash checks in other cities), the local law enforcement agency does not have to investigate the case.
- That agency may refer the matter to the law enforcement agency where the suspected crime was committed for further investigation.

What You Can Expect from the Oakland Police Department

- In most cases, OPD will **not** conduct additional or follow-up investigations if the fraudulent activity occurred outside of the City of Oakland.
- OPD will receive the report involving suspect activity and may forward a copy of this report to the agency or agencies with investigation jurisdiction where the identity theft or transaction(s) are believed to have occurred.
- OPD will not have any information about investigations by other agencies. You must contact them directly.

Protect Yourself from Identity Theft

Minimize theft opportunities:

- Shred material with personal information on it before throwing it away.
- Shred credit card offers.
- Do not put your outgoing mail in your mailbox. Drop it off at the post office or in a street postal box.
- Protect your incoming mail. Get a locked mailbox.

What Else Can You Do?

- Go to the [Alameda County Identity Theft Council](#) website
- Get help or learn more at the Federal Trade Commission Identity Theft Site website: <http://www.ftc.gov/bcp/edu/microsites/idtheft/>.

How Can I Handle Phishing email?

What is "Phishing"?

- "Phishing" is attempting to steal someone's identity using the internet or email.
- Imposter e-mails may look like the real thing, but are actually from thieves masquerading as legitimate businesses.
- You will be asked to disclose, on a phony web site or in a phony dialog box, personal information such as your account data or Social Security number.
- Depending on the information you provide, thieves can access your accounts, open new ones, steal your funds, and even commit crimes . . . all in your name.

Report Crime

- If this is an **EMERGENCY**, call **911** (cell phone: **777-3211**)
- For certain types of crime, you can file an online **Citizen Crime Report** ("Police Report"). The online system allows you to get a police report case number and print a copy of the report.
- **All other crimes** should be reported on the OPD non-emergency line: (510) 777-3333.

Report Crime Online

You can file a Citizen Crime Report ("Police Report") online. The online system allows you to get a police report case number and print a copy of the police report to keep for your records at no cost. Once you receive a report number, you can also use the online system to update an original report ("file a supplemental report").

Note:

- All cases filed using the Citizens Online Police Reporting System will be reviewed.
- Most cases are not investigated.
- Upon review, if further investigation of your case is needed, you may be contacted.
- **Filing a false police report is a crime.**
- You will receive a permanent case number once your report has been reviewed and approved.

Use the Oakland Police Department Police **Online Citizen Reporting System** to report:

- Abandoned Vehicles
- Annoying Phone Calls
- Hit and Run (without injury **and** the complainant cannot identify the driver **and** there is no suspect vehicle license plate or VIN)
- Lost Property
- Residential Burglary (if a **firearm was stolen, call 510-777-3333 to make your report**)
- Theft
 - Attempted Auto Theft
 - Fraudulent Use of Credit Card
 - Identity Theft
 - Mail Theft
 - Theft of a Dog
- Vandalism
- Vehicle Burglary
- Vehicle Tampering

To File a Report

1. Open the [Online Citizen Reporting System](#)
2. Select the **type** of incident
3. Click the bubble next to the **Incident Type** & click **Start Report**
4. Click the bubble next to the **Report Type** *Original* and select **Continue**
5. Follow instructions to make your report.

File a Supplemental Report

Once you have filed a police report and have a Report Number, you can add supplemental information to your report. You cannot file a supplemental report without a permanent case number (e.g., 11-904562).

1. Open the [Online Citizen Reporting System](#)
2. Select the **type** of incident
3. Click the bubble next to the **Incident Type** & click **Start Report**
4. Click the bubble next to the **Report Type**, fill in the required information, and select **Continue**
5. Follow instructions to add your new information.

Submit Other Reports

You can also make other reports using the internet.

- You can report illegal dumping to Public Works through [Keep Oakland Clean and Beautiful](#).
- You can make a complaint about a barking dog or request that a dead animal be picked up through [Animal Services](#).
- If your pet is lost, go to the Animal Shelter [Lost & Found](#).

Report Other Crimes

If the crime has already occurred, use the non-emergency line (510) 777-3333 to report it.

Examples:

- Assault & Battery
- Commercial Burglary
- Domestic Violence
- Hate Crimes
- Lost/Stolen license plate
- Residential Burglary
- Sex Crimes (rape or sexual assault)
- Stolen Vehicle (theft of a vehicle, trailer, motorcycle)
- Traffic Accident involving an injury
- Violent Crime (personal assault, kidnapping, robbery)

Newport Beach Police Department

Make a Report at the Front Desk

Before a report can be handled by Front Desk personnel, it must fall within one of the following classifications:

- Identity Theft *
- Annoying Phone Calls
- Custody Order or Restraining Order Violations *
- Criminal Threats
- Assault or Battery (Exception: Domestic Violence) *
- Forgery or Fraud (These reports may require an appointment.)
- Defrauding an Innkeeper
- Petty or Grand Theft
- Vehicle Vandalism (Vehicle must be present at the time of the report.)*
- Stolen or Found Bicycles
- Lost Property (Exception: Cell phones)
- Stolen Vehicles *
- Missing Persons

If your report falls into one of the above classifications, it must then meet all of the following criteria before it can be handled by the Front Desk:

- The crime is not in progress.
- There is no immediate threat to life or property
- There is no possibility of immediate apprehension of the suspect(s).
- There is no physical evidence

*Report types marked with an asterisk will not be taken over the phone. You must come to the Front Desk in person to make these reports.

If your report meets the requirements above, you may contact the Front Desk to make a report. More...

Some exceptions may apply. The determination on how a report will be handled is made on a case-by-case basis.

For any other type of report not listed above, you will need to meet with a Police Officer. Please call our Dispatch Non-Emergency line for more information: 949-644-3717.

Lost or Stolen Cell Phones

Note that it is **not** the policy of the Newport Beach Police Department to take reports for Lost or Stolen Cell Phones. If your cell phone has been lost or stolen, you may call the Front Desk (949-644-3681) to obtain an Officer's name and badge number. This information may be used in lieu of a Police Report with your cell phone company.

How to make a Front Desk Report

To make a report at the Front Desk, please contact us in person or over the phone (949-644-3681) between the hours of 8:00 am and 5:00 pm. Please have your identification and all information pertinent to the report. Bear in mind that the hours around lunchtime (11:00 am to 1:00 pm) are routinely busier than other times throughout the day. You may experience a longer wait time if you contact us during these hours.

Some reports cannot be taken over the phone. You may be instructed to respond in person to the Front Desk.

If you are making a report over the phone, please understand that it may be necessary to put you on hold in order to handle other calls and/or persons in the lobby. We will handle your report as expeditiously as possible.

Whether you choose to make a report in person or over the phone, please allow up to 20 minutes for the entire process.

Make a Report

If this is an emergency, please dial 9-1-1.

Welcome to the NBPD Online Citizen Reporting System. Please confirm the following to find out if online report filing is right for you:

- **This is not an Emergency.**
- **This incident occurred within the Newport Beach city limits.**
- **There are NO known suspects.**
- **There is no physical evidence left at the scene.**
- **This did not occur on a State Freeway.**

If your report does not meet the criteria listed above, please contact us at (949) 644-3717 to speak to an officer. If you have any questions, please review our [Frequently Asked Questions](#) section.

Upon completion of this reporting process:

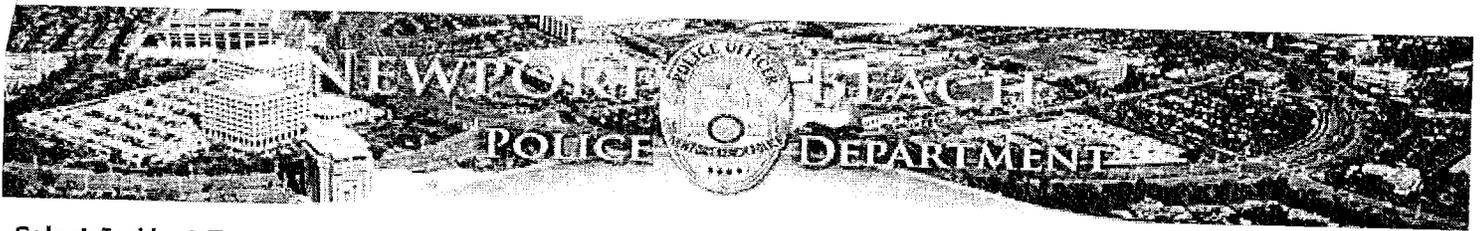
- You will be given a temporary case number.
- Your report will be reviewed, and you may be contacted if further investigation is needed.
- You may print a free copy of the report to keep for your records.

You may report the following incidents online:

- **Lost Property**
- **Theft**
- **Theft from a Vehicle**
- **Vandalism**
- **Vandalism of a Vehicle**
- **Harassing Phone Calls**
 - ◊ If you have been the victim of harassing calls and do **not** know the person who is calling, you can use this system to make a report.
 - ◊ After completing your report, please contact your phone service provider (as noted on your telephone bill) with the report number you receive at the end of this process. Follow your phone service provider's instructions and keep track of when calls occur and the caller's phone number (if you have caller ID).

Please Note: FILING A FALSE POLICE REPORT IS A CRIME
Click [here](#) to make a report online.





Select Incident Type

There are several different incident types that can be entered using the internet. Please select one from the list below and continue. If the incident you are reporting has a known suspect, you should instead call us.

Select	Incident Type	Definition	Examples
<input type="radio"/>	Harassing Phone Call	Unwanted phone calls of an annoying, harassing or threatening nature. If you know or think you may know the person making the calls, you must call the Police Department at (949) 644-3681 to file your report.	Immediate hang-ups, obscene language, etc. with no known suspects.
<input type="radio"/>	Lost Property	When property is missing or lost.	Property that is missing, leaving items in restaurant, or missing from home.
<input type="radio"/>	Theft	Your property is taken without your permission. Property taken from an unlocked vehicle shall be filed under Theft From Vehicle. Property taken from an open garage is a Burglary, and you will need to contact the Police Department at (949) 644-3717 to report this crime. Theft with a loss value of over \$950 cannot be filed online.	Lawn ornaments, bicycle from yard, purse from shopping cart, taking property from a building/residence by someone that had permission to be there and took property without owners permission.
<input type="radio"/>	Theft from a Vehicle	Your property is taken without your permission from an unlocked vehicle. Property taken from a locked vehicle is Vehicle Burglary, and you will need to contact the Police Department at (949) 644-3717 to report this crime. Theft from a Vehicle with a loss value of over \$950 cannot be filed online.	CD's, Clothes, Books, Purse, Money, Garage Door Opener, etc.
<input type="radio"/>	Vandalism	The act of changing, modifying or defacing public or private property. Any damaged value of \$400 or more cannot be reported online, you must call the Police Department at (949) 644-3717 to report the vandalism.	Graffiti, knocking over mail box, throwing rock through windows, etc.
<input type="radio"/>	Vandalism of a Vehicle	The act of changing, modifying or defacing a vehicle. Any damaged value of \$400 or more cannot be reported online, you must call the Police Department at (949) 644-3681 to report the vandalism.	Keying, slashing tires, graffiti, throwing rock through windows, etc.

[Start Report](#)

