

**WORKERS' COMPENSATION INSURANCE FRAUD
INVESTIGATION/PROSECUTION PROGRAMS
FISCAL YEAR 2011-2012 GRANTS**

**Grant Application
Checklist and Sequence**

The Application MUST include the following:

	<u>YES</u>	<u>NO</u>
1. Is the Grant Application Transmittal sheet (Form 02) completed and signed by the district attorney?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Table of Contents	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Is the Program Contact Form (Form 03) completed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Is an original or certified copy of the Board Resolution (Form 04) included? If NOT, the cover letter must indicate the submission date.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. The County Plan includes:		
a) County Plan Qualifications (Form 05)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Staff Qualifications (Form 06(a))	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Organizational Chart (Form 06(b))	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Program Report (DAR or Form 07)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) County Plan Problem Statement (Form 08)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) County Plan Program Strategy (Form 09)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the projected Budget (Forms 10-12) included?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a) Line-item totals are verified?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Is the Equipment Log (Form 13) completed and signed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Joint Plan (Attachment A)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Case Descriptions (Attachment B)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

TABLE OF CONTENTS
Instructions for Fiscal Year 2011-2012

In order to facilitate the review and evaluation of the County Plan, the county is required to prepare and provide a Table of Contents. The Table of Contents should be placed immediately behind the Grant Application Transmittal face page. The format of the Table of Contents is left to the county's discretion.

Table of Contents

Program Contact Form4

Board of Supervisors Resolutions5

County Plan-Qualifications6-9

Organizational Chart10

Problem Statement.....11

Program Strategy 12-16

Budget Category and Line Item Detail..... 17-20

Joint Investigative Plan 21-23

Attachment "B"-submitted separately

DEPARTMENT OF INSURANCE
PROGRAM CONTACT FORM

1. Provide the name, title, address and telephone number of the person having day-to-day operational responsibility for the program, and who can be contacted with questions regarding the program.

Name: Deborah J. Geisser

Title: Senior Staff Analyst

Address: 675 Texas Street, Suite 4500

Fairfield, CA 94533

E-mail address: dgeisser@solanocounty.com

Telephone Number: (707) 784-7588 Fax Number: (707) 784-7986

2. Provide the name, title, address and telephone number of the District Attorney's Financial Officer.

Name: Jason Aguirre

Title: Accounting Technician

Address: 675 Texas Street, Suite 4500

Fairfield, CA 94533

E-mail address: Jaguirre@solanocounty.com

Telephone Number: (707) 784-6800 Fax Number: (707) 784-7986

3. Provide the name, title, address and telephone number of the person who may be contacted for questions regarding data collection/reporting for the applicant agency.

Name: same as #1

Title: _____

Address: _____

E-mail address: _____

Telephone Number: (____) _____ Fax Number: (____) _____

PROPOSED
BOARD OF SUPERVISORS' RESOLUTION NO. 2011-_____

RESOLUTION AUTHORIZING THE DISTRICT ATTORNEY TO SUBMIT A GRANT PROPOSAL TO THE CALIFORNIA DEPARTMENT OF INSURANCE FOR A PROGRAM FOR INVESTIGATION AND PROSECUTION OF WORKERS' COMPENSATION INSURANCE FRAUD

WHEREAS the Solano County District Attorney desires to continue a certain project designated as the Solano County District Attorney's Investigation and Prosecution of Workers' Compensation Insurance Fraud to be funded by State monies pursuant to California Insurance Code Section 1872 administered by the California Department of Insurance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Solano County that the District Attorney of Solano County is authorized, on its behalf, to submit the attached proposal to the California Department of Insurance and is authorized to execute on behalf of the Board of Supervisors the attached Grant Award Agreement including any extensions or amendments thereof for this and all future grant years that the District Attorney shall submit an application to continue this program. This authorization is given until expressly revoked by the Board.

BE IT FURTHER RESOLVED that the grant funds received hereunder shall not be used to supplant expenditures controlled by this body.

IT IS FURTHER RESOLVED THAT this award is not subject to local hiring freezes.

Passed and adopted by the Solano County Board of Supervisors at its regular meeting on _____, 2011, by the following vote:

Ayes: _____
Noes: _____
Excused: _____

Solano County Board of Supervisors

Board Chair

ATTEST:
Deputy Clerk of the
Board of Supervisors

By: _____
Name:
Title: Deputy Clerk

Date: _____

WORKERS' COMPENSATION INSURANCE FRAUD QUALIFICATIONS

Answer the following questions to describe your experience in investigating and prosecuting workers' compensation insurance fraud cases during the last two (2) fiscal years, as specified in the California Code of Regulations, Title 10, Section 2698.55.

1. What areas of your workers' compensation insurance fraud operation were successful and why?

Solano County participates in the Worker's Compensation Insurance Fraud Prosecution program with a dedicated unit assigned exclusively to the prosecution of this type of fraud. Despite a rotation of policy circulating personnel through the special units, assignments to the Insurance Fraud prosecution units are expected to be long term commitments. The current Deputy District Attorney and DA Investigator have served in the unit for years. The attorney will be retiring end of April and will be replaced by an attorney with prior experience in the unit. The outgoing attorney

2. Specify what unfunded contributions (i.e., financial, equipment, personnel and technology) and support your county provided to the workers' compensation insurance fraud program.

As described in the grant application for last fiscal year, every attorney has a computer with access to network printers. Each attorney also has Internet access and requires that each employee sign and follow the security protocol established by Solano County. All staff have access to the office network database known as CRIMES wherein all cases are entered with events, disposition, sentencing criteria, witness information, etc. updated as they occur. All staff has immediate access to prior and current prosecution information on fraud defendants. Active investigation information can be accessed in CRIMES only by authorized investigators. CRIMES has a report creation feature that enables users to draw information from the entire database. A report may be generated to identify the number of workers' compensation insurance fraud cases that were filed within a specified time frame with data including disposition of the case, case number, court designated docket number, defendant name, and events.

All reports received by the District Attorney's office are scanned and archived. Documentum is a computer program compatible with CRIMES that allows insertion of legal documents and discovery, including photographs, videos, charts, etc. as received and in numerical order. Services such as photocopy, telephone, central duplicating, and paging are all directly related to the daily needs of the unit and are provided for the most part from the District Attorney's budget with partial funding from this grant. Laptop computers are available when courtroom presentations need to be made, and for outreach power point.

Available on site is forensic editing equipment that contains hardware and software programs that can separate multiple camera images from surveillance video cameras as well as clarify, sharpen and enhance images. Special training on the use of this equipment was received in 2007 in Washington D.C.

Mandatory Continuing Legal Education (MCLE) is provided in-house by the office in-house at no cost to the attorneys and paralegals. On-line, and off site locations provided by CDAA are also available. The Department of Insurance both in person and on line are also available to the attorney staff. Due to recent budget cuts, the attorneys must pay for CDAA registration, plus travel costs, themselves as the county can no longer afford to provide those funds.

All staff has access to court docket information through the Solano County website known as "Court Connect". Clerical staff has access to another court information data base known as "Banner" that gives more detailed information re: case status, events, etc. Access on a limited basis to the Solano County Probation Department's database is also available.

3. Detail and explain the turnover or continuity of personnel assigned to your workers' compensation insurance fraud program. Include any rotational policies your county may have.

Attorneys assigned to special units such as Workers' Compensation Insurance Fraud and Automobile Insurance Fraud are advised that they can expect to stay in that assignment for a minimum of two years. The current deputy district attorney assigned is Linda Wayne. Ms. Wayne was previously in the unit for over three years, was re-assigned to another unit for two years, and returned to the Workers' Comp Fraud Unit in 2009. She has been with the Solano County District Attorney's office since 1990. She will be retiring as of April 29, 2011, and will be replaced by Laura M. Undlin. Ms. Undlin previously served in the Insurance Fraud Unit for approximately 3 years. Absent illness or some other extenuating circumstance, there is no plan to rotate the assigned attorney out of this unit for at least two fiscal years.

The office has attorneys assigned to the Consumer Fraud/Environmental Crimes Division and to Welfare Fraud prosecution. A supervising attorney is responsible for all fraud units and a Chief Deputy monitors all the special units. While the different fraud units' activities are not integrated, there is an occasional overlap of insurance fraud with other units and when appropriate the attorneys consult and cooperate.

The investigative portion of the unit has been staffed continuously with experienced peace officers retired from law enforcement. Mike Fernald is currently investigating workers' compensation insurance fraud identified to our office by receipt of FD-1s and documented case referral. His work is essential to the existence of a prosecutable caseload. Mr. Fernald retired as the Chief

QUALIFICATIONS

List the name of the program's prosecutor(s) and investigator(s). Include position titles and percentages for any vacant positions to be filled. For each, list:

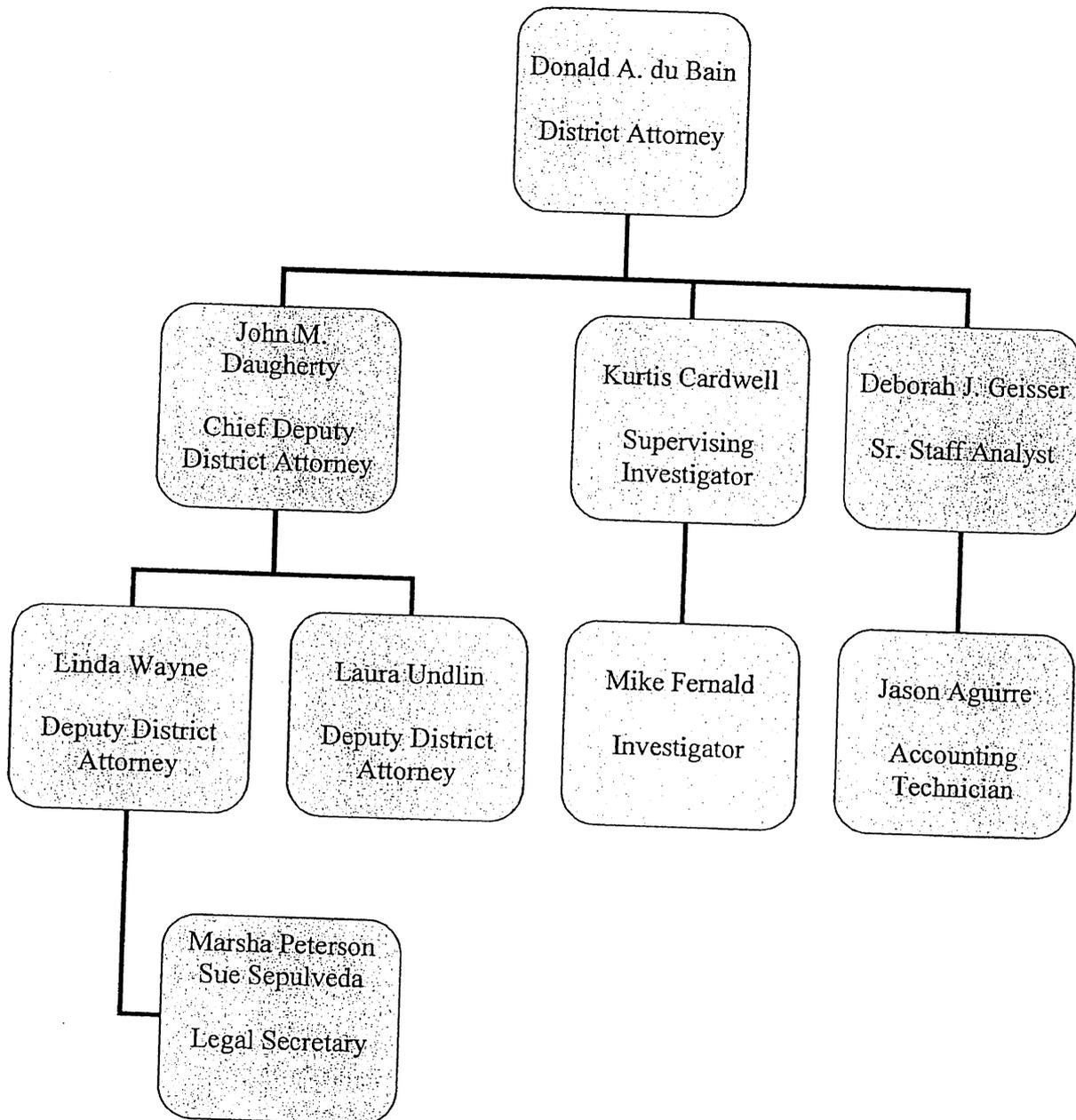
1. The percentage of time devoted to the program
2. How long the prosecutor(s)/investigator(s) have been with the program

Prosecutors	% Time	Time With Program Start date/End date
Linda A. Wayne	100%	May 4, '09-Apr.29, '11
Laura M. Undlin	100%	May 2, 2011-

Investigators	% Time	Time With Program Start date/End date
Mike Fernald	80%	April 1, 2010

ORGANIZATIONAL CHART

FORM 06(b)



COUNTY PLAN PROBLEM STATEMENT

Please describe the types and magnitude of workers' compensation insurance fraud (e.g., claimant, single/multiple medical/legal provider, premium/employer fraud, insider fraud, insurer fraud) relative to the extent of the problem specific to your county. Please use local data or other evidence to support your description.

Solano County is located 35 miles from Sacramento and approximately 32 miles northeast of San Francisco and Oakland. Interstate 80 bisects Solano County north and south. Interstate 680, Highway 12 and Interstate 505 also connect Solano with Napa and Yolo counties. Solano County houses a military base (Travis Air Force Base) and three state prisons (California Medical Facility, California State Prison – Solano, and Delta Conservation Camp) all of which attract populations of semi-transient people in the families of prison inmates and service personnel. The county is centrally located for those working in the construction trades in the outlying counties and is home to many commuters to the Bay Area and Sacramento Metropolitan locales.

The majority of cases referred to our office involve applicant fraud, with the occasional uninsured employer cases. There is no insurance claims investigation office in the county. The county's workforce consists of a combination of large employers such as Jelly Belly Candy Company, Kaiser Permanente, California State Prison – Solano, California Medical Facility, Anhauser-Busch, Campbell Soup, Genetech, Solano Community College, Touro University, NorthBay Health Care Systems, ALZA Corporation, Wal-Mart, Sutter-Solano Medical Center, Six Flags amusement park, WestAmericaBancorp, Valero Refining Co., Albertson's Distribution Center, Travis Credit Union, CSK Auto, Inc., TIMEC, Meyer Corp., Macy's, Copart, Professional Hospital Supply and Simpson Dura-Vent Co. and Solano County (over 3,000 employees). There are also a substantial number of small employers and out-of-county employers. The majority of cases involve allegations of false claims by employees who are injured on the job and overstate the injury severity or length. We have an occasional claim by a person who may never have been hurt on the job at all.

Solano County accounted for 126 Suspected Fraud Claims for review through the submissions of FDI's from 2008-2010 according to the CDI-Fraud Division data. The overwhelming majority of the referrals seen in the DA's office involve employee fraud.

**COUNTY PLAN
PROGRAM STRATEGY**

- 1. Explain how your county plans to resolve the problem stated in your problem statement. Include improvements in your program.**

The unit goal is to file provable fraud cases with successful outcomes. The unit staff works with investigators from DOI to coordinate investigations, including sting operations, throughout the fiscal year. The unit attorney made presentations to claims handlers in 3 outreach educational efforts during the last fiscal year to educate them on prevention and identification of employee fraud.

- 2. What are your plans to meet any announced goals of the Insurance Commissioner and the Fraud Assessment Commission? If these goals are not realistic for your county, please state why they are not, and what goals you can achieve? What is your strategic plan to accomplish the goals?**

To the extent that workers' compensation insurance fraud causes additional costs to employers, creates unfair competition between insured and uninsured employers, and raises consumer prices, the efforts of one relatively small- Impact County would be minimal at best on a macro economic level. However, understanding human nature and the nature of some of Solano County employers, investigation and prosecution is likely to have a preventative effect. If employers and their carriers become known as easy prey to potential abusers then the number of employees willing commit fraud will rise. Likewise, the greater the risk of exposure or prosecution, the fewer people will try. In group employment situations like at the prisons, jail, county offices and similar larger employers, successful investigation and prosecution of fraud cases will result in employee awareness and restitution orders for the victim self insureds and carriers. We will continue to review all FD-1s submitted to our office and investigations to develop and prosecute provable cases.

A continuing long-term goal is to increase awareness of workers' compensation fraud and its consequences among local employers and law enforcement. DDA Wayne was invited and made three presentations to claims and employer representatives in the last fiscal year. Educating employers and claims professionals regarding workers' compensation insurance fraud may help prevent future fraud and identification of existing fraud. After one case was dismissed by the court at preliminary hearing, victim employer and DA staff met to evaluate what could be done to improve case investigation and prosecution in the future. SCIF SIU members assigned to their

newly opened Vacaville office met with DDA Wayne and DA Inv. Fernald and since have enjoyed mutual assistance on investigations of mutual interest.

3. What goals do you have that require more than a single year to accomplish?

Our goals involve timely prosecution of provable cases and community education on workers' compensation issues to prevent increased fraud and effect restitution to victims. Cases involving complex issues and large quantities of paperwork do take a great deal of time to review and may not be tried to completion within one year of receipt, such as the former Sheriff's employee now in a pretrial status. In the last couple years we have had 4 cases involving correctional and law enforcement officers; cases which end a defendant's career are typically fought with more vigor than right and result in atypical delay.

Outreach is a continuing effort and will be discussed below.

4. Training and Outreach

- **List the training received by each county staff member in the workers' compensation fraud unit during fiscal years 2009-2010 and 2010-2011.**

Training costs are no longer paid by the DA's Office as the attorney's education allowance has been eliminated due to budget cuts. Because of this, no Solano County DA employee was able to attend the CDAA Insurance Fraud Conference this year. CDAA (California District Attorneys' Association) offers a 4 day bi-annual training with the California Department of Insurance designed to bring together those who investigate, prosecute, or fraud targets to address common issues of fraud, as well as regulation compliance. Had this been a grant budgeted item, we would have sent a prosecutor and investigator to this conference which was highly informative in the past.

All attorneys in the Solano County District Attorney's office have access to the internet and may access the CDAA website to take on-line courses in specified subjects. Unit attorneys have taken CDAA on line training in different areas of interest.

The Solano DA's Office is a certified provider for MCLE (Mandatory Continuing Legal Education) State Bar requirements. Prior office class offerings have included gang prosecution, sentencing, search and seizure. Donald du Bain, the DA since this January, has made in-house training a priority for his deputies and has already sponsored two seminars on constitutional issues such as Brady (mandatory disclosure of exculpatory information) and search warrants by state-wide experts in each field. He is not likely to offer training on such a narrow

topic as insurance fraud, but since all criminal prosecutors need continuing education of general application the insurance prosecutors will attend and benefit.

The fraud unit attorneys attend quarterly meetings of the insurance company Special Investigation Unit representatives hosted jointly by NCIB as schedules permit. Meetings of this type promote positive working relationships with other DA's offices, insurance companies, and third party administrators working in Solano County.

Solano County requires each employee attend mandatory training in several areas including blood bourn pathogens, sexual harassment, workplace protection, diversity, discrimination, Americans with Disabilities Act, customer service, and defensive driving. Unit members attend these sessions as required.

- Describe what kind of training/outreach **you provided** in Fiscal Year 2010-2011 to local Special Investigative Units, public and private sectors to enhance the investigation and prosecution of workers' compensation insurance fraud; and/or coordination with the Fraud Division, insurers, or other entities.

DDA Wayne was invited to speak at 2 different industrial claims association meetings and an employer education conference sponsored by an insurance brokerage in the last fiscal year. Each of the meetings was well attended; approximately 50-70 at the claims association meetings held in Santa Rosa and Walnut Creek, and approximately 25 employer representatives at the broker's conference in San Francisco. This outreach may benefit programs in Solano and each of the other Northern Bay Area counties since employees in this area commute across many counties to work and obtain medical treatment of industrial injuries.

1. August 10, 2010, North Bay Workers' Comp Association: "Preparing a Workers' Compensation Case for Prosecution"
2. October 27, 2010: Heffernan Insurance Brokers, What Employers Need to Know about Workers' Comp Fraud"
3. November 18, 2010: Diablo Valley Industrial Claims Association- "Preparing a Workers' Compensation Case for Prosecution"

At DDA Wayne's suggestion, CDI investigator Derek Lane was invited to the Walnut Creek claims administrator's luncheon. He made himself available to answer questions after the presentation and was quite popular with the audience.

The District Attorney's Office has a workers' compensation fraud brochure available to the public at no charge in each of the Fairfield and Vallejo offices.

- Describe what kind of training/outreach **you plan to provide in Fiscal Year 2011-2012** to local Special Investigative Units, public and private sectors, to

enhance the investigation and prosecution of workers' compensation insurance fraud; and/or coordination with the Fraud Division, insurers, or other entities.

We will continue to offer our training services to Insurance Agencies, California Dept of Corrections and businesses. In past years we have tried to obtain training opportunities directly through the employers without success. The past year showed that the better entre into the business community is through the insurance brokers and agencies that cater to business insurance.

5. Describe the county's efforts and the district attorney's plan to obtain restitution and fines imposed by the court to the Workers' Compensation Fraud Account as the legislative intent specifies.

Solano County Probation continues to "bank" financial/fraud cases with no supervision or contact with an assigned probation officer. Monitoring of restitution payments is sporadic. Therefore, the clerical support for this unit took over the job of monitoring restitution payments within the past three years. Unit staff can alert the assigned attorney when no payments are made. We then file the appropriate paperwork with the court to revoke the defendant's grant of probation. As a practical matter courts are more interested in providing restitution to actual victims and have shown little interest in awarding penalties to another governmental agency. There are few applicant fraud defendants with financial resources allowing them to pay restitution and penalties. Our practice is to encourage pre-plea and/or pre-sentencing restitution payments while the court is in a position to give the defendant a benefit for doing what is right rather than have us impose further penalties for probation violations. Inability to pay is a complete defense to a probation violation based on non-payment; but some people have family and other sources willing to assist the defendant obtain a lesser charge/sentence by helping the victim.

6. Identify the performance objectives that the county would consider attainable and would have a significant impact in reducing workers' compensation insurance fraud.

Project:

- a. 25 new investigations will be initiated during FY 2011-2012.
- b. 5 new prosecutions will be initiated during FY 2011-2012.

7. If you are asking for an increase over the amount of grant funds received last fiscal year, please provide a brief description of how you plan to utilize the additional funds.

**COUNTY PLAN
PROGRAM STRATEGY (Continued)**

- 8. Local district attorney's have been authorized to utilize Workers' Compensation Insurance Fraud funds for the investigation and prosecution of an employer's willful failure to secure payment of workers' compensation as of January 2003. Describe the county's efforts to address the "uninsured" employer's problem.**

The Solano County District Attorney's Office received 3 criminal case requests for charges of Lab. C. 3700.5 this past fiscal year against uninsured employers. Two of those were filed by the insurance fraud unit, and one by the consumer fraud unit. Each of these was a joint investigation by the Contractors' State Licensing Board and the CDI. The DIR advised that they planned a sting in this county but no case referrals resulted to our office. The unit will consider cases of employers who do not honor the DIR's stop work order and those whose failure to obtain insurance.

BUDGET CATEGORY AND LINE-ITEM DETAIL	COST
B- Operating Expenses Telephone Liability Insurance Memberships Professional Licenses and Certificates Documents and Records Books and Subscriptions Office Expense Accounting and Finance Services Other Professional Services Data Processing Service Education and Training Management Business Expense Personal Mileage	\$495 176 100 205 200 250 250 1000 2971 50 50 60 77
Indirect/Administrative Cost Allocation (10% of total salaries: \$79,982):	\$7,998
TOTAL	\$13,882

BUDGET CATEGORY AND LINE-ITEM DETAIL	COST
C Equipment N/A	
CATEGORY TOTAL	-0-
PROGRAM TOTAL	\$176,648
INTEREST TOTAL	

EQUIPMENT LOG

Equipment Log for FY 2010-2011
 County of _____ Solano County_____

Equipment Ordered	Equipment Cost	Date Ordered	Date Received	Serial Number	Equipment Tag Number

Rows can be inserted as needed.

x No equipment purchased.

I certify this report is accurate and in accordance with the approved Grant Award Agreement.

Name: Deborah J. Geisser

Title: Jr. Staff Analyst

Signature: *Deborah J. Geisser*

Date: 4/29/11

ATTACHMENT A JOINT PLAN

Statement of Goals

The purpose of this plan is to formalize the continuing joint efforts with the Solano County District Attorney's Workers' Compensation Insurance Fraud Unit and the Department of Insurance, Fraud Division, to effectively cooperate in the investigation and prosecution of Workers' Compensation Insurance Fraud cases. The plan will ensure that the activities of the Fraud Division and the District Attorney are not duplicative and will allow investigators and prosecutors to coordinate their activities.

Receipt and Assignment of Cases

The Solano County District Attorney's Office Insurance Fraud Unit assigns an investigative file number upon receipt of sufficient information to identify a suspect and the alleged criminal activity. Workers' Compensation fraud cases are generally received via the receipt of a Form FD-1 from the Department of Insurance (DOI) or from another outside source.

Upon the receipt of information sufficient to establish an investigative file, the District Attorney Unit Investigator will contact his counterpart at DOI to determine if an investigative file has been opened by DOI as well. If DOI receives initial information in which the County of Solano is determined to be the venue county, DOI will contact the DA Unit Investigator.

If an insurance carrier wishes to make an oral presentation, an appointment will be established. Either the DA Investigator or the DOI Investigator will make reasonable efforts to contact the other agency and advise them of the date and time of the oral presentation, so that the other agency may attend if possible.

Cases will be jointly worked where appropriate. Decisions necessary for the successful outcome of any joint investigation will be made on a case-by-case basis by the two investigative units. Because of the volume of cases it is anticipated a meeting between the DOI and the assigned DA will be held to discuss matters of mutual concern on a quarterly basis.

The California Department of Insurance will provide copies of all FD-1's requested by the Solano County District Attorney's Office received by the Department in which Solano County is the venue. The Department will provide these whether an investigative file is contemplated or not. When Solano County receives FD-1's from the carrier directly, the Solano County District Attorney's Office will forward a copy to the Department upon receipt

Cases filed with the District Attorney's Office are tracked through a computer system known as CRIMES.

Investigations

When the District Attorney receives a request for investigation or prosecution from a self-insured entity, the District Attorney will notify the Fraud Division of the request and then determine whether the assistance of the Fraud Division is required. If so indicated, the District Attorney Investigator and the investigator assigned to the Fraud Division will meet and prepare an investigative plan. Every effort will be made to avoid duplication of investigative efforts. The time frame for initial and follow-up meetings between the assigned DOI investigators and the prosecutor will be determined on a case-by-case basis between the two individuals.

The referring agency will be notified of any cases rejected by the District Attorney's Office in the form of a letter from the assigned District Attorney. The Department of Insurance Fraud Division will be sent a copy of all letters. This notice will allow the referring agency future consideration of the case should additional evidence warrant such action. In addition, both the Fraud Division and the District Attorney will make themselves available to discuss the reconsideration of any rejected case with the referring agency.

Insurance carriers will be encouraged to personally appear at the District Attorney's Office for presentation of a completed case for possible criminal filing. Representatives from both agencies will attend the presentation, when practicable, to discuss the merits of the case.

Undercover Operations

It is not anticipated that undercover operations will be conducted solely by the Solano County District Attorney's Office. The DA Unit will assist the DOI in any undercover operation contemplated by the DOI within Solano County on a case-by-case basis. The Solano County District Attorney's Office will do all that it can to assist in the initiation of these cases if the DOI conducts such operations in Solano County. Pursuant to Penal Code section 633, the District Attorney will review all requests for the recording of confidential communications, at the request of the DOI.

Case Filing Requirements

Filing criteria for any type of criminal prosecution is difficult to quantify. The same is true for insurance fraud cases. The District Attorney's Office general filing guidelines require that case should be filed where, in our opinion, the evidence is sufficient to convict an individual by a standard of proof beyond a reasonable doubt. As a general rule, the following information must be provided before a case filing decision can be made:

1. Complete investigative reports, including all search warrants and an index and summary of all documents, photographs, videos and other evidence submitted, in triplicate;

2. Copies, or access to all documents that have been recovered in the course of the investigation, whether by search warrant or otherwise, and a contact person to assist in discovery requests regarding said materials;

3. A list of anticipated witnesses, including addresses, telephone numbers, and dates of birth (law enforcement personnel excepted);

4. DMV printouts and Soundexes on all suspects;

5. Information regarding any inducements or agreements regarding the giving of information or testimony that may have been made to witnesses;

6. Name and telephone number of the investigating officer who will be responsible for the signing of the declaration in support of arrest warrant and to provide additional investigation, if warranted.

Training

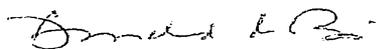
Prosecutors, investigators and Fraud Division staff are sent to the California District Attorney Association training regularly. The budget for the Insurance Fraud Unit covers this training, as well as the general office budget. We are available for joint training as the need arises. If present efforts to increase the size of the unit are successful, joint training and community outreach will be much more easily facilitated.

Problem Resolution

We encourage resolution of any problems at the earliest stages and at the lowest staff levels possible to ensure that all personnel continue to operate cooperatively and efficiently. Inter-office staff will be expected to resolve most problems at their level, with supervisory assistance if necessary. Any problems which cannot be solve at those levels will be handled by the Chief Deputy District Attorney.

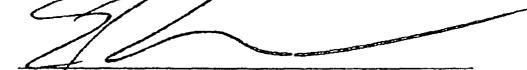
Disputes involving prosecutorial decisions will be decided by the District Attorney. Disputes that deal with investigative issues will be decided by the investigative agency in charge of the investigation and the District Attorney.

Dated: 4-29-11



Donald du Bain
District Attorney
Solano County

Dated: 4/29/11



Eric Weirich
Chief Investigator
State of California,
Department of Insurance
Fraud Division

**CALIFORNIA DEPARTMENT OF INSURANCE - FRAUD DIVISION
WORKERS' COMPENSATION INSURANCE FRAUD PROGRAM**

Submitted: Not Submitted

Version #: 1

FISCAL YEAR: 2010-11

From (7/1/10 to 04/15/11)

PROGRAM REPORT FOR: SOLANO

COUNTY

I. Number of Suspected Fraud Claims Reviewed from 7/1/10 through 04/15/11					14	
II. DOCUMENTED CASE REFERRALS SOURCES	PENDING	ACCEPTED	REJECTED	TOTAL		
A. CDI - Fraud Division			1	1		
B. Private Carrier						
C. Local Law Enforcement		1	1	2		
D. Self Insured / Third Party Administrator	2	0	1	3		
E. Department of Industrial Relations		1		1		
F. Others		2		2		
Total (A-F)		4	3	9		
III. INVESTIGATIONS - PRE FILING DECISIONS					CASES	SUSPECTS
A. Number of cases and suspects carried forward on 6/30/10 to FY 10/11					14	14
B. Number of NEW cases and suspects initiated from 7/1/10 through 04/15/11					15	15
C. Total Cases/Suspect (A+B)					29	29
Case Investigations by Categories and Complexities	STANDARD	MEDIUM	COMPLEX	VERY COMPLEX	TOTAL CASES	DEFENDANTS
1. Claimant Fraud	19	4	2		25	25
2. Premium Fraud	1				1	1
3. Multiple Entities Provider Fraud						
4. Single Entity Provider Fraud						
5. Insider Fraud						
6. Uninsured Employer	3				3	3
7. Other						
TOTAL (Same as C)	23	4	2		29	29
D. DA Rejected/Closed after investigation					TOTAL	
Cases by District Attorney Investigators	Cases by Fraud Division	Cases by Others	Joint Cases			
5	0	3	0			

E Cases Rejected from 7/1/10 through 04/15/11 by Categories and Complexities	STANDARD	MEDIUM	COMPLEX	VERY COMPLEX	TOTAL CASES	TOTAL DEFENDANTS	ESTIMATED CHARGEABLE FRAUD (in dollars)
1. Claimant Fraud	3		1		4	4	
2. Premium Fraud							
3. Multiple Entities Provider Fraud							
4. Single Entity Provider Fraud							
5. Insider Fraud							
6. Uninsured Employer							
7. Other							
TOTAL	3		1		4	4	

IV. ARRESTS THIS REPORTING PERIOD		CASES	DEFENDANTS
A Total Arrests/Surrenders - Felony		1	1
B Total Arrests/Surrenders - Misdemeanor		1	3
Total (A+B) - Felonies and Misdemeanors		2	4

V. CASES & DEFENDANTS IN COURT							
A Cases carried forward on 6/30/10 to FY 10/11 by Categories and Complexities	STANDARD	MEDIUM	COMPLEX	VERY COMPLEX	TOTAL CASES	TOTAL DEFENDANTS	ESTIMATED CHARGEABLE FRAUD (in dollars)
1. Claimant Fraud	1		1		2	2	\$139,000
2. Premium Fraud							
3. Multiple Entities Provider Fraud							
4. Single Entity Provider Fraud							
5. Insider Fraud							
6. Uninsured Employer							
7. Other							
B New Case filings/indictments initiated 7/1/10 through 04/15/11 by Categories and Complexities	STANDARD	MEDIUM	COMPLEX	VERY COMPLEX	TOTAL CASES	TOTAL DEFENDANTS	ESTIMATED CHARGEABLE FRAUD (in dollars)
1. Claimant Fraud	1				1	1	\$10,000
2. Premium Fraud							
3. Multiple Entities Provider Fraud							
4. Single Entity Provider Fraud							
5. Insider Fraud							
6. Uninsured Employer	3				3	3	
7. Other							

V. CASES IN COURT (CONTINUED)

C	Total Cases in Court - Categories and Complexities (A+B)	STANDARD	MEDIUM	COMPLEX	VERY COMPLEX	TOTAL CASES	TOTAL DEFENDANTS	ESTIMATED CHARGEABLE FRAUD (in dollars)
	1. Claimant Fraud	2		1		3	3	\$149,000
	2. Premium Fraud							
	3. Multiple Entities Provider Fraud							
	4. Single Entity Provider Fraud							
	5. Insider Fraud							
	6. Uninsured Employer	3				3	3	
	7. Other							
	TOTAL CASES IN COURT	5		1		6	6	\$149,000
D	TOTAL CASES BY FILING CLASSIFICATION	Joint	DA	CDI	OTHER	TOTAL CASES	DEFENDANTS	
	1. Felony Cases from (C)	1	1		1	3	3	
	2. Misdemeanor Cases from (C)	2			1	3	3	
	3. Civil Cases from (C)							
E	COURT PROCEEDINGS	Cases	DEFENDANTS					
	1. Number of Preliminary Hearings	1	1					
	2. Number of Grand Jury Indictments	0						
	3. Number of Probation Violations	3	3					
	4. Trials	Number of Trials	Days in Trials					
	Court Trials	0						
	Jury Trials	0						
	TOTAL	0						
		Number of Cases	Amount					
	5. Assets Frozen	0						

VI. FELONY DISPOSITIONS	CASES	DEFENDANTS
A. Dispositions		
1. Number of Convictions by Trial	0	
2. Number of Convictions by Plea	0 /	10
3. Number of Acquittals	0	
4. Number of Dismissals	1	1
B. Sentences (Including Probation Violations)		
1. State Prison Imposed		
2. County Jail Imposed		
3. Probation, no Jail Imposed		
C. Reduction to Misdemeanor		
	AMOUNT ORDERED	AMOUNT COLLECTED *
D. Amount of Fines & Penalty Assessments		
E. Amount of Restitution		\$2,280

(Mays was Disability Fraud, not w/e)

*Amount collected from all cases during the fiscal year.

VII. MISDEMEANOR - DISPOSITIONS	CASES	DEFENDANTS
A. Dispositions		
1. Number of Convictions by Trial	0	
2. Number of Convictions by Plea	0	
3. Number of Acquittals	0	
4. Number of Dismissals	1	1
B. Sentences		
1. State Prison Imposed		
2. County Jail Imposed		0
3. Probation, no Jail Imposed		0
C. Reduction to Misdemeanor		
	AMOUNT ORDERED	AMOUNT COLLECTED *
D. Amount of Fines & Penalty Assessments		
E. Amount of Restitution		

VIII. CIVIL CASES	NUMBER	NUMBER OF JUDGMENTS
A. Cases carried forward on 6/30/10 to FY 10/11	0	
B. New Cases filed this reporting period from 7/1/10 through 04/15/11	0	
C. Total Cases (A+B)	0	
D. Cases Concluded this reporting period.		
E. Judgments	AMOUNT ORDERED	AMOUNT COLLECTED *
1. Restitution		
2. Fines and Penalties		
3. Costs		

IX. SEARCH WARRANTS	NUMBER	SUSPECTS	LOCATIONS
A. Non-Special Master Search Warrants Issued	0		
B. Special Master Search Warrants	0		
C. Total Search Warrants Issued	0		

X. OUTREACH TRAINING	NUMBER		
A. Number of outreach sessions	3		
B. Total Number of attendees	140		

CASE DATABASE COUNTY: SOLANO

CASE #	DEFENDANT'S FULL NAME	CITY/COUNTY OF RESIDENCE/BUSINESS	ROLE*	ARREST			SENTENCE																							
				FELONY	MISDEMEANOR	ARREST DATE	PRIMARY CODE SECTION	PRIMARY CONVICTION CHARGE	ESTIMATED CHARGEABLE FRAUD (\$)	COURT	DATE OF CONVICTION	FELONY (X)	MISDEMEANOR (X)	COUNTY JAIL (days)	PRISON (months)	PROBATION (months)	COMMUNITY SERVICE (hours)	OTHERS	TOTAL ACQUITTALS	TOTAL DISMISSALS	ASSETS FROZEN (\$)	RESTITUTION ORDERED (\$)	FINE (\$)	REFERRAL SOURCE **	DDA NAME					
FCR268871	Janes, Aaron	Solano	A	X		07/11/09	IC1871.4	Pending Jury Trial	\$111,000														A							
FCR282542	Lopez, Dano	Solano	F		X	03/09/11	Lab C. 3700.5																A	Wayne						
	Pham, Duoc	Solano	F		X	03/09/11	Lab. C. 3700.5 Bench warrant at arraignment 03/09/2011																A							
FCR281232	Rosenstiel, Nicole	Solano	A	X		12/13/10	1871.41C	Magistrate declined to issue a hearing on the matter. Preliminary hearing and dismissed case.	\$10,000														D	Wayne						
FCR278754	Wade, Aaron	Solano	F		X	10/14/10	LC3700.5	dismissed 1/10/2010															F	Wayne						
				FY (2010-11) Sub Total																										
				TOTAL																										

31

SOLANO

CASE DATABASE
COUNTY:

Insert appropriate letter *Role:	** Referral Sources
Claimant Fraud	CDI - Fraud Division
Premium Fraud	Private Carrier
Multiple Entities Provider Fraud	Local Law Enforcement
Single Entity Provider Fraud	Third Party
Insider Fraud	Self-Insured
Uninsured Employer	Other
Other	