



Legislation Details (With Text)

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Title: Sheriff's Office and District Attorney's Office recommending the Board approve and authorize staff to electronically submit, on behalf of the Chair, the Fiscal Year 2022-23 Equitable Sharing Agreement and Certification for Federal Asset Forfeiture with the United States Department of Justice and United States Department of the Treasury.

FUNDING: Equitable Sharing (Asset Forfeiture).

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - DA FY 22-23 Annual ESAC Report.pdf, 2. B - EDSO FY 22-23 ESAC report.pdf

Date	Ver.	Action By	Action	Result
9/19/2023	1	Board of Supervisors	Approved	Pass

Sheriff's Office and District Attorney's Office recommending the Board approve and authorize staff to electronically submit, on behalf of the Chair, the Fiscal Year 2022-23 Equitable Sharing Agreement and Certification for Federal Asset Forfeiture with the United States Department of Justice and United States Department of the Treasury.

FUNDING: Equitable Sharing (Asset Forfeiture).

DISCUSSION / BACKGROUND

The Equitable Sharing Agreement is entered into and between the Federal Government, the El Dorado County Sheriff, the El Dorado County District Attorney, and the Governing Body of the County and sets forth the requirements for participation in the Federal Equitable Sharing Program, including the restrictions of use for federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies.

In accordance with Equitable Sharing Agreement guidelines, the agreement must contain the beginning Equitable Sharing Fund Balances, Equitable Sharing Funds Received, and Equitable Sharing Funds spent through the end of the Agency's fiscal year (FY 2022-23). Once submitted, the Sheriff's and District Attorney's Offices will be able to receive their current year share of federal asset forfeitures, if they become available, and use these funds according to the prescribed guidelines for law enforcement purposes.

In FY 2022-23, the Sheriff's Office did not receive funds from the Equitable Sharing Program as numerous cases are awaiting forfeiture decisions. The District Attorney received approximately \$287,000. Funds may be used to support permissible task force operations, activities that enhance future investigations, Law Enforcement equipment, Law Enforcement training, memorabilia, and drug buyback programs. Funds spent must be for Law Enforcement purposes only and all funds used must be non-supplanting.

ALTERNATIVES

The Board could elect for the reports not to be submitted and EDSO and the DA would not be compliant or able to receive funding.

PRIOR BOARD ACTION

Action is taken annually to approve the Sheriff's Office's and District Attorney's Equitable Sharing Agreement and Certification for Federal Asset Forfeiture with the United States Department of Justice and United States Department of the Treasury.

09/13/2022 Legistar Item 22-1564 - Prior year's item

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel reviewed and approved the Agreement.

CAO RECOMMENDATION / COMMENTS

Approve as recommended.

FINANCIAL IMPACT

There is no impact to Net County Cost. This is the filing of the annual Equitable Sharing Agreement and Certification to the United States Department of Justice and United States Department of the Treasury for Fiscal Year 2022-23 actual revenues and expenditures.

CLERK OF THE BOARD FOLLOW UP ACTIONS

N/A

STRATEGIC PLAN COMPONENT

The use of Equitable Sharing funds allows the District Attorney and Sheriff's Offices to leverage resources and enhance public safety.

CONTACT

Undersheriff Bryan Golmitz and District Attorney Vern Pierson