



## Legislation Details (With Text)

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**Type:** Agenda Item      **Status:** Approved

**File created:** 9/2/2020      **In control:** Board of Supervisors

**On agenda:** 9/22/2020      **Final action:** 9/22/2020

**Title:** Sheriff's Office and District Attorney's Office recommending the Board approve and authorize Sheriff's Office and District Attorney's Office staff to electronically submit, on behalf of the Chair, the Fiscal Year 2019-2020 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 - Blue Route 09-22-2020.pdf, 2. B - Sheriff FY 19-20 ESAC 09-22-2020.pdf, 3. C - DA FY 19-20 ESAC 09-22-2020.pdf

Date	Ver.	Action By	Action	Result
9/22/2020	1	Board of Supervisors	Approved	Pass

Sheriff's Office and District Attorney's Office recommending the Board approve and authorize Sheriff's Office and District Attorney's Office staff to electronically submit, on behalf of the Chair, the Fiscal Year 2019-2020 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 2019-20). 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 Fiscal Year 2019-20, the Sheriff's Office received approximately \$4,000 from the Equitable Sharing Program, and the District Attorney received approximately \$105,000. Some examples of permissible uses of Federal Asset Forfeiture proceeds received as part of the Equitable Sharing Program are as follows: Funds spent must be for Law Enforcement purposes only, 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. All funds used must be non-supplanting.

#### **ALTERNATIVES**

N/A

#### **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.

#### **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 2019-20 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