



Legislation Details (With Text)

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Type: Agenda Item **Status:** Approved

File created: 8/20/2014 **In control:** Board of Supervisors

On agenda: 8/26/2014 **Final action:** 8/26/2014

Title: Sheriff's Office and the District Attorney's Office recommending the Board approve and authorize the Chair to sign the Fiscal Year 2013/14 and amended Fiscal Year 2012/13 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 - Contract Routing Sheet, 2. B - DA Equitable Sharing Certificate 8-26-14, 3. C - Sheriff Equitable Sharing Justice Certification 8-26-14, 4. D - Sheriff Equitable Sharing Treasury Certification 8-26-14, 5. Executed Agreement - 13/14 D.A.(BOS 8-26-14), 6. Executed Agreement - 12/13 Sheriff (BOS 8-26-14), 7. Executed Agreement - 13/14 Sheriff (BOS 8-26-14)

Date	Ver.	Action By	Action	Result
8/26/2014	1	Board of Supervisors	Approved	Pass

Sheriff's Office and the District Attorney's Office recommending the Board approve and authorize the Chair to sign the Fiscal Year 2013/14 and amended Fiscal Year 2012/13 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).

Fiscal Impact/Change to Net County Cost

None. 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 2012/13 actual revenues and expenditures.

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.

Reason for Recommendation

In accordance with Equitable Sharing Agreement guidelines, the agreement must be submitted within 60 days of the end of the Agency's fiscal year. 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. The amended Fiscal Year 2012/13 Form reflects the amounts moved out of the Federal Asset

Seizure Treasury Special Revenue Fund and into the State Asset Seizure Special Revenue Fund as a means to comply with Federal Asset Forfeiture Guidelines prohibiting the co-mingling of Federal and State asset seizure funds.

Clerk of the Board Follow Up Actions

Affidavit to be signed by Chair with a certified copy being forwarded to the Sheriff and District Attorney Offices.

Contact

Undersheriff Rich Williams and District Attorney Vern Pierson

Concurrences

County Counsel and Risk Management.