



# County of El Dorado

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## Legislation Details (With Text)

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Date	Ver.	Action By	Action	Result
11/6/2012	1	Board of Supervisors	Approved	Pass

District Attorney recommending the Board approve a budget transfer increasing revenues and appropriations in the amount of \$42,814.97 by transferring funds from Federal and State asset forfeiture Special Revenue Accounts into the Department's operating budget for the following:

- 1) Purchase of equipment including, but not limited to, computers and building security in the amount of \$27,152.97;
- 2) Pay for training and presentation expenses totaling \$8,662 related to texting and distracted driving for students in El Dorado County high schools; and
- 3) Contribute \$7,000 to the California District Attorney Investigators Association (CDAIA) to enhance training programs for district attorney investigators. (4/5 vote required)

### **FUNDING:** State and Federal Asset Forfeiture.

<b>BUDGET SUMMARY:</b>	
Total Estimated Cost.....	\$42,814.97
Budgeted.....	
New Funding (Asset Forfeiture)	\$42,814.97
....	
Savings.....	
Other.....	
Total Funding Available.....	\$42,814.97
Change To Net County Cost.....	\$0

### **Fiscal Impact/Change to Net County Cost**

None. Funding is available as a result of the Department's participation in Federal and State asset forfeiture programs, resulting in no impact to Net County Cost.

## **Background**

Federal Justice Funds- funding received through the Department's participation in federal asset forfeitures for cases in which District Attorney staff have expended resources. Through the annual Equitable Sharing Agreement and Certification, brought before the Board of Supervisors on an annual basis, El Dorado County is eligible to participate in the program. Funds are authorized for use according to the Justice's Guide to Equitable Sharing for State and Local Law Enforcement.

Allowable expenditures under this program include law enforcement equipment. As part of this agenda item the Department will be utilizing justice funds to purchase various computer and building security equipment.

In addition, as detailed on Page 18, Letter M. of the Guide to Equitable Sharing, "A state or local law enforcement agency or prosecutor's office may use up to 15 percent of the total of shared monies received by that agency in the last two fiscal years for the costs associated with drug abuse treatment, drug and crime prevention education, housing and job skills programs, or other nonprofit community-based programs or activities that are formally approved by the chief law enforcement officer (e.g., chief, sheriff, prosecutor. All expenditures must be supportive of and consistent with a law enforcement effort, policy and/or initiative." Under this allowance the District Attorney's Office is requesting to transfer \$8,662 to pay for training and presentation expenses related to texting and distracted driving for students in El Dorado County high schools.

State Asset Forfeiture- money received when property is seized and forfeited according to California Health & Safety Code, Section 11489. Under the provisions for disbursement the Department receives 10% of the forfeiture to be used for training, office equipment, and/or educational programs related to drugs. Within this budget transfer \$7,000 will be contributed to the California District Attorney Investigators Association to assist in furthering training efforts for district attorney investigators.

Supplanting is strictly prohibited within all funding streams.

## **Reason for Recommendation**

In order to comply with non-supplanting rules the Department has chosen to bring this item before the Board of Supervisors separate and apart from the regular budget process. Prior to the Department proceeding with the purchase of the necessary equipment, and contributing funds to the CDAIA, a budget transfer must be signed authorizing the establishment of a budget and appropriations for the District Attorney's Office. The equipment being purchased will assist the District Attorney's Office with the conversion to a paperless system as well as provide the necessary safety equipment for both the building and investigator vehicles. In addition, providing training to El Dorado County high school students on the dangers of texting and distracted driving will enhance public safety in our community.

## **Action(s) to be taken following Board approval**

Budget transfer to be signed by Board Chair and forwarded to Auditors Office for posting.

## **Contact**

Jodi Albin