



# COUNTY OF HUMBOLDT

For the meeting of: 8/25/2020

---

File #: 20-1055

---

**To:** Board of Supervisors

**From:** Sheriff

**Agenda Section:** Consent

**SUBJECT:**

Fiscal Year 2019-20 Equitable Sharing Agreements and Certifications

**RECOMMENDATION(S):**

That the Board of Supervisors:

1. Authorize the Chair of the Board of Supervisors and the Sheriff to sign the Equitable Sharing Agreements and Certifications for FY 2019-20 asset forfeiture funds for CA0120000 Humboldt County Sheriff's Office; and
2. Authorize the Deputy Director of Sheriff's Administration to submit the form electronically on behalf of the Chair of the Board and Sheriff.

**SOURCE OF FUNDING:**

Federal Asset Forfeiture Trust 3639

**DISCUSSION:**

The Humboldt County Sheriff's Office (HCSO) and Humboldt County Drug Task Force (DTF) Equitable Sharing Annual Certification (ESAC) report must be on file with the U. S. Department of Justice and the U. S. Department of the Treasury, with a copy provided to the United States Attorney in the district in which HCSO is located.

The HCSO and DTF ESAC reports were historically submitted under separate tracking numbers: Sheriff - CA0120000 (Attachment 1) and Drug Task Force - CA0121200. Fiscal year 2018-19 was the last year that the reports were submitted under separate tracking numbers. In accordance with the July 2018 Guide to Equitable Sharing for State, Local, and Tribal Law Enforcement Agencies, task forces are no longer eligible to receive equitable sharing payments directly to the task force. Task forces had the option to select a fiduciary agency to file equitable sharing requests or for each member agency to submit their own sharing request separately. The Executive Board of the DTF elected the HCSO to be the fiduciary agency. Moving forward, the DTF federal equitable sharing will be reported under the Sheriff's tracking number - CA0120000.

The ESAC is required for participation in the Federal Equitable Sharing Program and to receive

distributions through this program. Distributions are based on the level of participation of the HCSO and DTF with the United States Attorney's seizure of forfeited assets.

The ESAC is an annual report of asset forfeiture revenue and expense activity for Fiscal Year 2019-20 and is due each year by August 31. The report is submitted electronically by the Deputy Director of Sheriff's Administration with signatures of the Chair of the Board of Supervisors and Sheriff.

#### FINANCIAL IMPACT:

In the past HCSO has used asset forfeiture funds derived from the Equitable Sharing Program, as match for grants and for specialized equipment and programs. The DTF has used the funds for operating expenses of DTF. These funds are maintained in Trust 3639 and are intended to increase rather than supplant the resources available through the county's General Fund; therefore, revenue and expenditure activities have no effect on the General Fund. A summary of fiscal year 2019-2020 revenue and expenses for HCSO and DTF federal asset forfeiture is below:

FY 2019-20	Sheriff		Drug Task Force	
	Dept of Justice	US Treasury	Dept of Justice	US Treasury
Equitable Sharing Activity				
Beginning Balance	\$98,854	\$129,752	\$0	\$0
Equitable funds received	\$0	\$17,226	\$0	\$0
Equitable funds received from other agencies	\$0	\$0	\$0	\$0
Interest Earned	\$1,302	\$1,725	\$392	\$348
Total Equitable Sharing Funds received	\$1,302	\$18,951	\$392	\$348
Expenditures	\$0	\$0	\$392	\$348
June 30, 2019 Ending balance	\$100,156	\$148,703	\$0	\$0

#### STRATEGIC FRAMEWORK:

This action supports your Board's Strategic Framework by managing our resources to ensure sustainability of services .

#### OTHER AGENCY INVOLVEMENT:

U. S. Department of Justice  
U. S. Department of Treasury  
U. S. Attorney, Northern District of California  
Humboldt County Drug Task Force

#### ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to authorize signature of the Equitable Sharing Agreement and Certification, however this is not recommended as the Sheriff would no longer qualify for participation in a share of forfeited funds.

#### ATTACHMENTS:

Attachment 1      HCSO FY 2019-20 Equitable Sharing Agreement and Certification

---

**File #:** 20-1055

---

**PREVIOUS ACTION/REFERRAL:**

Board Order No.: N/A

Meeting of: N/A

File No.: N/A