



COUNTY OF HUMBOLDT

For the meeting of: 8/20/2019

File #: 19-1189

To: Board of Supervisors

From: Sheriff

Agenda Section: Consent

SUBJECT:

Fiscal Year 2018-19 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 2018-19 asset forfeiture funds for CA0120000 Humboldt County Sheriff's Office and CA0121200 Humboldt County Drug Task Force.

SOURCE OF FUNDING:

Federal Asset Forfeiture Trust 3639 and Trust 3646

DISCUSSION:

The Humboldt County Sheriff's Office (HCSO) and Humboldt County Drug Task Force (DTF) Equitable Annual Certification 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 equitable sharing annual reports are currently submitted under separate tracking numbers: Sheriff - CA0120000 (Attachment 1) and Drug Task Force - CA0121200 (Attachment 2). This will be the last fiscal year that the reports will be 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 agreements are 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 agreements and certifications are annual reports of asset forfeiture revenue and expense activity for Fiscal Year 2018-19, and are due each year by August 31. The report is submitted electronically 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 3646 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 2018 -2019 revenue and expenses for HCSO and DTF federal asset forfeiture is below:

FY 2018-19	Sheriff		Drug Task Force	
	Dept of Justice	US Treasury	Dept of Justice	US Treasury
Beginning Balance	\$97,012	\$127,311	\$57,528	\$83,325
Equitable funds received	0	0	\$18,098	0
Equitable funds received from other agencies	0	0	0	0
Interest Earned	\$1,842	\$2,441	\$1,069.00	\$1,278
Total Equitable Sharing Funds received	\$98,854	\$129,752	\$76,695	\$84,603
Expenditures	\$0	0	\$76,695	84,603
June 30, 2019 Ending balance	\$98,854	\$129,752	\$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 2018-19 Equitable Sharing Agreement and Certification
- Attachment 2 DTF FY 2018-19 Equitable Sharing Agreement and Certification

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A

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Meeting of: N/A

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