



COUNTY OF HUMBOLDT

Legislation Details (With Text)

File #: 20-1408 **Version:** 1 **Name:**
Type: Informational Report **Status:** Passed
File created: 10/20/2020 **In control:** Sheriff
On agenda: 11/10/2020 **Final action:** 11/10/2020
Title: Revised Fiscal Year (FY) 2019-20 Equitable Sharing Agreement and Certification
Sponsors:
Indexes:
Code sections:
Attachments: 1. Staff Report, 2. Original FY19-20 Equitable Sharing Agreement & Cert, 3. Revised FY19-20 Equitable Sharing Agreement & Cert, 4. Executed Revised FY19-20 Equitable Sharing Agreement & Cert

Date	Ver.	Action By	Action	Result
11/10/2020	1	Board of Supervisors	approved	Pass

To: Board of Supervisors

From: Sheriff

Agenda Section: Consent

SUBJECT:

Revised Fiscal Year (FY) 2019-20 Equitable Sharing Agreement and Certification

RECOMMENDATION(S):

That the Board of Supervisors:

1. Retroactively approve the Revised FY 2019-20 Equitable Sharing Agreement and Certification and electronic submission by the Deputy Director as of October 16, 2020; and
2. Authorize the Chair of the Board of Supervisors and the Sheriff to sign the Revised Equitable Sharing Agreement and Certification for FY 2019-20 asset forfeiture funds for CA0120000 Humboldt County Sheriff's Office.

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 annually by August 31.

The initial report was approved by your Board on August 25, 2020 and subsequently submitted electronically by the Deputy Director of Sheriff’s Administration before the annual deadline.

Since the reporting deadline is prior to the county year-end close, there has been some additional interest earned posted and expense adjustments made. Additionally, it was identified that the \$17,225.64 in equitable sharing funds received was posted as Treasury Funds when it was Justice Funds. The revised report corrects this error, reports the additional interest, and the additional expense adjustments.

Due to timing, the revised report was re-submitted to the U. S. Department of Justice and the U. S. Department of the Treasury on October 16, 2020. The request is to retroactively approve the revised report and submission thereof.

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.

Below is the summary of fiscal year 2019-2020 revenue and expenses as originally submitted:

FY 2019-20	Sheriff		Drug Task Force	
Equitable Sharing Activity	Dept of Justice	US Treasury	Dept of Justice	US Treasury
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

Below is the summary of the revised fiscal year 2019-2020 revenue and expenses:

FY 2019-20 - REVISED	Sheriff		Drug Task Force	
Equitable Sharing Activity	Dept of Justice	US Treasury	Dept of Justice	US Treasury
Beginning Balance	\$98,854	\$129,752	\$0	\$0
Equitable funds received	\$17,226	0	\$0	\$0
Equitable funds received from other agencies	\$0	\$0	\$0	\$0
Interest Earned	\$1,797	\$2,199	\$394	\$349
Total Equitable Sharing Funds received	\$19,022	\$2,199	\$394	\$349
Expenditures	\$0	\$0	\$394	\$349
June 30, 2019 Ending balance	\$117,876	\$131,951	\$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 retroactively approve the Revised 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 Original FY2019-20 Equitable Sharing Agreement and Certification
Attachment 2 Revised FY2019-20 Equitable Sharing Agreement and Certification

PREVIOUS ACTION/REFERRAL:

Board Order No.: N/A
Meeting of: August 25, 2020
File No.: 20-1055