



**Probation Department
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

PETE VANDER POEL
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: December 15, 2015

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Steven Horton PHONE: (599) 713-2761

SUBJECT: Agreement with the United States Department of Justice for seized and forfeited drug assets.

REQUEST(S):
That the Board of Supervisors:

1. Ratify and approve an agreement with the United States Department of Justice, retroactive to July 1, 2015 through June 30, 2016, for seized and forfeited drug assets. The proposed agreement is retroactive due to the timing from the Federal agency.
2. Find that the Board had authority to enter into the proposed agreement as of July 1, 2015 and that it was in the County's best interest to enter into the agreement on that date.

SUMMARY:
On March 10, 2009, the Board authorized the Probation Department to enter into an agreement with the United States Department of Justice (DOJ) for the distribution, maintenance, and use of seized and forfeited drug assets.

The Department of Justice requires this agreement be annually updated; therefore, an updated agreement is necessary to continue participation in the program from July 1, 2015 through June 30, 2016.

This agreement allows the Probation Department to participate in the Federal Equitable Sharing Program to receive forfeited proceeds. The proceeds are used to purchase law-enforcement items such as safety equipment, firearms, weapons, and electronic surveillance equipment.

SUBJECT: Agreement with the United States Department of Justice for seized and forfeited drug assets.

DATE: December 15, 2015

County Counsel reviewed and approved the Agreement as to form on November 17, 2015. The Department would like to note that this agreement contains federal boilerplate language, which deviates from the County's standard contract terms.

FISCAL IMPACT/FINANCING:

Any revenue received from the asset forfeiture program augments the Probation Department's operating budget, thereby relieving General Fund costs. There is no net County cost to the General Fund.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The participation of the Probation Department in the Federal Equitable Sharing Program enhances safety and security as items purchased with this funding must be utilized to support anti-gang and drug efforts in the county. The Federal Equitable Sharing Agreement supports the Initiative by depriving criminals of the profits and proceeds of their illegal activities and to weaken criminal enterprise by removing the instrumentalities of crime. This program also enhances the Probation Department's organizational performance in seeking revenue from all available resources and utilizing funding to purchase safety equipment items that otherwise may have come from the general fund.

ADMINISTRATIVE SIGN-OFF:

Christie Myer
Chief Probation Officer

Cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) United States Department of Justice Equitable Sharing Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

**IN THE MATTER OF AN AGREEMENT)
WITH THE UNITED STATES)
DEPARTMENT OF JUSTICE FOR SEIZED)
AND FORFEITED DRUG ASSETS)**

Resolution No. _____
Agreement No. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
 COUNTY ADMINISTRATIVE
OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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- 1. Ratified and approved an agreement with the United States Department of Justice, retroactive to July 1, 2015 through June 30, 2016, for seized and forfeited drug assets. The proposed agreement is retroactive due to the timing from the Federal agency.
- 2. Found that the Board had authority to enter into the proposed agreement as of July 1, 2015 and that it was in the County’s best interest to enter into the agreement on that date.