



**Probation Department
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: August 28, 2018- **REVISED #2**

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"/>
County Counsel Sign-Off	Yes	<input checked="" type="checkbox"/>	N/A	<input 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: (559) 713-2716

SUBJECT: Approve an agreement with the United States Department of Justice for participation in the Federal Equitable Sharing Program.

REQUEST(S):
That the Board of Supervisors:

1. Approve an agreement with the United States Department of Justice to participate in the Federal Equitable Sharing Program retroactive to July 1, 2018 through June 30, 2019. The agreement is retroactive due to the United States Department of Justice's procedure for collecting this information at the end of each fiscal year.
2. Find that the Board had authority to enter into the proposed agreement as of July 1, 2018, and that it was in the County's best interest to enter into the agreement on that date.
3. Authorize the Chairman's electronic signature on the agreement.

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. Continued participation in the program necessitates an annual update of the Probation Department's Equitable Sharing Agreement and Certification (ESAC).

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

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Sharing Fund balance for Fiscal Year 2017-18 was \$5,685.46 and \$83.09 in interest was received to increase the balance to \$5,768.55.

County Counsel has reviewed and approved the Agreement as to form. The Department would like to note that this agreement contains federal boilerplate language, which deviates substantively from the County's standard boilerplate.


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 County's five-year strategic business plan includes a Safety and Security Initiative and an Organizational Performance Initiative. The Federal Equitable Sharing Program supports the Safety and Security Initiative by addressing contributors to crime and depriving criminals of the profits and proceeds of their illegal activities and to weaken criminal enterprise by removing the instrumentalities of crime. It also supports the Organizational Performance Initiative by 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:



Michelle Bonwell
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 APPROVE AN)
AGREEMENT WITH THE UNITED STATES) Resolution No. _____
DEPARTMENT OF JUSTICE FOR) Agreement No. _____
PARTICIPATION IN THE FEDERAL)
EQUITABLE SHARING PROGRAM.

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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2. Found that the Board had authority to enter into the proposed agreement as of July 1, 2018, and that it was in the County's best interest to enter into the agreement on that date.
3. Authorized the Chairman's electronic signature on the agreement.