



**Tulare County Sheriff's  
Department  
COUNTY OF TULARE  
AGENDA ITEM**

**BOARD OF SUPERVISORS**

ALLEN ISHIDA  
District One  
CONNIE CONWAY  
District Two  
PHILLIP A. COX  
District Three  
J. STEVEN WORTHLEY  
District Four  
MIKE ENNIS  
District Five

**AGENDA DATE:** October 14, 2008 Revised

|  |   |  |   |
|--|---|--|---|
| Public Hearing Required  | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| Scheduled Public Hearing w/Clerk   | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| Published Notice Required  | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| Advertised Published Notice  | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| Meet & Confer Required   | Yes <input type="checkbox"/>            | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/>            |
| Electronic file(s) has been sent   | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/>            |
| Budget Transfer (Aud 308) attached   | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| Personnel Resolution attached  | Yes <input type="checkbox"/>            | No <input type="checkbox"/>            | N/A <input checked="" type="checkbox"/> |
| Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s) | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/>            | N/A <input type="checkbox"/>            |

CONTACT PERSON: Terrie Saenz, ASO II    PHONE: 733-6245 x 6520

**SUBJECT:** Approval of Annual Federal Equitable Sharing Agreement between Tulare County Sheriff's Department and U.S. Department of Justice.

- REQUEST(S):**  
That the Board of Supervisors:
1. Ratify and approve the Annual Federal Equitable Sharing Agreement with the U.S. Department of Justice, retroactive to October 1, 2008, through June 30, 2009.
  2. Find that the Board had the authority to enter into the Agreement on October 1, 2008, and that it was in the County's best interest to enter into the Agreement on that date.
  3. Authorize the Chairman and Sheriff-Coroner to sign the Affidavit for the Agreement.

**SUMMARY:**  
On May 17, 2005, your Board authorized the Sheriff's Department to enter into an agreement with the U.S. Department of Justice for the distribution, maintenance and use of seized and forfeited drug assets. Previously, the Department of Justice policy required agencies to file a printed Federal Equitable Sharing Agreement every three years and file a printed Federal Annual Certification Report at the completion of each fiscal year. The Department of Justice now requires agencies to

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file a combined Annual Agreement and Certification Report online at the end of the fiscal year.

This agreement allows the Sheriff's 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.

**FISCAL IMPACT/FINANCING:**

The agreement allows for the sharing of cash and other assets forfeited to the participating agencies, and serves as a fund source, thereby relieving general fund costs. There will be no net County cost to the General Fund.

**LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:**

The County's five-year strategic plan includes the Safety and Security Initiative to effectively and fairly investigate arrest, prosecute and punish individuals who engage in criminal behaviors. The Federal Equitable Sharing Agreement will support 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.

**ALTERNATIVES:**

N/A.

**INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:**

County Counsel has reviewed and approved the agreement as to form. The agreement deviates from the County's standard contract terms. However, the federal boilerplate language is substantially identical to the prior agreement previously approved by County Counsel.

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**ADMINISTRATIVE SIGN-OFF:**

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Bill Wittman  
Sheriff-Coroner

Cc: Auditor/Controller  
County Counsel  
County Administrative Office (3)

Attachment: Federal Equitable Sharing Agreement and Certification

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

IN THE MATTER OF Approval of )  
Annual Federal Equitable Sharing )  
Agreement between Tulare County )  
Sheriff's Department and U.S. )  
Department of Justice )

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: JEAN ROUSSEAU  
COUNTY ADMINISTRATIVE OFFICER  
CLERK, BOARD OF SUPERVISORS

BY: \_\_\_\_\_  
Deputy Clerk

\* \* \* \* \*

1. Ratified and approved the Annual Federal Equitable Sharing Agreement with the U.S. Department of Justice, retroactive to October 1, 2008, through June 30, 2009.
2. Found that the Board had the authority to enter into the Agreement on October 1, 2008, and that it was in the County's best interest to enter into the Agreement on that date.
3. Authorized the Chairman and Sheriff-Coroner to sign the Affidavit for the Agreement.