



**Sheriff's 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 13, 2011

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: Terrie Saenz, Fiscal Manager PHONE: 636-4635

**SUBJECT:** Approve an Amendment to Agreement No. 23796 with U.S. Department of Justice

**REQUEST(S):**

That the Board of Supervisors:

1. Approve an Amendment to Agreement 23796 with U.S. Department of Justice for the Annual Federal Equitable Sharing Agreement, retroactive to July 1, 2011, through June 30, 2012. The Amendment is retroactive due to Department of Justice requesting additional information for the certification document.
2. Find that the Board had the authority to enter into the proposed Amendment as of July 1, 2011, and that it was in the County's best interest to enter into the Amendment to Agreement on that date.
3. Authorize the Chairman to sign four copies of the Amendment.

**SUMMARY:**

On August 16, 2011, your Board authorized the Sheriff's 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 signed agreement was submitted to the DOJ. However, the DOJ is requesting additional information for the certification document.

This agreement allows the Sheriff's Department to participate in the Federal Equitable Sharing Program to receive forfeited proceeds from narcotic investigations. The proceeds are used to purchase law-enforcement items such as

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safety equipment, firearms, weapons, and electronic surveillance equipment.

The original agreement was approved as to form by County Counsel on August 18, 2009. The department would like to note that this agreement contains federal boilerplate language which deviates from the County's standard contract terms, but is identical to the prior agreement. The only change from the original contract, as amended to date, is changing the signature dates.

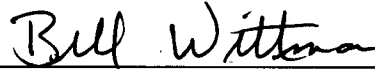
**FISCAL IMPACT/FINANCING:**

The agreement allows for the sharing of cash and other assets forfeited to the participating agencies, 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.

**ADMINISTRATIVE SIGN-OFF:**



Bill Wittman  
Sheriff-Coroner

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

Attachment(s): Amendment to Agreement 23796 with U.S. Department of Justice

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

IN THE MATTER OF APPROVE AN )  
AMENDMENT TO AGREEMENT NO. 23796 ) Resolution No. \_\_\_\_\_  
WITH U.S. DEPARTMENT OF JUSTICE ) 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 M. ROUSSEAU  
COUNTY ADMINISTRATIVE OFFICER/  
CLERK, BOARD OF SUPERVISORS

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

\* \* \* \* \*

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2. Found that the Board had the authority to enter into the proposed Amendment as of July 1, 2011, and that it was in the County's best interest to enter into the Amendment to Agreement on that date.
3. Authorized the Chairman to sign four copies of the Amendment.