

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

303
(1931)



SUBMITTAL DATE:
July 13, 2016

FROM: District Attorney

SUBJECT: Annual Federal Equitable Sharing Agreement and Certification Report (Asset Forfeiture Program) for fiscal year ending June 30, 2016. All Districts [\$0; Asset Forfeiture Trust Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve the attached FY15/16 Equitable Sharing Agreement and Certification Report for submission to the Asset Forfeiture and Money Laundering Section, U.S. Department of Justice, and authorize the Chairman of the Board and District Attorney to be cosignatories on this document.

BACKGROUND:

Summary

As a prerequisite to receiving any Asset Forfeiture funds or property from any federal agency, the District Attorney's Office must submit an annual Federal Equitable Sharing Agreement and Certification Report.

(Background continued on page 2)

Elaina G. Bentley
Elaina G. Bentley, Assistant District Attorney for
Michael A. Hestrin, District Attorney

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

SOURCE OF FUNDS: Asset Forfeiture Trust Funds 100%	Budget Adjustment: No
	For Fiscal Year: 15/16

C.E.O. RECOMMENDATION: **APPROVE**
BY: *Doug Cady*
Doug Cady

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Benoit, seconded by Supervisor Jeffries and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
Nays: None
Absent: None
Date: August 23, 2016
xc: DA

Keqia Harper-Ihem
Clerk of the Board
By: *Keqia Harper-Ihem*
Deputy

FORM APPROVED COUNTY COUNSEL DATE 7/21/16
 BY: GREGORY P. PRIAMOS
 FISCAL PROCEDURES APPROVED PAUL ANGULO, CPA, AUDITOR-CONTROLLER 8/13/16
 BY: Susana Garcia-Bocanegra
 Departmental Concurrence

A-30
 4/5 Vote
 Positions Added
 Change Order

SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Annual Federal Equitable Sharing Agreement and Certification Report (Asset Forfeiture Program) for fiscal year ending June 30, 2016. All Districts [\$0; Asset Forfeiture Trust Funds 100%]
DATE: 7/13/16
PAGE: Page 2 of 2

BACKGROUND (continued):

Summary

The attached report provides an analysis of Federal Asset Forfeiture funds received for fiscal year ending June 30, 2016.

Federal Asset Forfeiture funds will continue to be used for law enforcement services provided through the District Attorney's Asset Forfeiture Unit in accordance with the federal 'Guide to Equitable Sharing for State and Local Law Enforcement Agencies.' Federally adjudicated funds may only be expended pursuant to the strict parameters of the Federal Guide to Equitable Sharing for State and Local Law Enforcement Agencies. These guidelines and all expenditures fall under the direct scrutiny of the federal government and any violation of these guidelines can result in the loss of all future federally adjudicated funds.

The Agreement and Certification Report have been reviewed and approved as to form by County Counsel.

Impact on Citizens and Businesses

All costs for this program will be recovered under Asset Forfeiture funding.

Attachments:

Equitable Sharing Agreement and Certification



Equitable Sharing Agreement and Certification



NCIC/ORI/Tracking Number: CA033013A
Agency Name: Riverside County District Attorney's Office
Mailing Address: 3960 Orange Street
Riverside CA 92501

Type: Prosecutor's Office

Finance Contact

Name: Ezinwa, Ginika
Phone: 951-955-8804

Email: ginikaezinwa@rivcoda.org

ESAC Preparer

Name: Estampador, Otelia
Phone: 951-955-5991

Email: oestampador@rivcoda.org

Last FY End Date: 6/30/2016

Agency Current FY Budget: \$116,333,967.00

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Begining Equitable Sharing Fund Balance <small>(Must match Ending Balance from prior FY)</small>	\$2,529,780.13	\$228,489.96
2	Equitable Sharing Funds Received	\$1,313,863.47	\$0.00
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force <small>(Complete Table B)</small>	\$3,530.83	\$0.00
4	Other Income	\$0.00	\$0.00
5	Interest Income	\$15,189.85	\$1,098.06
6	Total Equitable Sharing Funds Received <small>(total of lines 1-5)</small>	\$3,862,364.28	\$229,588.02
7	Equitable Sharing Funds Spent <small>(total of lines a - n below)</small>	\$491,394.23	\$0.00
8	Ending Equitable Sharing Funds Balance <small>(difference between line 7 and line 6)</small>	\$3,370,970.05	\$229,588.02

¹Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIS, USDA, DCSIS, DSS and FDA

²Department of the Treasury Asset Forfeiture Program participants are: IRS, ICE, CBP and USSS.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Law enforcement operations and investigations	\$15,100.00	\$0.00
b	Training and education	\$0.00	\$0.00
c	Law enforcement, public safety and detention facilities	\$0.00	\$0.00
d	Law enforcement equipment	\$467,655.87	\$0.00
e	Joint law enforcement/public safety operations	\$0.00	\$0.00
f	Contracting for services	\$0.00	\$0.00
g	Law enforcement travel and per diem	\$2,151.36	\$0.00
h	Law enforcement awards and memorials	\$0.00	\$0.00
i	Drug, gang and other education or awareness programs	\$487.00	\$0.00
j	Matching grants <small>(Complete Table C)</small>	\$0.00	\$0.00
k	Transfers to other participating law enforcement agencies <small>(Complete Table D)</small>	\$0.00	\$0.00
l	Support of community-based programs <small>(Complete Table E)</small>	\$6,000.00	\$0.00
m	Non-categorized expenditures <small>(Complete Table F)</small>	\$0.00	\$0.00
n	Salaries <small>(Complete Table G)</small>	\$0.00	\$0.00
Total		\$491,394.23	\$0.00

Table B: Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds
San Bernardino County Sheriff's Department - CA0360000	\$2,288.47	
Inland Regional Narcotics Enforcement Team - CA0360075	\$1,242.36	

Table C: Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Table D: Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Table E: Support of Community-based Programs

Recipient	Justice Funds	Treasury Funds
Riverside Community Health Foundation	\$1,000.00	
Riverside National Cemetery Support Committee	\$5,000.00	

Table F: Non-categorized expenditures in (a) - (n) Above

Description	Justice Funds	Treasury Funds

Table G: Salaries

Salary Type	Justice Funds	Treasury Funds

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section: 1400 New York Avenue, N.W., Washington, DC 20005.

Did your agency purchase any controlled equipment? YES NO

Affidavit

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the Guide during the reporting period and that the recipient Agency is compliant with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is compliant with the applicable nondiscrimination requirements of the following laws and their implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 et seq.), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above?

Yes No


Agency Head

Name: Hestrin, Michael A.
Title: District Attorney
Email: mhestrin@rivcoda.org

Governing Body Head


Name: Benoit, John J.
Title: Chairman
Email: jjbenoit@rcbos.org



ATTEST:
KECIV HARPER-IHEM, Clerk
By: 
DEPUTY

To the best of my knowledge and belief, the information provided on this form is true and accurate and has been duly reviewed and authorized by the Law Enforcement Agency Head and the Governing Body Head whose names appear above. Their typed names indicate their acceptance of and their agreement to abide by the policies and procedures set forth in the Guide to Equitable Sharing for State and Local Law Enforcement Agencies, this Equitable Sharing Agreement, and any policies or procedures issued by the Department of Justice or the Department of the Treasury related to the Asset Forfeiture or Equitable Sharing Programs.

I certify that I am authorized to submit this form on behalf of the Agency Head and the Governing Body Head.

FORM APPROVED BY COUNTY COUNSEL
BY:  DATE: 7/13/16
NEAL R. KAPRIS