

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

345
(1934)



FROM: Probation Department

SUBMITTAL DATE:
August 4, 2016

SUBJECT: Annual Federal Equitable Sharing Agreement (Asset Forfeiture Program) for fiscal year ending June 30, 2016 – Districts All; [\$0]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Approve to form the Fiscal Year Equitable Sharing Agreement and Certification for submission to the Asset Forfeiture and Money Laundering Section, U.S. Department of Justice; and
2. Authorize the Probation Department to electronically submit the Fiscal Year Equitable Sharing Agreement and Certification to the Asset Forfeiture and Money Laundering Section of the U.S. Department of Justice on behalf of the Board of Supervisors and the Chief Probation Officer.

BACKGROUND:

Summary

As a prerequisite to receiving any Asset Forfeiture funds or property from any federal agency, the Probation Department (Probation) must submit the annual Federal Equitable Sharing Agreement and Certification. The attached agreement and certification represents Probation's fourth year of participation in the federal equitable sharing program for fiscal year 2015/16. The attached agreement and certification form is Probation's annual analysis of Federal Asset Forfeiture funds received at the close of the fiscal year. (continue on page 2)

Mark A. Hake
Mark A. Hake
Chief Probation Officer

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:	Budget Adjustment: No
	For Fiscal Year: 16/17

C.E.O. RECOMMENDATION: APPROVE

County Executive Office Signature BY: *Elizabeth J. Olson*
Elizabeth J. Olson

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: Probation

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

Prev. Agn. Ref.: 7/21/15, 3.33 | **District:** ALL | **Agenda Number:**

3-49

FORM APPROVED COUNTY OF RIVERSIDE
BY: *Marin L. Watts-Bazan* DATE: 8/19/16
Departmental Concurrence: MARIN L. WATTS-BAZAN

- A-30
- Positions Added
- 4/5 Vote
- Change Order

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
FORM 11: Annual Federal Equitable Sharing Agreement (Asset Forfeiture Program) for fiscal year
ending June 30, 2016 – Districts All; [\$0]**

DATE: August 4, 2016

PAGE: 2 of 2

BACKGROUND:

Summary (continued)

The Department of Justice Asset Forfeiture Program is a nationwide law enforcement initiative that removes the tools of crime from criminal organizations, deprives wrongdoers of the proceeds of their crimes, recovers property that may be used to compensate victims, and deters crime. The Equitable Sharing Agreement enhances law enforcement collaboration and fosters cooperation among federal, state, and local law enforcement agencies.

Federal Asset Forfeiture funds will continue to be used for law enforcement services provided by Probation countywide 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.

Impact on Residents and Businesses

The approval of this agreement allows for the federal asset forfeiture funds to be used in support of the continued law enforcement operations conducted by Probation. The continued law enforcement efforts of Probation enhances public safety and directly benefits the residents and businesses within the county by depriving wrongdoers of their criminal proceeds. Federal Asset Forfeiture funds support Probation's participation on multi-agency gang and narcotic task forces that target individuals who are involved in illegal activity. These task forces work collaboratively and share resources in an effort to suppress crime and protect the citizens who live in Riverside County.

Attachments:

Equitable Sharing Agreement and Certification



Equitable Sharing Agreement and Certification



NCIC/ORI/Tracking Number: CA033013G
Agency Name: Riverside County Probation Department
Mailing Address: P.O. Box 833
 Riverside CA 92502-0833

Type: Other

Finance Contact

Name: Williams, Cherilyn
Phone: 9519552981

Email:ckwilliams@rcprob.us

ESAC Preparer

Name: Terrell, Julie
Phone: 951-955-0905

Email:jterrell@rcprob.us

Last FY End Date: 6/30/2016

Agency Current FY Budget: \$129,927,663.00

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Fund Balance <small>(Must match Ending Balance from prior FY)</small>	\$0.00	\$0.00
2	Equitable Sharing Funds Received	\$0.00	\$0.00
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force <small>(Complete Table B)</small>	\$15,556.00	\$21,420.00
4	Other Income	\$0.00	\$0.00
5	Interest Income	\$54.66	\$76.48
6	Total Equitable Sharing Funds Received <small>(total of lines 1-5)</small>	\$15,610.66	\$21,496.48
7	Equitable Sharing Funds Spent <small>(total of lines a - n below)</small>	\$0.00	\$0.00
8	Ending Equitable Sharing Funds Balance <small>(difference between line 7 and line 6)</small>	\$15,610.66	\$21,496.48

¹Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIA, 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	\$0.00	\$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	\$0.00	\$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	\$0.00	\$0.00
h	Law enforcement awards and memorials	\$0.00	\$0.00
i	Drug, gang and other education or awareness programs	\$0.00	\$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>	\$0.00	\$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	\$0.00	\$0.00

Table B: Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds
Riverside Police Department - CA0331300	\$15,556.00	\$21,420.00

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	

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: Hake, Mark A.
Title: Chief Probation Officer
Email: mhake@rcprob.us

Governing Body Head

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

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.

NEAL R. KIPNIS
DATE: 8/2/16
FORM APPROVED COUNTY COUNSEL