



Sheriff/Coroner

COUNTY OF TULARE

AGENDA ITEM

BOARD OF SUPERVISORS

LARRY MICARI
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

EDDIE VALERO
District Four

DENNIS TOWNSEND
District Five

AGENDA DATE: August 27, 2024 - REVISED

Public Hearing Required	N/A
Scheduled Public Hearing w/Clerk	N/A
Published Notice Required	N/A
Advertised Published Notice	N/A
Meet & Confer Required	N/A
Budget Transfer (Aud 308) attached	N/A
Personnel Resolution attached	N/A
Agreement(s) attached	Yes

CONTACT PERSON: Maria Alvarez-Villagran PHONE: 5598029462

SUBJECT: Approve an agreement with the United States Department of Justice

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 and to allow continued access to Equitable Sharing funds in the amount of \$709,424, retroactive from July 1, 2024, through June 30, 2025. This agreement is retroactive due to the United States Department of Justice's procedures in collecting agreement and certification information at the end of the preceding fiscal year. It was impracticable for the Board to take action prior to July 1, 2024, due to the time needed to process, prepare and submit the agenda item.
2. Find that the Board had authority to enter into the proposed agreement as of July 1, 2024, and that it was in the County's best interest to enter into the agreement on that date.
3. Authorize the Sheriff or designee to electronically sign the Equitable Sharing Agreement and Certification form.
4. Authorize the Chair of the Board to electronically sign the Equitable Sharing Agreement and Certification form.

SUMMARY:

The Tulare County Sheriff's Office (TCSO) is seeking to participate in the Federal Equitable Sharing Program (Program). This agreement allows TCSO to participate in the Program to receive forfeited proceeds from criminal investigations. To obtain any proceeds from the Program, the state or local agency must annually sign an Equitable

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Sharing Agreement and Certification, certifying that any forfeited proceeds received are allocated as required by federal statutes and regulations established by the United States (U.S.) Department of the Treasury and the U.S. Department of Justice (DOJ). Funds are used to supplement and enhance agency resources including operations, investigations, training and education.

This agreement deviates from the County boilerplate in that it requires the County to sign first, it does not require the DOJ to sign the agreement and certification, and the County may be required to return funding if conviction/order is vacated, or victims are located.

FISCAL IMPACT/FINANCING:

The balance of the Federal Asset Forfeiture Trust Fund (Fund 468) at the beginning of FY 2023/24 was \$525,991.63. Throughout FY 2023/24, the Sheriff's Office received \$166,306.49 and the trust fund accumulated interest revenue of \$17,125.94. No funds were expended for a total ending balance of \$709,424.06. The \$709,424.06 represents the fund balance that is being reported to the Department of Justice. There is no net County cost associated with this agreement, and this agreement does not have an impact on 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:

/s/ Assistant Sheriff Rob Schimpf
Mike Boudreaux
Sheriff-Coroner

Cc: County Administrative Office

Attachments: Agreement