



County of Santa Cruz

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SHERIFF - CORONER

701 OCEAN STREET, ROOM 340, SANTA CRUZ, CA 95060

(831) 454-2992 FAX: (831) 454-2353

MARK TRACY
SHERIFF - CORONER

August 13, 2002

Agenda: August 27, 2002

Board of Supervisors
county of santa cruz
701 Ocean Street, Room 510
Santa Cruz, CA 95060

ANNUAL FEDERAL ASSET FORFEITURE CERTIFICATION REPORT

Dear Members of the Board:

On August 21, 1996, your Board authorized the Sheriff's Office to enter into an ongoing agreement with the U.S. Department of Justice for the distribution, maintenance and use of seized and forfeited drug assets. This agreement requires the Sheriff to file an annual fiscal report to document the amount of Federal Forfeiture (equitable sharing funds) received and expended in each fiscal year. Our report for FY 01/02 is now due to the Department of Justice.

The Sheriff's Office continues to work closely with Federal Law Enforcement agencies to investigate and prosecute Federal drug enforcement cases. With your Board's approval, we continue to budget Federal Drug Forfeitures to finance a number of enhancements for our law enforcement operations.

In 2001, your Board approved the reporting of items accrued in 2000/01 revenue and transferred to 2001/02 regarding the DARE Deputy (\$60,000); Bomb Robot (\$27,990) and equipment for our Search and Rescue Team (\$20,682.64). Your Board further approved in 2001/02, the expenditure of Federal Forfeiture Funds to purchase a forensic comparison microscope (\$3,918.70), property refrigerator (\$4,898) and a records scanner (\$7,041.60) for a total amount of \$15,585.30. The items are reflected in our 2001/02 Federal Annual Certificate Report.

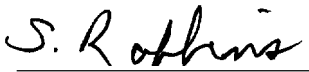
Also in FY 01/02, your Board approved the expenditure of \$33,025 for various fixed assets to improve and upgrade the Sheriff's Office Computer Crime Forensic Lab and a contract with William L. Doolittle and Associates in the amount of \$66,500 for professional assistance with the implementation of the replacement county wide California Law Enforcement Telecommunications System (CLETS) Message Switch. These items have not been received and/or paid for at this time and will be reflected in our 02/03 Federal Forfeiture fund report.

All of these expenditures have contributed to our ability to meet our law enforcement needs and serve the community. I appreciate your Board's ongoing support of our efforts.

It is therefore **RECOMMENDED** that your Board:

1. **ACCEPT** the Sheriff's Office Federal Annual Financial Certification Report for equitable sharing funds for the period of 7/1/01 - 6/30/02;
2. **AUTHORIZE** the Sheriff-Coroner and County Administrative Officer to sign and submit the Federal Annual Fiscal Equitable Sharing Certificate Report and Federal Equitable Sharing Agreement to the US Department of Justice.

Sincerely,


for **MARK S. TRACY**
Sheriff-Coroner

Recommended:


SUSAN A. MAURIELLO
County Administrative Officer



Federal Annual Certification Report

This Annual Certification Report must be submitted within **60 days** after the close of your fiscal year to both agencies:

U.S. Department of Justice/ACA Program
10th and Constitution Avenues, NW
Criminal Division/AFMLS
Bond Building, Tenth Floor
Washington, DC 20530
Fax: (202) 616-1344

U.S. Department of the Treasury
Executive Office for Asset Forfeiture
740 15th Street, NW, Suite 700
Washington, D.C. 20220
E-mail address: treas.aca@eoaf.treas.gov
Fax: (202) 622-9610



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Law Enforcement Agency: Santa Cruz County Sheriff

☐ Police Department ☒ Sheriff's Office/Department ☐ Task Force ☐ Prosecutor's Office ☐ Other _____

Contact Person: Kathy Samms E-mail Address: kathy.samms@co.santa-cruz.ca.us

Mailing Address: 701 Ocean Street, Room 340 Santa Cruz CA 95060
(Street) (City) (State) (Zip Code)

Telephone Number: (____) 831 454 2992 Fax Number: (____) 831 454 2353

Agency Fiscal Year Ends on: June 30 NCIC/ORI/Tracking No.: _____
(Month/Day/Year)

Summary of Equitable Sharing Activity

(Fiscal Year Ending 6/30/02)
01/02

1. Beginning Equitable Sharing Fund Balance
2. Federal Sharing Funds Received
3. Transfers From Other Law Enforcement Agencies (attach list)
4. Other Income
5. Interest Income Accrued (☐ check if non-interest-bearing account)
6. Total Equitable Sharing Funds (total of lines 1 - 5)
7. Federal Sharing Funds Spent (total of lines a - m)
8. Equitable Sharing Fund Balance (subtract line 7 from line 6)
9. Appraised Value of Other Assets Received

Justice Funds

\$ 131,349.09
\$ 385,520.86
\$ _____
\$ _____
\$ 5,964.62
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

Treasury Funds

\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

Summary of Shared Monies Spent

- a. Total spent on salaries for new, temporary, not to exceed 1-year employees
- b. Overtime
- c. Total spent on informant and "buy money"
- d. Total spent on travel and training
- e. Total spent on communications and computers
- f. Total spent on firearms and weapons
- g. Total spent on body armor and protective gear
- h. Total spent on electronic surveillance equipment
- i. Total spent on building and improvements
- j. Total spent on other law enforcement expenses (attach list)
- k. Total transfers to other law enforcement agencies (attach list of recipients)
- l. Total permissible use transfers (attach list of recipients)
- m. Total spent on matching grants (attach list)

\$ 60,000.00
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ 64,530.94
\$ _____
\$ _____
\$ _____
\$ _____

\$ _____
\$ _____
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\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____
\$ _____

Under the penalty of perjury, the undersigned hereby certify that the information in this report is an accurate accounting of funds received and spent by the law enforcement agency under the federal equitable sharing program during this reporting period.

Mark Tracy

Name (Print or Type) Date
Law Enforcement Agency Head or Authorized Representative

Steve Robbins, Acting Sheriff

(Signature)
Sheriff-Coroner

Title (Print or Type)

Susan A. Mauriello

Name (Print or Type) Date
Governing Body Head or Authorized Representative

(Signature)

County Administrative Officer

Title (Print or Type)

¹ Attach list of member agencies with their addresses and indicate lead agency

This form is subject to the Freedom of Information Act and may be released to requests under 5 U.S.C. § 552.

March 2002

ATTACHMENT

Total spent on other law enforcement expenses (J):

Bomb Robot	\$27,990.00
Search and Rescue Equipment	\$20,682.64
Forensic Comparison Microscope	\$3,918.70
Property Refrigerator	\$4,898.00
Records Scanner	\$7,041.60
TOTAL	\$64,530.94



"VALID THRU SEPTEMBER 30, 2005"
Federal Equitable Sharing Agreement



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Law Enforcement Agency: Santa Cruz County Sheriff ☐ Check if New Participant

- ☐ Police Department ☒ Sheriff's Office/Department ☐ Task Force¹
☐ Prosecutor's Office ☐ Other

Contact Person: Kathy Samms **E-mail Address:** kathy.samms@co.santa-cruz.ca.us

Mailing Address: 701 Ocean Street, Room 340 Santa Cruz CA 95060
(Street) (City) (State) (Zip Code)

Telephone Number: () 831-454-2992 **Fax Number:** () 831-454-2353

Agency Fiscal Year Ends on: June 30 **NCIC/ORI/Tracking No.:** _____
(Month/Day)

This Federal Equitable Sharing Agreement entered into among (1) the Federal Government, (2) the above-stated law enforcement agency, and (3) the governing body sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably-shared with participating law enforcement agencies. By their signatures, the parties agree that they will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal equitable sharing program.

- 1. Submission.** The Federal Equitable Sharing Agreement and the Federal Annual Certification Report must be submitted to **both** the Department of Justice and the Department of the Treasury with a copy provided to the U.S. Attorney in the district in which the recipient law enforcement agency is located, in accordance with the instructions received from the respective departments or as outlined in their equitable sharing guidelines.

U.S. Department of Justice/ACA Program
10th and Constitution Avenues, NW
Criminal Division/AFMLS
Bond Building, Tenth Floor
Washington, D.C. 20530
Fax: (202) 616-1344

Executive Office for Asset Forfeiture
U.S. Department of the Treasury
740 15th Street, N W, Suite 700
Washington, D.C. 20220
E-mail address: treas.aca@teoaf.treas.gov
Fax: (202) 622-9610

- 2. Signatories.** This agreement must be signed by the head (or authorized representative) of the law enforcement agency *and* the head (or authorized representative) of the governing body. ***Receipt of the signed agreement is a prerequisite to receiving any equitably-shared cash, property, or proceeds.***
- 3. Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern equitable sharing, and as specified in the equitable sharing request (either a DAG-71 or a TD F 92-22.46) submitted by the requesting agency.
- 4. Transfers.** Before the undersigned law enforcement agency transfers cash, property, or proceeds to other law enforcement agencies, it must verify first that the receiving agency has a current and valid Federal Equitable Sharing Agreement on file with both the Department of Justice and the Department of the Treasury. If there is no agreement on file, the undersigned law enforcement agency **must** obtain one from the receiving agency, and forward it to the Department of Justice and the Department of the Treasury as in item 1. A list of recipients, their addresses, and the amount transferred must be attached to the Federal Annual Certification Report.

¹ Attach list of member agencies with their addresses and indicate lead agency.

5. **Internal Controls.** The parties agree to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The recipient agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and the Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal forfeiture fund account.

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The parties agree that such accounting will be subject to the standard accounting requirements and practices employed for other such public monies as supplemented by requirements set forth in the current edition of the Department of Justice's *A Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide)*. The accounting of shared funds must be submitted in the format shown on the Annual Certification Report contained in both the *Justice* and *Treasury Guides*.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the *Justice* or *Treasury Guides*, depending on the source of the funds or property.

6. **Federal Annual Certification Report.** The recipient agency shall submit an Annual Certification Report to the Department of Justice and the Department of the Treasury (at the addresses shown in item 1) and a copy to the U.S. Attorney in the district in which the recipient agency is located. The certification must be submitted in accordance with the instructions received from the respective departments or as outlined in the *Justice* or *Treasury Guides*. **Receipt of the certification report is a prerequisite to receiving any equitably-shared cash, property, or proceeds.**

7. **Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and the Department of the Treasury reserve the right to conduct periodic random audits.

- 8a. **During the past 3 years, has your agency been found in violation of, or entered into a settlement agreement pursuant to, any nondiscrimination law in federal or state court, or before an administrative agency?**

☐ Yes

☒ No

(If you answered yes, attach relevant information. See instructions.)

- 8b. **Are there pending in a federal or state court, or before any federal or state administrative agency, proceedings against your agency alleging discrimination?**

☐ Yes

☒ No

(If you answered yes, attach relevant information. See instructions.)

The undersigned certify that the recipient agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice 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.

Under penalty of perjury, the undersigned officials certify that the recipient state or local law enforcement agency is in compliance with the provisions of the *Justice* and/or *Treasury Guides* and the National Code of Professional Conduct for Asset Forfeiture.

Mark Tracy

Name (Print or Type) _____ Date _____
Law Enforcement Agency Head or Authorized Representative

Susan A. Mauriello

Name (Print or Type) _____ Date _____
Governing Body Head or Authorized Representative

Steve Robbins, Acting Sheriff

(Signature)

(Signature)

Sheriff-Coroner

Title (Print or Type)

County Administrative Officer

Title (Print or Type)