



## Legislation Details (With Text)

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**Title:** Request City Council approve the annual participation in the Federal Equitable Sharing Agreement Program for the disposition of funds forfeited in connection with a crime and authorizing the execution of related documents  
**Sponsors:** Police Department  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. FY 14 AFF Agreement w Approved as to Form.pdf

Date	Ver.	Action By	Action	Result
8/28/2014	1	City Council	approved	Pass

### REPORT TO THE CITY COUNCIL

August 28, 2014

**FROM:** JERRY DYER, Chief of Police  
Police Department

**BY:** ROBERT NEVAREZ, Deputy Chief  
Administrative Services Division

### SUBJECT

Request City Council approve the annual participation in the Federal Equitable Sharing Agreement Program for the disposition of funds forfeited in connection with a crime and authorizing the execution of related documents

### RECOMMENDATION

It is recommended that City Council authorize the City Manager and the Chief of Police to enter into the annual Federal Equitable Sharing Agreement for the disposition of funds forfeited in connection with a crime.

### EXECUTIVE SUMMARY

The Federal Equitable Sharing Agreement Program provides local law enforcement agencies with funds derived from forfeited assets (cash and property) used in connection with a crime. The Fresno Police Department uses these funds to pay for the Skywatch program, safety equipment, and other items that are directly related to law enforcement. Authorizing the City Manager and the Chief of

Police to enter into this agreement assures the City's participation in this program.

## **BACKGROUND**

Asset forfeiture is an effective law enforcement tool the United States uses to deprive criminals of ill-gotten gains by seizing the proceeds of criminal activity and property used to facilitate crime. Seized property is shared with state and local law enforcement agencies which make substantial contributions to underlying criminal investigations. This not only deprives criminals of ill-gotten gains, but returns the proceeds to law enforcement to use to fight crime at the front-line level. The Department uses this funding opportunity to help address operational and equipment needs, such as the Skywatch program, weapons, ballistic vests, and safety equipment. The Federal Equitable Sharing Agreement must be submitted annually, within 60 days of the end of each fiscal year, and City Council's authorization will provide the new agreement to be effective through June 30, 2015. The agreement must be signed by the City Manager and the Chief of Police. By signing the agreement, the signatories agree to be bound by the statutes and guidelines that regulate the program.

## **ENVIRONMENTAL FINDINGS**

Environmental findings are not applicable since the agreement is not a project.

## **LOCAL PREFERENCE**

Local preference is not applicable since goods and services are not being procured.

## **FISCAL IMPACT**

These funds are mandated to be used for law enforcement purposes only, and are required to enhance rather than supplant the General Fund budget. The Police Department uses this resource for the Skywatch program, ballistic vests and other operational needs that are not funded by the General Fund.

Attachments: Annual Equitable Sharing Agreement