Legislation Details (With Text)

File #:	ID18-1001	**Version:**	1	**Name:**	FY 18 Federal Equitable Sharing Agreement and Certification for Asset Forfeiture Funds
Type:	Action Item			**Status:**	Passed
File created:	8/20/2018			**In control:**	City Council
On agenda:	8/30/2018			**Final action:**	8/30/2018
Title:	Approve the FY 18 annual participation agreement for the Federal Equitable Sharing Agreement and Certification Program for the disposition of $7,587.36 forfeited in connection with a crime and authorize the City Manager and the Chief of Police to execute related documents				
Sponsors:	Police Department				
Indexes:					
Code sections:					
Attachments:	1. AFF 2018 ESAC 7-24-18_.pdf				

Date	Ver.	Action By	Action	Result
8/30/2018	1	City Council	approved	

REPORT TO THE CITY COUNCIL

August 30, 2018

FROM: JERRY DYER, Chief of Police
Police Department

BY: LYDIA CARRASCO, Deputy Chief
Administrative Services Division

SUBJECT

Approve the FY 18 annual participation agreement for the Federal Equitable Sharing Agreement and Certification Program for the disposition of $7,587.36 forfeited in connection with a crime and authorize the City Manager and the Chief of Police to execute related documents

RECOMMENDATION

It is recommended that City Council authorize the City Manager and the Chief of Police to enter into the FY 18 annual Federal Equitable Sharing Agreements for the disposition of $7,587.36, including interest, forfeited in connection with crimes.

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 these agreements 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 allows the proceeds to go to law enforcement for 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 and safety equipment. The FY 18 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, 2019. 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

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this item does not qualify as a “project” for the purposes of CEQA

LOCAL PREFERENCE

Local preference was not implemented because this item does not include a bid or award of a construction or service contract.

FISCAL IMPACT

In FY 18, the Department received $7,587.36, including interest. These funds have been appropriated in FY 19, 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 and other operational needs that are not funded by the General Fund.

Attachments:

Annual Equitable Sharing Agreement