



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Sheriff
Department No.: 032
For Agenda Of: December 12, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Bill Brown, Sheriff-Coroner (805-681-4290)
Director(s)
Contact Info: Robert Minter, Lieutenant (805-681-4353)
SUBJECT: Approval of the Department of Justice Equitable Sharing Agreement and Certification

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Approve, ratify, and authorize the Chair to execute the U.S. Department of Justice (DOJ) Equitable Sharing Agreement and Certification (ESAC) on behalf of the County for fiscal year ending 6/30/23; and
- B. Determine pursuant to CEQA Guidelines 15378(b)(5) that the above actions are not a project subject to CEQA review, because it is a government administrative activity that does not result in direct or indirect physical changes to the environment.

Summary Text:

Pursuant to U.S. Department of Justice (DOJ), asset forfeiture guidelines, the Sheriff's Office requests approval of the recommended action to approve and authorize the Chair to execute the DOJ Equitable Sharing Agreement and Certification (ESAC) for fiscal year ending 6/30/23 on behalf of the County. For the fiscal year being reported, the ESAC (Attachment A) reflects that there were no funds disbursed or assets seized with a federal investigative agency.

Background:

The Money Laundering and Asset Recovery Section (MLARS) uses the Agreements, Certifications, and Audits (ACA) application to track and review the financial information provided by state, local, and tribal agencies that participate in the U.S. Department of Justice or the U.S. Department of the Treasury Equitable Sharing Asset Forfeiture Programs.

As a part of this program, each year, the Sheriff's Office as a participating agency is required to complete an ESAC, which identifies the total amount of federal asset forfeiture funds received from equitable sharing and how the funds were spent by category. To receive a distribution of funds, the assets would be seized during a joint investigation where the Sheriff's Office assisted a federal investigative agency with an asset seizure. During the fiscal year ending 6/30/2023, the Sheriff's Office did not receive a disbursement of funds nor seize any assets with a federal investigative agency. The information contained in the ESAC is necessary for the Sheriff's Office to maintain program compliance. The data provided in the ESAC is maintained for six years in accordance with the archiving schedule.

The ESAC is required to be reviewed and approved by the head of the law enforcement agency and a designated official of the governing body. In no instance can any individual from the law enforcement agency sign as the governing body head. If approved, the Board is delegating this approval authority to the Chair.

No funds are provided to any party through the ESAC as its sole purpose is for accounting and auditing of asset forfeiture funds seized in conjunction with federal agencies.

Special Instructions:

Please send a copy of the Minute Order, and the signed Equitable Sharing Agreement Certification (Attachments A) to Lieutenant Robert Minter, Special Investigations Bureau, Santa Barbara County Sheriff's Office.

Attachments:

Attachment A: Fiscal Year Ending 6/30/23, Equitable Sharing Agreement Certification.

Authored by:

Robert Minter, Lieutenant, Special Investigations Bureau, Santa Barbara County Sheriff's Office