



Agenda Date: 4/12/2005
Agenda Placement: 6D

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Janice Donovan for Gary Simpson - Sheriff-Coroner
Sheriff
REPORT BY: Janice Donovan, Sheriff's Administrative Manager, 259-8674
SUBJECT: Transfer funds from Asset Forfeiture Trust

RECOMMENDATION

Napa Special Investigations Bureau (NSIB) Governing Board requests approval of Budget Transfer No. 75 transferring \$322.75 from the NSIB Asset Forfeiture Trust Fund to the NSIB budget for reimbursement to the California Highway Patrol for an adjudicated narcotics case. (4/5 vote required)

EXECUTIVE SUMMARY

Transfer of Napa Special Investigations Bureau asset forfeiture trust funds for distribution to the California Highway Patrol from an adjudicated narcotic case in Napa County pursuant to California Health and Safety Code.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Napa Special Investigations Bureau Asset Forfeiture Trust Account.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Currently, the California Highway Patrol has an advisory member that sits on the Napa Special Investigations Bureau Governing Board and does not share in the annual transfer of seized and forfeited funds from narcotic/drug cases. This is a case that was originated by CHP and turned over to NSIB for processing under California's Asset Forfeiture laws. The Governing Board approved this distribution.
Is the general fund affected?	No

Future fiscal impact: There is no future fiscal impact past the current fiscal year.
Consequences if not approved: n/a
Additional Information: None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Pursuant to California Asset Forfeiture law, funds that have been forfeited from narcotic/drug trafficking cases are held in a trust account awaiting distribution. The California Highway Patrol (CHP) is an advisory member of the Napa Special Investigations Bureau (NSIB) Governing Board and do not share in the distribution of seized and forfeited funds from narcotic/drug cases. The March 21, 2005 Governing Board meeting approved a distribution of \$322.75 from the NSIB Asset Forfeiture Trust for a narcotic case that was originated by CHP.

The current distribution calculations for all other agencies are: Napa Sheriff's Department, 41.5%, Napa Police Department, 23.5%, Bureau of Narcotic Enforcement, 11.0%, St. Helena Police Department, 9%, Calistoga Police Department, 9% and Napa County Probation Department, 6%. CHP was the originating agency of a narcotic case that resulted in seized assets of approximately \$1,291. The NSIB Governing Board approved the 25% (\$322.75) disbursement on this case at this time. The balance of the seized assets will remain in the trust awaiting future disbursement to the other agencies. Asset forfeiture funds are used to purchase law enforcement equipment.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi