



Agenda Date: 7/12/2005  
Agenda Placement: 6D

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

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**TO:** Board of Supervisors  
**FROM:** Janice Donovan for Gary Simpson - Sheriff-Coroner  
Sheriff  
**REPORT BY:** Janice Donovan, Sheriff's Administrative Manager, 259-8674  
**SUBJECT:** Disbribution of Asset Forfeiture Funds

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### **RECOMMENDATION**

Napa Special Investigations Bureau (NSIB) Governing Board requests approval of the following distribution totalling \$60,849 from seized and forfeited funds from narcotic/drug trafficking investigations in Napa County for Fiscal Year 2005-2006 (4/5 vote required):

1. Napa Sheriff's Department	41.5%	\$25,253
2. Napa Police Department	23.5%	14,300
3. Bureau of Narcotic Enforcement	11.0%	6,693
4. St. Helena Police Department	9.0%	5,476
5. Calistoga Police Department	9.0%	5,476
6. Napa Probation Department	6.0%	3,651

### **EXECUTIVE SUMMARY**

Annual transfer of asset forfeiture funds, approved by the Napa Special Investigations's Governing Board, to various agencies for law enforcement equipment purchases.

### **FISCAL IMPACT**

Is there a Fiscal Impact? Yes  
Is it currently budgeted? Yes

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Where is it budgeted?	The funds from the Bureau of Narcotic Enforcement (\$6,693) will be recognized in NSIB Budget Unit 23800 (48016900), as set in the 05/06 budget. The Sheriff's Department funds (\$25,253) and Probation Department (\$3,651) will be deposited into their asset forfeiture trust account to be used for future law enforcement purchases.
Is it Mandatory or Discretionary?	Discretionary
Discretionary Justification:	Bylaws adopted by the partner agencies describe the distribution of assets seized during law enforcement activities. Today's action complies with that 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:	Funds would not be distributed to the partner agencies.
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 laws, funds that have been forfeited from narcotic/drug trafficking are held in a trust account awaiting distribution. The Governing Board of NSIB determines distribution percentages that were approved at the June 20, 2005 meeting for FY 05/06. The Bureau of Narcotic Enforcement has requested that their portion of funds (\$6,693) be retained by NSIB for expenses incurred by the BNE personnel assigned to the Napa Special Investigation Bureau. Sheriff's and Probation Department funds will be deposited to trust accounts for future equipment purchases.

### **SUPPORTING DOCUMENTS**

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi