****

**NAPA SPECIAL INVESTIGATIONS BUREAU**

**GOVERNING BOARD**

**OPEN MEETING MINUTES**

**FEBRUARY 2016**

The regular open portion of the NSIB Governing Board monthly meeting was called to order on Thursday, February 25, 2016 at 10:50 a.m. at the Napa Police Department.

**ROLL CALL**

Present or otherwise represented members included; Captain Jennifer Gonzales for Chairman Chief Steve Potter with Napa PD, Undersheriff Jean Donaldson for Sheriff John Robertson with the Napa County Sheriff’s Department, District Attorney Gary Lieberstein, Chief Mary Butler with Napa County Probation Department, Chief Mitchell Celaya with Calistoga PD and Acting Commander (Lt.) Kelly Cardoza for Captain Chris Childs with CHP.

Also present at the meeting: Chief DA Investigator Mike Donovan

Board members absent: Board Chair/Chief Steve Potter with Napa PD; Sheriff John Robertson; Chief William Imboden with St. Helena PD; Captain Chris Childs with CHP.

**PUBLIC COMMENT**

0 members of the public in attendance.

**AGENDA ITEMS**

**MINUTES** – DA Lieberstein moved that the minutes of the July 2015 Governing Board Meeting be approved as written. Chief Butler made the 2nd motion. Unanimously approved.

**DRUG PREVENTION PRESENTATIONS**

There were three presentations in July – December, 2015. 1. Spanish Parent Project in October 13th. 2. Silverado Middle School on November 16th. 3. Robert Louis Stevenson Middle School on November 19th.

**NAPA COUNTY AUDITOR’S REPORT ON NSIB REVOLVING FUND**

Lt. Pitkin advised the Board that the Napa County Auditor’s 2013-2014 and 2014-2015 Report concerning the Review of the NSIB Revolving Fund were both delivered in late 2015 (most likely due to the Napa earthquake). The 2013-2014 report found no concerns or exceptions and made one recommendation related to language in NSIB Policy § 12.10. The recommendation was previously discussed, voted on by the Board, and incorporated in to Policy in 2015. The 2014-2015 report found no concerns or exceptions and made no recommendations. This information was incorporated into a memo and email routed to the NSIB Board Chair dated October 20th and November 30th, 2015 respectively.

**DISBURSEMENT OF NSIB ASSET FORFEITURE FUNDS**

Lt. Pitkin advised the Board that $92,029.79 in adjudicated NSIB Asset Forfeiture Funds is available for disbursement. He further advised that the last disbursement was in 2014 or 2015. Based on current NSIB Asset Forfeiture disbursement formula outlined in the current NSIB MOU the following approximate amounts would be disbursed:

* Napa PD $36,351
* Napa Sheriff $36,351
* Calistoga PD $7,362
* Saint Helena PD $7,362
* Probation $4,601
* CHP\* $0 (Per MOU, 1st $17,200 is split between Napa PD and Napa SD to offset vehicle and facility costs. CHP forfeited approximately $8,282 from this disbursement toward the $17,200).

A Motion to disburse the $92,029.79 was made by Chief Butler and seconded by Chief Celaya. Unanimously approved.

The Board continued the conversation on asset forfeiture and talked about prior Board discussions concerning the process for disbursing NSIB Community Trust Account monies. Chief Butler volunteered to take the lead and bring back information for discussion during the Open portion of NSIB’s next Board Meeting.

**FEDERAL ASSET FORFEITURE DISBURSEMENT’S FROZEN**

Lt. Pitkin shared with the Board that the United States Department of Justice (US DOJ) has suspended federal asset forfeiture disbursements to state, local and tribal entities due to federal budget concerns. Lt. Pitkin added that the impact of the suspension may potentially impact NSIB’s Domestic Cannabis Eradication / Suppression Program (DCE/SP) grant awarded through the United States Drug Enforcement Administration (US DEA).

**NSIB CLAIMS**

Lt. Pitkin advised the Board on two pending claims related to the service of search warrants and ensuing damage to doors when entry was forced. Lt. Pitkin provided the Board members with copies of NSIB policy §4.1 – Claims for Damages Made by Citizens, and a draft Claims Letter he authored containing risk management contact information for participating agencies. The Board discussed the current policy and process outlined in NSIB’s current MOU related to agency indemnification. The Board further discussed the possibility of establishing an NSIB fund and related procedure for paying for damages when appropriate. The Board asked that the topic be calendared for the Open portion of NSIB’s next Board Meeting.

**OPEN DISCUSSION** - None.

**ADJOURNMENT**

There being no further business for the open portion of the Governing Board DA Lieberstein moved that the meeting be adjourned. Chief Celaya made the 2nd motion. Unanimously approved at 11:35 a.m. to continue with Closed Session – Case Review/Planning (Government Code §54957.8).

 Chief Steve Potter, Chairman