County of Los Angeles
Sheriff's Department Headquarters
4700 Ramona Boulevard
Monterey Park, California 91754-2169

LEROY D. BACA, SHERIFF

A Tradition of Service

ADOPTED
BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES
35 November 3, 2010
SACHI A. HAMAI
EXECUTIVE OFFICER

November 03, 2010

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

Dear Supervisors:

APPROVAL OF ANNUAL EQUITABLE SHARING AGREEMENTS AND CERTIFICATIONS FOR FEDERALLY FORFEITED PROPERTY (ALL DISTRICTS) (3 VOTES)

SUBJECT

In order to comply with Federal guidelines for the sharing of Federally forfeited property, the Sheriff of Los Angeles County (County) must execute an annual Equitable Sharing Agreement and Certification as a prerequisite to the distribution of equitably shared funds and property. The Agreement and Certification must be signed by both the Sheriff and Board Chair.

IT IS RECOMMENDED THAT YOUR BOARD:

Authorize the Chair of the Board to sign the attached Equitable Sharing Agreement and Certification for equitable sharing of Federally forfeited property.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Counties and certification task forces are required to annually submit an Equitable Sharing Agreement and Certification report as a prerequisite to receiving any asset forfeiture revenues equitably shared by the Federal government.

Federally shared asset forfeiture revenues, received as a result of the Los Angeles County Sheriff's Department's (Department) law enforcement actions, are deposited in the Department's Narcotics Enforcement Special Fund. This Fund supports various programs directed toward enforcement of laws governing controlled substances. Federally shared asset forfeiture revenues received as a

result of the Taskforce for Regional Autotheft Prevention (TRAP) are deposited in the Vehicle Theft Prevention Fund, which is administered by the Department. Federal regulations require task forces receiving in excess of $10,000 to file such reports. TRAP received in excess of $10,000 of forfeited assets.

Implementation of Strategic Plan Goals

This request conforms to the County's Strategic Plan, Goal 1, Operational Effectiveness; and Goal 5, Public Safety, by seeking and obtaining funding from sources other than the County to provide enhanced services to the citizens of the County.

FISCAL IMPACT/FINANCING

Anticipated asset forfeiture revenues are included in the Fiscal Year 2010-11 adopted budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Federal regulations require participants in the Federal Equitable Sharing Program to have the Chair of their governing body sign the attached documents.

On December 1, 1998, the Board directed the County's Auditor-Controller to review the State and Federal revenues and expenditures of the Narcotic Enforcement Special Fund and TRAP yearly. A request has been made to the County's Auditor-Controller to conduct a review of both funds receiving shared Federally forfeited assets.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of this request will allow for the uninterrupted receipt of revenue anticipated in the adopted budget. No other County departments are impacted by this request.

CONCLUSION

Upon Board approval, please return a certified copy of the adopted Board letter and an original signed copy of the Equitable Sharing Agreement and Certification to the Department's Administrative Services Division.

Sincerely,

LEROY D. BACA
Sheriff

LDB:TLW:djp

Enclosures

OMB Number 1123-0011
Expires 7-31-2011

Equitable Sharing Agreement and Certification

◯ **Police Department** ◯ **Sheriff's Office** ◉ **Task Force (Complete Table A, page2)**
◯ **Prosecutor's Office** ◯ **Other (specify)** _____

Agency Name: TaskForce for Regional Auto-Theft Prevention

NCIC/ORI/Tracking Number: C A 0 1 9 0 0 V 1

Street Address: 4700 Ramona Blvd

City: Monterey Park **State:** CA **Zip:** 91754

Contact: Title: Director First: Teri Last: Wilhelm

Contact: Phone: (323) 526-5205 E-mail: tlwilhel@lasd.org

☐ Same as Contact **Preparer:** First: Jesus Last: Lima, Jr.

Preparer: Phone: (323) 981-6040 E-mail: jplima@lasd.org

Last Fiscal Year End: 06/30/2010 **Agency Current Fiscal Year Budget:** $2,627,832,000.00

◯ **New Participant:** Read the Equitable Sharing Agreement (page 5) and sign the Affidavit (page 6)

◉ **Existing Participant:** Complete the Annual Certification Report, read the Equitable Sharing Agreement (page 5), and sign the Affidavit (page 6)

◯ **Amended Form:** Revise the Annual Certification Report, read the Equitable Sharing Agreement (page 5), and sign the Affidavit (page 6).

Annual Certification Report

	Summary of Equitable Sharing Activity	Justice Funds[1]	Treasury Funds[2]
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	$58,985.00	$0.00
2	Federal Sharing Funds Received	$0.00	$0.00
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (complete Table B, page 3)	$0.00	$0.00
4	Other Income	$0.00	$0.00
5	Interest Income Accrued — Non-Interest Bearing ◯ Interest Bearing ◉	$828.72	$0.00
6	Total Equitable Sharing Funds (total of lines 1 - 5)	$59,813.72	$0.00
7	Federal Sharing Funds Spent (total of lines a - m below)	$0.00	$0.00
8	Ending Balance (difference between line 7 and line 6)	$59,813.72	$0.00

[1] Justice Agencies are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA.

[2] Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

	Summary of Shared Monies Spent	Justice Funds	Treasury Funds
a	Total spent on salaries for new, temporary, not-to-exceed one year employees Refer to § VIII.A.2.a.3 of the *Justice Guide*	$0.00	$0.00
b	Total spent on overtime	$0.00	$0.00
c	Total spent on informants, "buy money," and rewards	$0.00	$0.00
d	Total spent on travel and training	$0.00	$0.00
e	Total spent on communications and computers	$0.00	$0.00
f	Total spent on weapons and protective gear	$0.00	$0.00
g	Total spent on electronic surveillance equipment	$0.00	$0.00
h	Total spent on buildings and improvements	$0.00	$0.00
i	Total transfers to other state and local law enforcement agencies (complete Table C, page 3)	$0.00	$0.00
j	Total spent on other law enforcement expenses (complete Table D, page 3)	$0.00	$0.00
k	Total Expenditures in Support of Community-based Programs (complete Table E, page 3)	$0.00	
l	Total Windfall Transfers to Other Government Agencies (complete Table F, page 3)	$0.00	$0.00
m	Total spent on matching grants (complete Table G, page 3)	$0.00	$0.00
	Total	$0.00	$0.00
Did you receive non-cash assets? ◯ Yes ◉ No If yes, complete Table H, page 3			

Please fill out the following tables, if applicable.

Table A: Members of Task Force

Agency Name	NCIC/ORI/Tracking Number
Los Angeles Police Department	CA0194200
El Monte Police Department	CA0192200
Whittier Police Department	CA0197600
Vernon Police Department	CA0197300
Glendale Police Department	CA0192500
California Highway Patrol	CA0199800
Long Beach Police Department	CA0194100
Hermosa Beach Police Department	CA0192900
El Segundo Police Department	CA0192300

Agency Name	NCIC/ORI/Tracking Number
Culver City Police Department	CA0191800

Table B: Equitable Sharing Funds Received from other Agencies

Total the amount transferred to each agency on separate lines

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: NCIC/ORI/Tracking Number:	$0.00	$0.00

Table C: Equitable Sharing Funds Transferred to Other Agencies

Total the amount transferred to each agency on separate lines

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: NCIC/ORI/Tracking Number:	$0.00	$0.00

Table D: Other Law Enforcement Expenses

Description of Expense	Justice Funds	Treasury Funds
	$0.00	$0.00

Table E: Expenditures in Support of Community-based Programs

Refer to § VIII.A.1.m and Appendix C of the *Justice Guide*

Recipient	Justice Funds	
	$0.00	

Table F: Windfall Transfers to Other Government Agencies

Refer to § VIII.A.1.n of the *Justice Guide* and pp. 25-26 of the *Treasury Guide*

Recipient	Justice Funds	Treasury Funds
	$0.00	$0.00

Table G: Matching Grants

Refer to § VIII.A.1.h of the *Justice Guide* and p. 22 of the *Treasury Guide*

Matching Grant Name	Justice Funds	Treasury Funds
	$0.00	$0.00

Table H: Other Non-Cash Assets Received

Description of Asset

Table I: Civil Rights Cases

Name of Case	Type of Discrimination Alleged			
Edwards vs. COLA	☒ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☒ Other Sexual Harassme	
Lyznick vs. COLA	☐ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☒ Other Sexual Harassme	
Marion vs. COLA	☐ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☒ Other Employment	
Voyer vs. COLA	☐ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☒ Other Employment	

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section, Program Management and Strategic Planning Unit, 1400 New York Avenue, N.W., Second Floor, Washington, DC 20005.

Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal equitable sharing program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

1. **Submission.** This Document must be submitted to aca.submit@usdoj.gov within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature page (page 6) submitted by fax. This will constitute submission to the Department of Justice and the Department of Treasury.

2. **Signatories.** This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.

3. **Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal equitable sharing program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing (Justice Guide),* and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide).*

*4. **Transfers.** Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of Treasury, depending on the source of the funds, that the receiving agency is a federal equitable sharing program participant and has a current Equitable Sharing Agreement and Certification on file.*

*5. **Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal forfeiture fund account.*

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public monies as supplemented by requirements set forth in the current edition of the Justice Guide and the *Treasury Guide,* including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the Justice or *Treasury Guides,* depending on the source of the funds/property.

6. **Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

Affidavit - Existing Participant

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Justice* and/or *Treasury Guides* during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above? ◉ Yes ○ No

If you answered yes to the above question, complete Table I

Agency Head
See ¶ 2 on page

Signature: Leroy D. Baca

Name: Leroy D. Baca

Title: Sheriff

Date: 10/20/10

Governing Body Head
See ¶ 2 on page

Signature: Gloria Molina

Name: Gloria Molina

Title: Chair, Board of Supervisors

Date: NOV 9 2010

COUNTY OF LOS ANGELES CALIFORNIA

Subscribe to Equitable Sharing Wire:
The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.

Final Instructions:

Step 1: Click to save for your records
Step 2: Click to save in XML format
Step 3: E-mail the XML file to aca.submit@usdoj.gov
Step 4: Fax THIS *SIGNED* PAGE ONLY to (202) 616-1344

FOR AGENCY USE ONLY
Entered by _____

Entered on _____

Date Printed: September 27, 2010 10:46

○ FY End: 06/30/2010

◉ NCIC: CA01900V1 Agency: TaskForce for Regional Auto-Theft Prevention Phone: (323) 526-5205

○ State: CA Contact: Teri Wilhelm E-mail: tlwilhel@lasd.org

Approved As To Form
Deputy County Counsel

OMB Number 1123-0011
Expires 7-31-2011

Equitable Sharing Agreement and Certification

◯ **Police Department** ◉ **Sheriff's Office** ◯ **Task Force (Complete Table A, page2)**
◯ **Prosecutor's Office** ◯ **Other (specify)** _____

Agency Name: Los Angeles County Sheriff's Department

NCIC/ORI/Tracking Number: C A 0 1 9 0 0 3 6

Street Address: 4700 Ramona Blvd.

City: Monterey Park **State:** CA **Zip:** 91754

Contact: Title: Director First: Teri Last: Wilhelm

Contact: Phone: (323) 526-5205 E-mail: tlwilhel@lasd.org

☐ Same as Contact **Preparer:** First: Jesus Last: Lima, Jr.

Preparer: Phone: (323) 981-6040 E-mail: jplima@lasd.org

Last Fiscal Year End: 06/30/2010 **Agency Current Fiscal Year Budget:** $2,627,832,000.00

◯ **New Participant:** Read the Equitable Sharing Agreement (page 6) and sign the Affidavit (page 7)

◉ **Existing Participant:** Complete the Annual Certification Report, read the Equitable Sharing Agreement (page 6), and sign the Affidavit (page 7)

◯ **Amended Form:** Revise the Annual Certification Report, read the Equitable Sharing Agreement (page 6), and sign the Affidavit (page 7).

Annual Certification Report

	Summary of Equitable Sharing Activity	Justice Funds[1]	Treasury Funds[2]
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	$10,218,494.91	$1,540,528.76
2	Federal Sharing Funds Received	$5,855,104.44	$421,506.80
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (complete Table B, page 2)		$293,382.33
4	Other Income	$13,719.00	$0.00
5	Interest Income Accrued — Non-Interest Bearing ◯ Interest Bearing ◉	$214,042.00	$5,849.00
6	Total Equitable Sharing Funds (total of lines 1 - 5)	$16,301,360.35	$2,261,266.89
7	Federal Sharing Funds Spent (total of lines a - m below)	$6,505,482.23	$0.00
8	Ending Balance (difference between line 7 and line 6)	$9,795,878.12	$2,261,266.89

[1] Justice Agencies are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA.

[2] Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

	Summary of Shared Monies Spent	Justice Funds	Treasury Funds
a	Total spent on salaries for new, temporary, not-to-exceed one year employees Refer to § VIII.A.2.a.3 of the *Justice Guide*		
b	Total spent on overtime	$29,429.09	$0.00
c	Total spent on informants, "buy money," and rewards	$455,600.00	$0.00
d	Total spent on travel and training	$25,076.20	$0.00
e	Total spent on communications and computers	$788,475.81	$0.00
f	Total spent on weapons and protective gear	$416,530.20	$0.00
g	Total spent on electronic surveillance equipment	$224,517.77	$0.00
h	Total spent on buildings and improvements	$0.00	$0.00
i	Total transfers to other state and local law enforcement agencies (complete Table C, page 2)	$302,822.69	$0.00
j	Total spent on other law enforcement expenses (complete Table D, page 3)	$4,263,030.47	$0.00
k	Total Expenditures in Support of Community-based Programs (complete Table E, page 4)		
l	Total Windfall Transfers to Other Government Agencies (complete Table F, page 4)		
m	Total spent on matching grants (complete Table G, page 4)		
	Total	$6,505,482.23	$0.00
Did you receive non-cash assets? ◯ Yes ◉ No If yes, complete Table H, page 4			

Please fill out the following tables, if applicable.

Table A: Members of Task Force

Agency Name	NCIC/ORI/Tracking Number

Table B: Equitable Sharing Funds Received from other Agencies

Total the amount transferred to each agency on separate lines

Transferring Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: L.A. Impact NCIC/ORI/Tracking Number:		$293,382.33

Table C: Equitable Sharing Funds Transferred to Other Agencies

Total the amount transferred to each agency on separate lines

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: City of West Hollywood NCIC/ORI/Tracking Number:	$3,872.49	$0.00

Receiving Agency Name, City, and State	Justice Funds	Treasury Funds
Agency Name: State of California NCIC/ORI/Tracking Number: CA0349496	$54,598.58	$0.00
Agency Name: City of Palmdale NCIC/ORI/Tracking Number: CA0190028	$4,205.92	$0.00
Agency Name: Department of Health Services NCIC/ORI/Tracking Number: CA0190034	$7,675.81	$0.00
Agency Name: District Attorney NCIC/ORI/Tracking Number: CA019153A	$17,583.79	$0.00
Agency Name: City of Glendale NCIC/ORI/Tracking Number: CA0192500	$51,529.34	$0.00
Agency Name: City of Glendora NCIC/ORI/Tracking Number: CA0192600	$51,529.34	$0.00
Agency Name: City of La Verne NCIC/ORI/Tracking Number: CA0193800	$51,529.34	$0.00
Agency Name: City of Culver City NCIC/ORI/Tracking Number: CA0191800	$51,529.34	$0.00
Agency Name: City of Carson NCIC/ORI/Tracking Number: CA0190016	$2,420.45	$0.00
Agency Name: City of Pico Rivera NCIC/ORI/Tracking Number: CA0190015	$6,348.29	$0.00

Table D: Other Law Enforcement Expenses

Description of Expense	Justice Funds	Treasury Funds
Telephone Charges	$113,725.76	$0.00
Photographic Equipment	$9,458.26	$0.00
Boat Hardware & Supplies	$1,181.17	$0.00
Automotive/ Repair/Parts	$28,962.43	$0.00
Permit & License Fees	$2,650.00	$0.00
Hardware-Related Supplies. Tools/Machinery Equipment	$134,086.97	$0.00

Description of Expense	Justice Funds	Treasury Funds
Police Supplies	$297,861.56	$0.00
Office Supplies	$25,316.30	$0.00
General County Overhead (ISD)	$52,506.00	$0.00
Light for Tower	$14,324.94	$0.00
Animal-Police dogs	$58,208.85	$0.00
Vehicle Operating Lease	$178,092.03	$0.00
Promotional Material	$43,441.00	$0.00
Towing and Storage	$1,769.50	$0.00
Recycling Fee	$16.00	$0.00
Moving & Transport Service/Feight	$389.99	$0.00
Helicopter Lease	$2,356,372.54	$0.00
Vehicle & Transporting Equipment	$944,667.17	$0.00

Table E: Expenditures in Support of Community-based Programs

Refer to § VIII.A.1.m and Appendix C of the *Justice Guide*

Recipient	Justice Funds	

Table F: Windfall Transfers to Other Government Agencies

Refer to § VIII.A.1.n of the *Justice Guide* and pp. 25-26 of the *Treasury Guide*

Recipient	Justice Funds	Treasury Funds

Table G: Matching Grants

Refer to § VIII.A.1.h of the *Justice Guide* and p. 22 of the *Treasury Guide*

Matching Grant Name	Justice Funds	Treasury Funds

Table H: Other Non-Cash Assets Received

Description of Asset

Table I: Civil Rights Cases

Name of Case	Type of Discrimination Alleged			
Edwards vs. COLA	☒ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☒ Other Sexual Harassme	
Lyznick vs. COLA	☐ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☒ Other Sexual Harassme	
Marion vs. COLA	☐ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☒ Other Emplyment	
Voyer vs. COLA	☐ Race	☐ Color	☐ National Origin	☐ Gender
	☐ Disability	☐ Age	☒ Other Emplyment	

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Equitable Sharing Agreement

This Federal Equitable Sharing Agreement, entered into among (1) the Federal Government, (2) the above-stated law enforcement agency ("Agency"), and (3) the governing body, sets forth the requirements for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest earned thereon, which are equitably shared with participating law enforcement agencies. By its signatures, the Agency agrees that it will be bound by the statutes and guidelines that regulate shared assets and the following requirements for participation in the federal equitable sharing program. Receipt of the signed Equitable Sharing Agreement and Certification (this "Document") is a prerequisite to receiving any equitably shared cash, property, or proceeds.

1. **Submission.** This Document must be submitted to aca.submit@usdoj.gov within 60 days of the end of the Agency's fiscal year. This Document must be submitted electronically with the Affidavit/Signature page (page 7) submitted by fax. This will constitute submission to the Department of Justice and the Department of Treasury.

2. **Signatories.** This agreement must be signed by the head of the Agency and the head of the governing body. Examples of Agency heads include police chief, sheriff, director, commissioner, superintendent, administrator, chairperson, secretary, city attorney, county attorney, district attorney, prosecuting attorney, state attorney, commonwealth attorney, and attorney general. The governing body's head is the person who allocates funds or approves the budget for the Agency. Examples of governing body heads include city manager, mayor, city council chairperson, county executive, county council chairperson, director, secretary, administrator, commissioner, and governor.

3. **Uses.** Any shared asset shall be used for law enforcement purposes in accordance with the statutes and guidelines that govern the federal equitable sharing program as set forth in the current edition of the Department of Justice's *Guide to Equitable Sharing (Justice Guide)*, and the Department of the Treasury's *Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Treasury Guide).*

*4. **Transfers.** Before the Agency transfers cash, property, or proceeds to other state or local law enforcement agencies, it must first verify with the Department of Justice or the Department of Treasury, depending on the source of the funds, that the receiving agency is a federal equitable sharing program participant and has a current Equitable Sharing Agreement and Certification on file.*

*5. **Internal Controls.** The Agency agrees to account separately for federal equitable sharing funds received from the Department of Justice and the Department of the Treasury. Funds from state and local forfeitures and other sources must not be commingled with federal equitable sharing funds. The Agency shall establish a separate revenue account or accounting code for state, local, Department of Justice, and Department of the Treasury forfeiture funds. Interest income generated must be accounted for in the appropriate federal forfeiture fund account.*

The Agency agrees that such accounting will be subject to the standard accounting requirements and practices employed for other public monies as supplemented by requirements set forth in the current edition of the Justice Guide and the *Treasury Guide,* including the requirement in the *Justice Guide* to maintain relevant documents and records for five years.

The misuse or misapplication of shared resources or the supplantation of existing resources with shared assets is prohibited. Failure to comply with any provision of this agreement shall subject the recipient agency to the sanctions stipulated in the current edition of the Justice or *Treasury Guides,* depending on the source of the funds/property.

6. **Audit Report.** Audits will be conducted as provided by the Single Audit Act Amendments of 1996 and OMB Circular A-133. The Department of Justice and Department of the Treasury reserve the right to conduct periodic random audits.

Affidavit - Existing Participant

Under penalty of perjury, the undersigned officials certify that **they have read and understand their obligations under the Equitable Sharing Agreement** and that the information submitted in conjunction with this Document is an accurate accounting of funds received and spent by the Agency under the *Justice* and/or *Treasury Guides* during the reporting period and that the recipient Agency is in compliance with the National Code of Professional Conduct for Asset Forfeiture.

The undersigned certify that the recipient Agency is in compliance with the nondiscrimination requirements of the following laws and their Department of Justice implementing regulations: Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*), Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794), and the Age Discrimination Act of 1975 (42 U.S.C. § 6101 *et seq.*), which prohibit discrimination on the basis of race, color, national origin, disability, or age in any federally assisted program or activity, or on the basis of sex in any federally assisted education program or activity. The Agency agrees that it will comply with all federal statutes and regulations permitting federal investigators access to records and any other sources of information as may be necessary to determine compliance with civil rights and other applicable statutes and regulations.

During the past fiscal year: (1) has any court or administrative agency issued any finding, judgment, or determination that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above; or (2) has the Agency entered into any settlement agreement with respect to any complaint filed with a court or administrative agency alleging that the Agency discriminated against any person or group in violation of any of the federal civil rights statutes listed above? ◉ **Yes** ○ **No**

If you answered yes to the above question, complete Table I

Agency Head
See ¶ 2 on page

Signature: Leroy D. Baca

Name: Leroy D. Baca

Title: Sheriff

Date: 10/20/10

Governing Body Head
See ¶ 2 on page

Signature: Gloria Molina

Name: Gloria Molina

Title: Chair, Board of Supervisors

Date: NOV 9 2010

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The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.

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Entered on _____

○ FY End: 06/30/2010

Date Printed: September 27, 2010 10:42

◉ NCIC: CA0190036 Agency: Los Angeles County Sheriff's Department Phone: (323) 526-5205

○ State: CA Contact: Teri Wilhelm E-mail: tlwilhel@lasd.org

Approved As To Form
Prin. Deputy County Counsel