



## Legislation Text

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**File #:** 16-383, **Version:** 1

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### **RESOLUTION 5139: AUTHORIZATION TO ENTER INTO AN EQUITABLE SHARING AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE**

Staff Contact: Rick St. John, Interim Police Chief

#### **Purpose and Recommended Action**

This is a request for City Council to waive reading beyond the title and adopt a resolution authorizing the City Manager to enter into an equitable sharing agreement and certification with the United States Department of Justice (USDOJ) for continued participation in the federal Equitable Sharing Program.

#### **Background**

The USDOJ allows the use of federally forfeited cash, property, proceeds, and any interest earned thereon (assets) from criminal enterprises, also known as Racketeering Influenced Corrupt Organizations (RICO), in approved law enforcement operations. The assets are not forfeited unless authorized through the courts after due process. The assets are then equitably distributed to law enforcement agencies participating in the equitable sharing agreement.

The City has been entering into this annual agreement for over 20 years. Participation in this agreement allows the Glendale Police Department to receive a portion of the RICO assets seized on criminal cases worked in conjunction with federal agencies. As part of the agreement, the Glendale Police Department is required to complete the Annual Certification Report.

#### **Analysis**

This agreement promotes close cooperation between the Glendale Police Department and federal justice and treasury agencies such as the Federal Bureau of Investigation, Drug Enforcement Administration, Bureau of Alcohol, Tobacco, Firearms and Explosives, Internal Revenue Service, and Immigration and Customs Enforcement; while collecting a portion of the assets seized in federal investigations based on Glendale Police Department's participation in the overall investigation. Staff is recommending that Council adopt the proposed resolution, which authorizes the City Manager to enter into an equitable sharing agreement and certification with the USDOJ.

#### **Previous Related Council Action**

On August 11, 2015, Council adopted a resolution (No. 5006 New Series) and authorized the City Manager to enter into an equitable sharing agreement and certification with the USDOJ for continued participation in the federal Equitable Sharing Program.

**Community Benefit/Public Involvement**

Participation in the Equitable Sharing Program provides Glendale Police Department with additional funding to continue operations and investigations to suppress criminal activity in the city.

**Budget and Financial Impacts**

There is no cost to the city to enter into this agreement.