

80795

DATE: November 6, 2020

TO: Board of Acquisition and Contract

FROM: Thomas A. Gleason
Acting Commissioner-Sheriff, Department of Public Safety

RE: Authority to enter into one or more Federal Equitable Sharing Agreements with United States in order to authorize the County of Westchester to seek and receive an 'equitable share' of asset seizures and forfeitures in which the County plays a role

Both the United States Department of Justice (the "DOJ") and the United States Department of the Treasury (the "Treasury") regularly obtain assets through seizures and forfeitures related to their respective law enforcement operations. The County of Westchester (the "County") plays a role in some of those asset seizures and forfeitures. However, in order for the County to be authorized to seek and receive such a share, the County must have in place a Federal Equitable Sharing Agreement (a "FESA") with each of the Treasury and the DOJ.

Accordingly, authority is hereby requested for the County, acting by and through its Department of Public Safety, to enter into one or more FESAs with the United States in order to authorize the County to seek and receive an 'equitable share' of asset seizures and forfeitures in which the County plays a role (collectively, the "FESAs"). The FESAs shall commence upon full execution and remain in effect unless terminated by either party.

The FESAs will serve a public purpose by authorizing the County to seek and receive an 'equitable share' of asset seizures and forfeitures made by the United States which the County plays a role. The goal and objective of the FESAs is to authorize the County to seek and receive an 'equitable share' of asset seizures and forfeitures made by the United States in which the County plays a role. The goals and objectives of the FESAs are in the best interests of the County in terms of fiscal responsibility, as they will, collectively, enable the County to ultimately come into possession of its 'equitable share' of asset seizures and forfeitures made by the United States in which the County plays a role. The goals and objectives of the FESAs will be tracked and monitored by the staff of the Department of Public Safety.

I respectfully recommend your Honorable Board's approval of the attached resolution.

TAG/jpi

RESOLUTION

Upon a communication from the Acting Commissioner-Sheriff of Public Safety, be it hereby

RESOLVED, that the County of Westchester (the "County"), acting by and through its Department of Public Safety, is hereby authorized to enter into one or more Federal Equitable Sharing Agreements with the United States, acting by and through, its Departments of Justice and the Treasury, in order to authorize the County to receive an 'equitable share' of asset seizures and forfeitures in which the County plays a role; and be it further

RESOLVED, that the Equitable Sharing Agreements shall commence upon full execution and remain in effect unless terminated by either party; and be it further

RESOLVED, that the County Executive or his duly authorized designee is authorized and empowered to execute and deliver all instruments and take all actions necessary or appropriate to effectuate the purposes hereof.

Account to be Charged/Revenue

<u>Fund</u>	<u>Dept</u>	<u>Major Program, Program & Phase or Unit</u>	<u>Revenue/Expense</u>	<u>Trust Account</u>	<u>Dollars</u>
711	38	8002	9575		TBD

Budget Funding Year(s): 2020- Start Date: Upon Execution End Date: Open Ended

Funding Source

TBD
(must match resolution)

Tax Dollars: _____
State Aid: _____
Federal Aid: _____
Other: Seized Assets