



COMMISSIONERS COURT
COMMUNICATION

REFERENCE NUMBER 0
PAGE 1 OF 7
DATE: 11/23/2010

SUBJECT: **APPROVAL OF THE SHERIFF'S FY 2010 CHAPTER 59 ASSET FORFEITURE REPORT FOR AUTO CRIMES TASK FORCE**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED:

It is requested that the Commissioners Court approve the Sheriff's Department FY 2010 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency related to the Auto Crimes Task Force and authorize the County Judge to sign the certification.

BACKGROUND:

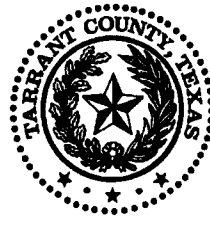
Certified copies of the Chapter 59 Asset Forfeiture Report shall be delivered to the Comptroller's Office and filed with the Office of the Attorney General by any law enforcement agency that has the authority to receive property forfeited under Chapter 59 of the Code of Criminal Procedure. The statutory definition of law enforcement agency includes any agency that has the authority to hire peace officers or receive property. This report must be filed no later than the 60th day after the end of the fiscal year. The law setting out these requirements may be found in Article 59.06(g) (1) of the code.

This report summarizes the FY 2010 asset forfeiture activities related to the Auto Crimes Task Force of the Tarrant County Sheriff's Department and conforms to those requirements as specified under Article 59.06 of the C.C.P.

FISCAL IMPACT:

There is no fiscal impact associated with this action.

| | | | |
|---------------|----------------------|--------------|--------------|
| SUBMITTED BY: | Sheriff's Department | PREPARED BY: | Kim Trussell |
| | | APPROVED BY: | |



TARRANT COUNTY

TARRANT COUNTY ADMINISTRATION BUILDING - ROOM 506
100 E. WEATHERFORD
FORT WORTH, TEXAS 76196-0103
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FIRST ASSISTANT COUNTY AUDITOR
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November 16, 2010

The Honorable District Judges of Tarrant County
The Honorable Tarrant County Commissioners Court
The Honorable Dee Anderson, Tarrant County Sheriff

Re: Auditor's Report – Review of the FY2010 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency, Auto Crimes Task Force

SUMMARY

As required by Article 59.06 of the Code of Criminal Procedure, we reviewed the attached *FY2010 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency* related to the Tarrant Regional Auto Crimes Task Force prepared by the Tarrant County Sheriff's Office. We believe that the asset forfeiture report is true and correct and contains the information required under Article 59.06 of the Code of Criminal Procedure.

BACKGROUND AND METHODOLOGY

The Chapter 59 report includes one cash seizure and one motor vehicle seizure. The cash portion of the report contained a beginning balance. This cash was seized and reported in 2008, and includes interest earned in 2010. We reviewed the Sworn Statement of Seizing Officer form completed in 2008 by the seizing officer. We also traced the cash to the Sheriff's bank account. Regarding the motor vehicle seized in 2010, we obtained and reviewed the Notice of Seizure and Intended Forfeiture issued by the court and the Sworn Statement of the Seizing Officer.

CLOSING REMARKS

We appreciate the efforts of the Sheriff Office's staff to facilitate the timely completion of this review.

Very truly,



Renee Tidwell, CPA
County Auditor

Attachment: *FY2010 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency*

Distribution: Janet Rogers, Business Manager, Sheriff's Office

**FY 2010
CHAPTER 59 ASSET FORFEITURE REPORT
BY LAW ENFORCEMENT AGENCY**

| | | | |
|----------------------------|---|---|--|
| Agency Name: | <u>Tarrant Regional Auto Crimes Task Force</u> | Reporting Period: (local fiscal year) | <u>10/01/09 - 09/30/10</u> |
| Agency Mailing Address: | <u>3530 Joyce Drive</u> <u>Fort Worth, Texas 76116</u> | example: | 01/01/10 to 12/31/10, 09/01/09 to 08/31/10 etc. |
| Phone Number: | <u>817-560-6560</u> | | |
| County: | <u>Tarrant</u> | | |
| Email Address: | | This should be a permanent agency email address | |

NOTE: PLEASE ROUND ALL DOLLAR FIGURES TO NEAREST WHOLE DOLLAR.

I. SEIZED FUNDS

| | | | |
|----|--|--------|-----------------------------|
| A) | Beginning Balance..... Instructions: Include total amount of seized funds on hand (in your agency's possession) at beginning of reporting period. Include funds that may have been forfeited but have not been transferred to your agency's forfeiture account. Do not include funds that are in an account held by another agency, e.g., the District Attorney's account. | | <u>\$ 874.00</u> |
| B) | Seizures During Reporting Period: Instructions: Include only those seizures which occurred during the reporting period and where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency. | | |
| | 1) Amount seized and retained in your agency's custody..... | \$ -0- | <u> </u> |
| | 2) Amount seized and transferred to the District Attorney pending forfeiture..... | \$ -0- | <u> </u> |
| C) | Amount Returned to Defendants/Respondents (If seized funds are returned to Defendants/Respondents please complete Schedule A for each case in which this applies. Make copies of the schedule and add additional sheets as necessary)..... | \$ -0- | <u> </u> |
| D) | Ending Balance Instructions: Add lines A and B(1), subtract line C, put total in line D. | | <u>\$ 874.00</u> |

II. FORFEITED FUNDS

| | | | |
|----|--|--|---------------|
| A) | Beginning Balance..... Instructions: Include total amount of forfeited funds that have been forfeited to your agency and are on hand (in your agency's account or in your agency's possession) at beginning of the reporting period including interest. Do not include funds that have been forfeited but not yet received by your agency. | | <u>\$ -0-</u> |
| B) | Amount Forfeited to and Received by Reporting Agency (Including Interest) During Reporting Period Instructions: Do not include amounts forfeited but not yet received by your agency; interest refers to the amount earned prior to forfeiture and distributed as part of the judgment of forfeiture. | | <u>\$ -0-</u> |

IV. FORFEITED PROPERTY RECEIVED FROM ANOTHER AGENCY

Instructions: Enter the total number of items transferred to your agency where the forfeiture judgment awarded ownership of the property to another agency prior to the transfer.

| | | |
|----|--|--------------------|
| A) | Motor Vehicles (the number of vehicles, not a currency amount)..... | <u> -0- </u> |
| B) | Real Property (the number of separate parcels of property, not a currency amount)..... | <u> -0- </u> |
| C) | Computers (the number of computers, not a currency amount)..... | <u> -0- </u> |
| D) | Firearms (the number of firearms, not a currency amount) | <u> -0- </u> |
| E) | Other (the number of items, not a currency amount) | <u> -0- </u> |

V. FORFEITED PROPERTY TRANSFERRED TO ANOTHER AGENCY

Instructions: Enter the total number of items transferred from your agency where the forfeiture judgment awarded ownership of the property to your agency prior to the transfer.

| | | |
|----|--|--------------------|
| A) | Motor Vehicles (the number of vehicles, not a currency amount)..... | <u> -0- </u> |
| B) | Real Property (the number of separate parcels of property, not a currency amount)..... | <u> -0- </u> |
| C) | Computers (the number of computers, not a currency amount)..... | <u> -0- </u> |
| D) | Firearms (the number of firearms, not a currency amount) | <u> -0- </u> |
| E) | Other (the number of items, not a currency amount) | <u> -0- </u> |

VI. EXPENDITURES

Instructions: This category is for Chapter 59 expenditures SOLELY for law enforcement purposes - not for expenditures made pursuant to your general budget. List the total amount expended for each of the following categories. If proceeds are expended for a category not listed, state the amount and nature of the expenditure under the Other category.

| | | |
|----|---|-----------------------|
| A) | Total Salaries Paid out of Chapter 59 Funds..... | <u> \$ -0- </u> |
| 1. | Increase of Salary, Expense, or Allowance for Employees (Salary Supplements)..... | <u> \$ -0- </u> |
| 2. | Salary Budgeted Solely From Forfeited Funds..... | <u> \$ -0- </u> |
| 3. | Number of employees Paid Using Forfeiture Funds | <u> -0- </u> |
| B) | Total Overtime Paid out of Chapter 59 Funds | <u> \$ -0- </u> |
| 1. | For employees Budgeted by Governing Body..... | <u> \$ -0- </u> |
| 2. | For Employees Budgeted Solely out of Forfeiture Funds..... | <u> \$ -0- </u> |
| 3. | Number of employees Paid Using Forfeiture Funds..... | <u> -0- </u> |
| C) | Total Equipment Paid for with Chapter 59 Funds..... | <u> \$ -0- </u> |
| 1. | Vehicles..... | <u> \$ -0- </u> |
| 2. | Computers..... | <u> \$ -0- </u> |
| 3. | Firearms, Vests, Personal Equipment | <u> \$ -0- </u> |

CERTIFICATION

AGENCY HEAD (Printed Name):

Sheriff Dee Anderson

SIGNATURE:

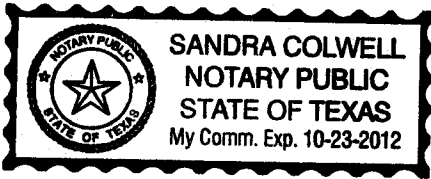
[Redacted Signature]

DATE:

11/9/10

I swear or affirm, under penalty of perjury, that I have accounted for the seizure, forfeiture, receipt, and specific expenditure of all proceeds and property subject to Chapter 59 of the Code of Criminal Procedure, and that upon diligent inspection of all relevant documents and supporting materials, this asset forfeiture report is true and correct and contains all information required by Article 59.06 of the Code of Criminal Procedure. I further swear or affirm that all expenditures reported herein were lawful and proper, and made in accordance with Texas law.

SWORN TO AND SUBSCRIBED before me this 9th day of November 2010.



Sandra Colwell
Notary Public in and for the State of Texas

RETURN COMPLETED FORM TO:

Office of the Attorney General
Criminal Prosecutions Division
P.O. Box 12548
Austin, TX 78711-2548
Attn: Kent Richardson
(512)936-1348
FAX (512)494-8283
E-mail: kent.richardson@oag.state.tx.us

**SCHEDULE A
SEIZED FUNDS AND PROPERTY RETURNED
TO DEFENDANTS / RESPONDENTS**

CAUSE OR CASE NUMBER: NOT APPLICABLE

DATE OF SEIZURE: _____

PROPERTY SEIZED: _____

DATE FUNDS OR PROPERTY RETURNED: _____

AMOUNT RETURNED OR PROPERTY RETURNED: _____

REASON RETURNED: _____

**SCHEDULE A
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