

**CHAPTER 19**  
**ADMINISTRATION OF FORFEITED ASSETS**  
**REVISED FEBRUARY 2017**  
**TABLE OF CONTENTS**

<u>POLICY</u> .....	19-3
<u>DISPOSITION OF ASSETS FORFEITED THROUGH THE ASSET FORFEITURE PROGRAM</u> .....	19-4
Conveyances (Except Aircraft) .....	19-4
Aircraft .....	19-5
Real Property .....	19-5
Cash .....	19-5
<u>ASSET FORFEITURE PROJECT ACCOUNT REQUESTS</u> .....	19-5
Permitted Expenditures .....	19-5
Project Account Requests .....	19-6
Project Office of Primary Interest Responsibilities .....	19-7
Expenditure Tracking and Reporting Procedures .....	19-8
Closure of Asset Forfeiture Project .....	19-8
<u>ASSET FORFEITURE FUND ACCOUNTING</u> .....	19-9
<u>STORING CASH SEIZED BY THE DEPARTMENT PENDING ADJUDICATION</u> ....	19-10
Interest Bearing Account .....	19-10
<u>PROCESSING EQUITABLE SHARE CHECKS AWARDED TO THE DEPARTMENT</u> .....	19-11
Multiagency Task Force Equitable Share Distributions .....	19-12
<u>AUDITING OF AREAS' WEEKLY TRANSMITTAL RECORDS FOR CASH SEIZED OR AWARDED TO THE DEPARTMENT</u> .....	19-13
Fiscal Management Section .....	19-13
Field Support Section .....	19-13
<u>EQUITABLE SHARE DEPOSITS</u> .....	19-14
<u>EXPENDITURES OF ASSET FORFEITURE FUNDS</u> .....	19-14

ANNEXES

<u>A</u> - SAMPLE REQUEST TO OPEN ASSET FORFEITURE PROJECT ACCOUNT .....	19-17
<u>B</u> - DETAILS OF HISTORICAL SPENDING REPORT .....	19-19
<u>C</u> - SAMPLE QUARTERLY ASSET FORFEITURE PROJECT STATUS REPORT .....	19-21
<u>D</u> - SAMPLE FINAL ASSET FORFEITURE PROJECT STATUS REPORT .....	19-27

THIS PAGE INTENTIONALLY LEFT BLANK

## CHAPTER 19

### ADMINISTRATION OF FORFEITED ASSETS

#### 1. POLICY.

a. Field Support Section (FSS), as the Office of Primary Interest (OPI) for the California Highway Patrol's (CHP) Asset Forfeiture (AF) Program, shall coordinate all seized assets as they are awarded to the Department, returned to the owner, and/or ordered destroyed by the district attorney or court order. The FSS Asset Forfeiture Coordinator (AFC), shall administer and coordinate all activity and expenditure of funds awarded to the Department through the Asset Forfeiture Program.

b. Section 11469(g) of the Health and Safety Code (HSC) prohibits seizing agencies from putting any seized or forfeited property into service. Therefore, any property seized by the Department or allied agencies and awarded to the Department through the State Asset Forfeiture Program (SAFP) shall be sold and the proceeds of the sale shall be placed into the departmental asset forfeiture fund. Under the Federal Asset Forfeiture Program (FAFP), Title 21 United States Code, Section 881(e)(1)(A), federal agencies may allow a transfer of forfeited conveyances and other property to local and state agencies to be placed into service. The FSS AFC shall coordinate with Assistant Commissioner, Staff (ACS), through channels, on a case-by-case basis regarding requests to place into service property which has been forfeited through the FAFP.

c. Checks received as the Department's equitable share of proceeds from forfeited assets shall be deposited into the departmental asset forfeiture fund. Money deposited into the asset forfeiture fund must be used to increase or supplement, not supplant or replace the departmental budget.

d. All expenditures of equitable share proceeds must comply with Section 11469-11495 of the HSC, the Department of the Treasury's "Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies," and the United States Department of Justice's "Guide to Equitable Sharing for State and Local Law Enforcement Agencies."

## 2. DISPOSITION OF ASSETS FORFEITED THROUGH THE ASSET FORFEITURE PROGRAM.

### a. Conveyances (Except Aircraft).

(1) Conveyances seized by the Department and awarded to the Department through the SAFFP shall be sold by Fleet Operations Section (FOS), and the proceeds of the sale shall be placed into the departmental asset forfeiture fund.

(2) When Area personnel intend to seize a conveyance, they shall within 48 hours notify the Division AFC of their intent. The Division AFC will notify the FSS AFC and ensure the lawfulness of the seizure.

(3) Once the Division AFC ensures the seizure is lawful, FOS will be notified of the intent to seize the conveyance. Within five days of notification, FOS will cause the vehicle to be appraised and make a recommendation to the Division AFC regarding the feasibility of seizing the vehicle.

(4) If the recommendation is to proceed with the seizure, the Division AFC will make arrangements to move the vehicle to either the FOS facility in Sacramento or Torrance. Any invoices received by the Area relating to the seizure of assets (e.g., tow bills, storage bills, etc.) shall be forwarded to the FSS AFC for payment. All invoices shall include the name and identification number of the person approving the invoice, the approval date, and the departmental asset forfeiture case number printed clearly on the face of the invoice.

(5) If necessary, departmental employees may be used to drive forfeited conveyances to FOS for sale. Conveyances transported in this manner will be insured under the State's Automobile Liability Self Insurance Program.

(6) Fleet Operations Section will store the vehicle and shall ensure the vehicle is protected and its value preserved until the vehicle is awarded to the Department.

(7) Once the vehicle is forfeited to the Department through asset forfeiture proceedings, the seizing Area shall forward the court order and any other related legal documents to FOS with copies sent to the Division and FSS AFCs. Upon receipt of the documents, FOS will coordinate the sale of the vehicle.

(a) Field Support Section shall be notified by FOS of the intent to sell vehicles which have been awarded to the Department through asset forfeiture proceedings. Field Support Section will ensure that the sale of

the vehicle will not violate the court order which awarded said vehicle to the Department.

(b) Fleet Operations Section shall be responsible for the transfer of title of all conveyances forfeited to the Department.

(8) Fleet Operations Section shall forward all proceeds from the sale of forfeited conveyances to Fiscal Management Section (FMS) using a CHP 230, Transmittal Record, indicating the asset forfeiture case number. A copy of this transaction shall be sent to the FSS AFC, along with copies of invoices for repairs and other costs associated with preparing the vehicle for sale.

(9) Fiscal Management Section will deposit the proceeds into the Department's asset forfeiture interest bearing account and shall coordinate with the FSS AFC for disbursement of the proceeds in accordance with law.

(10) Field Support Section will approve the expenditure of asset forfeiture funds to cover administrative costs incurred by the Department associated with case management and the seizure/sale of conveyances (i.e., towing and storage fees, payments to lien holders, payment of publication notices, repairs, and smog checks).

b. Aircraft. In the event the conveyance seized is an aircraft, the storage location shall be coordinated between the FSS AFC and the Office of Air Operations. Aircraft seizures shall be handled on a case-by-case basis.

c. Real Property. In the event that real property is seized, the FSS AFC shall be contacted and each case handled on a case-by-case basis.

d. Cash. Money awarded to the Department as a result of participation in the FAFP or SAFP shall be routed to FMS via a CHP 230, to be deposited into the Department's asset forfeiture fund. Refer to paragraph 6. of this chapter for procedures.

### 3. ASSET FORFEITURE PROJECT ACCOUNT REQUESTS.

#### a. Permitted Expenditures.

(1) Asset forfeiture funds awarded to law enforcement agencies are to increase or **supplement** the resources of the receiving law enforcement agency. Asset forfeiture funds cannot be used to supplant or replace the receiving law enforcement agency's budget.

(2) Asset forfeiture funds or assets awarded to law enforcement agencies must be used by the law enforcement agencies for law enforcement purposes. Such uses include, but are not limited to, the following:

- (a) Community policing activities.
- (b) Training of sworn law enforcement personnel and law enforcement support personnel in any area that is necessary to perform official law enforcement duties.
- (c) Payment of overtime for officers and investigators.
- (d) Law enforcement equipment and operations (e.g., firearms, radios, patrol or surveillance vehicles, canines, computer equipment/software, uniforms, and travel).
- (e) Costs associated with conducting drug education and awareness programs by law enforcement personnel.
- (f) Law enforcement facilities and equipment (e.g., cement pads and kennels for departmental canines, office furniture, telecommunications equipment, safes, leasing office or other space for task force, and undercover operations).

b. Project Account Requests. Commanders may submit requests for the expenditure of funds from the asset forfeiture fund at any time. Before submitting the AF Project Account Request to ACS, the project OPI will coordinate with the FSS AFC to ensure the proposed use of asset forfeiture funds meets federal and state forfeiture expenditure requirements.

(1) The requesting command will prepare and submit a detailed project plan via memorandum. The submitting command will forward the request through channels to ACS for Executive Management approval. Executive Management approval of the proposed project request will be based upon a critical evaluation of the identified needs, availability of asset forfeiture funds, and an assessment of other funding sources available. (See Annex A for Sample Request to Open AF Project Account.) The project OPIs may not begin expending asset forfeiture funds without an approved plan.

(2) The project account request shall include the following elements:

- (a) Description of expenditures, and the problem developing the need.
- (b) The project's objective and scope.

(c) The name of the project coordinator.

(3) Upon Executive Management approval of the proposed project, ACS will advise FSS via memorandum of project approval. The FSS AFC will assign a project control number to each asset forfeiture project. The first two digits of the project control number will correspond to the fiscal year in which the project was initiated, the next three digits will reflect the location code of the project OPI, and the last two digits will be the sequential project number for the fiscal year. This number shall be affixed to all correspondence related to the project. Copies of the memorandum approving the project will be provided to FMS.

c. Project Office of Primary Interest Responsibilities. During the course of the funded project, the project OPI will be responsible for all of the following:

(1) Coordinate and assure project objectives are met, as specified in the project account request.

(2) Ensure project expenditures do not exceed the allocations made by Enforcement and Planning Division and are restricted to specifically approved items.

(3) Ensure no commitment is made to a supplier prior to the issuance of a valid purchase order, service contract, or "X" number. (Refer to Highway Patrol Manual [HPM] 11.2, Materials Management Manual, Chapter 7, Purchases, and HPM 11.1, Administrative Procedures Manual, Chapter 22, Service Contracts/Letters of Agreement, and Chapter 23, Delegation of X Number Contract Authority.)

(4) Route the CHP 43, Purchase Requisition, and CHP 78, Agreement Request, through FSS, Attention: "Asset Forfeiture Coordinator," prior to obtaining OPI and/or Business Services Section (BSS) approval.

(5) Contact the FSS AFC for the Project Cost Account (PCA) code when using an "X" number to pay for services.

(6) Ensure invoices are approved and processed in accordance with HPM 11.1, Chapter 24, Payment of Invoices, and include the asset forfeiture project number and purchase order number on each invoice. An additional copy of the approved invoice shall be routed to the FSS AFC.

(7) Submit to FSS and FMS, copies of purchase orders indicating the item(s) has been received.

(8) Coordinate any revisions to the project with FSS. Requests for supplemental asset forfeiture funds shall be **in writing through channels to FSS with a carbon copy to ACS.**

(9) Ensure equipment purchased with asset forfeiture funds is identified with asset forfeiture numbered labels only, not with CHP labels. Field Support Section will forward the numbered labels to the project OPI. The project OPI will ensure the FSS AFC and BSS are provided with the equipment serial numbers corresponding to the asset forfeiture numbered labels assigned to each equipment item.

(10) Notify the FSS AFC, via CHP 266, Credit Memo – Equipment, and/or a CHP 51, Memorandum, of the disposition of asset forfeiture procured equipment (i.e., equipment transfers, equipment surveys, equipment sales).

d. Expenditure Tracking and Reporting Procedures.

(1) Whenever there is an expenditure or encumbrance of project funds, the project OPI will receive a copy of the Details of Historical Spending Report, (Annex B) from the FSS AFC itemizing expenditures and encumbrances posted through the reporting period. This report shall be used to reconcile the postings on a CHP 300G, Asset Forfeiture Program Expenditure Log. When discrepancies occur between the project OPI and FMS, the project file and the Details of Historical Spending Report will be used as the reconciliatory resources.

(2) Field Support Section shall report on all AF project account statuses through appropriate channels to ACS on a quarterly basis, with a copy to project account coordinators. Reports shall also include a CHP 300G listing all current expenditures. (See Annex C for a Sample Quarterly Asset Forfeiture Project Status Report.)

(3) The project OPI shall maintain a file documenting each expenditure of the allocated funds, including, but not limited to, copies of all purchase requisitions, purchase orders, contracts, and invoices. Copies of all quarterly reports shall also be maintained in the project file.

e. Closure of Asset Forfeiture Project. The project OPI will advise the FSS AFC of project closure within 60 days via a Final Asset Forfeiture Project Status Report, with copies to ACS and FMS. The Final Asset Forfeiture Project Status Report will contain the amounts of asset forfeiture funds allocated to the project, asset forfeiture funds expended, and the approximate amount of surplus project asset forfeiture funds, if any. A copy of the CHP 300G containing all expenditure information shall be attached to the Final Asset Forfeiture Project Status Report and the ending balance shall be reconciled with the most current Details of

Historical Spending Report. (See Annex D for a Sample Final Asset Forfeiture Project Status Report.)

(1) Upon receipt of the Final Asset Forfeiture Project Status Report, FMS will notify the FSS AFC of any discrepancies between the Final Asset Forfeiture Project Status Report and the Details of Historical Spending Report. If discrepancies are noted, reports and purchase documents will be reviewed by the FSS AFC, and the discrepancies shall be resolved with FMS before the project is closed.

#### 4. ASSET FORFEITURE FUND ACCOUNTING.

a. Fiscal Management Section will monitor the asset forfeiture fund. On the 25th of each month, FMS shall provide the FSS AFC and ACS with a Monthly Reconciliation for Asset Forfeiture Fund for the previous month.

b. For projects which require specialized overtime, the project OPI shall contact Assistant Commissioner, Field to request a reimbursable special project code. Assistant Commissioner, Field will contact Support Services Section and request a Management Information System generated report be provided to the project OPI and FMS. This overtime report will be provided by the 10th of the month following the overtime reporting period.

c. The project OPI will forward the completed contract packages to FSS, Attention: "Asset Forfeiture Coordinator," for approval prior to processing.

d. The project OPI will forward all purchase orders for items purchased with asset forfeiture funds to FSS, Attention: "Asset Forfeiture Coordinator," for approval prior to processing.

e. Unless otherwise specified, CHP personnel costs and normal operating expenses incurred during an asset forfeiture project are not to be charged against the asset forfeiture fund.

f. Equipment, materials, and services procured as part of an asset forfeiture project, and the sales tax on those items, are to be charged against that project's asset forfeiture allocation. Subsequent repair and maintenance costs will not be paid from the asset forfeiture fund unless specifically directed. Such subsequent costs will normally be treated the same as repairs/maintenance of any other departmental equipment.

g. Business Services Section will collaborate with the FSS AFC when equipment purchased with asset forfeiture funds requires an equipment tag. This may be accomplished by making a note on FSS's copy of the purchase order, next to the

equipment item requiring an equipment tag. The FSS AFC will be responsible for providing the project OPI with a numbered asset forfeiture inventory identification label. The project OPI is responsible for ensuring the labels are affixed to the equipment.

h. The project OPI will be responsible for advising the FSS AFC and BSS of the equipment serial number and corresponding asset forfeiture inventory identification number. Fiscal Management Section and FSS will maintain inventory records of equipment purchased with asset forfeiture funds.

i. Field Support Section and FMS will ensure that proceeds received from the sale of equipment purchased with asset forfeiture funds are returned to the asset forfeiture fund for reallocation.

5. STORING CASH SEIZED BY THE DEPARTMENT PENDING ADJUDICATION.

a. The Area AFC shall contact the local district attorney to determine where seized cash will be held pending adjudication of the criminal and civil asset forfeiture cases. It is preferable to have seized cash stored by the local district attorney.

b. Interest Bearing Account. If the local district attorney requests the Area AFC to hold seized cash, authorization shall be obtained from the local district attorney to convert the cash into a cashier's check for deposit into the Department's asset forfeiture interest bearing account maintained by FMS. Prior to depositing cash into the interest bearing account, AFCs shall advise the district attorney that the processing time for withdrawing funds from the interest bearing account is approximately 50 days.

c. Seized cash shall be converted to a cashier's check and forwarded to FMS as soon as the local district attorney authorizes the CHP to deposit the funds. There shall be a separate check for each asset forfeiture case. Area AFCs shall not consolidate currency from separate forfeitures on one check. The asset forfeiture check shall be forwarded to FMS via the Area's weekly CHP 230. (Refer to HPM 11.1, Chapter 4, Miscellaneous Sales - Transmittal of Collections.)

(1) Federal Identification Number. Financial institutions may request officers provide their social security number when cashier's checks are purchased for large sums of currency. The following number shall be provided when the officer's social security number or the Department's federal identification number is requested: 94-2257827R. In cases where financial institutions will not accept the federal identification number when converting seized cash into a cashier's check, contact the FSS AFC for further instructions.

(2) Clearly indicate on the CHP 230 under the title "#12. Miscellaneous: Asset forfeiture - interest bearing (list AF case numbers) and amounts," the departmental asset forfeiture number and the amount of money forwarded. Also, indicate the departmental asset forfeiture case number on each check. For multiple cases sent on one CHP 230, enter the total of all checks being transmitted after the "\$" and write the word "attachment" below the account title. Prepare an attachment which lists the AF case numbers and amount of each check.

(3) Areas shall ensure that money transmitted for the asset forfeiture interest bearing account is not comingled with money transmitted for the regular asset forfeiture fund or other funds transmitted weekly on the CHP 230. Should Areas have money for both asset forfeiture accounts, they will require separate entries on the CHP 230.

(4) Divisions and Areas will retain a copy of the CHP 230 documenting the deposit of seized money into the asset forfeiture interest bearing account with the original asset forfeiture case file.

(5) A copy of the check(s) and CHP 230 shall be forwarded to the FSS AFC.

d. Upon final disposition of asset forfeiture cases, the Area AFC shall forward the local district attorney's disbursement letter and/or court order (if applicable) through channels to the FSS AFC. The FSS AFC will request disbursement of the money from FMS using the CHP 80, Asset Forfeiture Disbursement Request. Fiscal Management Section will prepare the check(s) for disbursement, and the FSS AFC will forward the check(s) to the appropriate agency(ies).

(1) The interest accrued on the deposited assets shall be disbursed to each involved agency based upon the percentage of assets awarded to that agency.

(2) In cases involving the return of assets, the interest shall only be disbursed to the litigant upon their request, or upon order of the court or local district attorney. If the interest is not requested, the interest shall be retained by the Department and transferred into the asset forfeiture fund.

## 6. PROCESSING EQUITABLE SHARE CHECKS AWARDED TO THE DEPARTMENT.

a. Areas will forward equitable share checks awarded to the Department through asset forfeiture proceedings to FMS for deposit into the regular asset forfeiture fund. A copy of all checks, CHP 230's, and supporting documents (e.g., transmittal letters, court orders, district attorney declarations of forfeiture, and disbursement

documents) shall be forwarded through the Division AFC to the FSS AFC. Refer to HPM 11.1, Chapter 4, for submission instructions and timeframes.

b. Clearly indicate on the CHP 230 under the title “#12. Miscellaneous: Asset forfeiture (list AF case number) and amounts,” the **departmental** asset forfeiture case number and the amount of the check. Also, indicate the departmental asset forfeiture case number on each check.

NOTE: **Do not** use felony numbers, Area case numbers, evidence numbers, allied agency case numbers, or local district attorney case numbers under this section. Only asset forfeiture numbers that have been assigned by the FSS AFC shall be used. The asset forfeiture case number can be obtained by contacting the Area or Division AFC.

(1) If the check is for more than one asset forfeiture case, list all of the applicable AF case numbers and the corresponding share amount for each case number on the CHP 230. An attachment may be prepared, if necessary.

(2) For multiple cases sent on one CHP 230, enter the total of all checks being transmitted after the “\$” and write the word “attachment” below the account title. Prepare an attachment which lists the case numbers and amount of each check.

(3) Areas AFCs shall ensure that money transmitted for the regular asset forfeiture fund is not comingled with money transmitted for the asset forfeiture interest bearing account or other funds transmitted on the weekly CHP 230. Should Areas have money for both accounts, they will require separate entries on the CHP 230.

c. Multiagency Task Force Equitable Share Distributions. As a result of CHP participation on multiagency task forces, asset forfeiture equitable share disbursements are periodically made to the Department for cases in which there was no CHP involvement outside the task force. In these instances, a task force asset forfeiture case number will be assigned by the FSS AFC based on the following numeric sequence. The first four digits of the task force asset forfeiture case number shall designate the year of seizure. The next three digits will consist of the numeric identifier assigned by the FSS AFC to the specific task force. The last three numbers will designate the sequential task force case number for the year. The FSS AFC will contact FMS indicating the appropriate funding source for these checks.

(1) If disbursements received from a task force are linked to a specific case or cases, the Area AFC shall contact the FSS AFC to obtain a task force asset forfeiture number for each case. The task force asset forfeiture case numbers

are to be written on the CHP 230 and disbursement checks forwarded to FMS along with the name of the task force (e.g., LA IMPACT #2016-921-013).

(2) If disbursements are not case specific (e.g., equitable shares are distributed on a periodic basis from the task force general asset forfeiture fund per a Memorandum of Understanding), a task force asset forfeiture case number will be issued for each check received. The name of the task force, followed by the task force asset forfeiture case number, shall be written on the check and entered on the CHP 230.

(3) Occasionally, cases are initiated by the CHP and turned over to a task force or allied agency without obtaining the required asset forfeiture number from FSS. Subsequently, disbursement checks are received which cannot be linked to any known asset forfeiture cases. When this occurs, the Area AFC shall contact the Division AFC who shall in turn obtain a task force asset forfeiture case number from the FSS AFC.

(4) Should cases be developed as summarized above, the task force "case file" will typically consist of the CHP 230, a copy of the check, and copies of any accompanying documentation received with the check. The Area AFC shall forward a copy of the case file to the Division AFC and the FSS AFC.

(5) For audit purposes, the Area and Division AFCs shall maintain a separate CHP 309, Asset Forfeiture Log, to document equitable shares received from task force cases. The log should be maintained with the corresponding task force case files for five years after the last case on the log is closed.

## 7. AUDITING OF AREAS' WEEKLY TRANSMITTAL RECORDS FOR CASH SEIZED OR AWARDED TO THE DEPARTMENT.

a. Fiscal Management Section. Upon receipt in the Cashiering Unit, the CHP 230 and support documentation will be reviewed to ensure the deposit of seized money is properly recorded on the CHP 230. If it is determined the deposit is not properly recorded, the Cashiering Unit will contact the FSS AFC and request authorization by e-mail to make necessary change(s). After verifying the requested change(s) is required, the FSS AFC will provide an e-mail authorization to the Cashiering Unit and to the Division and Area AFCs to make the change(s). The Cashiering Unit will ensure the e-mail response is attached to the original transmittal copy as backup documentation to support the alteration. Additionally, Division and Area AFCs will ensure the e-mail response is retained in the original asset forfeiture case file.

b. Field Support Section. Upon receipt in FSS, the CHP 230 and support documentation will be reviewed by the FSS AFC to ensure the deposit of seized money is properly recorded on the CHP 230. If it is determined the deposit is not

properly recorded, the FSS AFC will verify the change(s) is necessary. After verification, the FSS AFC will make the required change(s) to FSS' copy of the CHP 230. The FSS AFC will notify the Cashiering Unit and the Division and Area AFCs via e-mail and/or hard copy of the corrected CHP 230. This notification will serve as Cashiering Unit's authorization to make the necessary change(s). The Cashiering Unit will ensure the notification is attached to the original transmittal copy as backup documentation to support the alteration. Additionally, the Division and Area AFCs will ensure the notification and/or corrected copy of the CHP 230 is retained in the original asset forfeiture case file.

#### 8. EQUITABLE SHARE DEPOSITS.

a. The FSS AFC will coordinate with FMS to identify the receipt of equitable share deposits.

b. Fiscal Management Section shall maintain five separate AF fund accounts into which equitable share payments will be deposited. The names and PCA codes are listed as followed:

- (1) Asset Forfeiture Fund – Federal – Treasury
- (2) Asset Forfeiture Fund – Federal – Justice
- (3) Asset Forfeiture Fund – State
- (4) Asset Forfeiture Fund – Local
- (5) Asset Forfeiture Fund – Other

#### 9. EXPENDITURE OF ASSET FORFEITURE FUNDS.

a. Fiscal Management Section will coordinate with the FSS AFC to identify the funding source of expenditures utilizing asset forfeiture funds.

- (1) Federal – Treasury (PCA 94201)
- (2) Federal – Justice (PCA 94202)
- (3) State (PCA 94203)
- (4) Local (PCA 94204)
- (5) Other (PCA 94205)

## ANNEX A

### SAMPLE REQUEST TO OPEN ASSET FORFEITURE PROJECT ACCOUNT

State of California

Transportation Agency

#### Memorandum

Date: July 13, 2016

To: Assistant Commissioner, Staff

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
Protective Services Division

File No.: 029.A15449.16111666

Subject: REQUEST TO OPEN ASSET FORFEITURE PROJECT ACCOUNT

This memorandum is being prepared to request approval to utilize funds available through the Department's Asset Forfeiture Program to purchase mission critical equipment and provide essential training for the Department's Special Weapons and Tactics Team (SWAT) teams.

#### OBJECTIVE:

Protective Services Division (PSD) is requesting that an Asset Forfeiture account be established in the amount of \$50,000 to purchase mission critical equipment and essential training to acquire and maintain readiness for SWAT teams to function within their unique operational environments.

#### DESCRIPTION OF EXPENDITURES:

A list of anticipated expenditures is as follows: camcorders, cameras, fire extinguishers, rescue ropes and gears, SWAT training, special response team equipment. All expenditures related to this account would be reviewed and approved by PSD. Field Support Section would review and approve all expenditures as a permissible use of AF funds. Additionally, it is recommended that a periodic review of the expenditures be conducted and augmentations to this account be provided as training and equipment needs dictate.

*Safety, Service, and Security*  
CHP 51 (Rev. 06/2013) CP 076



*An Internationally Accredited Agency*

Assistant Commissioner, Staff  
July 13, 2016  
Page 2

Currently, there is no specific funding source for these teams and monies must be utilized from individual field Division operating budgets. Due to a lack of a consistent funding source, there has emerged a critical need for equipment and training that bear a direct impact on the safety of the public.

PROJECT ACCOUNT COORDINATOR:

The designated project coordinator will be Officer Leslie Hooper of PSD. Upon approval, the project account coordinator will coordinate all expenditures with the Department's Asset Forfeiture Coordinator and will follow all responsibilities and policies set forth in Highway Patrol Manual 11.1, Administrative Procedures Manual, Chapter 19, Administration of Forfeited Assets.

For additional information regarding this matter, contact me or Officer Leslie Hooper of PSD at (916) 657-1234.

A. L. ADAMS, Chief

cc: Field Support Section

## ANNEX B

### DETAILS OF HISTORICAL SPENDING REPORT

CALIFORNIA HIGHWAY PATROL ASSET FORFEITURE FUND (0942) For the Accounting Period Ended June 30, 2016							
REPORT 6: DETAILS OF HISTORICAL SPENDING REPORT							
OPI ITEM	PROJECT #	ALLOTMENT	REQUISITION/ ENCUMBRANCE PO #	DESCRIPTION	SCHEDULE NUMBER	EXPENDITURE AMOUNT	
						PROJECT BALANCE	
5 001 Reserve Level	#65-001-R	1,019,000.00		Total Expenditures as of 6/30/15		668,467.20	312,532.80
				FY15 Expenditures & Encumbrances			
			5C010000	California Dept of Transportation	1513052	27,928.84	
				10,071.16		696,396.04	
37 065 Narcotics/Drug Task Forces (SPC 97)	#94-065-003	3,600,000.00		Total Expenditures as of 6/30/15		3,424,546.45	176,201.05
				FY14 Expenditures & Encumbrances			
				County of Sacramento (HIDTA) - Jan/Feb 15 - OT Reimbursement		(747.50)	
				0.00		3,423,798.95	
141 065 Administration Costs	#00-065-021	401,500.00		Total Expenditures as of 6/30/15		376,867.27	24,413.93
				FY14 Expenditures & Encumbrances			
				March Travel - T. Eglin (Asset Forfeiture Update Training)	TEA000721104	218.80	
				FY15 Expenditures & Encumbrances			
			401D5001	Horizon Business Solutions Inc	1510121	528.25	
			401D5001	Horizon Business Solutions Inc (incorrect project expenditures)	1510121	(528.25)	
				Interest on \$4123.00 (AF#2012-201-050), which mistakenly deposited into AF fund on 8/24/2012	1511835	37.84	
				To reverse interest expenses	1511835	(37.84)	
				0.00		377,986.07	
151 065 Warrant Service Program	#01-065-004	581,000.00		Total Expenditures as of 6/30/15		386,672.24	194,327.76
				0.00		386,672.24	

THIS PAGE INTENTIONALLY LEFT BLANK

## ANNEX C

### SAMPLE QUARTERLY ASSET FORFEITURE PROJECT STATUS REPORT

State of California

Transportation Agency

#### Memorandum

Date: July 10, 2015

To: Assistant Commissioner, Staff

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
Enforcement and Planning Division

File No.: 060.12094.A15449.2015.7.0082

Subject: **QUARTERLY ASSET FORFEITURE PROJECTS STATUS**  
**REPORT - FOURTH QUARTER, FISCAL YEAR 2014/2015**

Pursuant to the requirements contained in Highway Patrol Manual 11.1, Administrative Procedures Manual, Chapter 19, Administration of Forfeited Assets, the following fourth quarter fund status report is submitted for fiscal year (FY) 2014/2015.

#### **RESERVE LEVEL #88-001-R**

This project was established for the purpose of creating a reserve account for the Asset Forfeiture (AF) project accounts.

As of April 30, 2015, this project has expended/encumbered \$0.00 of its allotted \$74,000 for a balance of \$74,000.

#### **NARCOTICS/DRUG TASK FORCE OVERTIME #94-065-003**

This project was established for the purpose of reimbursing the Department for overtime accrued by personnel assigned to drug task forces.

As of April 30, 2015, this project has expended \$163,251.17 of its allotted \$80,000 for a negative balance of -\$83,251.17. Any overtime charges over the allotted \$80,000 will be removed and charged to a non-AF account.

*Safety, Service, and Security*  
CHP 51 (Rev. 06-13) OPI 076



*An Internationally Accredited Agency*

Assistant Commissioner, Staff  
July 10, 2015  
Page 2

**ASSET FORFEITURE ADMINISTRATIVE COSTS #00-065-021**

This project was established for the purpose of covering costs associated with the administration of the Department's Asset Forfeiture Program and to pay annual administrative pro-rata fees charged by the Department of Finance.

As of April 30, 2015, this project has expended \$504.10 of its allotted \$2,000, for a balance of \$1,495.90.

**WARRANT SERVICE PROGRAM #01-065-004**

This project was established for the purpose of covering costs associated with equipment purchases and training required for the Warrant Service Program.

As of April 30, 2015, this project has expended/encumbered \$19,416.68 of its allotted \$30,000 for a balance of \$10,583.32.

**CANINE PROGRAM COSTS #02-065-023**

This project was established for the purpose of covering costs for the administration of the Departmental Canine Program (DCP). On August 3, 2011, Executive Management approved an additional enhancement to comprehensively fund all costs associated with the administration of the DCP.

As of April 30, 2015, this project has expended/encumbered \$423,962.04 of the allotted \$800,000 for a balance of \$376,037.96.

**GANG/CRIME APPREHENSION PROGRAM TRAINING #05-065-004**

This project was established for the purpose of conducting gang training. During fiscal year 2014/2015, no allocations were given to this project.

Assistant Commissioner, Staff  
July 10, 2015  
Page 3

**SAFETY SERVICES PROGRAM TRAINING #06-081-001**

This project was established to provide specialized training for Safety Services Program personnel and Investigative Services Unit investigators.

As of April 30, 2015, this project has expended \$193,928.47 of its allotted \$250,000 for a balance of \$56,071.53.

**MULTIDISCIPLINARY ACCIDENT INVESTIGATION TEAM  
EQUIPMENT  
#07-065-001**

This project was established for the purpose of purchasing equipment for Division Multidisciplinary Accident Investigation Teams.

As of April 30, 2015, this project has expended \$6,096.34 of its allotted \$50,000 for a balance of \$43,903.66.

**AIR OPERATIONS #09-018-001**

This project was established to fund the overhaul and maintenance of helicopter engines, and the installation and repair of departmental aircraft and related equipment.

During fiscal year 2014/2015, no allocations were given to this project.

**BIENNIAL INSPECTION OF TERMINALS PROGRAM OVERTIME #09-  
062-002**

This project was established for the purpose of providing paid overtime for the Motor Carrier Specialists and associated clerical support personnel in order to complete Biennial Inspection of Terminals inspections and the cleanup of data in the Management Information System of Terminal Evaluation Records.

Assistant Commissioner, Staff  
July 10, 2015  
Page 4

As of April 30, 2015, this project has expended \$8,421.60 of its allotted \$400,000 for a balance of \$391,578.40.

**SPECIAL WEAPONS AND TACTICS TEAM/SPECIAL RESPONSE TEAM  
EQUIPMENT/TRAINING #11-025-001**

This project was established to fund the purchases of mission critical equipment and to provide essential training for the Special Weapons and Tactics team and Mobile Field Force, Type 1, Special Response Teams.

As of April 30, 2015, this project has expended/encumbered \$257,750.27 of its allotted \$350,000 for a balance of \$92,249.73.

**CRITICAL INCIDENT INVESTIGATION TEAM #13-065-001**

This project was established to purchase mission critical equipment and to provide training to Critical Incident Investigation Team members statewide.

As of April 30, 2015, this project has expended \$0 of its allotted \$80,000 for a balance of \$80,000.

The AF Budget Appropriation for FY 14/15 is \$2,116,000. The AF Project accounts combined have expended/encumbered a total of \$1,073,330.67 for a remaining balance of \$1,042,669.33.

For additional information regarding this matter, contact me or Captain Patrick Symonds, of Field Support Section at (916) 843-3470.

R. W. MAYNARD, Chief

Attachment

Assistant Commissioner, Staff  
July 10, 2015  
Page 5

cc: Office of Air Operations  
Protective Services Division  
Capitol Protection Section  
Emergency Operations and Safety Services Section  
Collision Investigation Unit  
Commercial Vehicle Section  
Field Support Section

THIS PAGE INTENTIONALLY LEFT BLANK

## ANNEX D

### SAMPLE FINAL ASSET FORFEITURE PROJECT STATUS REPORT

State of California

Transportation Agency

#### Memorandum

Date: June 13, 2016

To: Assistant Commissioner, Staff

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
Enforcement and Planning Division

File No.: 060.11783.065.2016.7.0135

Subject: FINAL ASSET FORFEITURE PROJECT STATUS REPORT -  
ASSET FORFEITURE PROJECT #05-065-004: GANG/CRIMINAL  
APPREHENSION PROGRAM/DRUG INTERDICTION  
ASSISTANCE PROGRAM TRAINING

The following final status report has been prepared pursuant to the requirements contained in Highway Patrol Manual, 11.1, Administrative Procedures Manual, Chapter 19, Administration of Forfeited Assets.

#### OBJECTIVE:

On June 26, 2011, asset forfeiture funds in the amount of \$50,000 were approved for the purpose of conducting gang training.

#### EXPENDITURES:

Field Support Section (FSS) facilitated a Drug Interdiction Assistance Program/Criminal Apprehension Program class in Riverside, California, in November 2011. A total of \$39,705.50 of the allotted \$50,000 has been expended, for a balance of \$10,294.50. Disposition of project funds is summarized on the attached CHP 300G, Asset Forfeiture Program Expenditure Log. Since no other classes are anticipated in the future to support this project, it is requested that this project be closed, and the remaining balance be reallocated to the asset forfeiture fund.

*Safety, Service, and Security*  
CHP 51 (Rev. 06/2013) OPI 075



*An Internationally Accredited Agency*

Assistant Commissioner, Staff  
October 13, 2015  
Page 2

For additional information regarding this matter, please contact me or Captain  
P. Symonds of FSS at (916) 843-3470.

R.W. MAYNARD, Chief

cc: Field Support Section  
Fiscal Management Section