### **COURT ORDER**

ORDER NO:	$\frac{2011}{1978}$
DATE: Nov	ember 15, 2011
STATE OF T	
COUNTY OF	DALLAS
BE IT REME	MBERED, at a regular meeting of the Commissioners Court of Dallas County, Texas, held on
the 15th day	of November , 2011 on motion made by John Wiley Price, Comm. Dist. 3, and
seconded byI	Dr. Elba Garcia, Comm. Dist. 4, the following order was adopted:
	this matter was briefed to the Dallas County Commissioners Court on November 8, 2011; and
	the Federal Equitable Sharing Agreement requires the head of the law enforcement agency and a designated official of the governing body to sign the Annual Certification Report certifying that the accounting of funds received and spent by the law enforcement agency is accurate and in compliance with the guidelines and statutes that govern the equitable sharing program; and
	an audit of the Constable federal forfeiture funds has been completed by the County Auditor on a form provided by the U.S. Department of Justice/ACA Program and presented to Commissioners Court for certification; and
WHEREAS,	this court order is consistent with Strategic Plan Vision 3; and
WHEREAS,	Commissioners Court accepts and certifies the audit findings of the County Auditor.
Court that the	<b>EFORE ORDERED, ADJUDGED AND DECREED</b> by the Dallas County Commissioners audit reports be certified as final with notice delivered to the U.S. Department of Justice and County Judge to sign all related documents.
<i>(</i>	Clay Lewis Jenkins, County Judge  Maurine Dinkey, Comm District#1 John Wiley Price, Comm. District #3
Mi	ke Cantrell, Comm. District #2  Dr. Elba Garcia, Comm. District #4
	Recommended for Approval by:

Virginia A. Porter, County Auditor



# Equitable Sharing Agreement and Certification



O Police Departmen O Prosecu	<u> </u>	,	Task Force (Consta	=	page2)
Agency Name: Dallas	County Constal	ble Precinct	1		
NCIC/ORI/Tracking N	umber: T X	0 5 7	4 2 0 0		
Street Address: 7201	S. Polk				
City: Dallas			State: TX	<b>Zip:</b> 75232	
Contact: Title: Sergear	it Fir	st: <u>Frank</u>		Last: Bromley	
Contact: Phone: 972-2	27-6015	E-mail	fbromley@dalla	iscounty.org	
Same as <b>Preparer:</b> First	: Asnakech		Last: Tes	sema	
Contact Preparer: Pho	ne: <u>214-653-792</u>	9 I	E-mail: <u>Asnakecl</u>	ı.Tessema@dallasco	unty.org
Last Fiscal Year End:	09/30/2011	Agency C	urrent Fiscal Ye	ar Budget:	\$1,482,427.00
New Participant:	Read the Equitab	le Sharing Agr	eement (page 5) ar	ıd sign the Affidavit (pa	ige 6)
Existing Participant:	Complete the An and sign the Affic		ion Report, read the	e Equitable Sharing Age	reement (page 5),
Amended Form:	Revise the Annua and sign the Affic		Report, read the Eq	uitable Sharing Agreer	nent (page 5),

# **Annual Certification Report**

	Summary of Equitable Sharing Activity	Justice Funds	Treasury Funds <sup>*</sup>
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$13,303.00	
2	Federal Sharing Funds Received	\$0.00	
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (complete Table B, page 2)		
4	Other Income	\$0.00	
5	Interest Income Accrued  Non-Interest Bearing  Interest Bearing	\$0.00	
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$13,303.00	\$0.00
7	Federal Sharing Funds Spent (total of lines a - m below)	\$4,175.00	\$0.00
8	Ending Balance (difference between line 7 and line 6)	\$9,128.00	\$0.00

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

<sup>&</sup>lt;sup>2</sup> Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

i⊤	Summary of Shared Monies Spent	Justice Funds	Treasury Funds
	tal spent on salaries for new, temporary, not-to-exceed e year employees Refer to § VIII.A.2.a.3 of the <i>Justice Guide</i>	\$0.00	
b To	tal spent on overtime	\$0.00	
c To	tal spent on informants, "buy money," and rewards	\$0.00	
d To	tal spent on travel and training	\$13.00	
e To	tal spent on communications and computers	\$0.00	
f To	tal spent on weapons and protective gear	\$209.00	
g Tot	tal spent on electronic surveillance equipment	\$0.00	
h Tot	tal spent on buildings and improvements	\$0.00	
1 1	tal transfers to other state and local law enforcement encies (complete Table C, page 2)		
<sup>J</sup> Tal	tal spent on other law enforcement expenses (complete ble D, page 3)	\$3,953.00	
K (co	tal Expenditures in Support of Community-based Programs omplete Table E, page 3)		
	tal Windfall Transfers to Other Government Agencies omplete Table F, page 3)		
m To	tal spent on matching grants (complete Table G, page 3)		
n	Total	\$4,175.00	\$0.00
o Dic	d your agency receive non-cash assets? ( ) Yes ( ) No If yes	s, complete Table H, pa	ige 3.
fill out t	d your agency receive non-cash assets?  Yes No If yes he following tables, if applicable.		
fill out t	he following tables, if applicable.		ORI/Tracking Number
fill out t	he following tables, if applicable.		
A: Memk Agency N B: Equita	he following tables, if applicable.	NCIC/	
fill out to A: Memk Agency N B: Equita I the amo	he following tables, if applicable.  bers of Task Force  Name  able Sharing Funds Received from other Agencies bunt transferred to each agency on separate lines ring Agency Name, City, and State	NCIC/	ORI/Tracking Number
A: Memk Agency N B: Equita al the amo Transferi	he following tables, if applicable.  bers of Task Force  Name  able Sharing Funds Received from other Agencies bunt transferred to each agency on separate lines ring Agency Name, City, and State	NCIC/	ORI/Tracking Number
A: Memk Agency N B: Equita If the amo Transferi gency Na CIC/ORI/T	he following tables, if applicable. bers of Task Force Name  able Sharing Funds Received from other Agencies bunt transferred to each agency on separate lines ring Agency Name, City, and State me:	NCIC/	ORI/Tracking Number
A: Memk Agency N B: Equita al the amo Transferi gency Na CIC/ORI/T	the following tables, if applicable.  Deers of Task Force Name  Table Sharing Funds Received from other Agencies Sount transferred to each agency on separate lines Tracking Number:  Tracking Number:  Tracking Funds Transferred to Other Agencies Sount transferred to each agency on separate lines Tracking Number:  Tracking Sharing Funds Transferred to Other Agencies Tracking Sharing Sh	NCIC/	ORI/Tracking Number

# Table D: Other Law Enforcement Expenses Treasury Funds **Description of Expense** Justice Funds

ID cards			\$523.00	
Shredder			\$859.00	
Uniforms		\$	2,571.00	
e E: Expenditures in Support of Community-based Pro	ograms			
fer to § VIII.A.1.m and Appendix C of the Justice Guide				
Recipient		Justice	e Funds	
		- Cartagonia		
fer to § VIII.A.1.n of the <i>Justice Guide</i> and pp. 25-26 of the <b>Recipient</b>		Justic	e Funds	Treasury Funds
				<u> </u>
	isury Guide	Justic	e Funds	Treasury Funds
fer to § VIII.A.1.h of the <i>Justice Guide</i> and p. 22 of the <i>Trea</i>	isury Guide	Justic	e Funds	Treasury Funds
fer to § VIII.A.1.h of the <i>Justice Guide</i> and p. 22 of the <i>Trea</i> Matching Grant Name  H: Other Non-Cash Assets Received  Source Description of Asset	isury Guide	Justic	e Funds	Treasury Funds
e H: Other Non-Cash Assets Received  Source Description of Asset  Justice	isury Guide	Justic	e Funds	Treasury Funds
efer to § VIII.A.1.h of the <i>Justice Guide</i> and p. 22 of the <i>Trea</i> Matching Grant Name  H: Other Non-Cash Assets Received  Source Description of Asset	isury Guide	Justic	e Funds	Treasury Funds
efer to § VIII.A.1.h of the Justice Guide and p. 22 of the Treat  Matching Grant Name  e H: Other Non-Cash Assets Received  Source Description of Asset  Justice  Treasury	isury Guide	Justic	e Funds	Treasury Funds
eter to § VIII.A.T.h of the Justice Guide and p. 22 of the Treat Matching Grant Name  H: Other Non-Cash Assets Received  Source Description of Asset  Justice Treasury  Et. Civil Rights Cases				
efer to § VIII.A.1.h of the Justice Guide and p. 22 of the Treat  Matching Grant Name  e H: Other Non-Cash Assets Received  Source Description of Asset  Justice  Treasury		Justic		Alleged onal Gender

### 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 Operations Unit, 1400 New York Avenue, N.W., Tenth 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 for State and Local Law Enforcement (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?

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

Agency See ¶ 2 on p	page	Governing Body Head See ¶ 2 on page
Signature		Signature:
Name:	Honorable Derick Evans	Name:/ Honorable Clay Jenkins
Title:	Dallas County Constable	Title: County Judge
Date:	***************************************	Date: November 15, 2011
The Equitable gives you imp	e to Equitable Sharing Wire: Sharing Wire is an electronic newsletter that portant, substantive, information regarding wring policies, practices, and procedures.	m/s/11

### 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 <u>SIGNED</u> PAGE ONLY to (202) 616-1344

FOR AGENCY USE ONLY Entered by				
Entered on	Date Printed: October 31, 2			
	gency: Dallas County Cons	table Precinct 1	Phone: 972-227-6015	
State: TX Contact: Fr	ank Bromley	E-mail: fbro	mley@dallascounty.org	



# Equitable Sharing Agreement and Certification



O Police Departmen	t Sheriff Itor's Office		○ Task Force (6) (specify) Constant	Complete Table A,	page2)
Agency Name: Dallas	County Const	able Precinc	t 2		
NCIC/ORI/Tracking N	umber: T X	0 5 7	3 9 0 0		
Street Address: 140 N	I. Garland Ave.				
City: Garland			State: TX	<b>Zip:</b> 75040	
Contact: Title: Sergean	nt Fi	rst: <u>Don</u>		Last: Kuhn	
Contact: Phone: 972-6	43-4766	E-mai	il: dkuhn@dallaso	county.org	
Same as Preparer: Firs	t: <u>Asnakech</u>		Last: Tes	ssema	
Contact Preparer: Pho	ne: <u>214-653-79</u>	29	E-mail: Asnakec	h.Tessema@dallasco	unty.org
Last Fiscal Year End:	09/30/2011	Agency	Current Fiscal Ye	ear Budget:	\$1,461,086.00
New Participant:	Read the Equita	ble Sharing Ag	greement (page 4) a	nd sign the Affidavit (pa	ige 5)
Existing Participant:	Complete the A and sign the Aff			e Equitable Sharing Agı	reement (page 4),
Amended Form:	Revise the Annu and sign the Aff			quitable Sharing Agreer	nent (page 4),

# **Annual Certification Report**

	Summary of Equitable Sharing Activity	Justice Funds	Treasury Funds <sup>2</sup>
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$66,080.00	
2	Federal Sharing Funds Received	\$14,952.00	
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (complete Table B, page 2)		
4	Other Income	\$0.00	ļ
5	Interest Income Accrued  Non-Interest Bearing  Interest Bearing	\$0.00	
б	Total Equitable Sharing Funds (total of lines 1 - 5)	\$81,032.00	\$0.00
7	Federal Sharing Funds Spent (total of lines a - m below)	\$2,922.00	\$0.00
8	Ending Balance (difference between line 7 and line 6)	\$78,110.00	\$0.00

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

<sup>&</sup>lt;sup>2</sup> Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

	Total spent on salaries for new, temporary, not-to-exceed one year employees Refer to § VIII.A.2.a.3 of the <i>Justice Guide</i>	\$0	.00				
b	Total spent on overtime		.00				The state of the s
С	Total spent on informants, "buy money," and rewards	\$0	0.00				
d	Total spent on travel and training	\$0	0.00		r**		-
e	Total spent on communications and computers	\$0	.00				-
f	Total spent on weapons and protective gear	\$0	0.00				1
g	Total spent on electronic surveillance equipment	\$0	.00				
h	Total spent on buildings and improvements	\$0	.00				
i	Total transfers to other state and local law enforcement agencies (complete Table C, page 2)						4
j	Total spent on other law enforcement expenses (complete Table D, page 3)	\$2,922	.00				i i
k	Total Expenditures in Support of Community-based Programs (complete Table E, page 3)		1000				- Transport
1	Total Windfall Transfers to Other Government Agencies (complete Table F, page 3)						
m	Total spent on matching grants (complete Table G, page 3)			·			
n	Total	\$2,922	.00		(	\$0.00	+
0	Did your agency receive non-cash assets? Yes No If ye	s, complete Table	H, page	3.			1
t							
e A: N	out the following tables, if applicable. lembers of Task Force ncy Name	· .	icic/or	l/Tracki	ng Nu	mber	
e A: N	lembers of Task Force	<b>N</b>	ICIC/OR	II/Tracki	ng Nu	mber	
e A: M Age	lembers of Task Force		ICIC/OR			amber	ur
e A: M Agei e B: Ee tal the	quitable Sharing Funds Received from other Agencies amount transferred to each agency on separate lines						ur
e A: N Ager e B: Er tal the Tran	dembers of Task Force ncy Name  quitable Sharing Funds Received from other Agencies amount transferred to each agency on separate lines asferring Agency Name, City, and State						ur
e B: Ectal the Tran Agence NCIC/Contact tal the	quitable Sharing Funds Received from other Agencies amount transferred to each agency on separate lines insferring Agency Name, City, and State  ORI/Tracking Number:  quitable Sharing Funds Transferred to Other Agencies amount transferred to each agency on separate lines			Funds	Trea	esury F	
e A: M Agel e B: Ec tal the Tran Agenc NCIC/O	duitable Sharing Funds Received from other Agencies amount transferred to each agency on separate lines asferring Agency Name, City, and State  Ey Name:  ORI/Tracking Number:  quitable Sharing Funds Transferred to Other Agencies		Justice I	Funds	Trea		

**Justice Funds** 

**Treasury Funds** 

**Summary of Shared Monies Spent** 

#### Table D: Other Law Enforcement Expenses

Description of Expense		Justice	e Funds	Treasury Funds
Uniforms		\$2	,922.00	Advisor Livers
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	white the composite Americans (
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 G	uide	·		
Recipient		Justice	e Funds	Treasury Funds
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				
Source Description of Asset	,			•
Justice (				·
Treasury 🔘				
Table I: Civil Rights Cases				
Name of Case	T;	ype of Discrin	nination A	lleged
·	Race	Color	Natio Origin	II I FRANCIAL I
	Disability	☐ Age	Other	

## 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 Operations Unit, 1400 New York Avenue, N.W., Tenth 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 5) 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 for State and Local Law Enforcement (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?

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

Agency See ¶ 2 on		Governing Body Head See § 2 on page/
Signature	2:	Signature: / // / / / / / / / / / / / / / / / /
Name:	Honorable Michael Gothard	Name: / Honorable Glay/Jenkins
Title:	Dallas County Constable	Title: County Judge
Date:		Date: November 15, 2011
The Equitable gives you im	pe to Equitable Sharing Wire:  Sharing Wire is an electronic newsletter that portant, substantive, information regarding aring policies, practices, and procedures.	dant III

### **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 <u>SIGNED</u> PAGE ONLY to (202) 616-1344

FOR AGENCY USE ONLY Entered by		
Entered on		
O FY End: 09/30/2011 Date Printe	d: November 01, 2011 12:59	如果 1 m5 m5 m5 m3 m4 m5 mm 4 m3 fm 1 m2 m4 m6 less 1 m2 m5 m5 m5 less 1 m2 m5 m5 less 1 m2 m5 m5 less 1 m3 m5 le
NCIC: TX0573900 Agency: Dalla	s County Constable Precinct 2	Phone: 972-643-4766
State: TX Contact: Don Kuhn	E-mail: dku	hn@dallascounty.org



# Equitable Sharing Agreement and Certification



O Police Departmen O Prosecu		_	Task Force ( pecify) Consta	Complete Table A, pable	oage2)
Agency Name: Dallas	County Constal	ole Precinct 3			
NCIC/ORI/Tracking N	umber: T X	0 5 7 3	8 8 0 0		
Street Address: 1411	West Beltline Rd				
City: Richardson			State: TX	<b>Zip:</b> <u>75080</u>	
Contact: Title: Chief	Fire	st: Craig		Last: McKnight	
Contact: Phone: 972-6	90-8692	E-mail:	Craig.McKnig	ht@dallascounty.org	-1
Same as Preparer: First	t: Asnakech		Last: Te	ssema	
Contact Preparer: Pho	ne: <u>214-653-792</u>	9 E	-mail: <u>Asnakec</u>	h.Tessema@dallascou	inty.org
Last Fiscal Year End:	09/30/2011	Agency Cu	rrent Fiscal Y	ear Budget:	\$1,493,903.00
New Participant:	Read the Equitab	le Sharing Agre	eement (page 5) a	and sign the Affidavit (pag	ge 6)
Existing Participant:	Complete the Ani and sign the Affic		on Report, read th	ne Equitable Sharing Agre	eement (page 5),
Amended Form:	Revise the Annua and sign the Affic		Report, read the E	quitable Sharing Agreem	ent (page 5),

## **Annual Certification Report**

	Summary of Equitable Sharing Activity	Justice Funds	Treasury Funds <sup>2</sup>
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$95,414.00	\$10,503.00
2	Federal Sharing Funds Received	\$17,777.00	\$59,765.00
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (complete Table B, page 2)		
4	Other Income	\$0.00	\$0.00
5	Interest Income Accrued  Non-Interest Bearing  Interest Bearing	\$0.00	\$0.00
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$113,191.00	\$70,268.00
7	Federal Sharing Funds Spent (total of lines a - m below)	\$4,616.00	\$0.00
8	Ending Balance (difference between line 7 and line 6)	\$108,575.00	\$70,268.00

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

<sup>&</sup>lt;sup>2</sup> Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

_	Summary of Shared Monies Spent	Justice Funds	Treasury Funds
а	Total spent on salaries for new, temporary, not-to-exceed one year employees Refer to § VIII.A.2.a.3 of the <i>Justice Guide</i>	\$0.00	
b	Total spent on overtime	\$0.00	
С	Total spent on informants, "buy money," and rewards	\$0.00	
d	Total spent on travel and training	\$0.00	
e	Total spent on communications and computers	\$1,983.00	
f	Total spent on weapons and protective gear	\$0.00	
g	Total spent on electronic surveillance equipment	\$0.00	
h	Total spent on buildings and improvements	\$0.00	
,	Total transfers to other state and local law enforcement agencies (complete Table C, page 2)		
j	Total spent on other law enforcement expenses (complete Table D, page 3)	\$2,633.00	
k	Total Expenditures in Support of Community-based Programs (complete Table E, page 3)		
l	Total Windfall Transfers to Other Government Agencies (complete Table F, page 3)		·
m	Total spent on matching grants (complete Table G, page 3)		
n	Total	\$4,616.00	\$0.00
0	Did your agency receive non-cash assets?   Yes  No If yes	s, complete Table H, pa	age 3.
o fill c	Did your agency receive non-cash assets?   Yes   No If yes   Put the following tables, if applicable.  Itembers of Task Force  Incy Name		ORI/Tracking Number
o fill c	out the following tables, if applicable.		
ofill characteristics of the france of the f	embers of Task Force ncy Name  quitable Sharing Funds Received from other Agencies amount transferred to each agency on separate lines sferring Agency Name, City, and State y Name:	NCIC	
ofill characteristics of the france of the f	put the following tables, if applicable.  Jembers of Task Force  Incy Name  Quitable Sharing Funds Received from other Agencies  Amount transferred to each agency on separate lines  sferring Agency Name, City, and State	NCIC	ORI/Tracking Number
o fill c A: M Ager  3: Ec I the	embers of Task Force ncy Name  quitable Sharing Funds Received from other Agencies amount transferred to each agency on separate lines sferring Agency Name, City, and State y Name:	Justi	ORI/Tracking Number

NCIC/ORI/Tracking Number:

### Table D: Other Law Enforcement Expenses

Description of Expense		Justice Funds	Treasury Fun
Towing expense		\$165.00	A COURT OF THE PARTY OF THE PAR
Rack		\$154.00	
Drug Tests		\$196.00	
uniforms		\$1,949.00	
sharing cost for non-cash asset received		\$169.00	
e E: Expenditures in Support of Community-base fer to § VIII.A.1 m and Appendix C of the <i>Justice Guid</i> Recipient		Justice Funds	
To Million all Differences and Company of the Compa	on sins		
e F: Windfall Transfers to Other Government Age fer to § VIII.A.1.n of the Justice Guide and pp. 25-26 of	of the Treasury Guide		
fer to § VIII.A.1.n of the <i>Justice Guide</i> and pp. 25-26 of Recipient	of the <i>Treasury Guide</i>	Justice Funds	Treasury Fur
fer to § VIII.A.1.n of the <i>Justice Guide</i> and pp. 25-26 o	of the <i>Treasury Guide</i>	Justice Funds	Treasury Fun
fer to § VIII.A.1.n of the <i>Justice Guide</i> and pp. 25-26 o	of the Treasury Guide	Justice Funds  Justice Funds	
fer to § VIII.A.1.n of the <i>Justice Guide</i> and pp. 25-26 of Recipient  e G: Matching Grants Fer to § VIII.A.1.h of the <i>Justice Guide</i> and p. 22 of the	of the Treasury Guide		
fer to § VIII.A.1.n of the <i>Justice Guide</i> and pp. 25-26 of Recipient  e G: Matching Grants Fer to § VIII.A.1.h of the <i>Justice Guide</i> and p. 22 of the	of the Treasury Guide		
fer to § VIII.A.1.n of the Justice Guide and pp. 25-26 of Recipient  G: Matching Grants Fer to § VIII.A.1.h of the Justice Guide and p. 22 of the Matching Grant Name  H: Other Non-Cash Assets Received  Source Description of Asset	of the Treasury Guide		
fer to § VIII.A.1.n of the Justice Guide and pp. 25-26 of Recipient  e. G.: Matching Grants fer to § VIII.A.1.h of the Justice Guide and p. 22 of the Matching Grant Name  e. H.: Other Non-Cash Assets Received	of the Treasury Guide		
Fer to § VIII.A.1.n of the Justice Guide and pp. 25-26 of Recipient  Ge G: Matching Grants Fer to § VIII.A.1.h of the Justice Guide and p. 22 of the Matching Grant Name  H: Other Non-Cash Assets Received  Source Description of Asset  Justice   Samsung Series 6 52" I CD HDTV	of the Treasury Guide		
fer to § VIII.A.1.n of the Justice Guide and pp. 25-26 of Recipient  e. G.: Matching Grants fer to § VIII.A.1.h of the Justice Guide and p. 22 of the Matching Grant Name  e. H.: Other Non-Cash Assets Received Source Description of Asset  Justice   Justice  Samsung Series 6 52" LCD HDTV	of the Treasury Guide		Treasury Fun
Fer to § VIII.A.1.n of the Justice Guide and pp. 25-26 of Recipient  G.: Matching Grants For to § VIII.A.1.h of the Justice Guide and p. 22 of the Matching Grant Name  H: Other Non-Cash Assets Received  Source Description of Asset  Justice  Treasury  Samsung Series 6 52" LCD HDTV	of the Treasury Guide	Justice Funds	onal Condo

### 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 Operations Unit, 1400 New York Avenue, N.W., Tenth 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 for State and Local Law Enforcement (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?

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

Agency See ¶ 2 on pa		Governing Body Head See 12 on page,
Signature:		Signature:
Name:	Honorable Benjamin Adamcik	Name: Honorable Clay Jenkins
Title:	Dallas County Constable	Title: County Judge
Date:		Date: November 15, 2011
The Equitable : gives you impo	e to Equitable Sharing Wire: Sharing Wire is an electronic newsletter that ortant, substantive, information regarding ing policies, practices, and procedures.	dag cille/11

#### Final Instructions:

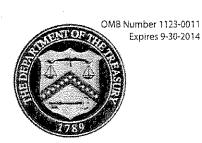
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Step 3: E-mail the XML file to aca.submit@usdoj.gov Step 4: Fax THIS <u>SIGNED</u> PAGE ONLY to (202) 616-1344

FOR AGENCY USE ONLY Entered by		
O FY End: 09/30/2011	Date Printed: October 31, 2011 14:18	· 医毛 (
● NCIC: TX0573800 A	gency: Dallas County Constable Precinct 3	Phone: 972-690-8692
State: TX Contact: C	raig McKnight E-mail: Cra	aig.McKnight@dallascounty.org



# Equitable Sharing Agreement and Certification



O Police Departmen	_	~	Task Force ( Decify) Const	Complete Table A, able	page2)
Agency Name: Dallas	County Constabl	e 4			
NCIC/ORI/Tracking N	umber: T X	0 5 7 4	1 0 0		
Street Address: 630 W	V. Main St				· · · · · · · · · · · · · · · · · · ·
City: Grand Prairie			State: TX	<b>Zip:</b> 75050	
Contact: Title: Ms.	First	: Deatrice		Last: Kirk	
Contact: Phone: 214-8	75-2121	E-mail:	Deatrice.Kirk(	@dallascounty.org	
Same as <b>Preparer:</b> First	t: Asnakech		Last: <u>Te</u>	ssema	
Contact Preparer: Pho.	ne: <u>214-653-7929</u>	E-	mail: <u>Asnakec</u>	ch.Tessema@dallasco	unty.org
Last Fiscal Year End:	09/30/2011	Agency Cu	rrent Fiscal Y	ear Budget:	\$1,220,441.00
New Participant:	Read the Equitable	Sharing Agree	ement (page 4) a	and sign the Affidavit (pa	age 5)
Existing Participant:	Complete the Ann and sign the Affida		n Report, read th	ne Equitable Sharing Agi	reement (page 4),
Amended Form:	Revise the Annual and sign the Affida		eport, read the E	quitable Sharing Agreer	nent (page 4),

# **Annual Certification Report**

	Summary of Equitable Sharing Activity	Justice Funds	Treasury Funds <sup>2</sup>
7	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$74,997.00	
2	Federal Sharing Funds Received	\$6,393.00	
3	Federal Sharing Funds Received from Other Law Enforcement Agencies and Task Forces (complete Table B, page 2)		
4	Other Income	\$0.00	
5	Interest Income Accrued  Non-Interest Bearing  Interest Bearing	\$0.00	
6	Total Equitable Sharing Funds (total of lines 1 - 5)	\$81,390.00	\$0.00
7	Federal Sharing Funds Spent (total of lines a - m below)	\$2,575.00	\$0.00
8	Ending Balance (difference between line 7 and line 6)	\$78,815.00	\$0.00

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



<sup>&</sup>lt;sup>2</sup> Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

**Summary of Shared Monies Spent Justice Funds Treasury Funds** 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 b Total spent on overtime \$0.00 Total spent on informants, "buy money," and rewards C \$0.00 d Total spent on travel and training \$0.00 e Total spent on communications and computers \$0.00 f Total spent on weapons and protective gear \$1,429.00 Total spent on electronic surveillance equipment g \$0.00 Total spent on buildings and improvements \$0.00 Total transfers to other state and local law enforcement agencies (complete Table C, page 2) Total spent on other law enforcement expenses (complete \$1,146,00 Table D, page 3) Total Expenditures in Support of Community-based Programs (complete Table E, page 3) Total Windfall Transfers to Other Government Agencies (complete Table F, page 3) Total spent on matching grants (complete Table G, page 3) m Total n \$2,575.00 \$0.00 Did your agency 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 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: 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:

### Table D: Other Law Enforcement Expenses

Description of Expense		Justice Funds	Treasury Funds
Uniforms	···	\$1,146.00	
Table E: Expenditures in Support of Community-based Programs			
Refer to § VIII.A.1.m and Appendix C of the Justice Guide		i vita e i	
Recipient		Justice Funds	1
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	y Guide		
Recipient		Justice Funds	Treasury Funds
		Occupant Control of Co	
Table G: Matching Grants  Refer to § VIII.A.1.h of the Justice Guide and p. 22 of the Treasury Gui  Matching Grant Name	de	Justice Funds	Treasury Funds
Table H: Other Non-Cash Assets Received			
Source Description of Asset			
Justice ( ) Treasury ( )			·
			J
Table I: Civil Rights Cases			
Name of Case	Туре	of Discrimination I	Alleged
	Race	Color Natio	ll i lagnoter
-	Disability	Age Othe	r

### 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 Operations Unit, 1400 New York Avenue, N.W., Tenth 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 5) 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 for State and Local Law Enforcement (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?

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

Agency See ¶ 2 on p		Governing Body Head See ¶ 2 on page.	
Signature	31	Signature: V	
Name:	Honorable Roy Williams, Jr.	Name: (Honorable Clay Jenkins	
Title:	Dallas County Constable	Title: County judge	
Date:		Date: November 15, 2011	
The Equitable gives you imp	pe to Equitable Sharing Wire:  Sharing Wire is an electronic newsletter that contant, substantive, information regarding aring policies, practices, and procedures.		dra- 11/2/11

### **Final Instructions:**

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Step 3: E-mail the XML file to aca.submit@usdoj.gov Step 4: Fax THIS <u>SIGNED</u> PAGE ONLY to (202) 616-1344

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<ul><li>⊙</li></ul>	NCIC: TX0574100 Ag State: TX Contact: De	gency: Dallas County Constable 4	Phone: 214-875-2121  E-mail: Deatrice Kirk@dallascounty.org	
	State. 17 Contact. De	edite riik	E-mail: DeathCe.Mrk@danascodifty.org	