

Equitable Sharing Agreement and Certification



Police Department Prosecu	it	s Office C	•	Complete Table A	, page2)
Agency Name: Oaklai	nd Police Depar	tment			<u> </u>
NCIC/ORI/Tracking N	umber: C A	0 0 1 0	9 0 0		
Street Address: 455 7	th Street		·		1
City: Oakland			State: CA	Zip: 94607	
Contact: Title: Ms.	Fir	st: Felicia	I	Last: Silva	
Contact: Phone: (510)	238-3288	E-mail:	FSilva@oakland	lnet.com	-
Same as Preparer: First	t: Felicia		Last: Silv	a	
Contact Preparer: Pho		288 E-	mail: <u>FSilva@o</u>	aklandnet.com	
Last Fiscal Year End:	06/30/2010	Agency Cui	rrent Fiscal Ye	ar Budget:	\$198,153,380.00
New Participant:	Read the Equitab	ole Sharing Agree	ement (page 11) a	nd sign the Affidavit (page 12)
Existing Participant:	Complete the An 11), and sign the			Equitable Sharing Ag	reement (page '
Amended Form:	Revise the Annua and sign the Affic		eport, read the Eq	uitable Sharing Agree	ment (page 11),
			<u> </u>	<u>. </u>	<u> </u>

Annual Certification Report

	Summary of Equitable Sharing Activity	Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Fund Balance (must match Ending Equitable Sharing Fund Balance from prior FY)	\$941,837.44	
2	Federal Sharing Funds Received	\$706,848.96	
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	\$4,740.10	
б	Total Equitable Sharing Funds (total of lines 1 - 5)	\$1,653,426.50	\$0.00
7	Federal Sharing Funds Spent (total of lines a - m below)	\$372,174.01	\$0.00
8	Ending Balance (difference between line 7 and line 6)	\$1,281,252.49	\$0.00

¹ Justice Agencies are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA.

² Treasury Agencies are: IRS, ICE, CBP, USSS, and USCG.

	Summary of Shared Monies Spent	Justice Funds	Treasury Funds
a	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	
С	Total spent on informants, "buy money," and rewards	\$73,034.38	3
d	Total spent on travel and training ,	\$4,759.22	
e	Total spent on communications and computers	\$22,753.14	
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	\$7,340.71	
i	Total transfers to other state and local law enforcement agencies (complete Table C, page 2)	·	
ij	Total spent on other law enforcement expenses (complete Table D, page 3)	\$70,065.83	AMAZON WARRANGA NA WARRANGA MARANGA MA
k	Total Expenditures in Support of Community-based Programs (complete Table E, page 3)	\$194,220.73	
1	Total Windfall Transfers to Other Government Agencies (complete Table F, page 3)	·	
m	Total spent on matching grants (complete Table G, page 3)		·
	Total	\$372,174.01	\$0.00
Did	you receive non-cash assets? Yes No If yes, complete Ta		\$0.00
fill o	you receive non-cash assets? Yes No If yes, complete Tabut the following tables, if applicable. embers of Task Force	ible H, page 3	
fill o	you receive non-cash assets? Yes No If yes, complete Ta	ible H, page 3	/ORI/Tracking Number
fill o	you receive non-cash assets? Yes No If yes, complete Tabut the following tables, if applicable. embers of Task Force	ible H, page 3	
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fill of A: MAger 3: Eo	you receive non-cash assets? Yes No If yes, complete Tabut the following tables, if applicable. embers of Task Force ncy Name quitable Sharing Funds Received from other Agencies amount transferred to each agency on separate lines	NCIC	/ORI/Tracking Number
fill of A: MAger 3: Ed I the France	you receive non-cash assets? Yes No If yes, complete Tabut the following tables, if applicable. 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	NCIC	/ORI/Tracking Number
fill c A: M Ager 3: Ec I the Fran C: Ec I the	you receive non-cash assets? Yes No If yes, complete Tabut the following tables, if applicable. 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	/ORI/Tracking Number
fill of A: MAger 3: Ecclithe Fran C: Ecclithe Recei	you receive non-cash assets? Yes No If yes, complete Tabut the following tables, if applicable. embers of Task Force quitable Sharing Funds Received from other Agencies amount transferred to each agency on separate lines sferring Agency Name, City, and State y Name: ORI/Tracking Number: Quitable Sharing Funds Transferred to Other Agencies amount transferred to each agency on separate lines	NCIC	ice Funds Treasury F

Table D:	Other Law	Enforcemen	t Expenses

Description of Expense	Justice Funds	Treasury Funds
Stationary and Office Supplies	\$1,328.67	
Maintenance Supplies	\$12,828.30	
Fuel	\$361.76	
Leased: Vehicles for City Use	\$25,000.00	
Miscellaneous Services	\$22,500.00	
Investigative Services	\$4,897.10	
City Contract Compliance Dept. P	\$2,450.00	
Miscellaneous Rentals	\$700.00	-

Tab

Recipient		Justice Funds	
Oakland Police Depar	tment Cadet Program	\$194,220.7	3

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 Guide

Justice Funds Treasury Funds Recipient

Table G: Matching Grants

Refer to § VIII.A.1.h of the Justice Guide and p. 22 of the Treasury Guide

atching Grant Name	ustice Funds	Treasury Funds

Table H: Other Non-Cash Assets Received

Description of Asset

Toyota Sequoia Vehicle

Table I: Civil Rights Cases

Name of Case

Type of Discrimination Alleged

Name of Case	1	ype or Discini	illation Allegeu
	Race	Color_	National Gender
S01-RG08416958	Disability	☐ Age	Other Unavailable
	Race	Color Color	☐ National ☐ Gender
US01-C10-00807-EMC	Disability	☐ Age	Other Unavailable
	Race	Color	☐ National ☐ Gender
S01-RG10515389	Disability	Age	Other Unavailable
	Race	Color	□ National □ Gender Origin
US01-C09-00786-EMC	☐ Disability	☐ Age	Other Unavailable
	Race	Color	☐ National ☐ Gender
S01-RG08396948	☐ Disability	Age	Other Unavailable
	Race	Color	National Gender
PAT-05-15500	☐ Disability	☐ Age	Other Unavailable
	Race	Color .	☐ National ☐ Gender
US01-C09-04679-PJH	☐ Disability	☐ Age	Other Unavailable
	Race	Color	☐ National ☐ Gender
USCA-C08-04015 CRB / 09-16403	☐ Disability	Age	Other Unavailable
	Race	Color	National Gender
USCA-08-16563	☐ Disability	Age	Other Unavailable
	Race	Color	National Gender
ZIM-C10-02518-BZ	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
S01-RG09459983	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
S01-RG09489243	☐ Disability	☐ Age	Other Unavailable

	Race	Color	Origin Gender
US01-C08-05161EMC	Disability	☐ Age	Other Unavailable
	Race	☐ Color	National Gender
US01-C09-00431-EMC	☐ Disability	☐ Age	Other Unavailable
	Race	☐ Color	National Gender
PAT-C06-5517 MHP	Disability	Age	Other Unavailable
	Race	Color	National Gender
ALS-C-09-2955-WHA	Disability	Age .	Other Unavailable
	Race	Color	National Gender
US01-C08-04538 JCS	Disability	☐ Age	Other Unavailable
	Race	☐ Color	National Gender
JAM-C09-01019-MEJ	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
WIL-C08-04328 CW	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
LAP-C10-02412 EDL	Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
PAT-C05-03110 MHP	☐ Disability	☐ Age	Other Unavailable
	Race	Color .	☐ National ☐ Gender ☐
JAM-C06-02569	☐ Disability	☐ Age	Other Unavailable
	Race	☐ Color	☐ National ☐ Gender
LAP-C09-05536 EDL	☐ Disability	☐ Age	Other Unavailable
	Race	☐ Color	☐ National ☐ Gender
US01-C09-01047-PJH	☐ Disability	Age	Other Unavailable
	Race	Color	□ National . □ Gender .
USCA-C07-01681 SBA / 08-17620	☐ Disability	Age	Other Unavailable

	Race	Color	National Gender
BRE-CV-09-1472-BRE	☐ Disability	☐ Age	Other Unavailable
	Race	☐ Color	National Gender
WIL-C09-00722 CW	Disability	☐ Age	☑ Other Unavailable
	Race	Color	National Gender .
WIL-C08-4984CW	☐ Disability	☐ Age	☑ Other Unavailable
	☐ Race	Color	National Gender
US01-C08-03932JSW	☐ Disability	Age	Other Unavailable
	Race	Color	National Gender
US01-C09-04757-EMC	☐ Disability	Age	Other Unavailable
	Race	Color	National Gender
ARM-C08-02394-SBA	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
USCA-C052935-MEJ / 09-17249	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
US01-C09-0531 6-JCS	☐ Disability	☐ Age	Other Unavailable
	Race	☐ Color	National Gender
WIL-C09-03004-CW	☐ Disability	☐ Age	Other Unavailable
	Race	Cólor	National Gender
US01-C10-01084-SI	☐ Disability	Age	Other Unavailable
	Race	Color	National Gender
ZIM-C10-02422 BZ	☐ Disability	☐ Age	Other Unavailable
	Race	Color	□ National □ Gender
US01-C08-02942EMC	Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
US01-C10-01465 EMC	Disability	Age	Other Unavailable

	Race	Color	National Gender
US01-C09-04819 JSW	☐ Disability	Age	Other Unavailable
	Race	☐ Color	National Gender
S01-RG09481585	☐ Disability	Age	Other Unavailable
	Race	Color Color	National Gender
S01H-RG10506701 (Fremont)	☐ Disability	Age	Other Unavailable
	Race	☐ Color	National Gender
LAP-C07-01773 EDL.	Disability	Age	Other Unavailable
	Race	Color	National Gender
US02-C09-1659 JW	Disability	Age	Other Unavailable
	Race	Color	National Gender
ZIM-C08-03114BZ	Disability	Age	Other Unavailable
	Race	Color	National Gender
PAT-C06-02426	☐ Disability	Age	Other Unavailable
	Race	Color	National Gender
US01-C09-00565-SI	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
SA01-C02-00950 / RG05215668 /A12639	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
ARM-C08-04914 SBA	☐ Disability	☐ Age	Other Unavailable
	Race	Color	☐ National ☐ Gender
ALS-C08-1786-WHA	Disability	Age	Other Unavailable
	Race	Color	□ National □ Gender
ALS-C09-06097-WHA	☐ Disability	∏ Age	Other Unavailable
	☐ Race	Color	National Gender
ARM-C09-3393-SBA	Disability	Age	☑ Other Unavailable

	Race	Color	National Gender
S01-RG100501747	Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
S01-RG08423053	☐ Disability	Age	☑ Other Unavailable
	Race	Color	National Gender
ALS-C09-01492-WHA	☐ Disability	☐ Age	Other Unavailable
	Race	Color	National Gender
PAT-C08-04255MHP	☐ Disability	☐ Age	Other Unavailable
	Race ·	Color ,	National Gender
US01-C08-03627 MMC	☐ Disability	☐ Age ·	Other Unavailable
	Race	Color	□ National □ Gender
US02-C01-20070 RMW / 07-71986	Disability	☐ Age	Other Unavailable
	Race	Color Color	National Gender
PAT-C05-03204 MHP - ADR	☐ Disability	Age	Other Unavailable
	Race	Color	☐ National ☐ Gender
US01-C10-2110-EMC	Disability	☐ Age	⊠ Other Unavailable
	☐ Race	Color	National Gender
S01-RG09477417	Race Disability	☐ Color	Origin Gender Other Unavailable
S01-RG09477417			Origin Gender
S01-RG09477417	Disability	Age	Origin Gender Other Unavailable National Gender
BRE-C09-4229 CRB	☐ Disability	Age	Origin Gender Other Unavailable National Gender Origin
S01-RG094/7417	Disability Race Disability	Age Color Age	Origin Gender Other Unavailable National Gender Other Unavailable National Gender
BRE-C09-4229 CRB LAP-C08-04847-EDL	Disability Race Disability Race	Age Color Age Color	Origin Gender Origin Gender National Gender Origin Gender National Gender National Gender Gender
BRE-C09-4229 CRB LAP-C08-04847-EDL	Disability Race Disability Race Disability Disability	Age Color Age Color Age Age	Origin Gender Origin Gender National Gender Other Unavailable Other Unavailable National Gender Origin Gender National Gender
BRE-C09-4229 CRB LAP-C08-04847-EDL	Disability Race Disability Race Race Race Race	Age Color Age Color Age Color Color	Origin Gender Origin Gender National Gender Origin Gender Other Unavailable National Gender Origin Gender National Gender National Gender National Gender Other Unavailable Other Unavailable Other Gender

	Race	Color	National Gender
USCA-C05-04045 / 08-15896	☐ Disability	Age	Other Unavailable
S01-RG08367401	Race '	Color Color	National Gender
	☐ Disability	Age	Other Unavailable
ZIM-C09-05157 BZ	Race	Color	National Gender
	☐ Disability	☐ Age	Other Unavailable
EEOC-550-2009-02109	Race	Color	☐ National ☐ Gender ☐
	☐ Disability	Age	Other Unavailable
DAT COA 04942 MUD	Race	Color	National Gender
PAT-C 04-04843 MHP	☐ Disability	☐ Age	Other .Unavailable
US01-C09-03652-EDL/10-16259	Race	Color	National Gender
	Disability	Age	Other Unavailable
PAT-C07-04179-MHP	Race	Color	National Gender
	Disability	Age	Other Unavailable
WAL-C 04 2305 VRW	Race	Color	□ National □ Gender
	Disability	Age	Other Unavailable
US01-C08-04148JCS	Race	Color	□ National □ Gender
	Disability	Age	Other Unavailable
USCA-C08-04379 EDP / 10-16007	Race	Color	National Gender Gender
	Disability	Age ·	Other Unavailable

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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 Management and Strategic Planning Unit, 1400 New York Avenue, N.W., Second Floor, Washington, DC 20005.

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?

Yes No

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

Agency See ¶ 2 on pa	/ // 🗴 / .1	Governing See ¶ 2 on pa	ng Body Head
Name:	Anthony Batts	Name:	Dan Lindheim
Title:	Chief of Police	Title:	City Administrator
Date:	8/30/10	Date:	8/30/10

Subscribe to Equitable Sharing Wire:

The Equitable Sharing Wire is an electronic newsletter that gives you important, substantive, information regarding Equitable Sharing policies, practices, and procedures.

fsilva@oaklandnet.com	
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FOR AGENCY USE ONLY Entered by Entered on	
O FY End: 06/30/2010 Date Printed: August 30, 2010 09:32	
NCIC: CA0010900 Agency: Oakland Police Department State: CA Contact: Felicia Silva	E-mail: FSilva@oaklandnet.com

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 pagepage 12) 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 (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.

FAX REPORT

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Result **Pages**

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Sep 14 10 02:51p

OPD FSD

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Affidavit - Existing Participant

Under pentity of polyury, the underligned 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 floods received and spent by the Agreey under the Junes and/or Treature Joseph Orley by Pentity of the Professional Conduct floor he sponting pentod and that the recipient Agency is in compilance 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 V of the Civil Rights Act of 1954-142 U.S.C. 5 1003 of the Education Amendments of 1972 (20 U.S.C. 5 1003 of the req.). Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. 5 1004 of terce). Section 504 of the Rehabilitation Act of 1973 (20 U.S.C. 5 1004 of terce). Which population distributions on the basis of race, color, national origin, disability, or age in any lederally assisted program or activity, or on the Dasts of suck in any Federally assisted education program or activity. The Agency agrees that it will comply with all federal structure and regulations permitting federal investigators accounts or records and any other sources of information as may be necessary to determine compliance with divil rights and other applicable statutes and regulations.

During the peat 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; gr. (2) has the Agency entered into any settlement agreement with respect to any complaint filled 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?

• Yes • No

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

Agency Head

Anthony Batts Chief of Police

8/30/10

Governing Body Head

Dan Lindheim

City Administrato 8/30/10

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o FY End: 06/30/2010

P NCIC: CA0010900 Agency: Oa

State: CA Contact: Felicia Sliva

E-mall: F5ilva@caklandnet.com

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