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# MEMORANDUM

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Date: October 15, 2018

To: The Honorable Chairman and Members  
Pima County Board of Supervisors

From: C.H. Huckelberry  
County Administrator 

Re: **US Customs and Border Protection/Treasury Executive Office Asset Forfeiture (TEOAF) Grant to the Sheriff**

In reviewing this TEOAF grant, I asked the Sheriff a number of questions in my October 8, 2018 memorandum and his response dated October 11, 2018 is attached. While I do not disagree with the intent of the grant, this is another example of the federal government being disconnected from the fiscal reality of local governments when they specify grants to reimburse only for overtime. I would much prefer that the grant fund fulltime equivalent positions and not overtime. Such would be a more fiscally prudent approach by the federal government and would lessen the law enforcement retirement benefit costs of the County and our taxpayers.

I believe it would be appropriate to begin to ask our Congressional Delegation to review these grants and request they be made for fulltime equivalent positions as opposed to overtime reimbursement payments.

I would recommend that the Board approve this grant, but at the same time communicate to Congressional Delegation whether these grants are prudent fiscal policy for both federal and local government alike, and to ask them to convert these grants into supporting fulltime positions and not overtime.

CHH/lab

Attachments

c: The Honorable Mark Napier, Sheriff Napier



## PIMA COUNTY SHERIFF'S DEPARTMENT

Mark D. Napier, Sheriff

# M E M O R A N D U M

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Date: October 11, 2018

To: Mr. Chuck H. Huckelberry, County Administrator

From: Sheriff Mark D. Napier

Subject: Response to Questions on TEOAF Grant

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In response to your October 8, 2018 memorandum regarding the U.S. Customs and Border Protection/U.S. Border Patrol Treasury Executive Office Asset Forfeiture Contract grant, you had several valid follow up questions. I certainly understand how the nature and intent of various federal grants can create confusion. The Treasury Executive Office for Asset Forfeiture (TOEAF) grant is administered through U.S. Customs and Border Protection; however, this grant is fundamentally different in scope and expected outcomes from Operation Stonegarden.

The TEOAF program originates out of the U.S. Department of the Treasury. Department of Homeland Security agencies (ICE, CBP, U.S. Coast Guard, IRS, and the U.S. Secret Service) seize the original assets in the course of narcotics investigations and the funds are deposited in accounts managed by the Treasury Executive Office for Asset Forfeiture. These funds are then distributed to the various agencies of the Department of Homeland Security for distribution to programs and activities focused on disrupting criminal enterprises and enhancing forfeiture capabilities.

This is our third year in receiving funds from the TEOAF program. The intent of this program is to support multi-agency task forces with a mission focus on narcotics investigations. The funds received through this program are exclusively used for reimbursement of overtime expenses incurred during narcotics investigations. The TEOAF program differs significantly from Operation Stonegarden in that there is no expectation for additional operations, or for achieving specific federal objectives. The TEOAF program reimburses our overtime for either joint or department initiated narcotics investigations that we routinely engage in as part of our normal operations.

The resources committed to this grant are comprised largely of detectives assigned to our Narcotics and Special Investigations Section (NSIS) and to some extent, our patrol deputies and other detectives as needed. The grant specifically limits the overtime reimbursement to a maximum of \$15,000 per individual detective, not to exceed the overall grant of \$300,000. To clarify this point, we do not assign a specific group of detectives to work joint operations supported by the TEOAF grant. Each joint investigation is a unique and distinct criminal case, with the necessary detectives assigned specifically to those individual cases. As each new case develops into a full investigation we utilize TEOAF funds to cover overtime expenditures for NSIS detectives, patrol deputies, and detectives assigned from other units to assist as needed. This allows us to distribute the overall grant to the majority of our NSIS section and support staff.

Our strategic enforcement effort for this program is to reduce and disrupt drug related violence and narcotics trafficking in Pima County. We accomplish this through aggressive collection of intelligence from various sources to include 88-Crime, tips from citizens, other investigations, and through more involved criminal investigations. Our strategy also includes collaborating with other local, state, and federal agencies to allocate the necessary resources to make arrests and refer cases to the Pima County Attorney's Office. The vast majority of our narcotics related investigations require collaboration with our various partners and we routinely engage in task force operations.

I hope this clarifies the nature and intent of this grant.

MDN/bwg



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# MEMORANDUM

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Date: October 8, 2018

To: The Honorable Mark Napier  
Pima County Sheriff

From: C.H. Huckelberry  
County Administrator

A handwritten signature in black ink, appearing to be "CHH", is written over the printed name "C.H. Huckelberry".

Re: **US Customs and Border Protection/US Border Patrol Treasury Executive Office of Asset Forfeiture Contract**

Please see the attached grant that I have returned to the Grants Management Office for more information. I am unsure if the questions have made it to you yet.

This is the type of agreement that will raise questions with the Board of Supervisors unless there is a better explanation. They will likely ask how this agreement is any different than Operation Stonegarden (OPSG) and what joint operations and taskforces are undertaken with this grant. It appears to be somewhat similar to OPSG as it reimburses for certain costs in Section V B1, but in B5 the contract limits the amount of overtime to \$15,000 per officer.

As you can see, we need more explanation regarding this grant before it is considered by the Board of Supervisors, specifically the type and number of joint operations and taskforces envisioned and the number of personnel that will be assigned to this grant should the Board accept it.

CHH/anc

Attachment

c: Jan Leshner, Chief Deputy County Administrator  
Tom Burke, Deputy County Administrator for Administration