



MEMORANDUM

Date: November 3, 2017

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

From: C.H. Huckelberry
County Administrator 

Re: Information relating to Emergency Expenditure of Anti-Racketeering Revolving Fund

During the October 17, 2017 Board of Supervisors meeting, the Board requested additional information from the County Attorney during the discussion of Addendum 1, Item 10, County Administrator–Pima County Attorney Application for Emergency Expenditure from the Anti-Racketeering Revolving (RICO) Fund.

County Attorney Barbara LaWall provided the attached memorandum, which provides receipts for expenditures and a legal memorandum delineating why her office believes it is inappropriate for the Board to condition its approval of RICO expenditures on questions of policy.

I disagree with the determination that the County Attorney can refuse to share the request for assistance from Nevada Attorney General.

CHH/mp

Attachment

c: Barbara LaWall, County Attorney
Jan Leshar, Chief Deputy County Administrator



MEMORANDUM

Barbara LaWall
Pima County Attorney

Pima County Attorney's Office
32 N. Stone Avenue, #1400
Tucson, AZ 85701

Phone: 520-724-5600
www.pcao.pima.gov

To: Jan Leshar, Chief Deputy Pima County Administrator

From: Barbara LaWall, Pima County Attorney

Date: October 30, 2017

Re: Information relating to Emergency Expenditure of Anti-Racketeering Funds

The Pima County Board of Supervisors, at its October 17, 2017 meeting, conditionally approved the emergency expenditure of my Office's state anti-racketeering funds to cover the costs associated with sending victim advocates and trained victim advocate volunteers to Las Vegas, Nevada to assist victims of the October 1, 2017 mass shooting terrorism event.

The Board approved this expenditure subject to my Office submitting receipts and also subject to my Office providing additional information relating to my policy decision to send the victim advocates and trained victim advocate volunteers.

Enclosed are the requested receipts.

I must, respectfully, decline to provide the additional information requested by the Board in connection with its evaluation of this emergency expenditure. That information pertains to policy judgments and decisions I rendered, which are not subject to Board review.

Enclosed is a legal memorandum prepared by my Chief Civil Deputy outlining the reasons why it is inappropriate for the Board to condition its approval of this expenditure request on questions of policy. (I hereby waive the attorney-client privilege; you may share this memorandum with the County Administrator and the Board, and it may be made public.) Rather, the Board's only authorized role in connection with evaluating the expenditure of my Office's anti-racketeering funds is to determine whether such expenditure is legally permissible under Arizona law.

Enclosures

cc: C.H. Huckelberry, County Administrator
Ellen Wheeler, Assistant County Administrator
Amelia Cramer, Chief Deputy County Attorney
Dave Smutzer, Legal Administrator



MEMORANDUM

PIMA COUNTY ATTORNEY'S OFFICE | CIVIL DIVISION
32 N. Stone Ave., Suite 2100
Tucson, AZ 85701
(520) 724-5700 | Fax: (520) 620-6556

Attorney-Client Privilege / Confidential

To: Hon. Barbara LaWall, Pima County Attorney

From: Andrew L. Flagg, Chief Civil Deputy County Attorney 

Date: October 24, 2017

Subject: Extent of Board of Supervisors' authority to approve PCAO RICO expenditures

Background

On October 17, 2017, the Board of Supervisors considered a PCAO request under A.R.S. § 13-2314.03(E) and Board Policy C 6.3 for an emergency expenditure of funds from the County Anti-Racketeering Revolving Fund ("ARRF") to send five Victim Advocates and five Volunteers to Las Vegas to provide victim services in the aftermath of the worst mass shooting in United States history, which occurred in Las Vegas on October 1. The Board approved the request, subject to three conditions: (1) itemization of costs; (2) an explanation of why it was necessary to send 10 people; and (3) documentation of the Nevada Attorney General's request for PCAO's assistance.

Issue and Brief Answer

This memorandum addresses the extent of the Board's authority under § 13-2314.03(E), including whether the conditions imposed on the October 17 request were within that authority. I conclude that the Board's authority is limited to determining whether the requested expenditure is authorized by state or federal law and *does not* extend to questioning the wisdom or necessity of the proposed expenditure for that purpose. With respect to the conditions imposed on the October 17 request, I conclude that the Board is impliedly authorized to request itemization but exceeded its authority in requesting an explanation of necessity and documentation regarding the Nevada Attorney General's request for PCAO's assistance.

Discussion

Background on the ARRF. The Board established—and PCAO administers—the ARRF. A.R.S. § 13-2314.03(A). Certain funds that are “obtained as the result of a forfeiture” are deposited in the ARRF. § 13-2314.03(D). Individual law-enforcement agencies (such as the Tucson Police Department, Pima County Sheriff, and PCAO) have sub-accounts within ARRF, each sub-account proportionate to the agency’s contribution to the ARRF. § 13-2314.03(D). (“Monies deposited into the [ARRF] . . . shall be held for the benefit of the agency or agencies responsible for the seizure or forfeiture to the extent of their contribution.”). An agency may request approval to use funds from its sub-account for a purpose authorized by § 13-2314.03, A.R.S. § 13-4315, or federal law. § 13-2314.03(E).

Until August 2017, § 13-2314.03 provided no explicit procedure for review and approval of agency requests to use funds from the ARRF, but PCAO historically reviewed all such requests in its role as the ARRF’s administrator. The Legislature amended the statute this year to provide a detailed review procedure under which PCAO reviews all requests *except* when PCAO itself is the requesting agency. § 13-2314.03(E). For PCAO to be able to use funds from its ARRF sub-account, it now must request authorization to expend the funds from the Board of Supervisors. *Id.* The statute allows the Board to retain outside counsel to determine if the requested expenditure is authorized by law. *Id.*

To implement its new role, the Board adopted Board of Supervisors Policy C 6.3 on September 19, 2017. (Copy attached.) That policy is consistent with the new statute, providing a procedure for PCAO’s submission of requests for Direct and Indirect Expenditures of funds from its ARRF sub-account, and permitting the Board to hire outside counsel to review any request.

The Board determines only whether the expenditure is permitted, not whether it is wise. Regardless of whether PCAO or the Board is the reviewing authority, the statute is clear that the review is limited to determining whether the requested expenditure is *authorized by law*, specifically § 13-2314.03, § 13-4315, or federal law. § 13-2314.03(E). If the expenditure is legally authorized, the Board is mandated to approve the expenditure. *Id.* (the Board “*shall* approve the county attorney’s use of the monies” (emphasis added)). By using the word “shall,” the Legislature indicated that the Board’s role begins and ends with determining whether the law permits the requested expenditure—it does not extend to determining whether the particular expenditure is a wise one or whether the funds could be better spent on another authorized purpose.

The history and structure of the statute show that policy determinations such as the purposes for which to request approval to spend funds and how to allocate funds within a category of authorized expenditures are to be made by the head of the agency requesting the use of the funds. Funds in an agency’s sub-account are held for that agency’s benefit. § 13-2314.03(D). The Board can no more question the policy justification for a requested PCAO expenditure than could PCAO question the policy justification for an expenditure request by another law-enforcement agency such as the Tucson Police Department.

Thus, whoever is responsible for setting the policies of the agency requesting the funds is ultimately solely responsible for determining the wisdom of a particular expenditure. In the case of a police

department, for example, that responsibility might ultimately lie with a city council that appoints the police chief. But in the case of an elected county officer such as the County Attorney, that decision lies solely with the County Attorney and not with the Board. *See Hounshell v. White*, 220 Ariz. 1, 4-5, ¶¶ 12-18 (App. 2008) (board of supervisors lacked authority to discipline sheriff's employee).

Accordingly, I conclude that the Board's authority under § 13-2314.03 is limited to determining whether a requested expenditure is permitted by § 13-2314.03, § 13-4315, or federal law. I now address the conditions imposed by the Board on the approval of the October 17 emergency-expenditure request.

Except for itemization of expenses, the conditions imposed exceeded the Board's authority under § 13-2314.03. While the authority to request itemization of expenditures may be reasonably implied by the statutory language, the conditions requiring a justification of the expenditure and evidence that the expenditure was requested by the Nevada Attorney General go beyond the Board's authority.

1. ***Requiring itemization of expenditures is reasonably implied by the statute.*** Section 13-2314.03(E) does not expressly require that PCAO provide documentation itemizing expenditures made for an approved use of funds from its ARRF sub-account. But, given that the Board must decide whether an expenditure is permitted by law, the Board needs to have sufficient information to evaluate the request. *See* Board of Supervisors Policy C 6.3, at 2-3. Itemization of expenditures permits the Board to determine that expenditures for an approved purpose were actually expended for that purpose, and the Board's authority to require such itemization is reasonably implied from its authority to determine the lawfulness of the expenditure.
2. ***The Board may not require PCAO to justify how many advocates and volunteers it sent to Las Vegas.*** By approving PCAO's request to send victim advocates and volunteers to Las Vegas in the aftermath of the worst mass shooting in United States history, the Board necessarily concluded that the expenditure of funds from PCAO's sub-account to provide victim services is authorized by law.¹ The question of whether it was necessary to send five advocates and five volunteers, then, is not a question of whether the expenditure was authorized by law, but of the wisdom of the expenditure—whether fewer people would have provided the same benefit to victims. As noted above, that is a decision for the County Attorney, not the Board, to make.

A policy justification is not—despite what some may otherwise argue—necessary to determine whether the expenditure complies with restrictions imposed by federal guidelines, such as the avoidance of “any appearance of extravagance, waste, or impropriety.” Dep't of Justice Equitable Sharing Program, *Interim Policy Guidance Regarding the Use of Equitable Sharing Funds* (“Federal Guidelines”), § V(B)(2)(f) (2014). The *limitations* in the Federal Guidelines apply only when the requested expenditure is for a purpose permitted under the federal guidelines; here, the expenditure was authorized by both state law and the federal guidelines. But, more importantly, a belief that a proposed expenditure devotes the wrong

¹As explained in PCAO's application, the expenditure is authorized both by § 13-2314.03 and federal law.

amount of resources to the right problem is another way of saying that the expenditure is unwise; not that it is “extravagant.”

3. *The Board may not require PCAO to prove that the Nevada Attorney General requested PCAO’s provision of victim advocates and volunteers.* The County Administrator’s October 17, 2017 memorandum to the Board stated by way of providing context that the Nevada Attorney General requested PCAO’s assistance in the aftermath of the shooting. But neither state nor federal law requires that PCAO’s assistance come at the Nevada Attorney General’s request. The applicable state statute provides that expenditures of funds from the ARRF are permitted to assist victims of criminal offenses listed in A.R.S. § 13-2301, which lists “terrorism.” See § 13-2314.03(F). “[T]errorism,” in turn, includes certain felonies intended to substantially damage “public establishments,” without limitation to those in Arizona. A.R.S. § 13-2301(C)(12). And the Federal Guidelines permit expenditures—including travel and transportation—for community-based programs, such as PCAO’s Victim Services Program, that are “supportive of and consistent with a law enforcement effort, policy, and/or initiative.” Federal Guidelines, § V(B)(1)(g) and (f).

Neither the state statutes nor the federal guidelines requires that a provision of services to another jurisdiction must be at the request of a particular official in that jurisdiction, or at anyone’s request at all. Such services might be rendered even in the absence of a request. Accordingly, because proof of the request is not a legal requirement, it is not necessary to the Board’s decision that the expenditure is authorized by law. By requiring as a condition of approval that PCAO provide proof of the request, the Board exceeded its authority under § 13-2314.03(E).

Conclusion

The Board’s authority under § 13-2314.03(E) is limited to determining whether a proposed PCAO expenditure is for a purpose authorized by § 13-2314.03, § 13-4315, or federal law. It does not extend to questioning the wisdom of a proposed expenditure. Accordingly, while the Board appropriately conditioned its October 17, 2017 approval on the receipt of itemization of expenses, it exceeded its authority in requiring that PCAO explain why it needed to send five advocates and five volunteers to Las Vegas and prove that the Nevada Attorney General requested PCAO’s assistance.

cc: Amelia Craig Cramer, Chief Deputy County Attorney
Dave Smutzer, Legal Administrator



PIMA COUNTY, ARIZONA BOARD OF SUPERVISORS POLICY

Subject: Procedures for Board Approval of Applications for Monies from the County Attorney's Anti-Racketeering Revolving Fund	Policy Number	Page
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Background and Purpose

Under Arizona's civil asset forfeiture statutes, law enforcement agencies have express authority to determine their priorities to spend monies in their anti-racketeering sub-accounts maintained in the County Attorney's Anti-Racketeering Revolving Fund ("the Fund") for expenditures authorized by A.R.S. § 13-2314.03, A.R.S. § 13-4315, and/or federal law. Each law enforcement agency is responsible for determining its priorities to use monies from the Fund for those authorized purposes. The County Attorney's Office itself is one of the law enforcement agencies that has a sub-account in the Fund, and the County Attorney is responsible for determining priorities for the use of monies from that sub-account in the Fund.

In 2017, the Arizona Legislature enacted Laws 2017, Chapter 149, amending Arizona statutes governing civil asset forfeiture. Section 3 of the session law amended A.R.S. § 13-2314.03(E) to implement procedures governing seizing agencies' and county attorneys' requests for monies from the county anti-racketeering revolving fund ("the Fund"). Under the amended statute, except in emergencies, county attorneys who have determined a need to use monies from the Fund "shall submit an application that includes a description of what the requested monies will be used for to the board of supervisors. The board of supervisors shall approve the county attorney's use of the monies if the purpose is authorized by [section 13-2314.03], section 13-4315 or federal law." The purpose of this Policy is to provide a procedure for County Attorney applications and Board of Supervisors approvals under § 13-2314.03.

Definitions

1. "Board" means the Pima County Board of Supervisors.
2. "County Administrator" means the County Administrator or designee.
3. "County Attorney" means the Pima County Attorney. Any action required or permitted to be taken by the County Attorney under this Policy may also be taken by a Deputy County Attorney under authority delegated by the County Attorney.
4. "Direct Expenditure" means an authorized use of monies from the Fund for expenses that directly serve the law-enforcement or prosecution purposes of the Pima County Attorney's Office, including the provision of equipment, services, personnel, training, or other costs directly to the Pima County Attorney's Office.
5. "Fund" means the county anti-racketeering fund established under A.R.S. § 13-2314.03.
6. "Indirect Expenditure" means an authorized expenditure that serves the law-enforcement or prosecution purposes of the Pima County Attorney's Office indirectly, including the provision of equipment, services, personnel, training, education, rehabilitation, or other costs of community-based programs, activities, or events that further the law-enforcement purposes of the Pima County

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Attorney's Office or other law-enforcement or prosecution purposes, including but not limited to gang and crime prevention.

7. "Supplement" means enhance or add onto resources of the law enforcement or prosecution agency, as distinguished from supplant or replace.

Policy

Except in an emergency, the County Attorney may not use monies from the Fund unless and until the Board has approved that use of monies in accordance with this Policy. The County Attorney may use monies only to Supplement existing resources, and may not apply to use monies from the Fund for any purpose not authorized by A.R.S. § 13-2314.03, A.R.S. § 13-4315, and/or federal law, or to replace or supplant general fund resources. All County Attorney expenditures of monies from the Fund must also be in accordance with all applicable Pima County Policies and Procedures.

Application Procedures

Direct Expenditures

The County Attorney will apply to use monies from the Fund for Direct Expenditures as part of the County Attorney's annual budget submission. The County Attorney's annual budget submission will include those expenditure accounts provided in the county budget system reflecting the County Attorney's priorities among the authorized categories of uses for which monies from the Fund will be used, along with the budgeted amounts of expenditures for the fiscal year for which the proposed budget is submitted. The expenditure accounts provided in the county budget system will include descriptions with sufficient detail to reflect how the proposed use of monies from the Fund is authorized by law and this Policy. The County Attorney's budget submission must contain a certification, signed by the County Attorney, stating that each proposed category of expenditure is for a use authorized by law and this Policy. The County Administrator will review the budget submission and, unless the County Administrator reasonably believes review by outside counsel is necessary as to any category or categories of expenditure, will recommend Board approval of the fund budget as part of the Tentative and Final Budget adoption. Unless a majority of a quorum of the Board votes to engage and pay for outside counsel to review a request, it shall approve the request without further review.

When the County Attorney requests payment from the Finance Department or uses a PCard for a specific Direct Expenditure within an already approved category of Direct Expenditures, the County Attorney must submit to the Finance Department or Procurement Department, as applicable, a detailed description of the specific expenditure, not merely the category of expenditure. For example:

- If the County Attorney requests payment to purchase goods, the request must detail the specific nature and quantity of the goods to be purchased.
- If the County Attorney requests payment for services, the request must detail the specific nature of the services provided, the operational division(s) or program(s) within the Pima County Attorney's Office where such services will be provided, and the name of the person or entity providing the services.

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If the Finance Department or Procurement Department questions whether a specific Direct Expenditure is authorized by law and this Policy, the Finance Department Director or designee of the Procurement Director or designee may request additional information from the County Attorney or designee. If the Finance Department or Procurement Department reasonably believes review by outside counsel is necessary, it will submit a request for review by outside counsel to the County Administrator and the request will proceed under the Outside Counsel provisions of this Policy.

Indirect Expenditures

For any requested Indirect Expenditure of monies from the Fund, the County Attorney will submit an application to the County Administrator consisting of copies of the Pima County Attorney's Office Memorandum in the form attached as Attachment A and the Community Organization Application in the form attached as Attachment B. The application must include a description of the proposed Indirect Expenditure that is sufficiently detailed to show that the proposed use of monies from the Fund is authorized by law and this Policy. The application must also include a certification, signed by the County Attorney, stating that the proposed Indirect Expenditure is for a use authorized by law and this Policy. The County Administrator will review the request and submit it to the Clerk of the Board for placement on the Agenda for the next Board meeting. Unless the County Administrator reasonably believes review by outside counsel is necessary, the County Administrator will recommend approval of the request. Unless a majority of a quorum of the Board votes to engage and pay for outside counsel to review a request, it shall approve the request.

Emergencies

If the County Attorney uses monies from the Fund without first applying to the Board because of an emergency, the County Attorney must submit an application within a reasonable amount of time after the monies are used in accordance with the procedure for Indirect Expenditures under this Policy. That application must include an explanation of the emergency that led to the use of the monies without first applying for approval, but must not include any information that is confidential by law. The County Administrator will process the request using the same procedure as used for requests for approval of Indirect Expenditures.

Outside Counsel

If the County Administrator, on reviewing any request from the County Attorney under this Policy or any request by the Finance Department for review by outside counsel, reasonably believes that the proposed or emergency use of monies from the Fund is or was not authorized by law and this Policy, the County Administrator may recommend to the Board that the Board retain outside counsel to review the County Attorney's proposed or emergency use of the monies. A majority of a quorum of the Board may vote to engage and pay for outside counsel to review any request, with or without the recommendation of the County Administrator. In the event a majority of a quorum of the Board votes to engage outside counsel, it will identify the specific request or requests that outside counsel is to review. Outside counsel must be engaged to report back as expeditiously as possible to the Board as to whether the requested expenditure is legally authorized. If outside counsel concludes the expenditure is legally authorized, the Board must approve the request. In the event outside counsel is engaged to review a request and finds the request

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to be for an authorized purpose, but the time required for outside-counsel review results in the imposition of a late payment penalty, the Board will authorize payment from another County fund to pay the penalty.

Applicability

This Policy applies only to the review by the Board of proposed expenditures of monies from the Fund to be made by the County Attorney from the County Attorney's sub-account. It does not apply to sub-accounts of other law enforcement agencies that are held within the Fund administered by the County Attorney.

Adopted Date: September 19, 2017
Effective Date: September 19, 2017



Pima County Attorney's Office

MEMORANDUM

TO: David Smutzer, Legal Administrator

FROM: Kevin Krejci, Supervising Prosecutor, Forfeitures Unit

DATE: _____

RE: Approval of purpose/use of distribution of Pima County Attorney anti-racketeering funds under state law

I have reviewed the attached _____ request for approval of the purpose/use of funds held by the Pima County Attorney in its state sub-account of the Pima County Attorney's Anti-Racketeering Revolving Fund. The request is APPROVED for the reason that the description of the purpose/use appears consistent with the following purpose(s)/use(s) by state law:

- ___ Funding a gang prevention program. ARS § 13-2314.03(F).
- ___ Funding a substance abuse education program. ARS § 13-2314.03(F).
- ___ Funding a program that provides assistance to victims of a criminal offense that is listed in A.R.S. §13-2301. ARS § 13-2314.03(F).
- ___ Funding for witness protection pursuant to A.R.S. § 11-536. ARS § 13-2314.03(F).
- ___ Funding the investigation and prosecution of any offense included in the definition of racketeering in A.R.S. §§ 13-2301(D)(4) or 13-2312, including civil enforcement. ARS § 13-2314.03(F).
- ___ Funding for a purpose permitted by federal law relating to the disposition of any property transferred to a law enforcement agency. ARS § 13-2314.03(F). Reference: *USDOJ Guide to Equitable Sharing for State and Local Law Enforcement Agencies (2009) (Guide)* & Interim guidelines section V.B. (July 2014), specifically subsec(s) _____.
- ___ These monies will provide support of a community-based program (*see the Guide, Interim guidelines sections V.B.1.I. (July 2014)*). The *Certification by Community Organization Applicant and Community Organization Application for Funding Assistance from Pima County Anti-Racketeering Funds* is attached.
- ___ Funding to compromise and pay claims against forfeited property. ARS § 13-4315(A)(5).

ATTACHMENT A

- Funds to pay expenses necessary to seize, detain, appraise inventory, protect, maintain, preserve the availability of, advertise or sell property that is subject to forfeiture; or any other necessary expenses incident to the seizure, detention, preservation or forfeiture of the property. ARS § 13-4315(C)(1).
- Funding to pay awards for information or assistance which led to a civil or criminal proceeding under the Criminal Code. ARS § 13-4315(C)(2).

Notes/Special Instructions:

**COMMUNITY ORGANIZATION APPLICATION
FOR FUNDING ASSISTANCE FROM PIMA COUNTY ANTI-RACKETEERING FUNDS**

Community Organization _____	
Executive Director/Agency Head _____	
Law Enforcement Agency _____	
Date _____	Amount requested _____

The Pima County Anti-Racketeering Revolving Fund has been created by forfeiture of property that constituted the proceeds of crime or that was used or intended to be used to commit crime. **Use of the funds is restricted to law enforcement purposes, however transfers to community-based programs, whose missions are supportive of and consistent with a law enforcement effort, policy, or initiative are permitted.**

NOTE: A program may benefit the community generally, but still not qualify for Pima County Anti-Racketeering Revolving Fund funds. To qualify, a program must specifically involve law enforcement personnel or otherwise include specific content which extends or enhances the efforts of law enforcement in the community, such as assisting victims of crime, preventing crime including by providing programs for at-risk youth, deterring crime, rehabilitation of offenders, emergency response by law enforcement, protecting people and property from crime, reducing the effects of crime, etc.

Describe the community-based program for which funds are being sought and how the program benefits the community:

Specifically, what law enforcement effort, policy, and/or initiative of this agency does this program support in this community?

Describe in detail how this program is supportive of and consistent with this law enforcement agency's efforts, policies, and/or initiatives in the community. What elements of the program specifically enhance or extend the efforts of law enforcement in the community, and how does the program do this?

As specifically as possible, please indicate how the funds requested will be used by this program (that is, to purchase supplies, equipment, and/or services; covering costs of participants or attendees; etc. Direct cash transfers or gifts are not permitted):

CERTIFICATION BY COMMUNITY ORGANIZATION APPLICANT

Applicants for funds must certify in writing the following aspects of its background and compliance with Arizona and federal law and Department of Justice guidelines:

I, the undersigned head of the applicant entity, certify that:

- | | Yes | No |
|---|--------------------------|--------------------------|
| A. Applicant is a state, county, or local government department or agency; or applicant is a private, non-profit 501(c)(3) or (4) organization.
Tax I.D. Number: _____ | <input type="checkbox"/> | <input type="checkbox"/> |
| B. Applicant is primarily engaged in providing a program that is both community-based and supportive of and consistent with a law enforcement effort, policy, or initiative. | <input type="checkbox"/> | <input type="checkbox"/> |
| C. Applicant agrees to account separately for all anti-racketeering funds received. | <input type="checkbox"/> | <input type="checkbox"/> |
| D. Applicant agrees to utilize and apply standard accounting requirements and practices employed under state or local law for recipients of federal, state, or local funds and to provide documentation for any audit that may be performed by a governmental entity authorized to audit the use of such funds. | <input type="checkbox"/> | <input type="checkbox"/> |
| E. Applicant is in compliance with federal civil rights laws. | <input type="checkbox"/> | <input type="checkbox"/> |
| F. Applicant is in compliance with all other Arizona and federal laws that apply to applicant. | <input type="checkbox"/> | <input type="checkbox"/> |
| G. No officer, director, trustee, or fiduciary of the applicant has been convicted of a felony offense under federal or state law, or convicted of any drug offense. | <input type="checkbox"/> | <input type="checkbox"/> |
| H. Applicant agrees not to use funds for personal or political purposes. | <input type="checkbox"/> | <input type="checkbox"/> |
| I. Applicant agrees that funds will not be used for any purpose that would constitute an improper or illegal use under the laws, rules, regulations, or orders of the state or local jurisdiction in which the applicant is located. | <input type="checkbox"/> | <input type="checkbox"/> |

Print Name of Requesting Agency
Director

Signature of Requesting Agency
Director

I have reviewed the foregoing request, and based on the organization's certifications and the information provided by the organization, the recipient of the funds is a qualified entity and the program for which funds are sought is consistent with and supportive of a

ATTACHMENT A

law enforcement effort, policy, and/or initiative of this agency. (If the funding is to be from DOJ equitable sharing sources, all additional requirements for use of such funds have also been fulfilled; Treasury funds may not be used for support of community-based programs.)

Print Name of Chief Law Enforcement
Officer

Signature of Chief Law Enforcement
Officer

Date _____

RICO Employees						
pcn_no	NAME	SALARY	CLASSIFICATION	FUNCTIONAL AREA	center_no	charge_out
966306	HINTHORN, CHELITA J	18.3225	3139	BCP	5230100	5200100
200859	CARVALHO, JORDANNA	16.5042	7020	CJB	5200100	
980879	CHAPA, RAMIRO	17.013	7020	CJB	5200100	
940070	EDWARDS, CHRISTIAN TREVOR	16.5042	7020	CJB	5200100	
910024	FINLEY, BRANDY	23.077	7110	CJB	5200100	
Employee home centered in RICO but charged out:						
200851	FAIRCLOTH II, JESSIE J	22.17	3147		5200100	1600201

BCP Bad Check Program
CJB Community Justice Boards