

AGENDA ITEM

**FORT BEND COUNTY**  
**COMMISSIONERS COURT AGENDA REQUEST FORM**  
RETURN TO: AGENDA COORDINATOR - COUNTY JUDGE'S OFFICE

DATE SUBMITTED: November 03, 2009

SUBMITTED BY: Sheila Whiting *ShWhiting*

AGENDA

DEPARTMENT: 024

#

COURT AGENDA DATE: November 17, 2009

PHONE NO.: 281-403-8019

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**SUMMARY OF ITEM:** Take all appropriate action to certify FY 2008 Chapter 59 Asset Forfeiture Report for the Office of Constable, Pct. 2, pursuant to Code of Criminal Procedure, Chapter 59, Article 59.06, Section (g)(1).

**RENEWAL CONTRACT/AGREEMENT:** Yes ( ) No (X)

**LIST SUPPORTING DOCUMENTS ATTACHED:** N/A

*Reviewed By County Auditor's Office 11/4/09 S. May*

**FINANCIAL SUMMARY:**

**BUDGETED ITEM:**

**ANNUALIZED DOLLARS:**

**COMMENTS:**

Yes ( ) No (X) N/A ( )

One Time (X)

**Funding Source:**

Recurring ( ) N/A ( )

Fund Agency 100550200 Object

**Original Form Submitted with back up to County Judge's Office:** ( ) (✓ when completed)

If by E-Mail to [ospindon@co.fort-bend.tx.us](mailto:ospindon@co.fort-bend.tx.us)

If by Fax to (281) 341-8609

**Copies with back-up to:**

|                      |                |                  |                |
|----------------------|----------------|------------------|----------------|
| (X) Auditor          | (281-341-3774) | (X) Comm. Pct. 1 | (281-342-0587) |
| (X) Budget Officer   | (281-344-3954) | (X) Comm. Pct. 2 | (281-403-8009) |
| (X) County Attorney  | (281-341-4557) | (X) Comm. Pct. 3 | (281-242-9060) |
| (X) Purchasing Agent | (281-341-8642) | (X) Comm. Pct. 4 | (281-980-9077) |
| (X) County Clerk     | (281-341-8697) |                  |                |

**Instructions for submitting an Agenda Request:**

1. Completely fill out agenda form, incomplete forms will not be processed.
2. Agenda Request Forms may be submitted by e-mail, fax, or inter-office mail, and all information must be provided by Wednesday at 2:00 p.m. to the departments listed above.
3. All original back-up must be received in the County Judge's Office by 2:00 p.m. on Wednesday.

**RECOMMENDATION / ACTION REQUESTED:**

Consider approving FY 2009 Chapter 59 Asset Forfeiture Report.

*11-18-09 copy received*

FY 2009  
CHAPTER 59 ASSET FORFEITURE REPORT  
BY LAW ENFORCEMENT AGENCY

Agency Name: Fort Bend County Reporting Period: 10/01/2008-09/30/2009  
Constable, Pct. 2 (local fiscal year)  
Agency Mailing Address: 303 Texas Parkway # 124 example: 01/01/09 to 12/31/09,  
Missouri City, Texas 77489 09/01/08 to 08/31/09 etc.  
Phone Number: (281) 403-8010  
County: Fort Bend

NOTE: PLEASE ROUND ALL DOLLAR FIGURES TO NEAREST WHOLE DOLLAR.

I Beginning Balance

A) Forfeited Funds..... \$ 3,523.96

INSTRUCTIONS: Include total amount of forfeited funds on hand (in your agency's account or in your agency's possession) at beginning of the reporting period including interest. Do not include funds that have been forfeited but not yet received by your agency.

B) Seized Funds..... \$ -0-

INSTRUCTIONS: Include total amount of seized funds on hand (in your agency's possession) at beginning of reporting period. Include funds that may have been forfeited but have not been transferred to your agency's forfeiture account. Do not include funds that are in an account held by another agency, e.g., the District Attorney's account.

II. Seizures and Forfeiture Receipts during Reporting Period

A) Currency and Negotiable Instruments

1) Amount Seized by Reporting Agency..... \$ -0-

INSTRUCTIONS: Include only those seizures which occurred during the reporting period and where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency.

2) Amount Forfeited to and Received by Reporting Agency (including interest)..... \$ -0-

INSTRUCTIONS: Do not include amounts forfeited but not yet received by your agency. Interest refers to the amount earned prior to forfeiture and distributed as part of the judgment of forfeiture.

3) Amount Returned to Defendants..... \$ -0-

B) Other Property

List the number of items seized for the following categories. Include only those seizures where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by the agency filing this report. If property is sold or is to be sold, list under "Proceeds Received by Reporting Agency from Sale of Above-Listed Property" (see below) in the reporting year in which the proceeds are received.

| Please note - this should be a number not a currency amount.<br>Example 4 cars seized, 3 cars forfeited and 0 cars put into use. | SEIZED | FORFEITED TO<br>AGENCY | PUT INTO USE BY<br>AGENCY |
|--|--------|------------------------|---------------------------|
| 1) MOTOR VEHICLES (Include cars, motorcycles, tractor trailers, etc )  | NA     |                        |                           |
| 2) REAL PROPERTY (Count each parcel seized as one item)  | NA     |                        |                           |
| 3) COMPUTERS (Include computer and attached system components, such as printers and monitors, as one item)                       | NA     |                        |                           |
| 4) FIREARMS (Include only firearms seized for forfeiture under Chapter 59. Do not include weapons disposed under Chapter 18.)    | NA     |                        |                           |
| 5) Other Property:<br>Description: _____   | NA     |                        |                           |
| Other Property:<br>Description: _____  | NA     |                        |                           |
| Other Property:<br>Description: _____  | NA     |                        |                           |

III. Proceeds Received by Reporting Agency from Sale of Above-Listed Property (Categories 1 through 5):.....

\$ -0-

**INSTRUCTIONS:** Include amounts received for all property sold during the reporting period, even if the subject property was forfeited in a prior reporting period.

IV. Forfeited Property and Proceeds Received From Another Agency

**INSTRUCTIONS:** Enter the total dollar amount or total number of items received pursuant to a sharing agreement where the forfeiture judgment awarded ownership of the property to another agency prior to it being transferred to your agency.

A. Proceeds - (should be a dollar amount):.....

\$ -0-

B. Vehicles - (should be a number not a currency amount).....

-0-

C. Other - (should be a number not a currency amount):.....

-0-

V. Interest Earned on Forfeited Funds During Reporting Period:.....

\$ 65.49

**INSTRUCTIONS:** Include only the amount of interest earned on forfeited funds or interest earned on funds derived from the sale of forfeited property. Do not include interest earned if funds are on deposit in an account that does not belong to your agency, e.g. the District Attorney's account.

VI Expenditures

**INSTRUCTIONS:** List the total amount expended for each of the following categories. **This category is ONLY for expenditures made from Chapter 59 funds.** If proceeds are expended for a category not listed, state the amount and nature of the expenditure under the "Other" category.

|   |                  |
|---|------------------|
| Salaries .....  | \$               |
| Overtime .....  | \$               |
| Equipment (includes vehicles, computers & software, maintenance costs, etc.) .....                | \$               |
| Supplies (includes cellular air time, miscellaneous commodities) .....                            | \$ 422.08        |
| Travel .....  | \$               |
| Training .....  | \$               |
| Paid to or Shared with Cooperating Agency .....   | \$               |
| Confidential Informant Payments .....   | \$               |
| Prevention / Treatment Programs .....   | \$               |
| Facility Costs (building purchase, lease payments, remodeling, maintenance fees etc.) .....       | \$               |
| Miscellaneous Fees (bank account service charges, insurance, audit fees, witness fees etc.) ..... | \$               |
| Other: (attach additional sheets if necessary)  |                  |
| Description: _____ \$ _____   |                  |
| Description: _____ \$ _____   |                  |
| Description: _____ \$ _____   |                  |
|   | Other Total \$   |
| <b><u>TOTAL EXPENDITURES:</u></b> .....   | <b>\$ 422.08</b> |

**CERTIFICATION**

COUNTY JUDGE, MAYOR OR OTHER  
APPROPRIATE HEAD OF GOVERNING  
BODY OR DESIGNEE:

TITLE:

SIGNATURE:

DATE:

Robert Hebert

Fort Bend County Judge

November 17, 2009

**RETURN COMPLETED FORM TO:**

jerree.gray@oag.state.tx.us  
(512)305-8882

Office of the Attorney General  
Criminal Prosecutions Division, ATTN: Kent Richardson  
P.O. Box 12548  
Austin, TX 78711-2548  
kent.richardson@oag.state.tx.us  
(512)936-1348  
FAX (512)494-8283