

FORT BEND COUNTY FY 2010  
COMMISSIONERS COURT AGENDA REQUEST FORM

Return Completed Form by E-Mail to: Agenda Coordinator, County Judge's Office

Date Submitted: 11-10-09

Submitted By: JOHN HEALEY

Court Agenda Date: 11/17/2009

Department: DISTRICT ATTORNEY

Phone Number: 281-341-4473

SUMMARY OF ITEM: Take all appropriate action to ratify and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report by Attorney Representing the State

RENEWAL AGREEMENT/APPOINTMENT YES ☐ NO ☐

REVIEWED BY COUNTY ATTORNEY'S OFFICE: YES ☐ NO ☐

REVIEWED BY COUNTY AUDITOR'S OFFICE: YES Michael Smalley

List Supporting Documents Attached: FY 2009 Chapter 59 Asset Forfeiture Report by Attorney Representing the State

FINANCIAL SUMMARY:

BUDGETED ITEM: YES X NO ☐

FUNDNG SOURCE: Accounting Account Number: 335480104  
Activity (If Applicable):

DESCRIPTION OF LAWSOM ACCOUNT:

Instructions to submit Agenda Request Form:

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

DISTRIBUTION:

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

Distribute copies with back-up to all listed below. If by fax, send to numbers below:

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)
<input type="checkbox"/>	Facilities/Planning	(281-633-7022)	X	Comm. Pct. 3	(281-242-9060)
<input type="checkbox"/>	Purchasing Agent	(281-341-8642)	X	Comm. Pct. 4	(281-980-9077)
<input type="checkbox"/>	Information Technology	(281-341-4526)	X	County Clerk	(281-341-8697)
<input type="checkbox"/>	Other:		<input type="checkbox"/>	County Atty	(281-341-4557)

RECOMMENDATION / ACTION REQUESTED:

Take all appropriate action to ratify and record into Minutes the FY 2009 Chapter 59 Asset Forfeiture Report by Attorney Representing the State

Special Handling Requested (specify):

**FY 2009 Chapter 59 Asset Forfeiture Report  
by Attorney Representing the State**

Agency Name: Fort Bend County District Attorney Reporting Period: 9/1/08 - 8/31/09  
(example: 9/1/07 - 08/31/08)

Agency Mailing Address: 301 Jackson  
Richmond, Texas 77469

County: Fort Bend (if multi-county district, list all counties within jurisdiction)

Phone number: 281/341-4460

NOTE: PLEASE ROUND ALL DOLLAR AMOUNTS TO NEAREST WHOLE DOLLAR

I. Beginning Balance

- A) Forfeited Funds ..... \$ 132,247  
**Instructions:** Include total amount of funds that have been forfeited to your agency and are on hand (in your agency's account or in your agency's possession) at beginning of reporting period including interest. Do not include funds that have been forfeited but not yet received by your agency.
- B) Seized Funds ..... \$ 1,440,907  
**Instructions:** Include total amount of seized funds on hand (in your agency's account or in your agency's possession) at beginning of reporting period including interest. Include funds that may have been forfeited but have not been transferred from your agency's seizure account to your agency's forfeiture account. Do not include funds that are in an account held by another agency, e.g., a police department's account.

II. Seizures, Petitions for Forfeiture, and Forfeiture Receipts during Reporting Period

A) Currency and Negotiable Instruments

- 1) Amount Seized by Employees of Your Agency ..... \$ 967,917  
**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) Forfeiture Petitions Filed for all Agencies You Represent ..... \$ 808,052  
**Instructions:** Enter the total amount of seized funds subject to a forfeiture petition filed during the reporting period. Do not include amounts seized if petition has not been filed.
- 3) Amount Forfeited for all Agencies You Represent ..... \$ 698,001  
**Instructions:** Enter the total amount forfeited by all forfeiture judgements, including amounts forfeited to other agencies. Do not include judgments that are not yet final due to appeal or motion for new trial. Include interest that was forfeited as part of the judgment.
- 4) Amount Forfeited to and Received by Your Agency (Including Interest) ..... \$ 180,424  
**Instructions:** Do not include amounts forfeited but not yet received by your agency. Do not include amounts awarded to other agencies. Interest refers to the amount earned prior to forfeiture and distributed as part of the judgment of forfeiture.
- 5) Amount Returned to Defendants ..... \$ 28,978  
**Instructions:** Enter the total amount returned to Defendants.
- 6) Forfeitures Pending for all Agencies You Represent ..... \$ 1,161,620  
**Instructions:** Enter the total amount of seized funds at the end of the reporting period where a forfeiture petition has been filed but no final judgment has been entered. Include amounts subject to petitions filed in prior reporting periods. (This should be a currency amount, for example \$1,000)

B) Other Property

**Instructions:** List the number of cases filed, pending, or disposed for the following categories. List as "pending" only cases where a petition was filed. List as "seized" only those seizures where the seizure affidavit required by Article 59.03 is sworn to by a peace officer employed by your agency. If property is sold list under "Proceed Received by Your Agency from Sale of Above-Listed Property" (see below) in the reporting year in which the proceeds are received. (These should be a number, for example 1, 2, 3 etc., not a currency amount).

Please Note: these should be a number, not a currency amount. For example: 4 pending, 3 seized, 12 new petitions, etc....	MOTOR VEHICLES (cars, motorcycles, tractor trailers, etc.)	REAL PROPERTY (houses, land, etc.)	COMPUTERS (include computer and attached system components, such as printers and monitors as one item)	FIREARMS (include only firearms seized for forfeiture under Chpt. 59. Do not include weapons disposed of under Chpt. 18)	OTHER
Pending for all agencies at beginning of reporting period:	15	1	8	1	3
Seized by your agency during reporting period:	16	0	0	0	3
New petitions filed for all agencies during reporting period:	13	0	0	0	3
Forfeited to your agency during reporting period:	0	1	0	0	0
Put into service by your agency during reporting period:	0	0	0	0	0
Pending for all agencies at end of reporting period:	17	0	0	0	3

C) Proceeds Received by Your Agency From Sale of Above-Listed Property ..... \$ 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.

III. Forfeited Property and Proceeds Received from Another Agency

**Instructions:** Enter the total dollar amount (for proceeds) or total number of items (for property & other) 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.

Proceeds - (should be a dollar amount) ..... \$ 0  
 Vehicles - (should be a number, not a dollar amount) ..... \$ 0  
 Other - (should be a number, not a dollar amount) ..... \$ 0

IV. Interest Earned on Forfeited Funds During Reporting Period .....

**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.

\$ 1,817

- V. Interest Earned on Seized Funds During Reporting Period ..... \$ 21,854  
**Instructions:** Include only the amount of interest earned on seized funds or funds that may have been forfeited but not yet transferred to your forfeiture account. Do not include interest earned on seized funds that are on deposit in an account that does not belong to your agency.

VI. Expenditures

**Instructions:** List the total amount expended for each of the following categories. This category is **ONLY** for Chapter 59 expenditures -not for expenditures made pursuant to your general budget. If proceeds are expended for a category not listed, state the amount and nature of the expenditure under the Other Category.

Salaries .....	\$ <u>12,967</u>
Overtime .....	\$ <u>0</u>
Equipment (includes vehicles, computers, software, maintenance costs, etc.) .....	\$ <u>24,112</u>
Supplies (includes cellular air time, miscellaneous commodities etc.) .....	\$ <u>5,802</u>
Travel .....	\$ <u>2,463</u>
Training .....	\$ <u>5,110</u>
Paid to or shared with cooperating agency .....	\$ <u>0</u>
Confidential Informant Payments .....	\$ <u>0</u>
Prevention / Treatment Programs .....	\$ <u>0</u>
Facility Costs (building purchase, lease payments, remodeling, maintenance fees, etc.) .....	\$ <u>2,648</u>
Miscellaneous Fees (account service charge, insurance, audit fees, witness fees, etc.) .....	\$ <u>8,904</u>
Other (attach additional sheets if necessary) .....	(Other total) \$ <u>2,282</u>
Description: <u>payroll taxes</u> \$ <u>960</u>	
Description: <u>retirement</u> \$ <u>1,322</u>	

TOTAL EXPENDITURES.....

\$ 64,288

COUNTY JUDGE OR DESIGNEE:

Renee Hebert

TITLE:

County Judge

SIGNATURE:

DATE:

November 10, 2009

RETURN COMPLETED FORM TO:

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

[renee.grav@oag.state.tx.us](mailto:renee.grav@oag.state.tx.us)