

**REQUEST FOR LEGISLATIVE ACTION  
EXECUTIVE OFFICE**

Completed by County Counselor's Office:  
Res/Ord No.: 5194  
Sponsor(s): Dan Tarwater III  
Date: January 22, 2019

DEC 21 2018

<p>SUBJECT</p>	<p>Action Requested  <input type="checkbox"/> Resolution  <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Organized Crime Drug Enforcement Task Force</u></p>										
<p>BUDGET INFORMATION  <i>To be completed                  By Requesting                  Department and                  Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$10,000</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$10,000</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number;                  FROM                  008-2810 – Anti-Drug Sales Tax Fund – Undesignated Fund Balance                  TO                  008-4133-55030 – Anti-Drug Sales Tax Fund – OCDETF - Overtime</td> <td>                 FROM ACCT                  \$10,000                   TO ACCT                  \$10,000             </td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required)  <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract:                  Department: Estimated Use: \$</p> <p>Prior Year Budget (if applicable):                  Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$10,000	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$10,000	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM 008-2810 – Anti-Drug Sales Tax Fund – Undesignated Fund Balance TO 008-4133-55030 – Anti-Drug Sales Tax Fund – OCDETF - Overtime	FROM ACCT \$10,000  TO ACCT \$10,000
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<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): 4959 2/27/17; 4960 3/20/17; 4973 4/24/17; 5063 12/11/17; 5072 1/29/18</p> <p>Prior resolutions and (date): N/A</p>										
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, &amp; phone): Dan Cummings OIC 816.503.4725</p>										
<p>REQUEST SUMMARY</p>	<p>The Jackson County Drug Task Force (JCDF) and the Federal Bureau of Investigation are conducting a joint federal drug investigation. The agencies have formed an Organized Drug Enforcement Task Force (OCDETF), Operation Holy Trojan, for the period of October 1, 2018 through September 30, 2019. As a result, the JCDF will be reimbursed overtime costs by the OCDETF program associated with this investigation.</p> <p>Please appropriate \$10,000 from the undesignated fund balance of the Anti-Drug Sales Tax Fund into:                  008-4133-55030</p>										
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing &amp; Department)  <input type="checkbox"/> Business License Verified (Purchasing &amp; Department)  <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>										

ATTACHMENTS	OCDETF Agreement	
REVIEW	Department Director:	<i>Summings</i> <i>clean Peter</i> <i>Dobson</i> Date: <i>12/15/18; 1/14/19</i>
	Finance (Budget Approval) If applicable	<i>Sarah Miller</i> Date: <i>12/21/18</i>
	Division Manager:	<i>Mark Jones</i> Date: <i>12/21/18</i>
	County Counselor's Office:	Date:

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # \_\_\_\_\_
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
008-2810	Anti-Drug Sales Tax Fund – Undesignated Fund Balance	\$10,000

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



Law Enforcement Sensitive



U.S. Department of Justice

United States Attorney  
Organized Crime Drug Enforcement Task Forces  
West Central Region

Thomas F. Eagleton Courthouse  
111 S. 10th Street, Suite 20.333  
St. Louis, MO 63102

314-539-2200  
Fax: 314-539-2312

Capt. Danny Cummings  
Jackson CO DTF (KCMO)  
415 E. 12th Street, 9th Floor  
Kansas City, MO 64106

December 6, 2018

**Subject: Organized Crime Drug Enforcement Task Forces (OCDETF) State and Local Overtime and Authorized Expense Agreement for Fiscal Year 2019**

Dear Capt. Cummings:

The West Central Region OCDETF Regional Coordination Group has approved an OCDETF Agreement for the Jackson CO DTF (KCMO) under the following terms:

OCDETF Case #:	WC-KS-0214	HOLY TROJAN
Dates of the Agreement:	10/01/2018 through 09/30/2019 (Fiscal 2019)	
Funding Amount:	\$ 10,000.00	
Sponsoring Federal Agency:	FBI	

At no time should your State or Local agency exceed the approved funding noted above.

\*\*Please note that the approved funding amount may be less than the amount originally submitted to the Regional Coordination Group.

Initial funding allocations represent projections only and therefore are subject to modification by the Regional Coordination Group based upon the progress and needs of the OCDETF investigation. Federal government accounting policy requires all open obligations be reviewed and validated at the end of each quarter; therefore if no costs have been incurred within 90 days of the date of the agreement all funding could automatically be de-obligated unless an extension has been requested and has been granted in writing by the sponsoring Agency Regional OCDETF Coordinator.

If additional funding or agreement modifications are necessary, a written request must be submitted by the sponsoring Agency Regional OCDETF Coordinator to the Assistant U.S. Attorney (AUSA) Regional OCDETF Director **prior** to incurring any overtime and/or expenses. The sponsoring Federal agency and State or Local agency will be notified in writing on the status of the request. Any supplemental funding will be contingent upon availability of funds.

## Law Enforcement Sensitive

### OCDETF Agreement for Fiscal Year 2019

A reimbursement request will not be deemed "submitted" unless it is completely and accurately prepared. Reimbursement requests must be submitted within 30 days of overtime worked. The requests must be approved and signed by the sponsoring Federal agency prior to being forwarded to the U.S. Attorney's office. All requests without the proper signatures will be returned. Approved funds that do not have properly submitted reimbursement requests submitted on a timely basis will be de-obligated by the committee to meet other financial responsibilities.

The State or Local agency is responsible for ensuring and monitoring overtime payments. These payments may not, on an annual per person basis, exceed \$18,343.75 (increased to 25% of a GS-12 Step 1 Federal salary rate in effect for fiscal year beginning October 2018). The field office of the sponsoring Federal agency and the sponsoring Agency Regional OCDETF Coordinator will also monitor these payments, as stated in section 14 of the agreement. Without approval from the Regional Coordination Group and the grant of a waiver from the OCDETF Executive Office in Washington D.C. an agency may not be reimbursed in excess of \$25,000.00 on any OCDETF investigation in a given year.

**Reimbursement requests which are not submitted for payment in a timely manner are subject to availability of funds.**

If you have any questions, please do not hesitate to contact your sponsoring Agency Regional OCDETF Coordinator Walt Comeau at 314-220-1953.

Very truly yours,

Jeffrey Jensen  
United States Attorney



James Delworth  
OCDETF Regional Director  
West Central Region

**ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES**  
**FY 2019 Agreement**  
**FOR THE USE OF THE STATE OR LOCAL**  
**OVERTIME AND AUTHORIZED EXPENSE/STRATEGIC INITIATIVE PROGRAM**

DUNS #: 026546940  
Federal Tax Identification #: 44-6000524

UFMS Doc#: \_\_\_\_\_  
DC#: \_\_\_\_\_

Amount Requested:  
\$ 10,000.00  
Number of Officers Listed: 20

OCDETF Investigation / Strategic Initiative  
Number: WC-KS-214  
Operation  
Name: Operation Holy Trojan

From: October 1, 2018  
Beginning Date of Agreement  
To: September 30, 2019  
Ending Date of Agreement

Federal Agency Investigations:  
Number: 245C KC 294148

State or Local Organization  
Narcotics Supervisor: Danny R. Cummings, OIC  
Telephone Number: (816) 503-4725  
E-mail Address: dcummings@jcdtf.com

State or Local Organization Name:  
Jackson County Drug Task Force  
Address to receive OCDETF paperwork (no PO Boxes):  
ATTN: Cari Beeman (JCDTF)  
415 E. 12th St  
Kansas City, MO 64106

Sponsoring Federal Agency(ies):  
Federal Bureau of Investigation

Sponsoring Federal Agency  
Group/Squad Supervisor: Alex Menzel, SSA  
Telephone Number: (816) 812-4750  
E-mail Address: mamaezel@fbi.gov

Please provide the name, telephone number, e-mail address, and fax number for the financial staff person at the State or Local Organization, who is directly responsible for the billing on the Reimbursement Request:

Name: Cari Beeman  
Telephone Number: (816) 403-4715  
E-mail Address: cbeeman@jcdtf.com

20. The Debt Collection Improvement Act of 1996 requires that most payments made by the Federal government, including vendor payments, must be made by electronic funds transfer (EFT). In accordance with the act, all OCDETF reimbursement payments will be issued via EFT. All participating State and Local Organizations must complete and submit the attached EFT form. The OCDETF Executive Office must receive one EFT form from each participating organization prior to processing their reimbursement payments. In certain circumstances the OCDETF Executive Office may make exceptions for Organizations that are unable to accept this form of payment, however, such Organizations must include written justification in the addendum of each new Agreement.
21. All changes made to the original Agreement must be approved by the OCDETF Executive Office and initialed by the Executive Assistant/OCDETF Program Specialist of the Regional Coordination Group making the revision. The AUSA Regional OCDETF Director or designee must initial all funding changes.
22. The Regional Coordination Group is responsible for identifying and implementing any additional policy requirements, as needed, for its specific region. Those regional policies will be documented in the Addendum B and attached to the approved Agreement. The Organizations are agreeing to adhere to these additional requirements and must have written approval by the Regional Coordination Group for any exceptions to the regional policies.
23. Restrictions: Fringe benefits (such as retirement, FICA, or other expenses) are NOT to be included in overtime payment. Auxiliary educational benefits are also NOT to be included in overtime payment. Reimbursement of overtime payment is based solely on the authorized overtime rate of each participating officer listed in the Agreement. Under no circumstances may a State or Local agency include any administrative fees for the processing of overtime. Additionally, officers are not eligible for reimbursement of compensation time earned in lieu of overtime payment. OCDETF will only reimburse an actual \$ amount paid to the officer for overtime worked, any additional benefit (including compensation time) will NOT be reimbursed.

This Agreement is not a contract or obligation to commit Federal funds in the maximum amounts projected. Funding allocations for the time period set forth and agreed to herein represent projections only and are based upon consultation between the sponsoring Federal Agency and the State or Local Law Enforcement Organization. They are, therefore, subject to modification by OCDETF based upon the progress and needs of the OCDETF Investigation or Strategic Initiative. Additionally, resources are contingent upon the availability of funds per the approval and signature of the OCDETF Executive Office obligating authority. The OCDETF Executive Office will approve and certify that all the terms and conditions of the Agreement have been met.

Each Agreement must be approved and signed by a State or Local Law Enforcement Organization official who has supervisory authority over, and is authorized to assign, the participating Law Enforcement officers to the OCDETF Investigation or Strategic Initiative.

Approved By: D. Cummings OFFICER IN CHARGE 10/30/18  
Authorized State or Local Official Title Date

Danny Cummings  
Print Name

Approved By: [Signature] 11/08/18  
Sponsoring Federal Agency Special Agent in Charge or Designee Date

Thomas F. Relford  
Print Name

Approved By: W. Lorneau 11/19/18  
Sponsoring Agency Regional OCDETF Coordinator Date

Approved By: Jackie Catron, pro 12-5-18  
Assistant United States Attorney Regional OCDETF Director Date

Funds are encumbered for the State or Local Organization overtime costs and authorized expense/Strategic Initiative Programs specified above. **Subject to availability of funds.**

Funds Certified: \_\_\_\_\_  
OCDETF Executive Office Date

Approving Official: \_\_\_\_\_  
OCDETF Executive Office Date



**ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES**

**STATE OR LOCAL LAW ENFORCEMENT OFFICERS  
ASSIGNED TO PARTICIPATE IN THE STATE AND  
LOCAL OVERTIME AND AUTHORIZED EXPENSE/STRATEGIC  
INITIATIVE PROGRAMS**

State or Local Organization: Jackson County Drug Task Force

OCDETF Investigation / Strategic Initiative Number: WC-KS-214

The Law Enforcement officers listed below will assist with the above identified OCDETF Investigation or Strategic Initiative. Any modification of the list of Law Enforcement officers must be agreed to in writing by all of the parties to this Agreement, made a part of the Agreement, and forwarded to the OCDETF Executive Office.

	<u>NAME</u>	<u>TITLE/RANK</u>	<u>DOB</u>
1.	Justin M Rigot	Detective Sergeant	7/14/76
2.	Christopher D Summers	Detective Sergeant	3/6/72
3.	Alexander L Walker	Detective	9/3/87
4.	Logan D Dye	Detective	10/27/94
5.	Paul A Brooks	Detective	6/5/77
6.	Ryan H Painter	Detective	8/5/82
7.	Benjamin A Steinle	Detective	9/5/83
8.	Michael D Fowler	Detective	5/20/82
9.	Joshua J E Gena	Detective	2/3/90
10.	Logan D Waterworth	Detective	3/15/84

**ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES**

**STATE OR LOCAL LAW ENFORCEMENT OFFICERS  
ASSIGNED TO PARTICIPATE IN THE STATE AND  
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	<u>NAME</u>	<u>TITLE/RANK</u>	<u>DOB</u>
1.	Danny R Cummings	Officer in Charge ( OIC)	8/12/56
2.	Eric W Burchfield	Detective	3/12/73
3.	Matthew Beets	Detective	1/6/78
4.	Daniel M Curby	Detective	9/24/56
5.	Ronnie J Doumitt, Jr	Detective	3/20/76
6.	Michael T Erivn	Detective	11/5/82
7.	Ryan L Yount	Detective	3/15/84
8.	Bryce R Henderson	Detective	6/5/84
9.	Joseph K Herrera	Detective	6/3/55
10.	Darren D Rhoden	Detective	1/14/72

## **Addendum A**

### Definition of "Full-Time Participation" Exemption

The "full-time" rule states:

Officers assigned to an OCDETF investigation are expected to work full-time (e.g. eight hours per day, 40 hours per week) on the single investigation or multiple OCDETF investigations; i.e. the officer/agent is working more than one OCDETF investigation or he/she is assigned to a task force working exclusively OCDETF investigations. The parent State or local agency must pay the base salary of these officers.

However, given the size of narcotics units in most of the departments in this Region and the increasing demands being placed on these units, the West Central Regional Coordination Group has determined that some flexibility in application of the full-time rule is required. To that end the following policy best meets the demand of significant contribution by the State or local agency and the flexibility required to meet all the law enforcement demands:

An agent/officer can work/claim up to a maximum of 16 hours per month of overtime without working any regular hours on an OCDETF investigation.

Additionally, there may be exceptions granted for special circumstances for one-time events such as T-III surveillance, canine searches, aerial surveillance, controlled deliveries, etc. All special circumstances MUST be approved in writing via email by the OCDETF Agency Regional Coordinator prior to use. If special circumstances are NOT approved in advance, the exception will not be granted.

Any Other Exceptions or Justifications