

Request for Legislative Action

Ord. #5526
Sponsor: Theresa Cass Galvin
Date: August 2, 2021

| Completed by County Counselor's Office | | | |
|---|----------------|---------------------------|----------|
| Action Requested: | Ordinance | Res.Ord No.: | 5526 |
| Sponsor(s): | Theresa Galvin | Legislature Meeting Date: | 8/2/2021 |

| Introduction |
|---|
| Action Items: ['Authorize', 'Appropriate'] |
| Project/Title: |
| MOU for Joint Operations expenses |

| Request Summary |
|---|
| <p>The Jackson County Drug Task Force (JCDF) and the Homeland Security Investigations (HSI) are participating in several joint operations involving the distribution of illegal drugs in Jackson County. As a result HSI has agreed to provide reimbursement of certain overtime expenses incurred by the JCDF in providing resources to these joint operations/investigations. HSI has agreed to reimburse up to \$7,500 in overtime costs for the period January 1, 2021 through September 30, 2021 for overtime costs associated with these joint operations/investigations.</p> |

| Contact Information | | | |
|----------------------------|--------------------------------|------------------------|------------------------|
| Department: | Jackson County Drug Task Force | Submitted Date: | 7/16/2021 |
| Name: | Cari Beeman | Email: | cbeeman@jacksongov.org |
| Title: | Operations Administrator | Phone: | 816-503-4713 |

| Budget Information | | | |
|---|------------------------------|------------------------------|---------|
| Amount authorized by this legislation this fiscal year: | | | \$7,500 |
| Amount previously authorized this fiscal year: | | | \$ 0 |
| Total amount authorized after this legislative action: | | | \$7,500 |
| Is it transferring fund? | | | Yes |
| Transferring Fund From: | | | |
| Fund: | Department: | Line Item Account: | Amount: |
| 008 (Anti-Crime Sales Tax Fund) | 4111 (DTF Joint Operations) | 45960 (DTF Joint Operations) | \$7,500 |
| Transferring Fund To: | | | |
| Fund: | Department: | Line Item Account: | Amount: |
| 008 (Anti-Crime Sales Tax Fund) | 4111 (DTF Joint Operations) | 55030 (Overtime Salaries) | \$7,500 |

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| | |
|--------------------------|------------------|
| Prior Legislation | |
| Prior Ordinances | |
| Ordinance: | Ordinance date: |
| | |
| Prior Resolution | |
| Resolution: | Resolution date: |
| | |

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|--|----|
| Purchasing | |
| Does this RLA include the purchase or lease of supplies, materials, equipment or services? | No |
| Chapter 10 Justification: | |
| Core 4 Tax Clearance Completed: | |
| Certificate of Foreign Corporation Received: | |
| Have all required attachments been included in this RLA? | |

| | |
|---|------|
| Compliance | |
| Certificate of Compliance | |
| Not Applicable | |
| Minority, Women and Veteran Owned Business Program | |
| Goals Not Applicable for following reason: Not spending money | |
| MBE: | .00% |
| WBE: | .00% |
| VBE: | .00% |
| Prevailing Wage | |
| Not Applicable | |

| | |
|--|--|
| Fiscal Information | |
| <ul style="list-style-type: none"> Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab. | |

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History

Cari Beeman at 7/16/2021 9:37:54 AM - [Submitted |]
Department Director: Dan Cummings at 7/16/2021 1:07:57 PM - [Approved |]
Finance (Purchasing): Barbara J. Casamento at 7/19/2021 9:14:46 AM - [Not applicable |]
Compliance: Katie M. Bartle at 7/19/2021 3:22:48 PM - [Approved | eRLA 168]
Finance (Budget): Sarah L. Matthes at 7/20/2021 8:38:26 AM - [Approved |]
Executive: Sylvya Stevenson at 7/20/2021 12:21:11 PM - [Approved |]
Legal: Elizabeth Freeland at 7/29/2021 9:41:52 AM - [Approved |]

**MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN
IMMIGRATION AND CUSTOMS ENFORCEMENT AND LOCAL,
COUNTY, OR STATE LAW ENFORCEMENT AGENCY FOR THE
REIMBURSEMENT OF JOINT OPERATIONS EXPENSES FROM
THE TREASURY FORFEITURE FUND**

This Agreement is entered into by the Jackson County Drug Task Force (NCIC CODE *MO #0480010*) and Immigration and Customs Enforcement (ICE), Homeland Security Investigations (HSI) Special Agent in Charge (SAC) Kansas City for the purpose of the reimbursement of costs incurred by the Jackson County Drug Task Force in providing resources to joint operations/task forces.

Payments may be made to the extent they are included in the ICE Fiscal Year Plan, and the money is available within the Treasury Forfeiture Fund to satisfy the request(s) for the reimbursement of overtime expenses and other law enforcement expenses related to joint operations.

I. LIFE OF THIS AGREEMENT

This Agreement becomes effective on the date it is signed by both parties. It remains in force unless explicitly terminated, in writing, by either party.

II. AUTHORITY

This Agreement is established pursuant to the provisions of 31 USC 9703, the Treasury Forfeiture Fund Act of 1992, which provides for the reimbursement of certain expenses incurred by local, county, and state law enforcement agencies as participants of joint operations/task forces with a federal agency participating in the Treasury Forfeiture Fund.

III. PURPOSE OF THIS AGREEMENT

This Agreement establishes the responsibilities of both parties and the procedures for the reimbursement of certain overtime expenses and other law enforcement expenses pursuant to 31 USC 9703.

IV. APPLICABILITY OF THIS AGREEMENT

This agreement is valid for all joint investigations led by ICE SAC Kansas City, with the participation of the Jackson County Drug Task Force, and until terminated, in writing, by either party.

V. TERMS, CONDITIONS, AND PROCEDURES

A. Assignment of Officer(s)

To the maximum extent possible, the Jackson County Drug Task Force shall assign dedicated officers to any investigation or joint operation. Included as part of this Agreement, the Jackson County Drug Task Force shall provide the ICE SAC Kansas City with the names, titles, four last digits of SSNs, badge or ID numbers, and hourly overtime wages of the officer(s) assigned to the joint operation. This information must be updated as necessary.

B. Submission of Requests for Reimbursement (Invoices) and Supporting Documentation

1. The Jackson County Drug Task Force may request the reimbursement of overtime salary expenses directly related to work on a joint operation with ICE SAC Kansas City, performed by its officer(s) assigned to this joint operation. In addition, the Jackson County Drug Task Force may request reimbursement of other investigative expenses, such as travel, fuel, training, equipment and other similar costs, incurred by officer(s) assigned as members of the designated joint operations with the ICE SAC Kansas City.

The Jackson County Drug Task Force **may not** request the reimbursement of the same expenses from any other Federal law enforcement agencies that may also be participating in the investigation.

2. **Reimbursement payments will not be made by check.** To receive reimbursement payments, the Jackson County Drug Task Force must ensure that Customs and Border Protection, National Finance Center (CBP/NFC) has a current ACH Form on file with the agency's bank account information, for the purposes of Electronic Funds Transfer. The ACH Form must be sent to the following address:

CBP National Finance Center
Attn: Forfeiture Fund
6026 LAKESIDE BLVD.
INDIANAPOLIS, IN 46278

If any changes occur in the law enforcement agency's bank account information, a new ACH Form must be filled out and sent to the CBP/NFC as soon as possible.

3. In order to receive the reimbursement of officers' overtime and other expenses related to joint operations, the Jackson County Drug Task Force must submit to ICE SAC Kansas City the TEOAF Form "Local, County, and State Law Enforcement Agency Request for Reimbursement of Joint Operations Expenses (Invoice)", signed by an authorized representative of that agency and accompanied by supporting documents such as copies of time sheets and receipts.
4. The Jackson County Drug Task Force remains fully responsible, as the employer of the officer(s) assigned to the investigation, for the payment of overtime salaries and related benefits such as tax withholdings, insurance coverage, and all other requirements under the law, regulation, ordinance, or contract, regardless of the reimbursable overtime charges incurred. Treasury Forfeiture Fund reimburses overtime salaries. Benefits are not reimbursable.
5. The maximum reimbursement entitlement for overtime worked on behalf of the joint investigation is set at \$15,000 per officer per year.
6. The Jackson County Drug Task Force will submit all requests for the reimbursement of joint operations' expenses to ICE SAC Kansas City at the following physical address or your local HSI point of contact:

Attn: SLOT Coordinator
Homeland Security Investigations
4100 N Mulberry Suite 225
Kansas City, Missouri 64116
816-854-1054

VI. PROGRAM AUDIT

This Agreement and its provisions are subject to audit by ICE, the Department of the Treasury Office of Inspector General, the General Accounting Office, and other government designated auditors. The Jackson County Drug Task Force agrees to permit such audits and agrees to maintain all records relating to these transactions for a period not less than three years; and in the event of an on-going audit, until the audit is completed.

These audits may include reviews of any and all records, documents, reports, accounts, invoices, receipts of expenditures related to this agreement, as well as interviews of any and all personnel involved in these transactions.

VII. REVISIONS

The terms of this Agreement may be amended upon the written approval by both parties. The revision becomes effective on the date of approval.

VIII. NO PRIVATE RIGHT CREATED

This is an internal government agreement between the ICE SAC Kansas City and the Jackson County Drug Task Force and is not intended to confer any right or benefit to any private person or party.

Signatures:

KATHERINE J GREER
Digitally signed by
KATHERINE J GREER
Date: 2021.07.13 08:41:58
-0500

Katherine Greer
Special Agent in Charge
Homeland Security Investigations
SAC Kansas City

Date: 7/13/21



Dan Cummings
Officer in Charge
Jackson County Drug Task Force

Date: 7/8/21