

SANTA FE COUNTY

RESOLUTION 2016- 131

A RESOLUTION REQUESTING AUTHORIZATION TO MAKE THE BUDGET ADJUSTMENT DETAILED ON THIS FORM

Whereas, the Board of County Commissioners meeting in regular session on Dec. 13, 2016, did request the following budget adjustment

Department / Division: Sheriff's Office / DWI Seizure Program

Fund Name: Law Enforcement Operations Fund (LEOF): 246

Budget Adjustment Type: Increase Fiscal Year 2017 (July 1, 2016 - June 30, 2017)

BUDGETED REVENUE: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	REVENUE NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1232	381	0300	SWIFT FUGITIVE TASK FORCE	\$ 5,000	
TOTAL (IF SUBTOTAL, check here) →					\$ 5,000	\$ -

BUDGETED EXPENDITURES: (use continuation sheet, if necessary)

FUND CODE XXX	DEPARTMENT/DIVISION XXXX	ACTIVITY BASIC/SUB XXX	ELEMENT/OBJECT XXXX	CATEGORY/LINE ITEM NAME	INCREASE AMOUNT	DECREASE AMOUNT
246	1232	424	1025	OVERTIME	\$ 5,000	
TOTAL (IF SUBTOTAL, check here) →					\$ 5,000	\$ -

Requested by: [Signature]

Date: 11-30-16

Title: Indecent

Finance Department Approval: [Signature]

Date: 12-1-16

Entered by: _____ Date: _____

County Manager Approval: [Signature]

Date: 12-13-16

Updated by: _____ Date: _____

SANTA FE COUNTY

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ATTACH ADDITIONAL SHEETS IF NECESSARY

DEPARTMENT CONTACT:

Name: Undersheriff Ron Madrid Dept/Div: Sheriff's Office / DWI Phone No: 505-986-2457

DETAILED JUSTIFICATION FOR REQUESTING BUDGET ADJUSTMENT (If applicable, cite the following authority: State Statute, grant name and award date, other laws, regulations, etc.):

1) Please Summarize the Request and its purpose

The Sheriff's Office has been awarded \$5,000 for overtime reimbursement in support of the 2016 SWIFT Fugitive Task Force. The primary mission of the task force is to investigate and arrest, as part of JLEO, persons who have active state and federal warrants for their arrest. The intent of the joint effort is to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crimes.

a) Employee Actions

Line Item	Action (Add/Delete Position, Reclass Overtime)	Position Type (permanent, term)	Position Title
1025	Overtime	Permanenet, Sworn Staff	Deputy / Patrol

b) Professional Services (50-xx) and Capital Category (80-xx) detail:

Line Item	Detail (what specific things, contracts, or services are being added or deleted)	Amount

2) Is the budget action for RECURRING expense X or for NON-RECURRING (one-time only) expense

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ATTACH ADDITIONAL SHEETS IF NECESSARY

DEPARTMENT CONTACT:

Name: Undersheriff Ron Madrid Dept/Div: Sheriff's Office / DWI Phone No: 505-986-2457

3) Does this request impact a revenue source? If YES, please identify (i.e. General Fund, state funds, federal funds, etc.), and address the following

a. If this is a state special appropriation, Yes No X

b. Does this include state or federal funds? Yes X No

If YES, please cite and attach a copy of statute, if a special appropriation, or include grant name, number, award date and amount, and attach a copy of an award letter and proposed budget.

Name: US Marshals, SWIFT Fugitive Task Force

Grant Number: 16-JAG-SWIFT-SFY17

Award Date: 10/1/16 - 9/30/17

Amount: \$5,000

c. Is this request a result of Commission action? Yes No X

If YES, please cite and attach a copy of supporting documentation (i.e. Minutes, Resolution, Ordinance, etc.).

d. Please identify other funding sources used to match this request.

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NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Santa Fe County that the Local Government Division of the Department of Finance and Administration is hereby requested to grant authority to adjust budgets as detailed above.

Approved, Adopted, and Passed This 13th Day of December, 2016.

Santa Fe Board of County Commissioners

Miguel M. Chavez
Miguel M. Chavez, Chairperson

ATTEST: Geraldine Salazar
Geraldine Salazar, County Clerk



COUNTY OF SANTA FE
STATE OF NEW MEXICO
() ss
BCC RESOLUTIONS
PAGES: 11

I Hereby Certify That This Instrument Was Filed for
Record On The 14TH Day Of December, 2016 at 01:21:18 PM
and Was Duly Recorded as Instrument # 1812096
of The Records Of Santa Fe County



Witness My Hand And Seal Of Office
Geraldine Salazar
Deputy Geraldine Salazar County Clerk, Santa Fe, NM

SFC CLERK RECORDED 12/14/2016



Bernalillo County Sheriff's Department

Manuel Gonzales III
Sheriff

Rudy Mora
Undersheriff

Greg Rees
Undersheriff

November 18, 2016

Sheriff Robert A. Garcia
Santa Fe County Sheriff's Office
35 Camino Justicia
Santa Fe, New Mexico 87508

Attention Diego Lucero:

Below is the breakdown of funds in which the Santa Fe County Sheriff's Office will be able to use for overtime reimbursement in support of the 2016 SWIFT Fugitive Task Force. This document will serve as your official notification and award letter. The Edward Byrne Memorial Justice Assistance Grant (JAG) is effective October 1, 2016 until September 30, 2017. All funds are currently available, which means you may begin to spend your allocated amount.

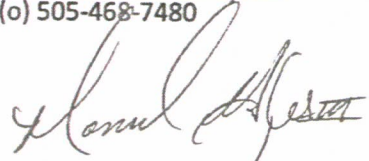
The grant reference number is 16-JAG-SWIFT-SFY17. Please list reference number on all supporting documents. There have been some changes to the grant reimbursement requirements. Please review the attached memorandum regarding reimbursement requirements so that you are familiar with what is required for reimbursement.

Santa Fe County Sheriff's Office has been awarded **\$ 5,000,000** in overtime reimbursement for Detectives/Officers in support of the 2016 SWIFT Fugitive Task Force. Santa Fe County Sheriff's Office was funded this amount because they are very active on the task force.

Thank you and we look forward to working with you this year.
If you have any questions please contact:

Rita Erickson
BCSO
rerickson@bernco.gov
(o) 505-468-7480

Sergio Hermosillo
Deputy U.S. Marshal
Sergio.hermosillo-murillo@usdoj.gov
(C) 505-228-7140



Manuel Gonzales III, Sheriff



Bernalillo County Sheriff's Department

Manuel Gonzales III
Sheriff

Rudy Mora
Undersheriff

Greg Rees
Undersheriff

November 18, 2016

MEMO: Reimbursement requirements.

- Address Letter or Invoice to Bernalillo County Sheriff's Office (BCSO) since payment comes from this entity. BCSO, P.O. Box 25927, ABQ, NM 87125-5927
- When emailing invoice to Rita Erickson, always CC: Sergio Hermosillo
- Any invoice submitted after the 10th of the month will be submitted in the following month for payment. **Submit invoice by the 5th of the month, if possible.**
- The final invoice should be submitted **no later than October 15. Contact me if this is not possible.**

When submitting a reimbursement request, please include the following documents:

- Request for Reimbursement Form (RFR) *See attached
- Agency Letter on Letter Head with the following information:
 - Periods you are requesting reimbursement
 - Total amount being requested
 - Overtime Hours spent on operations
- Personal Activity Report (PAR) Form *See attached
 - One for each agent or officer
 - One PAR per pay period
 - Original wet signature from both employee and supervisor (electronic signatures will not be accepted)
- Time sheet
- Overtime authorization signed by employee and supervisor
- Copy of paycheck stub verifying the overtime was paid to the Employee
- All documents must be turned in to USMS by the 5th of every month.
 - From USMS to BCSO within 5 business days.
 - From BCSO to DPS by the 15 of every month.
- All agencies shall be required to expend at least thirty-five percent (35%) of their award by the end of the second quarter and at least seventy percent (75%) of their award by the end of the third quarter, of any award period.

Rita Erickson
Bernalillo County Sheriff's Office
rerickson@bernco.gov
(o) 505-468-7480

Sergio Hermosillo
Deputy U.S. Marshal
Sergio.hermosillo-murillo@usdoj.gov
(C) 505-228-7140

Manuel Gonzales III, Sheriff

Bernalillo County Sheriff's Office
on behalf of the
NM Dept. of Public Safety &
United States Marshals Service
South West Fugitive Team (SWIFT)

Santa Fe County Sheriff's Department

16-JAG-SWIFT-SFY17

DFDA number: 16.738

Amount - \$5,000.00

Period of Performance – October 1, 2016 – September 30, 2017

Programatic Contact:

Sergio Hermosillo, Sergio.hermosillo-murillo@usdoj.gov 505/681-7965

Fiscal Agency Contact:

Rita Erickson, rerickson@bernco.gov 505/468-7480

Grants Management Bureau Contact:

Sheila McDonald, Sheila.McDonald@state.nm.us 505/827-9115

United States Marshals Service Violent Offender Task Force – Memorandum of Understanding

PARTIES AND AUTHORITY:

This Memorandum of Understanding (MOU) is entered into by the
Santa Fe County Sheriff's Office

and the United States Marshals Service (USMS) pursuant to 28 U.S.C. § 566(e)(1)(B). As set forth in the Presidential Threat Protection Act of 2000 and directed by the Attorney General, the USMS has been granted authority to direct and coordinate permanent USMS Violent Offender Task Forces consisting of Federal, state, and local law enforcement authorities for the purpose of locating and apprehending fugitives. The authority of the USMS to investigate fugitive matters as directed by the Attorney General is set forth in 28 USC § 566. The Director's authority to direct and supervise all activities of the USMS is set forth in 28 USC § 561(g) and 28 CFR 0.111. The authority of United States Marshals and Deputy U.S. Marshals, "in executing the laws of the United States within a State . . . [to] exercise the same powers which a sheriff of the State may exercise in executing the laws thereof" is set forth in 28 USC § 564. Additional authority is derived from 18 USC § 3053 and Office of Investigative Agency Policies Resolutions 2 & 15. (See also) "Memorandum for Howard M. Shapiro, General Counsel, Federal Bureau of Investigation" concerning the "Authority to Pursue Non-Federal Fugitives", issued by the U.S. Department of Justice, Office of Legal Counsel, dated February 21, 1995. (See also) Memorandum concerning the Authority to Pursue Non-Federal Fugitives, issued by the USMS Office of General Counsel, dated May, 1, 1995. (See also) 42 U.S.C. § 16941(a) (the Attorney General shall use the resources of federal law enforcement, including the United States Marshals Service, to assist jurisdictions in locating and apprehending sex offenders who violate sex offender registration requirements).

MISSION:

The primary mission of the task force is to investigate and arrest, as part of joint law enforcement operations, persons who have active state and federal warrants for their arrest. The intent of the joint effort is to investigate and apprehend local, state and federal fugitives, thereby improving public safety and reducing violent crime.

Each participating agency agrees to refer cases for investigation by the VOTF (Violent Offender Task Force). Cases will be adopted by the VOTF at the discretion of the District Chief Deputy. Targeted crimes will primarily include violent crimes against persons, weapons offenses, felony drug offenses, failure to register as a sex offender, and crimes committed by subjects who have a criminal history involving violent crimes, felony drug offenses, and/or weapons offenses. Upon receipt of a written request, the VOTF may also assist non-participating law enforcement agencies in investigating, locating and arresting their fugitives. Task force personnel will be assigned federal, state, and local fugitive cases for investigation. Investigative teams will consist of personnel from different agencies whenever possible. Participating agencies retain responsibility for the cases they refer to the VOTF.

Federal fugitive cases referred to the task force for investigation by any participating agency will be entered into the National Crime Information Center (NCIC) by the USMS or originating agency, as appropriate. State or local fugitive cases will be entered into NCIC (and other applicable state or local lookout systems) as appropriate by the concerned state or local agency.

SUPERVISION:

The VOTF will consist of law enforcement and administrative personnel from federal, state, and local law enforcement agencies. Agency personnel must be approved by the District Chief Deputy prior to assignment to the VOTF. Agency personnel may be removed at any time at the discretion of the District Chief Deputy.

Direction and coordination of the VOTF shall be the responsibility of the USMS District Chief Deputy. Administrative matters which are internal to the participating agencies remain the responsibility of the respective agencies. Furthermore, each agency retains responsibility for the conduct of its personnel.

A Task Force Advisory Committee, consisting of representatives of participating agencies and USMS district personnel, may be established at the discretion of the District Chief Deputy and will meet and confer as necessary to review and address issues concerning operational matters within the VOTF.

PERSONNEL:

In accordance with Homeland Security Presidential Directive 12, personnel assigned to the task force are required to undergo background investigations in order to be provided unescorted access to USMS offices, records, and computer systems. The USMS shall bear the costs associated with those investigations. Non-USMS law enforcement officers assigned to the task force will be deputized as Special Deputy U.S. Marshals.

Task force personnel may be required to travel outside of the jurisdiction to which they are normally assigned in furtherance of task force operations. State or local task force officers traveling on official business at the direction of the USMS shall be reimbursed directly by the USMS for their travel expenses in accordance with applicable federal laws, rules, and regulations.

REIMBURSEMENT:

If the Marshals Service receives Asset Forfeiture funding for either 1) overtime incurred by state and local investigators who provide full time support to USMS VOTF joint law enforcement task forces; or 2) travel, training, purchase or lease of police vehicles, fuel, supplies or equipment for state and local investigators in direct support of state and local investigators, the USMS shall, pending availability of funds, reimburse your organization for expenses incurred, depending on which category of funding is provided.

Reimbursement of overtime work shall be consistent with the Fair Labor Standards Act. Annual overtime for each state or local law enforcement officer is capped at the equivalent of 25% of a GS-1811-12, Step 1, of the general pay scale for the RUS. Reimbursement for all types of qualified expenses shall be contingent upon availability of funds and the submission of a proper request for reimbursement which shall be submitted quarterly on a fiscal year basis, and which provides the names of the investigators who incurred overtime for the VOTF during the quarter; the number of overtime hours incurred, the hourly regular and overtime rates in effect for each investigator, and the total quarterly cost.

The request for reimbursement must be submitted to the District Chief Deputy, who will review the request for reimbursement, stamp and sign indicating that services were received and that the request for reimbursement is approved for payment. Supporting documentation must accompany requests for reimbursement for equipment, supplies, training, fuel, and vehicle leases.

VEHICLES AND EQUIPMENT:

Notwithstanding the above, pending the availability of asset forfeiture funding and approval by the USMS in advance of any purchase, the USMS may reimburse the undersigned state or local agency for vehicles and equipment purchased in support of full time state and local investigators assigned to the VOTF involved in joint law enforcement operations. Such vehicle and equipment purchases are to be contracted for and titled in the name of the state or local law enforcement agency and must comply with requirements prescribed by the USMS pursuant to this MOU and applicable policies of the United States Department of Justice. Vehicles and equipment purchased by state and local law enforcement agencies with asset forfeiture monies provided by the USMS must remain available for exclusive use of the task force officers assigned to the VOTF by the undersigned participant agency for the duration of the task force. Upon termination of the agreement, usage and disposition of such vehicles are at the discretion of the undersigned state or local law enforcement agency.

Pending the availability of funds and equipment, the USMS will issue USMS radios, telephones, and other communication devices to each task force officer to be used for official VOTF business. All equipment used by or assigned to task force officers by the USMS or an agency will remain the property of the agency issuing the equipment and will be returned to that agency upon termination of the task force, or upon agency request.

RECORDS AND REPORTS:

Original reports of investigation, evidence, and other investigative materials generated, seized, or collected by the VOTF shall be retained by the agency in the VOTF responsible for the case. However, evidence may be turned over to other law enforcement agencies as appropriate. Copies of investigative reports and other materials may be provided to other agencies in accordance with applicable laws, rules, and regulations. Task force statistics will be maintained in the USMS Justice Detainee Information System (JDIS) - Warrant Information Network (WIN). Statistics will be made available to any participating agency upon request.

INFORMANTS:

Pending the availability of funds, the USMS may provide funding for the payment of informants. However, all payments of informants utilizing USMS funding shall comply with USMS policy.

USE OF FORCE:

All members of the VOTF shall comply with their agencies' guidelines concerning the use of firearms, deadly force, and less-lethal devices. Copies of all applicable firearms, deadly force, and less-lethal policies shall be provided to the District Chief Deputy and each concerned task force officer. In the event of a shooting involving task force personnel, the incident will be investigated by the appropriate agency(s).

Approved as to form
by the County Attorney
Date: _____

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NEWS MEDIA

Media inquiries will be referred to the District Chief Deputy. A press release may be issued and press conference held, upon agreement and through coordination with participant agencies' representatives. All press releases will exclusively make reference to the task force.

RELEASE OF LIABILITY:

Each agency shall be responsible for the acts or omissions of its employees. Participating agencies or their employees shall not be considered as the agents of any other participating agency. Nothing herein waives or limits sovereign immunity under federal or state statutory or constitutional law.

EFFECTIVE DATE AND TERMINATION:

This MOU is in effect once signed by a law enforcement participant agency. Participating agencies may withdraw their participation after providing 30 days advanced written notice to the District Chief Deputy U.S. Marshal.

District: New Mexico

United States Marshal:

Conrad E. Camarero [Signature] 3-1-12
Print Name Signature Date

Participant Agency:

Name: Santa Fe County Sheriff's Office

Location (City & State): Santa Fe, NM

Phone: 505-986-2455

Participant Agency Representative:

Katherine Miller
KATHERINE MILLER, Santa Fe County Manager
Robert A. Garcia Sheriff [Signature] 2-14-12
Print Name & Title Signature Date

Assistant Director, Investigative Operations Division:

David L. Hagan [Signature] 1/9/12
Geoffrey S. Shank
Print Name Signature Date

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Approved as to form
Santa Fe County Attorney
By: [Signature]
Date: 1/24/2013
Amby 4/29/13