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CITY OF SACRAMENTO

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March 25, 1985

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DEPARTMENT OF POLICE  
HALL OF JUSTICE  
813 - 8TH STREET

SACRAMENTO, CALIFORNIA 95814  
TELEPHONE (916) 449-5121

CITY MANAGER'S OFFICE  
**RECEIVED**  
APR 9 1985

JOHN P. KEARNS  
CHIEF OF POLICE

City Council  
Sacramento, California

Ref: 4-34

Honorable Members in Session:

SUBJECT: Assignment of \$100,000 in funds via the Federal Court System to the Sacramento City/County Narcotic Task Force for the purposes of Narcotic Investigation and Narcotic Enforcement

**APPROVED**  
BY THE CITY COUNCIL

APR 25 1985

OFFICE OF THE  
CITY CLERK

SUMMARY

This report concerns:

1. The assignment of \$100,000 to the Sacramento City/County Narcotic Task Force to be used exclusively for narcotics investigation and enforcement.
2. The authorization for the City to accept said funds on behalf of the City/County Narcotic Task Force and administer them under the City Director of Finance.
3. The authorization allowing the expenditure of the assigned funds to be subject to the joint approval of the Chief of Police of the City of Sacramento, and the Sheriff of the County of Sacramento.

BACKGROUND

The Sacramento City/County Narcotic Task Force came into existence in December, 1976. It was formed by the mutual agreement of the Director of Law Enforcement, California Department of Justice, the Chief of Police of Sacramento, and the Sacramento County Sheriff. The Task Force is staffed by fourteen City Police personnel, eight Sheriff's deputies, one State Bureau of Narcotic Enforcement agent, and two clerical persons (one City, one County).

The Narcotic Task Force is housed at the Police Department. It was designed as a manpower and equipment pool, to work the entire county as a homogenous unit. Since its inception, the unit has compiled an enviable arrest and conviction rate on literally hundreds of major narcotic and drug violators.

A long term, major narcotic investigation worked by the Task Force, along with federal authorities, was recently culminated with the convictions of several conspirators in Federal Court. During this investigation, considerable cash assets, subject to federal forfeiture, were seized from one of the main suspects. This individual has pled guilty, and as a result of his pre-sentence bargain, has agreed to assign \$100,000 of his seized assets to the Narcotic Task Force. It should be noted that this assignment of funds is not precedent setting in California. In 1984, the El Dorado Sheriff's Department and the South Lake Tahoe Police received similar funds as the result of asset seizures made on a case they worked jointly with federal authorities.

Per the attached Federal Court Order signed by Judge Milton Schwartz, the only stipulation placed on the funds is that they be used exclusively for narcotic law enforcement by the Task Force. An accompanying letter (also attached) from U. S. Attorney Tom Couris provides more precise detail on the interpretation of this stipulation. The main points of this letter are summarized as follows:

- 1. Release of said funds to the Sacramento City/County Narcotic Task Force is contingent upon the agreement of the accepting parties that they be used exclusively for narcotic enforcement.
- 2. Said funds may be kept in a separate interest bearing account and utilized on a need basis for the following contingencies:
  - (A) Purchase of equipment including but not limited to the following:
    - (a) Surveillance equipment such as cameras, video equipment, night and day viewing devices, etc.
    - (b) Surveillance vehicles.
    - (c) Office equipment such as mini computer, typewriters, etc.
    - (d) Drug education and prevention books, pamphlets, films and slides, etc.
- 3. The funds may be held in abeyance for use as "buy" money or "flash" money.
- 4. The funds are to be utilized in addition to the Task Force's current City and County operating budget.

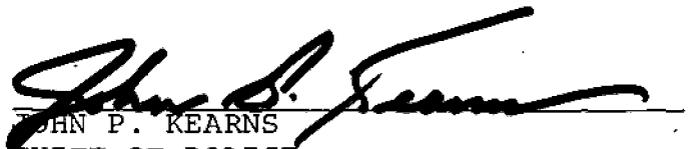
FINANCIAL DATA

The \$100,000 will be kept in an interest bearing account, which will be overseen by the City Director of Finance. Expenditure of any portion of the funds will require the joint authorization of the Sacramento County Sheriff and the Sacramento City Chief of Police. Although the funds are clearly not intended to replace any currently ongoing budgeted aspects of the Task Force, it is contemplated they will have a positive savings effect to both the City and County; i.e. needed equipment, purchased with the assigned funds, while they remain available, will not have to be requested in the normal budget process by either of the concerned agencies.

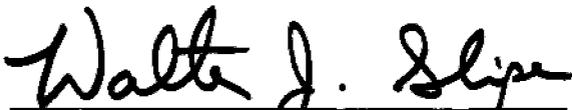
RECOMMENDATION

This item has been reviewed by the City Attorney, and the City Director of Finance, as well as the Sheriff of Sacramento County. All are in agreement that the City Council should accept the funds on behalf of the Narcotic Task Force by adopting the attached resolution.

Respectfully submitted,

  
JOHN P. KEARNS  
CHIEF OF POLICE

Recommendation Approved:

  
WALTER J. SLIPE, CITY MANAGER

Attachments

April 23, 1985  
All Districts

# RESOLUTION NO. 85-310

ADOPTED BY THE SACRAMENTO CITY COUNCIL ON DATE OF

RESOLUTION AUTHORIZING THE CITY  
MANAGER TO DIRECT THE CITY DIRECTOR  
OF FINANCE TO OPEN AND OVERSEE A  
SPECIAL ACCOUNT FOR THE MAINTENANCE  
OF FUNDS ASSIGNED TO THE SACRAMENTO  
CITY/COUNTY NARCOTIC TASK FORCE

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

That the City Manager is hereby authorized to direct the City Director of Finance to open and oversee a special account for the maintenance of funds assigned to the Sacramento City/County Narcotic Task Force as directed by Federal Court Order. Be it further resolved that expenditures from said account are to be made only with the joint approval of the Chief of Police of the City of Sacramento, and the Sheriff of Sacramento County or their designees having written authorization.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED  
BY THE CITY COUNCIL

APR 25 1985

OFFICE OF THE  
CITY CLERK



U.S. Department of Justice

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United States Attorney  
Eastern District of California

April 5, 1985

Room 3305 Federal Building

916/440-2331

United States Courthouse

650 Capitol Mall

Sacramento, California 95814

Lt. Hal O'Kane  
Heroin Impact Program  
813 6th Street  
Sacramento, California 95814

Dear Lt. O'Kane:

Enclosed please find a certified copy of the Voluntary Surrender and Assignment of Interest that pertains to the voluntary assignment of \$100,000 in cash to the HIP Squad to be used exclusively for the purpose of narcotics investigation and enforcement by that agency (paragraph 5). Also attached is an order signed by the U.S. District Court Judge that is self-explanatory.

As you are aware, under the new provisions of the Crime Control Act of 1984, there is a provision for the Federal Government through the Department of Justice wherein monies can be released that have been seized to local agencies for their use based upon their cooperation in a joint investigation.

This assignment, however, does not fall within that area of the new law. Because it is a direct assignment from the defendant, the Department of Justice has no control over what your agency does with the money. However, strictly as a suggestion on my part, the monies should be used exclusively for narcotics enforcement which would include the purchase of necessary equipment and/or used as "buy money" in narcotics operations. Obviously, these are only suggestions. However, I point these out only from the standpoint that if the monies are not used exclusively for narcotics purposes that could have some effect in the future on other monies distributed through the Department of Justice to your agency.

If you have any question regarding the above, please do not hesitate to contact me.

Very truly yours,

DONALD B. AYER  
United States Attorney

By

THOMAS T. COURIS  
Assistant U.S. Attorney  
Chief, Criminal Division

I hereby certify that the annexed instrument is a true and correct copy of the original on file in my office.  
ATTEST:

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**FILED**

APR 03 1985

1 DONALD B. AYER  
United States Attorney  
2 THOMAS T. COURIS  
Assistant U.S. Attorney  
3 Chief, Criminal Division  
3305 Federal Building  
4 650 Capitol Mall  
Sacramento, California 95814  
5 Telephone: (916)440-2331

**J. R. GRINDSTAFF**  
Clerk, U. S. District Court  
Eastern District of California

By Reynolds  
Deputy Clerk

APR 03 1985

Dated \_\_\_\_\_

CLERK, U. S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY [Signature]  
DEPUTY CLERK

8 IN THE UNITED STATES DISTRICT COURT FOR THE  
9 EASTERN DISTRICT OF CALIFORNIA

|                              |   |                         |
|------------------------------|---|-------------------------|
| 10 UNITED STATES OF AMERICA, | ) |                         |
| 11                           | ) |                         |
| 12 Plaintiff,                | ) | CR. No. S-84-116-MLS    |
| 13                           | ) | CR. No. S-84-118-MLS    |
| 14 v.                        | ) |                         |
| 15                           | ) |                         |
| 16 GAZY CHRISTOPHER JALILIE, | ) | VOLUNTARY SURRENDER AND |
| 17                           | ) | ASSIGNMENT OF INTEREST  |
| 18 Defendant.                | ) |                         |

16 The undersigned, Gazy Christopher Jalilie, states that he  
17 is the sole owner of the properties described herein.

18 Furthermore, Gazy Christopher Jalilie, in lieu of the  
19 United States of America proceeding with civil forfeiture actions  
20 against said properties, and as part of the plea bargain in Criminal  
21 Case No. CR-S-84-116-MLS, does hereby freely and voluntarily sur-  
22 render and assign any and all right, title, interest and claim of  
23 any kind he now has or may have had in the below described property  
24 as follows:

- 25 1. All equity interest in the property known as  
26 3035 Bettina Way, Sacramento, California, to  
the Internal Revenue Service.

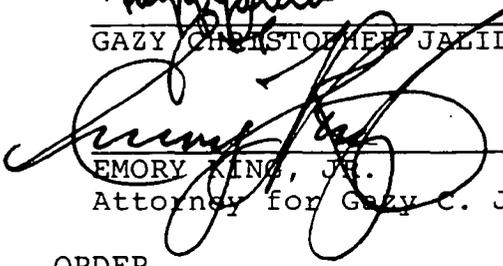
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- 2. All equity interest in the property known as 1925/1927 Del Paso Blvd., Sacramento, California to the Internal Revenue Service;
- 3. \$140,652 in cash to the California State Franchise Tax Board;
- 4. \$139,500 in cash to the Internal Revenue Service, Department of Treasury;
- 5. \$100,000 in cash to the Sacramento City/County Narcotic Task Force C/O John P. Kearns, Chief of Police/Robbie Waters, Sheriff, 813 6th Street, Sacramento, California 95814, to be used exclusively for the public purpose of narcotics investigation and enforcement by said agency;
- 6. \$9,000 in cash to the District Director of Customs;
- 7. \$61,170 in cash to the Department of Treasury, United States of America.

DATED: 4-1-95

  
 \_\_\_\_\_  
 GAZY CHRISTOPHER JALILIE

DATED: 4/1/85

  
 \_\_\_\_\_  
 EMORY KING, JR.  
 Attorney for Gazy C. Jalilie

ORDER

IT IS HEREBY ORDERED that the above-described monies and properties be dispursed to the designated agencies in the Voluntary Surrender and Assignment of Interest.

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IT IS FURTHER ORDERED that said agencies use the monies for the purposes designated in the Voluntary Surrender and Assignment of Interest and dispurse said funds in accordance with the laws and regulations pertaining to said agency.

DATED: April 2, 1985

Frederic L. McQuinn  
United States District Judge