



COMMISSIONERS COURT  
COMMUNICATION

REFERENCE NUMBER CO#131852

PAGE 1 OF 39

DATE: 01/07/2020

SUBJECT: **RECEIVE AND FILE THE AUDITOR'S REPORT OF THE FISCAL YEAR 2019  
CHAPTER 59 ASSET FORFEITURE REPORTS PREPARED BY THE  
CRIMINAL DISTRICT ATTORNEY'S OFFICE**

**COMMISSIONERS COURT ACTION REQUESTED:**

It is requested that the Commissioners Court receive and file the Auditor's Report of the FY 2019 Chapter 59 Asset Forfeiture Reports prepared by the Criminal District Attorney's Office.

**BACKGROUND:**

As required by Chapter 59 of the Code of Criminal Procedure, the Auditor's Office reviewed the FY 2019 Chapter 59 Asset Forfeiture Report by Attorney Representing the State and the Chapter 59 Asset Forfeiture Report by Law Enforcement Agency prepared by the Criminal District Attorney's Office. The County Auditor signed the reports and both reports were remitted to the OAG by the statutory deadlines.

**FISCAL IMPACT:**

There is no direct fiscal impact associated with this item.

SUBMITTED BY: Auditor's Office

PREPARED BY: S. Renee Tidwell  
APPROVED BY:



## TARRANT COUNTY

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December 10, 2019

The Honorable Sharen Wilson, Criminal District Attorney  
The Honorable District Judges of Tarrant County  
The Honorable Tarrant County Commissioners Court

Re: Auditor's Report - FY2019 Chapter 59 Asset Forfeiture Report by Attorney Representing the State  
FY2019 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency

### SUMMARY

As required by Chapter 59 of the Code of Criminal Procedure, the Auditor's Office reviewed the FY2019 *Chapter 59 Asset Forfeiture Report by Attorney Representing the State* and the *Chapter 59 Asset Forfeiture Report by Law Enforcement Agency* prepared by the Criminal District Attorney's (CDA) Office. During FY2019, the revenues from forfeiture awards, auction proceeds, and interest totaled \$579,927. Expenditures using state forfeiture funds totaled \$201,375. Attachment A lists the type and purpose of these expenditures.

Due to the lack of clarity of Chapter 59.06 and the lack of independent legal counsel, the auditor could not conclusively determine whether some expenditures made from forfeiture funds were permissible under Chapter 59.06(d) guidelines. The County Auditor signed both reports and the CDA's Office remitted the reports to the OAG's email portal on time.

Previously, we reported that documented policies and procedures for requesting, reviewing, and approving expenditures made with state forfeiture funds did not exist. To date, the CDA's Office has not provided documented procedures.

### BACKGROUND AND METHODOLOGY

Due to the volume of Chapter 59 seizures and forfeitures, it was not possible for the auditor to inspect *all* relevant documents and supporting materials. The CDA's Office prepares manual receipts and records cash and non-cash assets into the Time Matters database. Although cash under the control of the CDA is deposited into the County's depository, the CDA's Office does not necessarily have custody and control of all cash and non-cash assets. Other agencies may retain control of certain seized assets. Therefore, we cannot express an opinion regarding whether *all* transactions were recorded in the database.

The Texas Code of Criminal Procedures, Chapter 59.06(d), provides guidance related to the use of forfeiture funds (see Attachment B). While some expenditures are expressly prohibited, the Texas Legislature should, in our opinion, consider adding provisions and clarifications to increase accountability and transparency for the expenditure of state forfeiture funds. The Office of the Attorney General (OAG) is in the best position to determine the legality of expenditures made using forfeiture funds. The only condition to spending authority is that the agency must submit a budget for the expenditure of forfeited funds to the commissioners court or the governing body of the municipality. Although seized and forfeited funds are deposited into the bank account held by the county depository with other county funds, the Auditor's Office records the CDA's Chapter 59 and Federal Equitable Sharing receipts and disbursements into a separate general ledger account.

Texas Attorney General Opinion DM-247 (1993) states that Chapter 59.06 expressly grants spending authority and discretion to the local law enforcement agency or attorney representing the state. The opinion also states that the legislative intent is that there is generally no "front-end" review of spending decisions made by the law enforcement agency or the attorney representing the state. Former Tarrant County CDAs welcomed the County Auditor's front-end review of Chapter 59 expenditures to allow collaboration regarding the interpretation of the statute before the annual audit. Beginning in FY2018, the current administration elected to forego this opportunity and limit our review and inquiry of Chapter 59 expenditures to the annual audit.

Although Chapter 59.06 does not specifically address purchasing laws, the OAG issued Letter Opinion No. 94-040 which states that the County Purchasing Act applies to purchases made from forfeiture funds pursuant to Chapter 59 of the Texas Code of Criminal Procedure. The letter specifically states that the attorney or law enforcement agency must deal with suppliers selected by Commissioners Court through the bidding process provided by the County Purchasing Act.

The *Chapter 59 Asset Forfeiture Report by Attorney Representing the State* is due to the OAG 60 days after the close of the State's fiscal year, or October 31. The *Chapter 59 Asset Forfeiture Report by Law Enforcement Agency* is due to the OAG 60 days after the close of the County's fiscal year, or November 30. The reports focus on two separate elements of the asset forfeiture process: financial activity and case activity.

### Financial Activity

Sections I and II include monies under the control and custody of the CDA's Office. The financial transactions included in the report were obtained from the County's general ledger. We reviewed selected cash transactions recorded in the Time Matters database to supporting documents such as court orders, seizure reports, and receipts. We also traced cash transactions under the control of the CDA's Office to the County's general ledger and found no exceptions.

Section VI includes expenditures made by the CDA's Office for activities related to the preservation, enforcement, and the administration of state law. As previously stated, the auditor could not conclusively determine whether some expenditures were permissible due to the lack of clarity of Chapter 59.06 and the lack of independent legal counsel. We reconciled the amounts included on the report to the County's general ledger without exception.

Case Activity

Sections III, IV, and V of the report include non-cash assets, such as motor vehicles, firearms, and other property (i.e. TV's, PC's, etc.). On a sampling basis, we 1) traced the non-cash assets recorded in the Time Matters database to supporting documentation such as court orders and auction sales reports, and 2) performed a physical inspection of the assets under the control of the CDA's Office. We found no exceptions.

**CLOSING REMARKS**

We appreciate the efforts of the Criminal District Attorney's staff to facilitate the timely completion of this review.

Sincerely,



S. Renee Tidwell, CPA  
County Auditor

Attachments: Attachment A – FY2019 Forfeiture Fund Expenditures  
Attachment B – Excerpt from Texas Code of Criminal Procedure, Chapter 59, Art. 59.06  
FY2019 Chapter 59 Asset Forfeiture Report by Attorney Representing the State  
FY2019 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency  
Management response

Distribution: Gary Fuller, Business Manager, Criminal District Attorney's Office

Audit Team: Kim Trussell, Audit Manager  
Frieda McCaskill, Supervisor, Financial Services  
Brandy R. Greene, Senior Internal Auditor  
Tim Sears, Senior Internal Auditor

Attachment A  
Tarrant County Criminal District Attorney's Office  
FY2019 Forfeiture Fund Expenditures

CDA Category	Vendor Name	Purpose	Amount
Computers	HIED INC	Asus Zenpad 3S 10 Tablet - Silver	\$ 298.95
Computers	DIGITAL RESOURCES	6' Economy molded DisplayPort to HDMI cables for CDA Trial Board (total 2)	\$ 23.38
Computers	DIGITAL RESOURCES	6' Liberty High Speed HDMI cables with Ethernet for CDA Trial Board (total 2)	\$ 18.90
Computers	GTS TECHNOLOGY SOLUTIONS INC	Dell OptiPlex 7060 Towers (Qty 2)	\$ 1,181.60
Computers	IDEMIA IDENTITY & SECURITY USA LLC	Installation of equipment	\$ 1,020.00
Computers	IDEMIA IDENTITY & SECURITY USA LLC	Tripod for camera	\$ 575.00
Computers	IDEMIA IDENTITY & SECURITY USA LLC	Warranty expense	\$ 37.00
Computers	IDEMIA IDENTITY & SECURITY USA LLC	Freight charges	\$ 30.00
Computers	IDEMIA IDENTITY & SECURITY USA LLC	Upgrade to Live Scan equipment w/ new laptop	\$ 1,700.00
Computers	IDEMIA IDENTITY & SECURITY USA LLC	Digital capture components for fingerprint software	\$ 2,295.00
Computers	SOUTHERN COMPUTER WAREHOUSE INC	HP Inkjet Printer	\$ 2,947.52
<b>Computers Total</b>			<b>\$ 10,127.35</b>
Court Costs	PETTY CASH FBO TC NARCOTICS UNIT	Reimbursement to the CDA's Imprest Fund for expenses incurred	\$ 4,973.00
Court Costs	TARRANT COUNTY FINANCIAL ACCOUNTING	JE processed for refund on citation overpayment	\$ (5.00)
<b>Court Costs Total</b>			<b>\$ 4,968.00</b>
Donations	TARRANT COUNTY BAR FOUNDATION	Advocates for Justice Luncheon on 9/24/2018 - 1/2 table plus 5 additional tickets	\$ 2,000.00
Donations	SAFEHAVEN OF TARRANT COUNTY	Legacy of Women Luncheon on 10/18/2018 - Table for 10	\$ 1,250.00
Donations	ALLIANCE FOR CHILDREN	Sponsorship for annual "Let's Play Bingo" Ladies Luncheon	\$ 1,750.00
Donations	TARRANT COUNTY YOUNG LAWYERS	Sponsorship for annual Spring Fiesta	\$ 1,000.00
Donations	TARRANT COUNTY BAR ASSOCIATION	Donation for the "Justice For All" Gala for November 10	\$ 5,000.00
Donations	ALLIANCE FOR CHILDREN	Sponsorship to Picnic at the Park fundraiser	\$ 1,750.00
<b>Donations Total</b>			<b>\$ 12,750.00</b>
Dues	CDA Employee	Annual Membership dues for Texas Board of Legal Specialization	\$ 500.00
Dues	CDA Employee	Reimbursement for membership dues for TBLS	\$ 1,475.00
Dues	TEXAS BOARD OF LEGAL SPECIALIZATION	Membership Dues	\$ 625.00
Dues	TEXAS DISTRICT & COUNTY ATTORNEYS ASSOC	Membership Dues	\$ 1,870.00
Dues	TARRANT COUNTY AUDITORS OFFICE	Reimbursement of TBLS membership dues paid by Tarrant County	\$ (125.00)
<b>Dues Total</b>			<b>\$ 4,345.00</b>
Furniture	TEXAS FURNITURE SOURCE INC	2-Seat Sofa (Brown Leather) - Total 7	\$ 3,076.85
Furniture	TEXAS FURNITURE SOURCE INC	3 Executive Task Chairs and 1 Guest Chair	\$ 5,878.40
Furniture	TEXAS FURNITURE SOURCE INC	2 Task Stools w/ Foot Ring	\$ 382.60
Furniture	TEXAS FURNITURE SOURCE INC	3-Seat Sofa (Brown Leather) - Total 4	\$ 2,131.20
Furniture	JUST ERGONOMICS LLC	1 Electric Height Adjustable Table	\$ 800.00
Furniture	JUST ERGONOMICS LLC	1 Keyboard Tray for Height Adjustable Desk	\$ 195.00
Furniture	JUST ERGONOMICS LLC	Inside delivery of assembled table/desk to Tarrant County facility	\$ 50.00
Furniture	TEXAS FURNITURE SOURCE INC	1 Bronze Guest Chair	\$ 254.02
Furniture	TEXAS FURNITURE SOURCE INC	Electric Sit Stand Desk	\$ 263.16
Furniture	STAPLES ADVANTAGE	Electric Sit Stand Desk	\$ 263.16
Furniture	STAPLES ADVANTAGE	Electric Sit Stand Desk	\$ 263.16
Furniture	TEXAS FURNITURE SOURCE	24 X 42 Right Return Desk Mahogany	\$ 310.46
Furniture	TEXAS FURNITURE SOURCE	Mobile Pedestal Mahogany	\$ 323.79
Furniture	TEXAS FURNITURE SOURCE	30 x 66 Left Ped Desk Mahogany	\$ 393.96
Furniture	FURNITURE BY WILLIAM WEBB	Liberty Chairs (total 10)	\$ 4,595.80
Furniture	JUST ERGONOMICS	Task Chairs (total 10)	\$ 3,820.00
Furniture	TEXAS INTERIOR RESOURCES	DA Office Remodel (3rd floor)	\$ 808.82
Furniture	ERGOGENESIS	Bodybilt J2504 Big and Tall Chair (total 1)	\$ 1,032.86
Furniture	ERGOGENESIS	Freight	\$ 75.20
Furniture	ERGOGENESIS	Installation	\$ 75.00
Furniture	TEXAS FURNITURE SOURCE	Office furniture (30 X 66 Desk Shell)	\$ 282.24

Attachment A  
Tarrant County Criminal District Attorney's Office  
FY2019 Forfeiture Fund Expenditures

CDA Category	Vendor Name	Purpose	Amount
Furniture	TEXAS FURNITURE SOURCE	Office furniture (24 x 42 Return Shelf)	\$ 191.69
Furniture	TEXAS FURNITURE SOURCE	Office furniture (File Pedestal)	\$ 266.95
Furniture	TEXAS FURNITURE SOURCE	Office furniture (30 x 60 Mahogany Desk)	\$ 455.90
Furniture	TEXAS FURNITURE SOURCE	Office furniture (Center Drawer)	\$ 71.35
Furniture	TEXAS FURNITURE SOURCE INC	Office furniture - File Pedestal	\$ 266.95
Furniture	TEXAS FURNITURE SOURCE INC	Office furniture - Drawer	\$ 71.34
Furniture	PLANO OFFICE SUPPLY CO	Office chairs (Qty 9)	\$ 3,238.47
Furniture	STAPLES ADVANTAGE	File cabinet	\$ 254.90
Furniture	JUST ERGONOMICS LLC	Adjustable table	\$ 800.00
Furniture	JUST ERGONOMICS LLC	Keyboard tray for desk	\$ 195.00
Furniture	JUST ERGONOMICS LLC	Delivery & installation charges	\$ 100.00
Furniture	PLANO OFFICE SUPPLY CO	Office chair (Qty 1)	\$ 359.83
Furniture	PLANO OFFICE SUPPLY CO	Office desk - Single Pedestal (Qty 1)	\$ 401.45
Furniture	PLANO OFFICE SUPPLY CO	Office desk - Right return (Qty 1)	\$ 316.26
Furniture	PLANO OFFICE SUPPLY CO	Wood Center Drawer (Qty 1)	\$ 70.80
Furniture	SOUTHERN COMPUTER WAREHOUSE INC	5 Year Warranty w/ HP computer purchase	\$ 1,341.40
<b>Furniture Total</b>			<b>\$ 33,414.81</b>
Supplies - Other	BISON COOLERS	CDA employee gifts: Tumblers (total 325) engraved with Tarrant County Criminal District Attorney rec'd 12/3/2018	\$ 3,900.00
Supplies - Other	BISON COOLERS	Additional fee for laser engraving on tumblers provided to CDA employees as gifts (total 325) rec'd 12/3/2018	\$ 975.00
<b>Supplies - Other Total</b>			<b>\$ 4,875.00</b>
Office Supplies	SHI GOVERNMENT SOLUTIONS INC	HP LaserJet Pro M402dne Printer	\$ 366.00
Office Supplies	SHI GOVERNMENT SOLUTIONS INC	LaserJet Pro MFP M4266dw	\$ 299.00
Office Supplies	NEVILL DOCUMENT SOLUTIONS	Kyocera 3051c Color Copier Fax Kit	\$ 395.00
Office Supplies	STAPLES ADVANTAGE	Cushion Max W/O Holes 3x5	\$ 71.35
Office Supplies	M.A.N.S. DISTRIBUTORS INC	GE Stainless Steel Microwave	\$ 108.98
Office Supplies	SOUTHERN COMPUTER WAREHOUSE	HP LaserJet Pro M402dw Printer (total 12)	\$ 3,119.40
Office Supplies	SOUTHERN COMPUTER WAREHOUSE	HP ScanJet Pro 2500 Flatbed Scanner	\$ 444.90
Office Supplies	DIGITAL RESOURCES	42 in. Panasonic LED TV (total 4)	\$ 4,138.56
Office Supplies	DIGITAL RESOURCES	Chief Menu-Board Wall Mounted (total 2)	\$ 848.88
Office Supplies	JUST ERGONOMICS	Delivery and installation of task chairs	\$ 450.00
Office Supplies	DIGITAL RESOURCES	Serial Adapter Cable (total 4)	\$ 55.04
Office Supplies	SHI GOVERNMENT SOLUTIONS	OptiLex Micro Vesa Mount w/ Adapter (total 2)	\$ 43.18
Office Supplies	DIGITAL RESOURCES	Shipping fee for TV and wall mount purchases	\$ 187.00
Office Supplies	SOUTHERN COMPUTER WAREHOUSE	HP LaserJet Pro 400 M402DW Laser Printer (total 4)	\$ 1,039.80
Office Supplies	TEXAS FURNITURE SOURCE	Big & Tall Chair	\$ 309.68
Office Supplies	SOUTHERN COMPUTER WAREHOUSE	Laptop Privacy Screens (total 220)	\$ 6,153.40
Office Supplies	4 IMPRINT INC	Retractable Badge Holder w/ Lanyard (Qty 200)	\$ 460.00
Office Supplies	4 IMPRINT INC	Lanyard Charge	\$ 100.00
Office Supplies	4 IMPRINT INC	Freight charges	\$ 8.93
Office Supplies	AWARDS BY WILSON	Lanyards (Qty 200)	\$ 628.00
<b>Office Supplies Total</b>			<b>\$ 19,227.10</b>
Crime Prevention/Treatment Programs	CITY OF HURST	Room rental/catering for Law Enforcement Conference at Hurst Conference Center 10/19/18	\$ 21,597.30
Crime Prevention/Treatment Programs	CITY OF HURST	Room rental and catering for police chief luncheon at Hurst Conference Center on Wed Jan 23, 2019	\$ 1,615.00
Crime Prevention/Treatment Programs	TARRANT COUNTY FINANCIAL ACCOUNTING	Refund from the City of Hurst (Hurst Conference Center)	\$ (1,448.40)
Crime Prevention/Treatment Programs	CITY OF ARLINGTON	Sponsorship for 2019 Aging Wall Expo	\$ 250.00
Crime Prevention/Treatment Programs	TARRANT COUNTY SPECIAL EVENTS	Booth rental for 2019 Senior Synergy Expo	\$ 110.00
<b>Crime Prevention/Treatment Programs Total</b>			<b>\$ 22,123.90</b>
Protective Body Armor	NARDIS PUBLIC SAFETY	R20D Carrier w/ BCIII A Panels	\$ 623.60

Attachment A  
Tarrant County Criminal District Attorney's Office  
FY2019 Forfeiture Fund Expenditures

CDA Category	Vendor Name	Purpose	Amount
<b>Protective Body Armor Total</b>			
Remodeling	R D SHEET METAL INC	Labor & material to fabricate and install hardware for projector screen	\$ 623.60
Remodeling	DENNIS SERVICES LLC	Relocate existing power for new cubicles on 3rd floor of Criminal Justice Center	\$ 2,150.00
Remodeling	DENNIS SERVICES LLC	Relocate existing power for new cubicles on 3rd floor of Criminal Justice Center	\$ 655.00
Remodeling	TEXAS INTERIOR RESOURCES	DA Office Remodel (3rd floor)	\$ 57.50
Remodeling	DENNIS SERVICES, LLC	Installation of existing power to new projector	\$ 18,602.58
<b>Remodeling Total</b>			\$ 88.63
Training	PALMWOOD EVENT & CONFERENCE	CDA Swearing In Ceremony on 1/2/2019: Room rental / table linens / breakfast buffet (330 CDA employees)	\$ 21,553.71
Training	PALMWOOD EVENT & CONFERENCE	CDA Swearing in Ceremony on 1/2/2019: Use fee for audio visual equipment	\$ 13,489.80
Training	PERCH 640 TAYLOR LLC	Catering for 40 people for DA Office Leadership Training on 9/14/2018	\$ 1,780.00
Training	MARIA ANTOINETTE DIXON	Pnt to speaker for Cultural Intelligence Training Program on 9/14/2018	\$ 3,568.00
Training	JPMORGAN CHASE BANK NA	Credit to account for a lodging "no-show" charge	\$ 5,000.00
Training	CN CHURCHILL IV LLC	Lodging for David Lisak (Forensic Consultant) at CDA Workshop "The Non-Stranger Sexual Assault" on 10/19/2018	\$ (216.22)
Training	DAVID LISAK	Speaker fee & airfare: CDA Workshop "The Non-Stranger Sexual Assault" on 10/19/2018	\$ 168.37
Training	CDA Employee	Reimbursement for 2018 TBLS Exam (Child Welfare Law) and Laptop	\$ 5,339.40
Training	CDA Employee	Travel reimbursement for trip to Austin for TBLS exam	\$ 305.00
Training	TEXAS CHRISTIAN UNIVERSITY	The Adaptive Leader - Leadership Development Program Training for CDA management on Feb 19, 2019	\$ 461.85
Training	CELLEBRITE INC	3 day, online Forensics training program	\$ 17,736.02
Training	MAGNET FORENSICS USA	Online training pass for one Investigator	\$ 3,985.00
Training	CDA Employee	Reimbursement for membership dues for TBLS	\$ 4,995.00
Training	EVERFI INC	Interactive Human Resource Training Program	\$ 455.00
<b>Training Total</b>			\$ 10,300.00

Grand Total \$ 201,375.69  
Total Expenditures on Chapter 59 report \$ 201,375.00  
Difference due to Rounding \$ (0.69)

**Attachment B**

**Excerpt from Texas Code of Criminal Procedure, Chapter 59, Art. 59.06**

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(d) Proceeds awarded under this chapter to a law enforcement agency or to the attorney representing the state may be spent by the agency or the attorney after a budget for the expenditure of the proceeds has been submitted to the commissioners court or governing body of the municipality. The budget must be detailed and clearly list and define the categories of expenditures, but may not list details that would endanger the security of an investigation or prosecution. Expenditures are subject to the audit and enforcement provisions established under this chapter. A commissioners court or governing body of a municipality may not use the existence of an award to offset or decrease total salaries, expenses, and allowances that the agency or the attorney receives from the commissioners court or governing body at or after the time the proceeds are awarded.

(d-1) The head of a law enforcement agency or an attorney representing the state may not use proceeds or property received under this chapter to:

- (1) contribute to a political campaign;
- (2) make a donation to any entity, except as provided by Subsection (d-2);
- (3) pay expenses related to the training or education of any member of the judiciary;
- (4) pay any travel expenses related to attendance at training or education seminars if the expenses violate generally applicable restrictions established by the commissioners court or governing body of the municipality, as applicable;
- (5) purchase alcoholic beverages;
- (6) make any expenditure not approved by the commissioners court or governing body of the municipality, as applicable, if the head of a law enforcement agency or attorney representing the state holds an elective office and:

(A) the deadline for filing an application for a place on the ballot as a candidate for reelection to that office in the general primary election has passed and the person did not file an application for a place on that ballot; or

(B) during the person's current term of office, the person was a candidate in a primary, general, or runoff election for reelection to that office and was not the prevailing candidate in that election; or

(7) increase a salary, expense, or allowance for an employee of the law enforcement agency or attorney representing the state who is budgeted by the commissioners court or governing body of the municipality unless the commissioners court or governing body first approves the increase.

(d-2) The head of a law enforcement agency or an attorney representing the state may use as an official purpose of the agency or attorney proceeds or property received under this chapter to make a donation to an entity that assists in:

- (1) the detection, investigation, or prosecution of:
  - (A) criminal offenses; or
  - (B) instances of abuse, as defined by Section 261.001, Family Code;
- (2) the provision of:
  - (A) mental health, drug, or rehabilitation services; or
  - (B) services for victims or witnesses of criminal offenses or instances of abuse described by Subdivision (1); or
- (3) the provision of training or education related to duties or services described by Subdivision (1) or (2).



**Attachment B**

**Excerpt from Texas Code of Criminal Procedure, Chapter 59, Art. 59.06**

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(d-3) Except as otherwise provided by this article, an expenditure of proceeds or property received under this chapter is considered to be for a law enforcement purpose if the expenditure is made for an activity of a law enforcement agency that relates to the criminal and civil enforcement of the laws of this state, including an expenditure made for:

- (1) equipment, including vehicles, computers, firearms, protective body armor, furniture, software, uniforms, and maintenance equipment;
- (2) supplies, including office supplies, mobile phone and data account fees for employees, and Internet services;
- (3) investigative and training-related travel expenses, including payment for hotel rooms, airfare, meals, rental of and fuel for a motor vehicle, and parking;
- (4) conferences and training expenses, including fees and materials;
- (5) investigative costs, including payments to informants and lab expenses;
- (6) crime prevention and treatment programs;
- (7) facility costs, including building purchase, lease payments, remodeling and renovating, maintenance, and utilities;
- (8) witness-related costs, including travel and security; and
- (9) audit costs and fees, including audit preparation and professional fees.

(d-4) Except as otherwise provided by this article, an expenditure of proceeds or property received under this chapter is considered to be for an official purpose of an attorney's office if the expenditure is made for an activity of an attorney or office of an attorney representing the state that relates to the preservation, enforcement, or administration of the laws of this state, including an expenditure made for:

- (1) equipment, including vehicles, computers, visual aid equipment for litigation, firearms, body armor, furniture, software, and uniforms;
- (2) supplies, including office supplies, legal library supplies and access fees, mobile phone and data account fees for employees, and Internet services;
- (3) prosecution and training-related travel expenses, including payment for hotel rooms, airfare, meals, rental of and fuel for a motor vehicle, and parking;
- (4) conferences and training expenses, including fees and materials;
- (5) investigative costs, including payments to informants and lab expenses;
- (6) crime prevention and treatment programs;
- (7) facility costs, including building purchase, lease payments, remodeling and renovating, maintenance, and utilities;
- (8) legal fees, including court costs, witness fees, and related costs, including travel and security, audit costs, and professional fees; and
- (9) state bar and legal association dues.



# KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

## CHAPTER 59 ASSET FORFEITURE REPORT BY ATTORNEY REPRESENTING THE STATE

### Agency Information

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#### Agency Information

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Agency Name: Tarrant County  
Criminal District  
Attorney Agency Mailing Street:  
401 W. Belknap St.

City: Fort Worth ZIP: 76196

State: TX County: Tarrant

Phone Number: (817) 884-1694 Agency Fiscal Beginning  
Month: September

Agency Fiscal Ending Month: August

### I. Seized Funds

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**Do not include federal seizures and/or forfeitures on this form. This form is only for those seizures and/or forfeitures made pursuant to Chapter 59 of the Texas Code of Criminal Procedure.**

#### Seized Funds Pursuant to Chapter 59

*Funds that have been seized but have not yet been awarded/forfeited to your agency by the judicial system.*

A) Beginning Seized Funds  
Balance: \$2,134,043.00

#### B) Seizures During Reporting Period:

1) Amount seized by  
employees of your agency: \$0.00

2) Amount seized by other agencies: \$1,438,179.00

C) Total Amount of Forfeiture Petitions Filed for All Agencies You Represent: \$1,359,621.00

D) Total Amount of Forfeitures Pending for All Agencies You Represent: \$1,345,931.00

E) Interest Earned on Seized Funds During Reporting Period: \$36,508.00

F) Amount Returned to Defendants/Respondents: \$911,562.00

G) Amount Transferred to Forfeiture Account: \$1,289,130.00

H) Other Reconciliation Items (Must provide detail in box below): \$0.00

Description:

I) Seized Funds Ending Balance - This field will be auto-calculated when you SAVE or switch sections: \$1,408,038.00

Ending Balance-Mailed Form:

## II. Forfeited Funds

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### Forfeited Funds and Other Court Awards Pursuant to Chapter 59

*Funds awarded to your agency by the judicial system and which are available to spend.*

A) Beginning Forfeited Funds Balance: \$1,112,222.00

**B) Amount Forfeited For All Agencies You Represent and Covered by Local Agreement**

*Enter the total amount forfeited by all forfeiture judgments in your jurisdiction for the reporting year. Do not include judgments that are not yet final due to appeal or motions for new trial. Include interest that was forfeited as part of the judgment.*

1) Amount Forfeited and Transferred to all Agencies Covered by Local Agreement: \$756,820.00

2) Amount Forfeited and Received by Your Agency: \$534,810.00

3) Total Amount Forfeited and Transferred to all Agencies Covered by Local Agreement - This field will be auto-calculated when you hit save or switch sections: \$1,291,630.00

C) Interest Earned on Forfeited Funds During Reporting Period: \$31,710.00

**D) Amount Awarded For All Agencies You Represent Pursuant to 59.022**

*Enter the total amount awarded by the court for costs, forfeitures and money judgments pursuant to Article 59.022*

1) Amount Awarded and Transferred to All Agencies Pursuant to 59.022: \$0.00

2) Amount Awarded and Received by your agency pursuant to 59.022: \$0.00

3) Total Amount Awarded For All Agencies You Represent Pursuant to 59.022 - This field will be auto-calculated when you hit Save or switch sections: \$0.00

**E) Amount Awarded For All Agencies You Represent Pursuant to 59.023**

*Enter the total amount awarded by the court on lawsuits for proceeds filed pursuant to Article 59.023*

1) Amount Awarded and Transferred to All Agencies Pursuant to 59.023: \$0.00

2) Amount Awarded and Received By Your Agency Pursuant to 59.023: \$0.00

3) Total Amount Awarded For

All Agencies You Represent Pursuant to 59.023 - This field will be auto-calculated when you hit Save or switch sections: \$0.00

F) Proceeds Received by Your Agency From Sale of Forfeited Property: \$13,407.00

G) Amount Returned to Crime Victims: \$0.00

H) Other Reconciliation Items (Must provide detail in box below): \$0.00

Description:

I) Total Expenditures of Forfeited Funds During Reporting Period - This field will be auto-calculated based on your answers in the Expenditures section: \$201,375.00

J) Forfeited Funds Ending Balance (balance will be automatically calculated after expenditures are entered): \$1,490,774.00

Total Expenditures from Mailed Form:

Ending Balance from Mailed Form:

### III. Other Property

---

#### Other Property

List the number of cases filed, pending, or disposed for each category. List as "pending" only cases where a petition was filed. List as "seized" only those seizures where a seizure is made by a peace officer employed by your agency. If

property is sold, list under "Proceeds Received by Your Agency From Sale of Forfeited Property" in Section II (F) in the reporting year in which the proceeds are received. Please note - this should be a number not a currency amount. Example 4 cars seized, 3 cars forfeited and 0 cars put into use.

**A) Motor Vehicles (Include cars, motorcycles, tractor trailers, etc.)**

Please note - this should be a number, not a currency amount. For example, 4 pending, 3 seized, 12 new petitions, etc

- 1) Pending for all agencies at beginning of reporting period: 83
- 2) Seized by your agency during reporting period:
- 3) New petitions filed for all agencies during reporting period: 124
- 4) Forfeited to your agency during reporting period: 0
- 5) Put into service by your agency during reporting period: 0
- 6) Pending for all agencies at end of reporting period: 78

**B) Real Property (Count each parcel seized as one item)**

Please note - this should be a number, not a currency amount. For example, 4 pending, 3 seized, 12 new petitions, etc

- 1) Pending for all agencies at beginning of reporting period: 0
- 2) Seized by your agency during reporting period: 0
- 3) New petitions filed for all agencies during reporting period: 0
- 4) Forfeited to your agency during reporting period: 0
- 5) Put into service by your agency during reporting period: 0
- 6) Pending for all agencies at end of reporting period: 0

**C) Computers (Include computer and attached system components, such as printers and monitors, as one item)**

Please note - this should be a number, not a currency amount. For example, 4 pending, 3 seized, 12 new petitions, etc

- 1) Pending for all agencies at beginning of reporting period: 3
- 2) Seized by your agency during reporting period: 0
- 3) New petitions filed for all agencies during reporting period: 2
- 4) Forfeited to your agency during reporting period: 0

- 5) Put into service by your agency during reporting period: 0
- 6) Pending for all agencies at end of reporting period: 2

**D) Firearms (Include only firearms seized for forfeiture under Chapter 59. Do not include weapons disposed under Chapter 18)**

*Please note - this should be a number, not a currency amount. For example, 4 pending, 3 seized, 12 new petitions, etc*

- 1) Pending for all agencies at beginning of reporting period: 80
- 2) Seized by your agency during reporting period: 0
- 3) New petitions filed for all agencies during reporting period: 105
- 4) Forfeited to your agency during reporting period: 0
- 5) Put into service by your agency during reporting period: 0
- 6) Pending for all agencies at end of reporting period: 62

**E) Other Property**

*To add a reporting box for each additional item to be itemized, click the "New Other Property DA" button. Please note - this should be a number not a currency amount. For example, 4 pending, 3 seized, 12 new petitions, etc. For each line added, you need to hit the SAVE icon in the Action column.*

Description	Pending For All Agencies (Beginning)	Seized By Your Agency	New Petitions Filed For All Agencies	Forfeited To Agency	Put Into Use by Agency	Pending For All Agencies (End)
Motor Vehicles	83	0	124	0	0	78
Computers	3	0	2	0	0	2
Firearms	80	0	105	0	0	62
Miscellaneous	44	0	67	0	0	38
Communication Equip	10	0	15	0	0	7
Jewelry	19	0	34	0	0	22
Electronics	30	0	18	0	0	12

## IV. Forfeited Property Received

**Forfeited Property Received From Another Agency**

*Enter the total number of items transferred to your agency where the forfeiture judgment awarded ownership of the property to another agency prior to the transfer.*

A) Motor Vehicles: 0

B) Real Property: 0

C) Computers: 0

D) Firearms: 0

E) Other: 0

## V. Forfeited Property Transferred/Loaned

---

### **Forfeited Property Transferred or Loaned From Another Agency**

*Enter the total number of items transferred or loaned from your agency where the forfeiture judgment awarded ownership of the property to your agency prior to the transfer.*

A) Motor Vehicles: 0

B) Real Property: 0

D) Firearms: 0

C) Computers: 0

E) Other: 0

## VI. Expenditures: A - D

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### **Expenditures**

*This category is for Chapter 59 expenditures SOLELY for the official purposes of the office of the attorney representing the state - not for expenditures made pursuant to your general budget. List the total amount expended for each of the categories. If proceeds are expended for a category not listed, state the amount and nature of the expenditure under the Other category.*



**A) Salaries**

- 1) Increase of Salary, Expense or Allowance for Employees (Salary Supplements): \$0.00
- 2) Salary Budgeted Solely From Forfeited Funds: \$0.00
- 3) Number of Employees Paid Using Forfeiture Funds: 0
  
- 4) TOTAL SALARIES PAID OUT OF CHAPTER 59 FUNDS - This field will be auto-calculated once you hit save or switch sections: \$0.00

Total Salaries from Mailed Form:

**B) Overtime**

- 1) For Employees Budgeted by Governing Body: \$0.00
- 2) For Employees Budgeted Solely out of Forfeiture Funds: \$0.00
- 3) Number of Employees Paid Using Forfeiture Funds: 0
  
- 4) TOTAL OVERTIME PAID OUT OF CHAPTER 59 FUNDS - This field will be auto-calculated once you hit save or switch sections: \$0.00

Total Overtime from Mailed Form:

**C) Equipment**

- 1) Vehicles: \$0.00
- 2) Computers: \$10,127.00
- 3) Firearms, Protective Body Armor, Personal Equipment: \$624.00
- 4) Furniture: \$33,414.00
- 5) Software: \$0.00
- 6) Maintenance Costs: \$0.00
- 7) Uniforms: \$0.00
- 8) K9 Related Costs: \$0.00

9) Visual Aid Equipment for  
Litigation: \$0.00

10) Other (Must provide detail  
in box below): \$0.00

Description:

11) TOTAL EQUIPMENT  
PURCHASED WITH  
CHAPTER 59 FUNDS - This  
field will be auto-calculated  
once you hit save or switch  
sections: \$44,165.00

Total Equipment from Mailed  
Form:

#### D) Supplies

1) Office Supplies: \$19,227.00

2) Mobile Phone and Data  
Account Fees: \$0.00

3) Internet: \$0.00

4) Other (Must provide detail in  
box below): \$4,875.00

Description:

This expenditure relates to drinkware purchased to improve or maintain the morale of all Tarrant County Criminal Assistant District Attorneys. See Tex. Att'y Gen. LO-96-136, at 1-2 (expenditures to purchase small gifts, plaques, or flowers for funerals, weddings, or retirements of county employees may serve public purpose of increasing employee morale).\*

\*The expenditure is authorized under article 59.06 pursuant to the following AG opinions that consistently conclude that (1) improving employee morale is a sufficient public purpose for the expenditure of public funds and (2) improving employee morale may be a public purpose. Tex. Att'y Gen. Op. No. JC-0239 (2000); Tex. Att'y Gen. Op. No. LO-88-94 (1988) at 1; Tex. Att'y Gen. Op. No. LO-96-136 (1996); Tex. Att'y Gen. Op. No. JM-1156 (1990).

5) TOTAL SUPPLIES  
PURCHASED WITH  
CHAPTER 59 FUNDS - This  
field will be auto-calculated  
once you hit save or switch  
sections: \$24,102.00

Total Supplies from Mailed  
Form:

## VI. Expenditures: E

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### E) Travel

#### 1) In State Travel

- a) Transportation: \$0.00
- b) Meals & Lodging: \$0.00
- c) Mileage: \$0.00
- d) Incidental Expenses: \$0.00
  
- e) Total In State Travel - This field will be auto-calculated once you hit save or switch sections: \$0.00

Total In State Travel from Mailed Form:

#### 2) Out of State Travel

- a) Transportation: \$0.00
- b) Meals & Lodging: \$0.00
- c) Mileage: \$0.00
- d) Incidental Expenses: \$0.00
  
- e) Total Out of State Travel: \$0.00

Total In State Travel from Mailed Form:

#### 3) Total Travel Paid Out of Chapter 59 Funds

- Total Travel Paid Out of Chapter 59 Funds - This field will be auto-calculated once you hit save or switch sections: \$0.00

Total Travel from Mailed Form:

## VI. Expenditures: F - G

---

### F) Training

- 1) Fees (Conferences, Seminars): \$67,367.00
- 2) Materials (Books, CDs, Videos, etc.): \$0.00
- 3) Other (Must provide detail in box below): \$0.00

Description:

- 4) TOTAL TRAINING PAID OUT OF CHAPTER 59 FUNDS - This field will be auto-calculated once you hit save or switch sections: \$67,367.00

Total Training from Mailed Form:

### G) Investigative Costs

- 1) Informant Costs: \$0.00
- 2) Buy Money: \$0.00
- 3) Lab Expenses: \$0.00
- 4) Other (Must provide detail in box below): \$0.00

Description:

- 5) TOTAL INVESTIGATIVE COSTS PAID OUT OF CHAPTER 59 FUNDS - This field will be auto-calculated once you hit save or switch sections: \$0.00

Total Investigative Costs from Mailed Form:

## VI. Expenditures: H - N

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### H) Prevention / Treatment Programs / Financial Assistance / Donation

1) Total Prevention/Treatment Programs (pursuant to 59.06 (d-3(6), (h), (j))): \$22,124.00

2) Total Financial Assistance (pursuant to Articles 59.06 (n) and (o)): \$0.00

3) Total Donations (pursuant to Articles 59.06 (d-2)): \$12,750.00

4) TOTAL PREVENTION/TREATMENT PROGRAMS/FINANCIAL ASSISTANCE/DONATIONS (pursuant to Articles 59.06 (d-3(6)), (h), (j), (n), (o), (d-2)) - This field will be auto-calculated once you hit save or switch sections: \$34,874.00

Total PREVENTION/TREATMENT PROGRAMS/FINANCIAL ASSISTANCE/DONATIONS from Mailed Form:

### I) Facility Costs

1) Building Purchase: \$0.00

2) Lease Payments: \$0.00

3) Remodeling: \$21,554.00

4) Maintenance Costs: \$0.00

5) Utilities: \$0.00

6) Other (Must provide detail in box below): \$0.00

Description:

7) TOTAL FACILITY COSTS PAID OUT OF CHAPTER 59 FUNDS - This field will be auto-calculated once you hit save or switch sections: \$21,554.00

Total Investigative Costs from

Mailed Form:

**J) Miscellaneous Fees**

- 1) Court Costs: \$4,968.00
- 2) Filing Fees: \$0.00
- 3) Insurance: \$0.00
- 4) Witness Fees (including travel and security): \$0.00
- 5) Audit Costs and Fees (including audit preparation and professional fees): \$0.00
- 6) State Bar Dues and Legal Association Dues: \$4,345.00
- 7) Legal Library Supplies and Access Fees: \$0.00
- 8) Other (Must provide detail in box below): \$0.00

Description of Other Miscellaneous Fees:

- 9) TOTAL MISCELLANEOUS FEES PAID OUT OF CHAPTER 59 FUNDS - This field will be auto-calculated once you hit save or switch sections: \$9,313.00

Total Miscellaneous Costs from Mailed Form:

**K) Paid to State Treasury / General Fund / Health & Human Services Commission/ Office of the Attorney General**

- 1) Total paid to State Treasury due to lack of local agreement pursuant to 59.06 (a): \$0.00
- 2) Total paid to State Treasury due to participating in task force not established in accordance with 59.06 (q)(1): \$0.00
- 3) Total paid to General Fund pursuant to 59.06 (c-3) (C) (Texas Department of Public Safety only): \$0.00
- 4) Total forfeiture funds transferred to the Health and Human Services Commission pursuant to 59.06 (p): \$0.00
- 5) Total paid to the Office of the Attorney General pursuant to \$0.00

59.06(k):

6) TOTAL PAID TO STATE  
TREASURY/ GENERAL  
FUND/ HEALTH & HUMAN  
SERVICES COMMISSION/  
OFFICE OF THE ATTORNEY  
GENERAL OUT OF \$0.00  
CHAPTER 59 FUNDS - This  
field will be auto-calculated  
once you hit save or switch  
sections:

Total Paid to State  
Treasury/General fund/ Health  
& Human Services  
Commission from Mailed  
Form:

**L) Total Paid to Cooperating Agency(ies) Pursuant to Local Agreement**

TOTAL PAID TO  
COOPERATING  
AGENCY(IES) PURSUANT \$0.00  
TO LOCAL AGREEMENT:

**M) Total Other Expenses Paid Out of Chapter 59 Funds Which Are Not Accounted For In Previous Categories**

TOTAL OTHER EXPENSES  
PAID OUT OF CHAPTER 59  
FUNDS WHICH ARE NOT  
ACCOUNTED FOR IN \$0.00  
PREVIOUS CATEGORIES  
(Must provide detail in box  
below):

Description:

**N) Total Expenditures**

TOTAL EXPENDITURES -  
This field will be  
auto-calculated once you hit  
save or switch sections: \$201,375.00

Total Expenditures from Mailed  
Form:

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Financial Professional Certification

After signing and pressing "Save", using your email address and password account access, and pursuant to the terms of service, you certify that you swear or affirm that the Commissioners Court, City Council or Head of Agency (if no governing body) has requested that you conduct the audit required by Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of all relevant documents and supporting materials, you believe that the information contained in this report is true and correct to the best of your Knowledge.

Financial Professional  
Acknowledge Terms: Yes

Typed Name of  
Auditor/Treasurer/Accounting Professional/Preparer: S. Renee Tidwell

Title: Tarrant County  
Auditor

### Additional Signature Instructions

If you would like to have additional financial professional signatures, please click the "New Financial Professional Signature" button below.

Signature

Title

Date

## Head of Agency Certification

After signing and pressing "Submit" using your email address and password account access, and pursuant to the terms of service you swear or affirm, under penalty of perjury, that you have accounted for the seizure, forfeiture, receipt, and specific expenditure of all proceeds and property subject to Chapter 59 of the Code of Criminal Procedure, and that upon diligent inspection of all relevant documents and supporting materials, this asset forfeiture report is true and correct and contains all information required by Article 59.06 of the Code of Criminal Procedure. You further swear or affirm that, to the best of your knowledge, all expenditures reported herein were lawful and proper, and made in accordance with Texas law.

Do you acknowledge the  
above terms: : Yes

Year: 2019

NAME: Wilson, Sharen

TITLE: Criminal District  
Attorney

DATE: 11/18/2019

Comments:

Note from County Auditor:

Considering to the volume of Chapter 59 seizures and forfeitures, it is not possible for the Auditor to inspect ALL relevant documents and supporting materials. Therefore, only a sampling of Chapter 59 transactions was selected for detailed testing. Based on the sampling performed, the Auditor believes the amounts represented in the report were adequately supported by relevant documents and are, therefore, true and correct to the



best of my knowledge.

Due to the lack of clarity of Chapter 59.06 and the lack of independent legal counsel, the Auditor could not determine whether some expenditures using forfeiture funds were permissible under Chapter 59.06 guidelines. While some prohibited expenditures are specifically listed, the legislature should consider adding clarifying provisions to increase accountability and transparency for expenditure of state forfeiture funds. Currently, the Office of the Attorney General is in the best position to make a legal determination regarding the legality of expenditures made using forfeiture funds.



# KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

## CHAPTER 59 ASSET FORFEITURE REPORT BY LAW ENFORCEMENT AGENCY

### Agency Information

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#### Agency Information

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Year:	2019	Agency Name:	<u>Tarrant County</u> <u>Narcotics Unit</u>
Agency Mailing Street:		City:	Fort Worth
401 W. Belknap		State:	TX
ZIP:	76196	Phone Number:	(817) 884-1694
County:	Tarrant	Agency Fiscal Ending Month:	September
Agency Fiscal Beginning Month:	October		

### I. Seized Funds

---

**Do not include federal seizures and/or forfeitures on this form. This form is only for those seizures and/or forfeitures made pursuant to Chapter 59 of the Texas Code of Criminal Procedure.**

#### **Seized Funds Pursuant to Chapter 59**

*Funds that have been seized but have not yet been awarded/forfeited to your agency by the judicial system.*

A) Beginning Balance: \$0.00

#### **B) Seizures During Reporting Period**

*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 (E.G. seizing officer's affidavit).*

1) Amount seized and retained  
in your agency's custody: \$0.00

2) Amount seized and transferred to the District Attorney pending forfeiture: \$0.00

3) Total Seizures - This field will be auto-calculated when you SAVE or switch sections: \$0.00

C) Interest Earned on Seized Funds During Reporting Period: \$0.00

D) Amount Returned to Defendants/Respondents: \$0.00

E) Amount Transferred to Forfeiture Account: \$0.00

F) Other Reconciliation Items (Must provide detail in box below): \$0.00

Description:

G) Ending Balance - This field will be auto-calculated when you SAVE or switch sections: \$0.00

Ending Balance - Mailed Form:

## II. Forfeited Funds & Other Court Awards

---

### Forfeited Funds and Other Court Awards Pursuant to Chapter 59

*Funds awarded to your agency by the judicial system and which are available to spend.*

A) Beginning Balance: \$8,648.00

B) Amount Forfeited to and Received by Reporting Agency (Including Interest) During Reporting Period: \$80,751.00

C) Interest Earned on Forfeited Funds During Reporting Period: \$0.00

D) Amount Awarded Pursuant to 59.022: \$0.00

E) Amount Awarded Pursuant to 59.023: \$0.00

F) Proceeds Received by Your Agency From Sale of Forfeited Property: \$450.00

G) Amount Returned to Crime Victims: \$0.00

H) Other Reconciliation Items (Must provide detail in box below): \$0.00

Description:

I) Total Expenditures of Forfeited Funds During Reporting Period. This field will be auto-calculated once section VI has been completed and you save or switch sections.: \$89,849.00

J) Ending Balance - This field will be auto-calculated when you SAVE or switch sections.: \$0.00

I) Total Expenditure from Mailed Form:

J) Ending Balance from Mailed Form:

### III. Other Property

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**Other Property**

List the number of items seized for each category. Include only those seizures where a seizure is made by a peace officer employed by your agency. If property is sold, list under "Proceeds Received by Your Agency From Sale of Forfeited Property" in Section II (F) in the reporting year in which the proceeds are received. Please note - this should be a number not a currency amount. Example 4 cars seized, 3 cars forfeited and 0 cars put into use.

**A) Motor Vehicles (Include cars, motorcycles, tractor trailers,etc.)**

- 1) Seized: 0
- 2) Forfeited to Agency: 0
- 3) Returned to Defendants/Respondents: 0
- 4) Put into use by Agency: 0

**B) Real Property (Count each parcel seized as one item)**

- 1) Seized: 0
- 2) Forfeited to Agency: 0
- 3) Returned to Defendants/Respondents: 0
- 4) Put into use by Agency: 0

**C) Computers (Include computer and attached system components, such as printers and monitors, as one item)**

Please note - this should be a number not a currency amount. For example, 4 computers seized, 3 computers forfeited and 0 computers put into use.

- 1) Seized: 0
- 2) Forfeited to Agency: 0
- 3) Returned to Defendants/Respondents: 0
- 4) Put into use by Agency: 0

**D) Firearms (Include only firearms seized for forfeiture under Chapter 59. Do not include weapons disposed under Chapter 18)**

Please note - this should be a number not a currency amount. For example, 4 firearms seized, 3 firearms forfeited, 0 firearms put into use.

- 1) Seized: 0
- 2) Forfeited to Agency: 4
- 3) Returned to Defendants/Respondents: 0
- 4) Put into use by Agency: 0

**E) Other Property**

Please note - this should be a number not a currency amount. For example, 4 lots of tools seized, 3 lots of tools forfeited, 0 lots of tools put into use.

Description	Seized	Forfeited To Agency	Returned to Defendants/Respondents	Put into use by Agency
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## IV. Forfeited Property Received

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### Forfeited Property Received From Another Agency

*Enter the total number of items transferred to your agency where the forfeiture judgment awarded ownership of the property to another agency prior to the transfer.*

A) Motor Vehicles: 0

B) Real Property: 0

C) Computers: 0

D) Firearms: 0

E) Other: 0

## V. Forfeited Property Transferred/Loaned

---

### Forfeited Property Transferred or Loaned to Another Agency

*Enter the total number of items transferred or loaned from your agency where the forfeiture judgment awarded ownership of the property to your agency prior to the transfer.*

A) Motor Vehicles: 0

B) Real Property: 0

C) Computers: 0

D) Firearms: 0

E) Other: 0

## VI. Expenditures: A - D

---

### A) Salaries

- 1) Increase of Salary, Expense  
or Allowance for Employees (Salary Supplements): \$0.00
- 2) Salary Budgeted Solely  
From Forfeited Funds: \$0.00
- 3) Number of Employees Paid  
Using Forfeiture Funds: 0
  
- 4) TOTAL SALARIES PAID  
OUT OF CHAPTER 59 FUNDS: \$0.00

Total Salaries from Mailed  
Form:

### B) Overtime

- 1) For Employees Budgeted by  
Governing Body: \$0.00
- 2) For Employees Budgeted  
Solely out of Forfeiture Funds: \$0.00
- 3) Number of Employees Paid  
Using Forfeiture Funds: 0
  
- 4) TOTAL OVERTIME PAID  
OUT OF CHAPTER 59 FUNDS: \$0.00

Total Overtime from Mailed  
Form:

### C) Equipment

- 1) Vehicles: \$0.00
- 2) Computers: \$1,182.00
- 3) Firearms, Protective Body  
Armor, Personal Equipment: \$0.00
- 4) Furniture: \$15,392.00
- 5) Software: \$0.00
- 6) Maintenance Costs: \$0.00
- 7) Uniforms: \$0.00

- 8) K9 Related Costs: \$0.00
- 9) Other (Must provide detail in box below): \$0.00

Description:

10) TOTAL EQUIPMENT  
PURCHASED WITH \$16,574.00  
CHAPTER 59 FUNDS:

Total Equipment from Mailed  
Form:

#### D) Supplies

- 1) Office Supplies: \$3,119.00
- 2) Mobile Phone and Data Account Fees: \$0.00
- 3) Internet: \$0.00
- 4) Other (Must provide detail in box below): \$0.00

Description:

5) TOTAL SUPPLIES  
PURCHASED WITH \$3,119.00  
CHAPTER 59 FUNDS:

Total Supplies from Mailed  
Form:

## VI. Expenditures: E

---

#### E) Travel

##### 1) In State Travel

- a) Transportation: \$0.00
- b) Meals & Lodging: \$0.00
- c) Mileage: \$0.00
- d) Incidental Expenses: \$0.00



e) Total In State Travel: \$0.00

Total In State Travel from  
Mailed Form:

**2) Out of State Travel**

a) Transportation: \$0.00

b) Meals & Lodging: \$0.00

c) Mileage: \$0.00

d) Incidental Expenses: \$0.00

e) Total Out of State Travel: \$0.00

Total Out of State Travel from  
Mailed Form:

**3) Total Travel Paid Out of Chapter 59 Funds**

Total Travel Paid Out of  
Chapter 59 Funds: \$0.00

Total Travel from Mailed Form:

## VI. Expenditures: F - G

---

**F) Training**

1) Fees (Conferences,  
Seminars): \$0.00

2) Materials (Books, CDs,  
Videos, etc.): \$0.00

3) Other (Must provide detail in  
box below): \$0.00

Description:

4) TOTAL TRAINING PAID  
OUT OF CHAPTER 59 FUNDS: \$0.00

Total Training from Mailed  
Form:

**G) Investigative Costs**

- 1) Informant Costs: \$0.00
- 2) Buy Money: \$0.00
- 3) Lab Expenses: \$0.00
- 4) Other (Must provide detail in  
box below): \$0.00

Description:

5) TOTAL INVESTIGATIVE  
COSTS PAID OUT OF \$0.00  
CHAPTER 59 FUNDS:

Total Investigative Costs from  
Mailed Form:

## VI. Expenditures: H - N

---

**H) Prevention / Treatment Programs / Financial Assistance / Donation**

- 1) Total Prevention/Treatment  
Programs (pursuant to 59.06 \$5,525.00  
(d-3(6), (h), (j) ):
- 2) Total Financial Assistance  
(pursuant to Articles 59.06 (n) \$0.00  
and (o) ):
- 3) Total Donations (pursuant to \$2,750.00  
Articles 59.06 (d-2)):
- 4) Total scholarships to  
children of officers killed in the \$0.00  
line of duty (pursuant to Article  
59.06 (r)):

5) TOTAL  
PREVENTION/TREATMENT  
PROGRAMS/FINANCIAL  
ASSISTANCE/DONATIONS  
(Pursuant to Articles 59.06 \$8,275.00  
(d-3(6)), (h), (j), (n), (o), (d-2),  
(r)) - This field will be

auto-calculated when you  
SAVE or switch sections:

Total  
PREVENTION/TREATMENT  
PROGRAMS/FINANCIAL  
ASSISTANCE/DONATIONS  
from Mailed Form:

**I) Facility Costs**

- 1) Building Purchase: \$0.00
- 2) Lease Payments: \$0.00
- 3) Remodeling: \$20,753.00
- 4) Maintenance Costs: \$0.00
- 5) Utilities: \$0.00
- 6) Other (Must provide detail in  
box below): \$0.00

Description:

7) TOTAL FACILITY COSTS  
PAID OUT OF CHAPTER 59  
FUNDS: \$20,753.00

Total Facility Costs from  
Mailed Form:

**J) Miscellaneous Fees**

- 1) Court Costs: \$0.00
- 2) Filing Fees: \$0.00
- 3) Insurance: \$0.00
- 4) Witness Fees (including  
travel and security): \$0.00
- 5) Audit Costs and Fees  
(including audit preparation  
and professional fees): \$0.00
- 6) Other (Must provide detail in  
box below): \$0.00

Description:

7) Total Miscellaneous Fees  
Paid Out of Chapter 59 Funds  
- This will be auto-calculated  
when you SAVE or switch  
sections: \$0.00

Total Miscellaneous Costs  
from Mailed Form:

**K) Paid to State Treasury / General Fund / Health & Human Services Commission**

1) Total paid to State Treasury  
due to lack of local agreement  
pursuant to 59.06 (c): \$0.00

2) Total paid to State Treasury  
due to participating in task  
force not established in  
accordance with 59.06 (q)(1): \$0.00

3) Total paid to General Fund  
pursuant to 59.06 (c-3) (C)  
(Texas Department of Public  
Safety only): \$0.00

4) Total forfeiture funds  
transferred to the Health and  
Human Services Commission  
pursuant to 59.06 (p): \$0.00

5) TOTAL PAID TO STATE  
TREASURY/ GENERAL  
FUND/ HEALTH & HUMAN  
SERVICES COMMISSION  
OUT OF CHAPTER 59  
FUNDS: \$0.00

Total Paid to State  
Treasury/General fund/ Health  
& Human Services  
Commission from Mailed  
Form:

**L) Total Paid to Cooperating Agency(ies) Pursuant to Local Agreement**

TOTAL PAID TO  
COOPERATING  
AGENCY(IES) PURSUANT  
TO LOCAL AGREEMENT: \$41,128.00

**M) Total Other Expenses Paid Out of Chapter 59 Funds Which Are Not Accounted For In Previous Categories**

TOTAL OTHER EXPENSES  
PAID OUT OF CHAPTER 59  
FUNDS WHICH ARE NOT  
ACCOUNTED FOR IN \$0.00  
PREVIOUS CATEGORIES  
(Must provide detail in box  
below):

Description:

## N) Total Expenditures

TOTAL EXPENDITURES: \$89,849.00

Total Expenditures from Mailed  
Form:

## Financial Professional Signature

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*After signing and pressing "Save", using your email address and password account access, and pursuant to the terms of service, you certify that you swear or affirm that the Commissioners Court, City Council or Head of Agency (if no governing body) has requested that you conduct the audit required by Article 59.06 of the Code of Criminal Procedure and that upon diligent inspection of all relevant documents and supporting materials, you believe that the information contained in this report is true and correct to the best of your Knowledge.*

Do you acknowledge the  
above terms : Yes

Typed Name of  
Auditor/Treasurer/Accounting  
Professional/Preparer:: S. Renee Tidwell

Title: Tarrant County  
Auditor

## Head of Agency Certification

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*After signing and pressing "Submit" using your email address and password account access, and pursuant to the terms of service you swear or affirm, under penalty of perjury, that you have accounted for the seizure, forfeiture, receipt, and specific expenditure of all proceeds and property subject to Chapter 59 of the Code of Criminal Procedure, and that upon diligent inspection of all relevant documents and supporting materials, this asset forfeiture report is true and correct and contains all information required by Article 59.06 of the Code of Criminal Procedure. You further swear or affirm that, to the best of your knowledge, all expenditures reported herein were lawful and proper, and made in accordance with Texas law.*

Do you acknowledge the  
above terms : Yes

Year: 2019

Typed Name of Head of  
Agency:: Sharen Wilson

Criminal District

Title: Attorney

Date: 11/18/2019

Comments:

Note from County Auditor:

Considering to the volume of Chapter 59 seizures and forfeitures, it is not possible for the Auditor to inspect ALL relevant documents and supporting materials. Therefore, only a sampling of Chapter 59 transactions was selected for detailed testing. Based on the sampling performed, the Auditor believes the amounts represented in the report were adequately supported by relevant documents and are, therefore, true and correct to the best of my knowledge.

Due to the lack of clarity of Chapter 59.06 and the lack of independent legal counsel, the Auditor could not determine whether some expenditures using forfeiture funds were permissible under Chapter 59.06 guidelines. While some prohibited expenditures are specifically listed, the legislature should consider adding clarifying provisions to increase accountability and transparency for expenditure of state forfeiture funds. Currently, the Office of the Attorney General is in the best position to make a legal determination regarding the legality of expenditures made using forfeiture funds.



**SHAREN WILSON**  
Criminal District Attorney  
Tarrant County

December 27, 2019

S. Renee Tidwell, County Auditor  
The Honorable District Judges of Tarrant County  
The Honorable Tarrant County Commissioners Court

Re: Auditor's Report - FY2019 Chapter 59 Asset Forfeiture Report by Attorney Representing the State  
FY2019 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency

**CRIMINAL DISTRICT ATTORNEY'S OFFICE RESPONSE**

The Criminal District Attorney's Office acknowledges the audit report submitted by the Tarrant County Auditor's Office.

We appreciate the cooperation of the Auditor's Office and your findings that both reports were completed and remitted to the Office of Attorney General on time; that there were no exceptions found in the audit of the cash assets and that there were no exceptions found in the audit of the non-cash assets.

The Criminal District Attorney's Office appreciates the County Auditor's Office review. We especially appreciate the work of Kim Trussell and her team, Freida McCaskill, Brandy R. Greene, and Tim Sears. From my office, Gary Fuller deserves recognition. His focus and attention to detail is critical to the filing of timely reports with no audit exceptions.

Sincerely,

Sharen Wilson  
Criminal District Attorney