



VCCAT

Ventura County Combined Agency Team

800 S. Victoria Avenue Ventura, CA. 93009 (805)383-8700 phone (805)658-4539 fax

### **MEMORANDUM OF UNDERSTANDING**

#### **VENTURA COUNTY COMBINED AGENCY TEAM**

This Memorandum of Understanding (MOU) stands as evidence that the members of the Ventura County Law Enforcement Coordinating Committee (VCLECC): The Ventura County Sheriff's Office, the Ventura County District Attorney's Office, the Ventura Police Department, the Port Hueneme Police Department, the Oxnard Police Department, the Simi Valley Police Department, the Santa Paula Police Department, the California Highway Patrol, the California State University Channel Islands Police Department, and the Ventura County Community College District Police Department, in full cooperation with the United States Federal Bureau of Investigation, and the United States Drug Enforcement Administration are committed to cooperatively working together to dismantle top and mid-level drug trafficking organizations impacting the County of Ventura.

Recognizing that cooperative narcotic investigations with local, state and federal agencies are one of the most productive ways to investigate drug trafficking organizations, VCLECC supports a Ventura County Combined Agency Team (VCCAT) dedicated to narcotic enforcement and agrees to serve as a steering committee for its overall operation. Each agency agrees to participate in the program through mutual coordination, participation and/or cooperation by providing certain agreed-upon services as specifically enumerated below.

**VCLECC shall:**

- Serve as a steering committee and provide general policy oversight and guidance to VCCATs overall mission.
- Convene at least once each year to discuss various narcotic enforcement strategies and provide direction for VCCATs overall mission.
- Ensure that provisions of the California Values Act are met while working with Federal Agencies as part of VCCAT.

**The Ventura County Sheriff's Office shall:**

- Be the managing agency for VCCAT. Sheriff Bill Ayub is designated as the single point of contact for VCCAT operations.
- Coordinate Ventura County's drug enforcement efforts through the operation of VCCAT with staff, equipment and project management.
- Provide Captain oversight to manage VCCAT.
- Provide one (1) full-time Sheriff's Sergeant to supervise the VCCAT.
- Provide three (3) full-time Investigators to the VCCAT.
- Provide one (1) full-time investigator assigned to Asset Forfeiture Investigations
- Provide one (1) full-time Administrative Assistant to provide administrative support to the VCCAT.
- Equip their investigators with the necessary safety equipment required to make them operationally effective.

**The Ventura County District Attorney's Office shall:**

- Provide one (1) Deputy District Attorney to manage the prosecution of VCCAT criminal cases from filing through sentencing; to provide legal assistance to VCCAT as requested; and to provide legal training as needs are identified.
- Provide one (1) Deputy District Attorney to manage the forfeiture of VCCAT cases from seizures through disbursement; to provide legal assistance to VCCAT as requested; and to provide legal training as needs are identified.
- Provide one (1) D.A. Investigator with the primary purpose of investigating and processing asset forfeiture cases initiated by VCCAT. The D.A. Investigator will not work on the underlying criminal narcotics investigation. Upon request, the D.A. Investigator will support all asset forfeiture investigations for all law enforcement agencies in the County of Ventura.
  - o The D.A. Investigator assigned to asset forfeiture matters will be supervised by the Supervising District Attorney Investigator for the Bureau of Investigation (Major Fraud Division).

- o Equip their investigator(s) with the necessary safety equipment required to make them operationally effective.

**The United States Federal Bureau of Investigation shall**

- Provide one (1) full-time Special Agent to the VCCAT.
- Equip their agent with the necessary safety equipment required to make them operationally effective.

**The United States Drug Enforcement Agency shall**

- Provide one (1) full-time Special Agent to the VCCAT.
- Provide operational and administrative support of VCCAT cases
- Equip their agent with the necessary safety equipment required to make them operationally effective.

**Additional Local Law Enforcement Agencies**

The California Highway Patrol, Oxnard Police Department, Ventura Police Department, Santa Paula Police Department, Simi Valley Police Department, Port Hueneme Police Department, California State University Channel Islands Police Department, and the Ventura County Community College District Police Department are not current participating members of the VCCAT but are committed to assisting and cooperating with the Task Force as needed.

Nothing will preclude any law enforcement agency from joining the VCCAT Task Force at any time. Any joining agency will abide by the VCCAT Memorandum of Understanding (MOU).

The above listed agencies may also contribute personnel to other Sheriff's Narcotics Bureau teams. The "California State Distributions from Forfeiture Actions and Seizures of Assets" section below will also apply to any agency joining the Narcotics Street Team, Pharmaceutical Crimes Unit, or Special Crimes Unit.

**California State Distributions from Forfeiture Actions and Seizure of Assets**

- A. VCCAT shall seek to identify the assets of targets for forfeiture and remove the profits from crime; the use of both civil and criminal forfeiture statutes will be used in every instance. Depending on the investigation, assets may be seized per California Health and Safety Code section 11470(a)-(g) or per United States Federal Equitable Sharing laws.

- B. It is agreed that assets returned for distribution pursuant to Health and Safety Code 11489 will be shared based on the participating agencies' respective contributions to VCCAT. The federal agencies are excluded from asset sharing by California law. The following formula, determined by mutual consent and California Health and Safety section 11489, will be used for California State 11470(a)-(g) seizures:
- a. All distribution of asset forfeiture funds will be made after the deduction of administrative costs that are described in Health and Safety Code section 11489(b)(1).
  - b. Pursuant to Health and Safety Code section 11489(b)(2), the remaining forfeited monies will be disbursed as follows:
    - i. Sixty-five percent (65%) to the state, local, or state local law enforcement entities that participated in the seizures distributed to reflect the proportionate contribution to each agency. Health and Safety Code section 11489(b)(2)(A). After 15% of these funds are deposited in "a special fund" as outlined in Health and Safety Code section 11489(b)(2)(A)(i), the remainder of the sixty-five percent (65%) shall be allocated as follows:
      1. Twenty-five percent (25%) of the return for distribution, but not to exceed \$250,000 will be deposited into the VCCAT Trust holding account, which will be used for VCCAT operational and investigative costs.
      2. Seventy-five percent (75%) of the return distribution will be divided and returned to VCCAT member agencies. The percentage distributed to each agency will be based on that agency's level of operational participation and will be determined as a percentage of sworn personnel assigned to VCCAT, to include the asset forfeiture investigator(s), at the time such assets were seized.
    - ii. Ten percent (10%) to the prosecutorial agency which processes the forfeiture action. Health and Safety Code section 11489(b)(2)(B).
    - iii. Twenty-four percent (24%) to the General Fund. Notwithstanding Section 13340 of the Government Code, the moneys are hereby continuously appropriated to the General Fund. Commencing January 1, 1995, all moneys deposited in the General Fund pursuant to this subparagraph, in an amount not to exceed ten million dollars (\$10,000,000), shall be made available for school safety and security,

- upon appropriation by the Legislature, and shall be disbursed pursuant to Senate Bill 1255 of the 1993–94 Regular Session, as enacted. Health and Safety Code section 11489(b)(2)(C).
- iv. One percent (1%) to the Environmental Enforcement and Training Account established in Section 14303 of the Penal Code Health and Safety Code section 11489(b)(2)(D).
  - c. If the VCCAT program ceases operation, unexpended forfeiture funds will be returned to the participating agencies using the formula described above.
  - d. All seized monies will be deposited by the seizing agency into their interest-bearing trust account until such funds are requested for disbursement by the Ventura County District Attorney's Office.
  - e. All funds not forfeited will be returned by the seizing agency.
- C. For cases involving regular assigned agency participants to other Sheriff's Narcotics Bureau teams, it is agreed that assets returned for distribution pursuant to Health and Safety Code 11489 will be shared based on the participating agencies' respective contributions to the team at the time the assets were seized. The federal agencies are excluded from asset sharing by California law. The formula, determined by mutual consent and California Health and Safety section 11489, will be used for California State 11470(a)-(g) seizures as outlined above in Section B, except for the VCCAT trust contribution (subsection b. i. 2.). All asset forfeiture cases will include the participation of both the District Attorney Investigator and the Sheriff's Detective assigned to Asset Forfeiture for calculating the sharing distribution formula.

#### **Federal Distributions from Forfeiture Actions and Seizure of Assets**

- A. Regarding assets seized per the United States Federal Equitable Sharing laws, it is agreed that assets seized and returned for distribution will be shared based on the participating agencies' respective contribution to VCCAT as determined by the Federal case agent assigned to the federal forfeiture and not in the manner described in the "California State Distributions from Forfeiture Actions and Seizure of Assets" section hereinabove. Per federal mandate, a member from each agency participating in VCCAT must individually submit a United States Department of Justice Equitable Sharing Request Form (DAG-71), or a United States Treasury TD F 92-22.46 form under its own NCIC code.

- B. Each participating agency will cooperate with the seizing Federal agency in the completion of Equitable Sharing Request Forms and complete tasks as required on the Asset Forfeiture Program website. Each federal participating agency will cooperate with the state and local participating agencies with VCCAT to ensure that each agency will be notified through the Federal Asset Forfeiture Portal of any opportunity to submit a DAG-71 or TD F92-22.46 form to request a share of forfeited assets and to ensure that the state and local participating agencies with VCCAT are given access to the Federal Asset Forfeiture Portal to submit such claim in a timely manner as required under federal law.

### **Task Force Objectives**

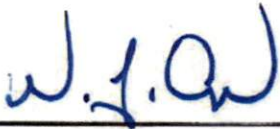
In response to the recognized drug problem in Ventura County, local law enforcement leaders met and created VCCAT. From the onset, VCCAT has adhered to a multijurisdictional collaborative approach to reduce the impact of illicit drugs in Ventura County. The on-going objective is the continued unification effort of the county's various law enforcement agencies into the disruption, dismantling and arrest of midlevel to major narcotic offenders and their organizations operating within Ventura County. This Task Force concept has allowed law enforcement agencies in Ventura County to maximize available resources while reducing the duplication of efforts by focusing on source areas and narcotic trafficking patterns.

The VCCAT Task Force continues to focus on major and mid-level drug offenders and their organizations that operate and/or conduct their illegal business ventures in Ventura County, and whose illegal activities negatively impact the residents of our county. The collaboration of resources has allowed law enforcement and prosecutors to work side-by-side to ensure that arrestees are prosecuted to the fullest extent of the law. Prosecutors assigned to the task force provide a stable prosecution plan, which includes vertical prosecution of narcotic offenders. Local agencies that have maintained their street narcotic enforcement teams will continue to do so, and both VCCAT and the Sheriff's Narcotic Street Teams will share information and work together by pooling their resources whenever necessary.

### **Agreement**

This collaborative agreement may be amended upon the written approval of all parties. Any revisions become effective on the date signed by the signatories. Any party to this agreement may rescind their participation at any time by providing written notification to the other participating agencies.

We, the undersigned, as authorized representatives of the Ventura County Sheriff's Office, Ventura County District Attorney's Office, Oxnard Police Department, Port Hueneme Police Department, Santa Paula Police Department, Simi Valley Police Department, Ventura Police Department, California Highway Patrol, California State University Channel Islands Police Department, Ventura County Community College Police Department, United States Drug Enforcement Administration, and United States Federal Bureau of Investigation do hereby approve this document.



Bill Ayub, Sheriff  
Ventura County Sheriff's Office

7/20/2022

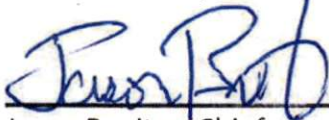
Date



Erik Nasarenko, District Attorney  
Ventura County District Attorney's Office

7/20/2022

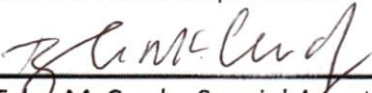
Date



Jason Benites, Chief  
Oxnard Police Department

7/20/2022

Date



Tyler McCurdy, Special Agent  
Federal Bureau of Investigation

7/20/2022

Date



Andrew Salinas, Chief  
Port Hueneme Police Department

7/20/22

Date



Jarod Primicerio, Captain  
California Highway Patrol – Ventura Area

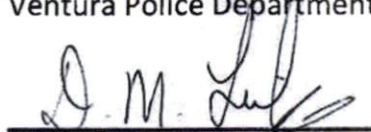
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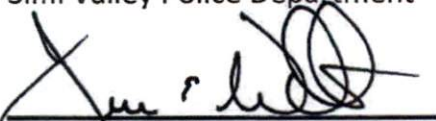
Darin Schindler, Chief  
Ventura Police Department

7/20/22  
Date



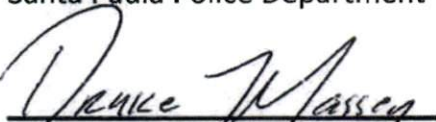
David Livingston, Chief  
Simi Valley Police Department

7/20/22  
Date



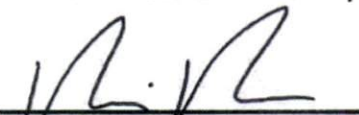
Travis Walker, Chief  
Santa Paula Police Department

June 20, 2022  
Date



Drake Massey, Interim Chief  
California State University Police Department

7-20-22  
Date



Michael Pallotto, Acting Chief  
Ventura County Community College Police Department

7-20-22  
Date