



AGENDA STAFF REPORT

Control: 26001618

MEETING DATE: 08/11/2026
LEGAL ENTITY TAKING ACTION: Board of Supervisors
BOARD OF SUPERVISORS DISTRICT(S): All Districts
SUBMITTING AGENCY/DEPARTMENT: District Attorney
DEPARTMENT CONTACT PERSON(S): Keith Bogardus, (714) 347-0511
Matthew Pettit, (714) 347-8440

SUBJECT: Equitable Sharing Agreement and Certification Report FY 2025-26

CEO CONCUR	COUNTY COUNSEL REVIEW	CLERK OF THE BOARD
Concur	Approve agreement and resolution to form	CONSENT CALENDAR
		3 Votes Board Majority

Budgeted: N/A	Current Year Cost: N/A	Annual Cost: N/A
Staffing Impact: No		Sole Source: No
Current Fiscal Year	Funding Source: N/A	County Audit in Last 3
Revenue: N/A		years: No
Levine Act Review		
Completed? N/A		

Prior Board Action: 8/12/2025 #2, 8/27/2024 #5, 8/22/2023 #4, 8/23/2022 #4

RECOMMENDED ACTION(S):

1. Approve and authorize the District Attorney to execute and electronically submit to the U.S. Department of Justice the attached federal Equitable Sharing Agreement and Certification Report for FY 2025-26.
2. Adopt resolution approving the FY 2025-26 Equitable Sharing Agreement and Certification Report.

SUMMARY:

Approval of the attached Equitable Sharing Agreement and Certification Report for FY 2025-26 will allow the District Attorney to continue its participation in the federal Equitable Sharing Program in order to receive an equitable share of the proceeds of the federally-forfeited property to supplement and enhance appropriated department resources.

BACKGROUND INFORMATION:

The Forfeiture & Seizure Unit of the Orange County District Attorney's Narcotic Enforcement Team has been participating in numerous federal and state investigations involving drug traffickers and, in many of these cases, has received an equitable share of the federally-forfeited property or proceeds from such properties in proportion to its participation. Federal guidelines governing the application and use of federal

asset sharing require the submission of the Annual Equitable Sharing Agreement and Certification Report for the District Attorney's participation in the federal Equitable Sharing Program.

Annual Equitable Sharing Agreements and Certification Reports are submitted to the U.S. Department of Justice, as required in order for the District Attorney to receive an equitable share of the proceeds of the federally-forfeited property for its participation.

The federally-forfeited cash and property and/or the proceeds thereof, which are equitably shared plus any interest earned thereon, are deposited to District Attorney's Fund 116, Narcotic Forfeiture and Seizure and used to supplement and enhance appropriated department resources in accordance with the U.S. Department of Justice and the Department of the Treasury guidelines.

The Board of Supervisors approved the FY 2024-25, FY 2023-24, FY 2022-23, and FY 2021-22 Equitable Sharing Agreements and Certification Reports on August 12, 2025, August 27, 2024, August 22, 2023, and August 23, 2022, respectively.

The Orange County District Attorney's Office now requests Board approval and authorization of the attached Equitable Sharing Agreement and Certification Report for FY 2025-26 as referenced in the Recommended Actions above.

FINANCIAL IMPACT:

N/A

STAFFING IMPACT:

N/A

REVIEWING AGENCIES/DEPARTMENTS:

N/A

ATTACHMENTS:

Attachment A - FY 2025-26 Equitable Sharing Agreement and Certification

Attachment B - Board Resolution