



COMMISSIONERS COURT  
COMMUNICATION

REFERENCE NUMBER CO#142458

PAGE 1 OF 16

DATE: 01/23/2024

SUBJECT: **RECEIVE AND FILE THE AUDITOR'S REPORT OF THE FISCAL YEAR 2023 CHAPTER 59 ASSET FORFEITURE REPORT BY LAW ENFORCEMENT AGENCY PREPARED BY THE CONSTABLE, PRECINCT 7**

**\*\*\* CONSENT AGENDA \*\*\***

**COMMISSIONERS COURT ACTION REQUESTED**

It is requested that the Commissioners Court receive and file the Auditor's Report of the Fiscal Year 2023 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency prepared by the Constable, Precinct 7.

**BACKGROUND**

As required by Chapter 59 of the Code of Criminal Procedure, the Auditor's Office reviewed the attached FY 2023 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency prepared by the Constable, Precinct 7. The report was electronically signed and submitted to the Office of the Attorney General on time.

**FISCAL IMPACT**

There is no negative fiscal impact associated with this item.

|               |                |                              |                                       |
|---------------|----------------|------------------------------|---------------------------------------|
| SUBMITTED BY: | Auditor Office | PREPARED BY:<br>APPROVED BY: | Matthew Jones<br>Kimberly M. Buchanan |
|---------------|----------------|------------------------------|---------------------------------------|

Kimberly M. Buchanan, CPA  
Tarrant County Auditor



Office of the Tarrant County Auditor  
100 E. Weatherford, Room 506  
Fort Worth, Texas 76196-0103

Linda R. Castillo  
First Assistant County Auditor

Phone (817) 884-1205  
Fax (817) 884-1104

December 19, 2023

The Honorable Constable Sandra Lee, Precinct 7  
The Honorable District Judges of Tarrant County  
The Honorable Tarrant County Commissioners Court  
Tarrant County, Texas

Re: Auditor's Report - FY2023 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency


As required by Chapter 59 of the Code of Criminal Procedure, the Auditor's Office reviewed the FY2023 *Chapter 59 Asset Forfeiture Report by Law Enforcement Agency* prepared by the Tarrant County Constable, Precinct 7 (Constable). During FY2023, revenues from forfeiture funds, auction proceeds, and interest totaled \$937.25. Expenditures using state forfeiture funds totaled \$824.64. We determined that the amounts presented in the report were reasonable. The report was electronically signed and submitted to the Office of the Attorney General on time.

The Constable reports financial and non-financial case activities to the Criminal District Attorney (CDA). The CDA's Office records case activities into the Time Matters database. The annual report focuses on two separate elements of the asset forfeiture process: financial activity and case activity.

1. Financial Activity: Sections I and II include monies under the control and custody of the Constable's Office. We reviewed cash transactions recorded in the database to supporting documents such as court orders, seizure reports, and receipts. We also traced cash transactions under the control of the Constable's Office to the County's general ledger without exception. Section VI includes expenditures made by the Constable for activities related to the preservation, enforcement, and the administration of state law. We reconciled the amounts included on the report to the County's general ledger without exception.
2. 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 test 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 Constable's Office without exception.

We appreciate the cooperation of the Constable's staff during the review. If you have any questions, please do not hesitate to call.

Sincerely,

  
Kimberly M. Buchanan, CPA  
Tarrant County Auditor

*Attachment:* FY2023 Chapter 59 Asset Forfeiture Report by Law Enforcement Agency

*Distribution:* Warren Mitchell, Chief, Deputy, Constable

Office of Constable Sandra D. Lee  
Tarrant County Precinct 7  
1100 East Broad Street Suite 201  
Mansfield, Texas 76063  
817-473-5110



December 20, 2023

Kimberly M. Buchanan, CPA County Auditor

Re: Management Response to Auditor's FY2023  
Chapter 59 Asset Forfeiture Report

Ms. Buchanan,  
Tarrant County Constable Office Precinct 7 is in receipt of the Auditor's report and agree with your findings in regards to the FY 2023 Chapter 59 Asset Forfeiture Report.


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Auditor visit for FY 2023 Chapter 59 Asset Forfeiture Report

- One purchase was made for law enforcement purposes. Constable Office 7 purchased four portable battery jump starter kits totaling \$824.64.
- FY 2023 Chapter 59 Asset Forfeiture Report was filed on time to the OAG.

We would like to thank your office for your cooperation and assistance with this year's Audit.

Respectfully,

  
Constable Sandra D. Lee  
Tarrant County Precinct 7  
sdlee@tarrantcountytexas.gov



# KEN PAXTON

ATTORNEY GENERAL *of* TEXAS

## CHAPTER 59 ASSET FORFEITURE REPORT BY LAW ENFORCEMENT AGENCY

### Agency Information

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#### Agency Information

|  |   |
|--|---|
| Year: 2023                                       | Agency Name: <u>Tarrant County</u><br><u>Constable Precinct</u><br><u>7</u> |
| Agency Mailing Street:<br>1100 E. Broad St. #201 | City: Mansfield   |
| ZIP: 76063                                       | State: TX   |
| County: Tarrant                                  | Phone Number: (817) 473-5110  |
| Agency Fiscal Beginning Month: October           | Agency Fiscal Ending Month: September                                       |

### 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 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

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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

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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 Balance: \$21,393.92

B) Amount Forfeited to and Received by Reporting Agency (Including Interest) During Reporting Period: \$0.00

C) Interest Earned on Forfeited Funds During Reporting Period: \$937.25

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: \$0.00

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.: \$824.64

J) Ending Balance - This field will be auto-calculated when you SAVE or switch sections.: \$21,506.53

I) Total Expenditure from Mailed Form:

J) Ending Balance from Mailed Form:

### III. Other Property

**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: 0
- 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 |
|-------------|--------|---------------------|------------------------------------|------------------------|
|-------------|--------|---------------------|------------------------------------|------------------------|

## 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

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### 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

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### 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:

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### 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: \$0.00
- 3) Firearms, Protective Body  
Armor, Personal Equipment: \$0.00
- 4) Furniture: \$0.00
- 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): \$824.64

Description:

Purchased four portable battery jump starter kits.

10) TOTAL EQUIPMENT  
PURCHASED WITH \$824.64  
CHAPTER 59 FUNDS:

Total Equipment from Mailed  
Form:

#### D) Supplies

- 1) Office Supplies: \$0.00
- 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 \$0.00  
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:

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**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 \$0.00

**FUNDS:**

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:

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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 \$0.00  
(d-3(6), (h), (j) ):
- 2) Total Financial Assistance  
(pursuant to Articles 59.06 (n) \$0.00  
and (o) ):
- 3) Total Donations (pursuant to  
Articles 59.06 (d-2)): \$0.00
- 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 \$0.00

(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: \$0.00
- 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 \$0.00  
FUNDS:

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 \$0.00

when you SAVE or switch sections:

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: \$0.00

**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 PREVIOUS CATEGORIES (Must provide detail in box below): \$0.00

Description:

**N) Total Expenditures**

TOTAL EXPENDITURES: \$824.64

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:: Kimberly M  
Buchanan

Title: 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: 2023

Typed Name of Head of  
Agency:: Sandra Lee

Title: Constable

Date: 11/27/2023

Comments: