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12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN

Plaintiffs,

v.

Case No. 4:19-cv-00872

**APPENDIX OF DECLARATIONS RE:
TFF HARMS IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

Judge: The Honorable Haywood S.
Gilliam, Jr.

Trial Date: None Set

Action Filed: February 18, 2019

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

22
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Defendants.

1 **DECLARATIONS CONCERNING HARM TO PLAINTIFF STATES CAUSED BY THE**
2 **DIVERSION OF RESOURCES FROM THE TREASURY FORFEITURE FUND**

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Exhibit Number	Declarant
1	Michael Cayaban (California Office of the Attorney General)
2	John Genovese (New York)
3	Kevin Gardner (California)
4	William Cranford (New Jersey)
5	Susie Park (Illinois)
6	James C. Rovella (Connecticut)
7	Randall Hughes (Delaware)
8	Kurt Keleman (Delaware)
9	Mark Wohner (Delaware)
10	Nolan Espinda (Hawaii)
11	Michael T. Yokley (Illinois)
12	Joseph Magats (Illinois)
13	Daniel A. Scott (Maine)
14	John Wilhelm (Maryland)
15	Michelle Small (Massachusetts)
16	Amanda Baker (Michigan)
17	Jeff Wersal (Minnesota)
18	Roland D. Swanson (Nevada)
19	Travis Hampton (Oregon)
20	Robert Azorr (Oregon)
21	Timothy G. Sanzi (Rhode Island)
22	Daniel Trudeau (Vermont)
23	Gary T. Settle (Virginia)
24	Brian O'Keefe (Wisconsin)
25	Jennifer Onofrio (New York)

EXHIBIT 1

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24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
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STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

4:19-cv-00872-HSG

**DECLARATION OF MICHAEL
CAYABAN IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
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4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Michael Cayaban, declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration. If called as a
3 witness, I could and would testify competently to the matters set forth below.

4 2. I am employed by the California Department of Justice, Office of the Attorney
5 General, and currently serve a Supervising Deputy Attorney General within the Office's Public
6 Rights Division, Natural Resources Law Section. I am a licensed member of good standing with
7 the California State Bar and represent the State of California in the above-captioned matter.

8 3. In my role as one of the attorneys representing the State of California in this
9 matter, I reviewed publicly available information relating to the Treasury Forfeiture Fund
10 administered by the United States Department of Treasury pursuant to 31 U.S.C. section 9705.
11 This information consists of annual Audit Reports prepared by the Department of the Treasury,
12 Office of the Inspector General, which include financial statements and annual "Treasury
13 Forfeiture Fund Accountability Reports" prepared by private accounting firms. These documents
14 are collectively referred to herein as "Annual Audit Reports."

15 4. The Treasury publishes the Annual Audit Reports on its website, found at
16 [https://www.treasury.gov/resource-center/terrorist-illicit-finance/Asset-Forfeiture/Pages/annual-](https://www.treasury.gov/resource-center/terrorist-illicit-finance/Asset-Forfeiture/Pages/annual-reports.aspx)
17 [reports.aspx](https://www.treasury.gov/resource-center/terrorist-illicit-finance/Asset-Forfeiture/Pages/annual-reports.aspx). This website contains the Annual Audit Reports for each fiscal year from 1993 to
18 2017. I last visited this website on March 29, 2019. The Annual Audit Report for fiscal year
19 (FY) 2018, filed concurrently herewith as Exhibit 29 to Plaintiffs' Request for Judicial Notice
20 (RJN), is also available at [https://www.treasury.gov/about/organizational-](https://www.treasury.gov/about/organizational-structure/ig/Audit%20Reports%20and%20Testimonies/OIG-19-022.pdf)
21 [structure/ig/Audit%20Reports%20and%20Testimonies/OIG-19-022.pdf](https://www.treasury.gov/about/organizational-structure/ig/Audit%20Reports%20and%20Testimonies/OIG-19-022.pdf). Based on information
22 and belief, the Annual Audit Reports are disclosed by the Treasury to Congress on an annual
23 basis.

24 5. Pursuant to the requirements of 31 U.S.C. section 9705, the Treasury is permitted
25 to distribute shares of forfeited assets to state and local law enforcement agencies under a
26 program referred to as the "Equitable Share Program." In various documents, including the
27 Annual Audit Reports and the Treasury's "Guide to Equitable Sharing for State, Local and Tribal
28 Law Enforcement Agencies," the Treasury refers to state and local agencies participating in the

1 equitable share program as “partner agencies.” As noted in the Annual Audit Reports,

2 Each year, the Fund pays tens of millions of dollars to state and local law
3 enforcement agencies, and foreign governments, for their participation in seizures that
4 lead to forfeitures of the Treasury Forfeiture Fund. State and local law enforcement
5 agencies can use these resources to augment their law enforcement budgets to fight
6 crime in their jurisdictions. Without these funds, budgets of the local municipalities
7 would be taxed to provide these important resources or the need would go unmet.

8 (RJN, Ex. 29, p. 13.)

9 6. The Annual Audit Reports contain financial statements relating to the Treasury
10 Forfeiture Fund for that given year and each Annual Audit Report includes a statement reflecting
11 the amount of equitable shares received that year by law enforcement and prosecutorial agencies
12 within each state or territory under the Treasury Forfeiture Fund’s Equitable Share Program. An
13 example of this type of statement is found at RJN Exhibit 29, pages 47-48, which lists the amount
14 of equitable shares received by each state or territory in the form of cash or property value in FY
15 2018.

16 7. According to the Annual Audit Report for FY 1993, the Treasury Forfeiture
17 Fund was created by enactment in 1992 and the 1993 report pertained to the initial year of the
18 program. I reviewed the Annual Audit Reports from FY 1993 to FY 2018 to confirm each
19 Plaintiff State’s participation as an equitable share partner in the Equitable Share Program.

20 8. The Annual Audit Reports reflect that each Plaintiff State has participated as an
21 equitable share partner on a consistent basis throughout the history of the program. The Annual
22 Audit Reports also reflect that most of the Plaintiff States have received shares each year that the
23 program has existed.

24 9. The following table reflects the amount of equitable shares received by law
25 enforcement and prosecutorial agencies within each Plaintiff State, excluding New Mexico, for
26 the past five years, based on information contained in the Annual Audit Reports for FY 2014 to
27 FY 2018 that I reviewed from Treasury’s website. Based on information and belief, New Mexico
28 no longer participates in the Equitable Share Program. The dollar figures reflect the amount of
equitable shares in cash and property value received by state and local equitable share partners
within each state that year.

	2018 ¹	2017 ²	2016 ³	2015 ⁴	2014 ⁵
California	\$53,366,000	\$8,295,000	\$10,915,000	\$13,848,000	\$12,216,000
Colorado	877,000	321,000	303,000	1,746,000	228,000
Connecticut	1,113,000	311,000	354,000	460,000	440,000
Delaware	---	66,000	26,000	101,000	12,000
Hawaii	30,000	130,000	174,000	24,000	37,000
Illinois	6,864,000	5,268,000	2,174,000	3,772,000	5,128,000
Maine	48,000	1,099,000	213,000	12,000	35,000
Maryland	1,816,000	1,320,000	642,000	2,587,000	3,793,000
Massachusetts	341,000	2,023,000	938,000	2,016,000	2,721,000
Michigan	375,000	234,000	1,344,000	1,307,000	2,064,000
Minnesota	30,000	2,673,000	48,000	290,000	555,000
Nevada	403,000	2,433,000	248,000	1,128,000	4,426,000
New Jersey	929,000	2,019,000	673,000	2,955,000	5,941,000
New York	27,368,000	17,101,000	83,846,000	47,833,000	140,302,000
Oregon	363,000	697,000	842,000	1,462,000	593,000
Rhode Island	39,000	43,000	67,000	36,000	27,000
Vermont	---	7,000	8,000	82,000	148,000
Virginia	306,000	7,061,000	1,558,000	6,554,000	61,423,000
Wisconsin	22,000	78,000	629,000	1,338,000	74,000

10. Pursuant to requirements set forth in 31 U.S.C section 9705, after the Treasury reserves certain amounts as set forth in the statute, the Treasury may also distribute a portion of funds that it receives through the forfeiture of assets in connection with the law enforcement activities of federal law enforcement agencies. According to the Annual Audit Reports, these funds are paid from an account currently referred to as “Strategic Support” and formerly referred to as “Super Surplus.”

11. I reviewed the Annual Audit Report for each of the past nine years to determine the amount of Strategic Support (formerly Super Surplus) funds distributed to federal law enforcement agencies. Over the past nine years, a total of \$584 million in Strategic Support funds were distributed to federal law enforcement agencies. The following indicates the amount of Strategic Support funds that Treasury distributed to each year to the various federal law enforcement agencies that participate in the TFF program.

- 2018: \$47.1 million

¹ RJN, Ex. 29, pages 47-48.

² Annual Audit Report for FY 2017, pp. 49-50.

³ Annual Audit Report for FY 2016, pp. 47-48.

⁴ Annual Audit Report for FY 2015, pp. 47-48.

⁵ Annual Audit Report for FY 2014, pp. 48-49.

- 1 • 2017: \$39.5 million
- 2 • 2016: No funds distributed
- 3 • 2015: No funds distributed
- 4 • 2014: \$155 million
- 5 • 2013: \$82.3 million
- 6 • 2012: \$78.7 million
- 7 • 2011: \$102.5 million
- 8 • 2010: \$78.9 million

9 12. I also reviewed the Department of the Treasury’s “Congressional Budget
10 Justification for Appropriations and Annual Performance Report and Plan, FY 2019” for the
11 Treasury Forfeiture Fund, which is attached as Exhibit 43 to Plaintiffs’ Request for Judicial
12 Notice. Based on information and belief, Exhibit 43 was submitted to Congress by the Treasury
13 on or about February 2018.

14 13. At page 4 of RJN Exhibit 43, under the heading “Challenges,” the Treasury noted
15 the following:

16 Recently-enacted large rescissions have had a severe negative impact on the
17 participating member agencies’ investigations. Insufficient and inconsistent funding
18 support, uncertainty about future funding, investigations disrupted by cash flow
19 problems, and inability to obtain necessary technology/infrastructure in the absence
20 of Strategic Support all undermine both current and future financial investigations
21 and forfeitures. FY 2017 total revenue was the lowest since FY 2007, and the
substantial drop in “base” revenue (revenue from non-major forfeitures) that is relied
upon to cover basic mandatory costs of the forfeiture program is especially troubling.
Total FY 2017 “base” revenue was \$349 million, as compared to \$419 million in FY
2016, \$387 million in FY 2015, and \$410 million in FY 2014.

22 14. In relation to Treasury’s stated concerns of potential impacts that congressional
23 rescissions have had on the TFF program, I reviewed the Annual Audit Reports for fiscal years
24 2016-2018 for information relating to those rescissions. These reports state that Congress
25 rescinded \$1.1 billion from the program in FY 2018, \$1.3 billion in FY 2017, and \$3.8 billion in
26 2016.

27 15. I further reviewed publicly available information concerning the Asset Forfeiture
28 Fund administered by the United States Department of Justice (DOJ). Specifically, I reviewed a

1 December 21, 2015, press release relating to DOJ suspension of its Asset Forfeiture Fund, filed
2 concurrently herewith as Exhibit. 44 to the RJN.

3 16. RJN Exhibit 44 indicates that in FY 2016, the DOJ was forced to temporarily
4 suspend its equitable sharing payments to state and local law enforcement in response to
5 Congressional rescissions. DOJ noted that Congress rescinded a combined total of \$1.2 billion
6 from the DOJ Asset Forfeiture Fund in fiscal years 2015 and 2016. In response, DOJ
7 implemented cost reduction measures that included the suspension of its equitable sharing
8 program “[i]n order to maintain the financial solvency of the Program. . . .” RJN, Ex. 44.

9 17. At the conclusion of fiscal year 2016, the same year that the DOJ temporarily
10 suspended its equitable sharing program due to the impact of Congressional rescissions totaling
11 \$1.1 billion over a two-year period, the net budget of the DOJ Asset Forfeiture Fund was \$1.4
12 billion.⁶

13 18. At the conclusion of fiscal year 2018, the same year that Treasury expressed
14 concern for the program due to congressional rescissions totaling more than \$5 billion over a
15 three-year period, the net budget of the Treasury Forfeiture Fund was \$1.4 billion. RJN, Ex. 29,
16 p. 25.

17 I declare under penalty of perjury under the laws of the United States that the foregoing is
18 true and correct. Executed on April 2, 2019, at San Diego, California.

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20 /s/ Michael Cayaban
MICHAEL CAYABAN

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⁶ Office of the Inspector General, U.S. Dept. of Justice, “Audit of the Assets Forfeiture
Fund and Seized Assets Deposit Fund, Annual Financial Statements, Fiscal Year 2016,” p. 33.

EXHIBIT 2

XAVIER BECERRA
Attorney General of California
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VIRGINIA; and STATE OF WISCONSIN;**

Plaintiffs,

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4:19-cv-00872-HSG

DECLARATION OF JOHN GENOVESE

DONALD J. TRUMP, in his official capacity as President of the United States of America; **UNITED STATES OF AMERICA; U.S. DEPARTMENT OF DEFENSE; PATRICK M. SHANAHAN**, in his official capacity as Acting Secretary of Defense; **MARK T. ESPER**, in his official capacity as Secretary of the Army; **RICHARD V. SPENCER**, in his official capacity as Secretary of the Navy; **HEATHER WILSON**, in her official capacity as Secretary of the Air Force; **U.S. DEPARTMENT OF THE TREASURY; STEVEN T. MNUCHIN**, in his official capacity as Secretary of the Treasury; **U.S. DEPARTMENT OF THE INTERIOR; DAVID BERNHARDT**, in his official capacity as Acting Secretary of the Interior; **U.S. DEPARTMENT OF HOMELAND SECURITY; KIRSTJEN M. NIELSEN**, in her official capacity as Secretary of Homeland Security;

Defendants.

I, John Genovese, declare as follows:

1. I am an Assistant Deputy Attorney General for the Organized Crime Task Force (OCTF) in the New York State Office of the Attorney General (NYOAG).

2. I submit this Declaration in support of the State of New York's litigation against Donald J. Trump, in his official capacity as President of the United States of America; United States of America; U.S. Department of Defense; Patrick M. Shanahan, in his official capacity as Acting Secretary of Defense; Mark T. Esper, in his official capacity as Secretary of the Army; Richard V. Spencer, in his official capacity as Secretary of the Navy; Heather Wilson, in her official capacity as Secretary of the Air Force; U.S. Department of the Treasury; Steven T. Mnuchin, in his official capacity as Secretary of the Treasury; U.S. Department of the Interior; David Bernhardt, in his official capacity as Acting Secretary of the Interior; U.S. Department of Homeland Security; and Kirstjen M. Nielsen, in her official capacity as Secretary of Homeland Security regarding the diversion of federal funding that New York receives toward building a wall on the United States-Mexico border. I am familiar with the matters set forth herein, either from personal knowledge or on the basis of documents that have been provided to and/or reviewed by me. If called as a witness, I could and would testify to the matters set forth below.

3. I am the Assistant Deputy Attorney General in charge of asset forfeiture matters for OCTF in the NYOAG located at 44 South Broadway White Plains, New York 10601-5008. My educational background includes graduating with an atrium baccalaureus from Georgetown University in 1981. I subsequently graduated with a juris doctor from John Marshall Law School in 1985. I have been employed as the Assistant Deputy Attorney General in charge of asset forfeiture matters for OCTF since January 2018. Prior to this role, I served as an Assistant and Senior Assistant District Attorney primarily handling asset forfeiture matters in the Kings County District Attorney's Office in its Money Laundering and Revenue Crimes Bureau (renamed as the Asset Forfeiture and Crimes Against Revenue Bureau in 2014) from 2005 to 2018.

4. OCTF is responsible for investigating and prosecuting multi-county, multi-state, and multi-national organized criminal activities occurring within New York State. OCTF specializes in identifying emerging and existing organized crime enterprises, and seeks to

undermine their structure, influence, and presence within the State. Most of OCTF's cases involve long-term investigations into crimes like narcotics trafficking, loan sharking, gambling, racketeering, tax fraud, and money laundering conducted in partnership with local, state, and federal law enforcement agencies.

5. OCTF is a participant in the Department of the Treasury (Treasury) equitable sharing program, and has been receiving equitable sharing payments from the Treasury Forfeiture Fund since 1996. The Treasury equitable sharing program is critical in facilitating collaboration between federal and state agencies in important law enforcement initiatives that affect New York State and the safety of its residents.

6. On behalf of OCTF, the Criminal Justice Division of the NYOAG (the Criminal Justice Division) submits yearly Equitable Sharing Agreement and Certification forms for fiscal years ending on March 31 to maintain compliance as a participant in the program.

7. After leading or providing assistance in law enforcement efforts resulting in federal forfeiture, OCTF requests a share of the relevant forfeited asset by submitting the requisite TD F 92-22.46 form to the federal agency processing the forfeiture. OCTF indicates its contribution with respect to the relevant seizure, including how many hours of OCTF time was expended. OCTF provides a summary of its participation in and costs incurred as a result of the seizure, which may include, among other things, the provision of investigators, the provision of translators, the execution of search warrants, the installation or provision of surveillance equipment, the provision and manning of an eavesdropping wire plant, the preparation of subpoenas, and preparation for and execution of trial.

8. From March 31, 2013 to the present, the NYOAG has received \$1,371,425.56 in equitable sharing payments from the Treasury Forfeiture Fund in connection with OCTF's participation in the equitable sharing program.

9. OCTF currently has requests for equitable sharing payments outstanding with respect to cash assets totaling \$3,481,884.46. For example, in connection with a joint investigation by OCTF, the New York Police Department (NYPD), and Homeland Security Investigations into the trafficking of untaxed cigarettes in and between New York, Maryland, and

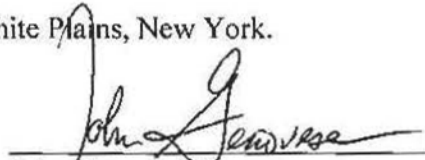
Virginia, OCTF submitted equitable sharing requests on December 10, 2018 for cash assets totaling \$332,934.47, as well as for two vehicles. OCTF contributed investigators and incurred overtime expenses and travel expenses in connection with the investigation. OCTF also provided the installation of four surveillance cameras, body worn cameras, audio listening devices, GPS vehicle tracking, translation services, and transcriptions of all recorded communications. OCTF attorneys prepared subpoenas, prepared utility requests, and prepared and applied for a New York search warrant. OCTF performed detailed analysis of subpoenaed financial records. OCTF attorneys also prepared the case and presented it to the Grand Jury of the Supreme Court of the State of New York, Kings County, which resulted in the return of a twenty-one count indictment charging the relevant individuals with violations of New York law.

10. OCTF expects to submit requests for equitable sharing in future fiscal years, including in fiscal year 2019 and fiscal year 2020.

11. The NYOAG uses equitable sharing payments to support a broad range of state government purposes to further law enforcement operations and investigations, and to purchase law enforcement equipment. The types of expenses funded include wire taps, data circuits, investigative software and storage, and other security equipment. Funds have also been transferred to other law enforcement agencies who participate in the equitable sharing program. For example, through the NYOAG's Community Overdose Prevention program, state and local law enforcement officers were equipped with and trained in using naloxone, an opioid antagonist that is used to rapidly reverse opioid overdose. Additionally, funds have been provided to law enforcement agencies across the New York State for the purchase of bulletproof vests.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on March 29, 2019, at White Plains, New York.



John Genovese
Assistant Deputy Attorney General
Organized Crime Task Force
New York State Office of the Attorney General

EXHIBIT 3

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Plaintiffs,

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4:19-cv-00872-HSG

**DECLARATION OF KEVIN GARDNER
IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY
INJUNCTION**

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3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Kevin Gardner, declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration. If called as a
3 witness, I could and would testify competently to the matters set forth below.

4 2. I am currently serve as the Chief for the California Department of Justice, Division
5 of Law Enforcement (“DLE”). I have held this position for the past two years. I have also
6 served in the positions of Captain and Acting Deputy Chief for the City of Sacramento Police
7 Department. I have served as a peace officer within the State of California since 1988.

8 3. As the Chief of the Division of Law Enforcement, I am responsible for complete
9 oversight of DLE, including the budget, policies and procedures, personnel, planning, and the
10 direction of DLE’s law enforcement programs.

11 4. DLE is one of the largest statewide investigative law enforcement agencies in the
12 United States. The mission of DLE is to enhance public safety by conducting: (1) criminal
13 investigations, (2) regulatory oversight, and (3) forensic analysis of evidence for criminal
14 proceedings. DLE consists of five bureaus, including the Bureau of Investigation (“BI”) and the
15 Bureau of Gambling Control (“BGC”).

16 5. The BI provides statewide expert investigative services to combat multi-
17 jurisdictional criminal organizations. The BI is comprised of Special Agents that are experts in
18 conducting complex criminal investigations in the areas of organized crime, drug trafficking, and
19 gang activity. BI agents are assigned to regional offices and task forces throughout the State. As
20 part of those efforts, the BI is active on task forces that include participating members from
21 federal agencies such as the Drug Enforcement Administration, the Bureau of Alcohol, Tobacco,
22 Firearms & Explosives, the Federal Bureau of Investigations, the Internal Revenue Service, and
23 Homeland Security Investigations within Immigration and Customs Enforcement.

24 6. The Bureau of Gambling Control is responsible for ensuring that lawful gambling
25 in California is conducted honestly, competitive, and free from criminal and corruptive elements.
26 Among its responsibilities, BGC agents conduct comprehensive investigations into the
27 qualifications of individuals and business entities who apply to the California Gambling Control
28 Commission for state gambling licenses, and conduct ongoing compliance inspections of

1 gambling operations and establishments throughout the state. BGC also participates in joint
2 investigations with federal law enforcement agencies, such as the Internal Revenue Service and
3 the Department of the Treasury.

4 7. The DLE participates as an equitable share partner in the Treasury Forfeiture Fund
5 (“TFF”) Equitable Share Program administered by the U.S. Department of Treasury pursuant to
6 31 U.S.C. § 9705. Under the TFF equitable share program, the Department of Treasury may
7 distribute funds derived from forfeited assets to a state or local law enforcement agency if that
8 agency is a participant in the program and the agency participated in a law enforcement action
9 that resulted in a seizure and forfeiture that is subject to the Department of Treasury’s
10 jurisdiction.

11 8. As the Chief of DLE, I have oversight responsibility over DLE’s participation in
12 the TFF Equitable Share Program and I supervise the Staff Service Manager I and Investigative
13 Auditor IV tasked with maintaining DLE’s records relating DLE’s claims to equitable shares and
14 its use of shares received through the program. These records include: claims submitted by DLE
15 to the Department of Treasury following law enforcement actions that resulted in a seizure;
16 notices of forfeiture that DLE receives from the Department of Treasury; records reflecting the
17 payment of equitable shares to the DLE by the Department of Treasury; and, records relating to
18 DLE’s use of equitable shares toward law enforcement purposes.

19 9. BI and BGC frequently participate in joint law enforcement actions and
20 investigations with federal agencies that fall under the Department of Treasury’s TFF program,
21 such as the Internal Revenue Service and the Department of Homeland Security’s Homeland
22 Security Investigations. For example, BI is involved in four task forces where Homeland
23 Security Investigations is a participating agency along with other local law enforcement agency
24 partners—(1) Los Angeles Interagency Metropolitan Police Apprehension Crime Task Force
25 (“LA IMPACT”); (2) High Impact Investigation Team (“HIIT”); (3) Tax Recovery and Criminal
26 Enforcement Task Force (“TRaCE”); (4) Inland Crackdown Allied Task Forces (“INCA”). These
27 joint law enforcement actions and investigations benefit California’s residents by disrupting large
28 scale criminal enterprises spanning multiple jurisdiction throughout the state and nation.

1 10. These law enforcement actions sometimes result in the seizure of assets—cash or
2 property with a monetary value. As a partner agency under the equitable share program, the DLE
3 submits a claim for an equitable share of the seized assets based on DLE’s level of participation
4 in the action that resulted in the seizure. This initial claim is submitted within 60 days of the law
5 enforcement action resulting in a seizure. The Department of Treasury maintains possession of
6 the seized assets and provides DLE with notice of a judicial declaration of forfeiture. After
7 receiving such forfeiture notice, DLE certifies that it is entitled to a share of the seized assets
8 under state law. The Department of Treasury then makes a determination concerning DLE’s
9 equitable share claim and provides DLE with notice of the distributed amount.

10 11. Over the past five years, the BI and BGC have submitted a total 14 claims for
11 reimbursement. Each claim identified the date of the seizure, the federal agency involved in the
12 seizure, the amount of cash or value of the asset seized, and the percentage of the total value of
13 the seizure claimed by the DLE based on the level of DLE’s involvement in the law enforcement
14 action. Each equitable share claim is based on law enforcement actions that have already
15 occurred and which involved the expenditure of state resources and relied on the contributions of
16 state law enforcement personnel.

17 12. Within the past five years, the Department of Treasury has not advised DLE of any
18 equitable share claim submitted by DLE that has been rejected by the Department of Treasury,
19 nor that any seizure subject to an equitable share claim by DLE did not result in a forfeiture.

20 13. Of the 14 claims submitted by DLE over the past five years, the Department of
21 Treasury has paid at least a portion of the equitable share sought by DLE for five of the claims
22 submitted. The other nine claims remain outstanding.

23 14. DLE’s nine equitable share claims that remain outstanding seek shares of over
24 \$2.5 million in seized assets. These equitable share claims include:

- 25 • DLE’s claim to a 60% equitable share of \$106,918 seized during a law enforcement
26 action in which the DLE’s Bureau of Investigation participated in the action. In
27 December 2018, the Department of Treasury notified DLE that the assets had been
28 deemed forfeited and subsequently notified DLE of its intent to pay DLE
\$49,823.78, which is 46.6% of the total assets seized. Payment on this claim is
currently pending.

- 1 • DLE's claim to a 35% equitable share of \$1,780,653.76 seized during a law
2 enforcement action involving the Internal Revenue Services and the DLE's Bureau
3 of Gambling Control. The DLE has yet to receive payment of this claim.
4 • DLE's claim to a 40% equitable share of \$503,986.65 in assets seized during a law
5 enforcement action involving the DLE's Bureau of Gambling Control. The DLE
6 has yet to receive payment of this claim.

7 15. As the Chief of DLE, I am responsible for overseeing and approving DLE's
8 expenditure of funds DLE receives from the TFF and for ensuring said funds are used for
9 legitimate law enforcement purposes consistent with its equitable sharing agreement with the
10 Department of Treasury. For the past several years, the DLE has applied the equitable shares
11 that it has received toward the payment of rent for facilities utilized by the BI and BGC.

12 16. If Treasury's processing of DLE's equitable share claims is delayed outside of the
13 regular course, DLE will be delayed from using the funds that it would have otherwise received
14 sooner, which will be to the detriment of public safety for the State of California. If DLE's
15 pending equitable share claims are denied or reduced, the overall funding available to sustain law
16 enforcement operations will be diminished and potentially result in the closure of tasks forces,
17 adversely impacting our ability to provide law enforcement services in certain areas of the State.

18 I declare under penalty of perjury under the laws of the United States that the foregoing is
19 true and correct.

20 Executed on April 3, 2019, in Sacramento, California.

21 

22 KEVIN GARDNER, Chief
23 Division of Law Enforcement
24 California Department of Justice
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EXHIBIT 4

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
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11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

4:19-cv-00872-HSG

**DECLARATION OF WILLIAM
CRANFORD IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, William Cranford, declare as follows:

2 1. I am the Deputy Administrator within the New Jersey Department of Law and Public
3 Safety (LPS), Office of the Attorney General (OAG).

4 2. I submit this declaration in support of the State of New Jersey's litigation against
5 Donald J. Trump, et al. regarding the diversion of certain federal funding that New Jersey receives
6 toward building a wall on the United States-Mexico border. I am familiar with the matters set forth
7 herein, either from personal knowledge or on the basis of documents and information that have
8 been provided to and/or reviewed by me. If called as a witness, I could and would testify
9 competently to the matters set forth below.
10

11 3. I am the Deputy Administrator of the LPS, and I have held that position since 2017.
12 In that capacity, I have oversight of budgetary, fiscal, personnel, data processing, office automation,
13 capital and facilities transactions.

14 4. The New Jersey State Police regularly participates with the United States
15 Department of Homeland Security (DHS), specifically Customs and Border Patrol (CBP) and
16 Homeland Security Investigations-ICE (HSI) in carrying out law enforcement operations. The New
17 Jersey State Police conducts law enforcement operations and related investigations in partnership
18 with local, state, and federal law enforcement agencies.
19

20 5. After the New Jersey State Police or other eligible State agencies carry out law
21 enforcement activities in conjunction with the federal agencies that participate in the Department
22 of the Treasury's (Treasury) Treasury Forfeiture Fund (TFF) that may result in forfeited assets,
23 New Jersey requests an equitable share of forfeited asset(s) by submitting the requisite TD F 92-
24 22.46 (9/11) (OMB No. 1505-0152) form to the federal agency processing the forfeiture.
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1 6. LPS oversees the New Jersey State Police and is a participant in the Treasury's
2 equitable sharing program. LPS has been receiving equitably shared payments from the TFF since
3 at least 2007.

4 7. OAG maintains a funding account funded exclusively by the TFF called the Federal-
5 Treasury Department of Law Public Safety account. On behalf of LPS, OAG submits yearly
6 Equitable Sharing Agreement and Certification forms in August to maintain compliance as a
7 participant in the program.

8 8. In its past operations with federal agencies participating in the TFF, LPS regularly
9 received some share of the forfeited assets based on its participation in the law enforcement
10 operation.

11 9. As part of my responsibilities in the OAG, I have oversight of the LPS's sharing
12 requests, receipt and deposit of shared funds, spending and accounting of shared funds, and I ensure
13 that all of the expenditures of TFF-shared funds are carried out in line with the Guide to Equitable
14 Sharing for State, Local, and Tribal Law Enforcement Agencies as well as other guidance and
15 decisions issued by the Treasury.¹

16 10. On May 1, 2014, New Jersey State Police participated in a law enforcement
17 operation with the DHS that resulted in a seizure of \$501,499. On June 30, 2015, New Jersey
18 received \$32,542.27 in equitably shared funds from that forfeiture.

19 11. On August 25, 2016, New Jersey State Police participated in a law enforcement
20 operation with DHS that resulted in a forfeiture of \$52,730.00. The State Police's Gangs and
21 Organized Crime Unit and its Electronic Surveillance Unit worked with the Jersey City Police
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27 ¹ See U.S. Dep't. of the Treas. & U.S. Dep't. of Just., "Guide to Equitable Sharing for
28 State, Local, and Tribal Law Enforcement Agencies," (July 2018) *available at*
<https://www.justice.gov/criminal-afmls/file/794696/download> (guidelines on participation in
federal asset forfeiture equitable sharing program).

1 Department and HSI to break up a heroin trafficking ring. New Jersey requested 40 percent of the
2 forfeited assets and received approximately the requested amount, \$19,636.65 in equitably shared
3 funds on October 31, 2018.

4 12. On May 15, 2017, New Jersey participated in four law enforcement operations with
5 the DHS. The first resulted in a \$50,000 forfeiture. On October 31, 2018, New Jersey received
6 \$7,472 from the first forfeiture. The second operation resulted in \$68,990 being forfeited, of which
7 New Jersey received \$5,154.93 in equitably shared funds on October 31, 2018. The third operation
8 resulted in a \$84,380 forfeiture, of which New Jersey received \$2,568.87 on October 31, 2018. The
9 final forfeiture amount was \$245,855.00, of which New Jersey received \$18,370.28 in equitably
10 shared funds on December 31, 2018.

11 13. New Jersey has used these funds for critical law enforcement equipment upgrades
12 and the installation of new technology.

13 14. New Jersey was able to install a new digital evidence system, forensic software
14 training, related hardware, and an anti-virus license for the system with about \$325,000 of the TFF
15 equitably shared funds. The system allows for more secure, permanent storage of digital evidence
16 for LPS's Division of Criminal Justice. The TFF equitably shared funds enabled New Jersey to set
17 up a properly configured and protected network in its Computer Analysis and Technology Unit
18 forensic lab, which significantly enhances the State's ability to obtain evidence of financial crimes.

19 15. Additionally, with the continued approval of Treasury, New Jersey has set aside
20 \$500,000 of the TFF equitably shared funds for information leading to the capture of Joanne
21 Chesimard, a fugitive still at large for the murder of a New Jersey State Police trooper.

22 16. New Jersey does not budget or commit to spending shared funds in advance but has
23 a reasonable expectation of receiving an equitable share in TFF funds due to its participation in
24

1 several law enforcement operations that resulted in sizeable asset seizures and for which it has
2 pending TFF equitable share requests.

3 17. On May 19, 2017, the New Jersey State Police participated in a law enforcement
4 operation with HSI resulting in a \$29,500 seizure. New Jersey submitted an equitable share request
5 and reasonably anticipates receiving an equitably shared portion.
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7 18. On December 13, 2017, the New Jersey State Police participated in a law
8 enforcement operation with HSI that resulted in a \$103,013.39 seizure. New Jersey submitted a
9 request for an equitable share of the forfeited funds on January 10, 2018 and reasonably anticipates
10 receiving an equitably shared portion.

11 19. On December 18, 2017, the New Jersey State Police participated in a law
12 enforcement operation with HSI and CBP resulting in a \$70,050 seizure. New Jersey submitted a
13 request for a 30 percent equitable share on January 10, 2018 and reasonably anticipates receiving
14 an equitably shared portion.
15

16 20. I am also aware that, in addition to the New Jersey State Police, other local and
17 regional law enforcement agencies throughout New Jersey work with TFF-participating federal
18 agencies in carrying out law enforcement operations, and these New Jersey agencies likewise
19 receive equitable shares of forfeited assets. I have reviewed the Department of Treasury's reported
20 data on Treasury Forfeiture Fund equitable shares received by the various states. Treasury reports
21 that law enforcement agencies in New Jersey as a whole received \$2,817,000 in currency and
22 \$138,000 in property for the fiscal year ending on September 30, 2015;² \$670,000 in currency and
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27 ² See U.S. Dep't. of the Treas., "Treasury Forfeiture Fund Accountability Report, Fiscal
28 Year 2015," available at <https://www.treasury.gov/resource-center/terrorist-illicit-finance/Asset-Forfeiture/Documents/TFF%20FY%202015%20Accountability%20Report%20Final.pdf>.


1 \$3,000 in property in the fiscal year ending on September 30, 2016,³ and \$1,018,000 in currency
2 and \$1,001,000 in property in the fiscal year ending on September 30, 2017.⁴

3 21. As presented above, through its receipt of asset forfeiture equitable share funds, New
4 Jersey has been able to fund important law enforcement operations and equipment that may not
5 have otherwise been available. If funds are diverted from TFF, New Jersey would lose valuable
6 resources for its state law enforcement activities, and its law enforcement operations will not be as
7 robust.
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9 22. New Jersey is committed to ongoing coordination and cooperation with the United
10 States Department of Homeland Security, the United States Secret Service, and the United States
11 Department of the Treasury and the provision of New Jersey's law enforcement expertise to further
12 the mission of protecting the safety and welfare of the people of New Jersey and the United States.
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16 I declare under penalty of perjury under the laws of the United States that the foregoing is
17 true and correct.

18 Executed on April 1, 2019, at Trenton, New Jersey.

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21 William Cranford
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25 ³ See U.S. Dep't. of the Treas., "Treasury Forfeiture Fund Accountability Report, Fiscal
26 Year 2016," available at <https://www.treasury.gov/resource-center/terrorist-illicit-finance/Asset-Forfeiture/Documents/TFF%20FY%202016%20Accountability%20Report.pdf>.

27 ⁴ See U.S. Dep't. of the Treas., "Treasury Forfeiture Fund Accountability Report, Fiscal
28 Year 2017," available at <https://www.treasury.gov/resource-center/terrorist-illicit-finance/Asset-Forfeiture/Documents/TFF%20FY%202017%20Accountability%20Report%20Final%2012-13-17.pdf>.

EXHIBIT 5

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
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JANELLE M. SMITH
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12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

16
17 **STATE OF CALIFORNIA; STATE OF**
COLORADO; STATE OF
18 **CONNECTICUT; STATE OF**
DELAWARE; STATE OF HAWAII;
19 **STATE OF ILLINOIS; STATE OF**
MAINE; STATE OF MARYLAND;
20 **COMMONWEALTH OF**
MASSACHUSETTS; ATTORNEY
21 **GENERAL DANA NESSEL ON BEHALF**
OF THE PEOPLE OF MICHIGAN;
22 **STATE OF MINNESOTA; STATE OF**
NEVADA; STATE OF NEW JERSEY;
23 **STATE OF NEW MEXICO; STATE OF**
NEW YORK; STATE OF OREGON;
24 **STATE OF RHODE ISLAND; STATE OF**
VERMONT; COMMONWEALTH OF
25 **VIRGINIA; and STATE OF WISCONSIN;**

26 Plaintiffs,

27 v.

4:19-cv-00872-HSG

**DECLARATION OF SUSIE PARK IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Susie Park, declare as follows:

2 1. I am Deputy Chief for the Bureau of Organizational Development for the Chicago
3 Police Department (CPD). I have personal knowledge of the facts set forth in this declaration and
4 respectfully submit this declaration in support of the Plaintiff States' motion for preliminary
5 injunction. If called as a witness, I could and would testify competently to the matters set forth
6 below.

7 2. I have served as Deputy Chief for CPD since February 2018. Prior to my service
8 as Deputy Chief I worked as the Deputy Budget Director in charge of Public Safety which
9 directly liaised with CPD for the City of Chicago's Office of Budget and Management.

10 3. As part of my work for CPD, I am aware that CPD participates in equitable
11 sharing agreements with various federal law enforcement agencies, including the United States
12 Department of the Treasury ("Treasury Department"). Through these equitable sharing
13 agreements, CPD receives a portion of the funds seized or forfeited as a result of cooperative law
14 enforcement efforts involving CPD and federal law enforcement agencies. Pursuant to federal
15 equitable sharing procedures, CPD must submit an Equitable Sharing Agreement and
16 Certification ("ESAC") form to the relevant federal law enforcement agencies. CPD maintains
17 these ESAC forms as part of its official records.

18 4. I have reviewed CPD internal records as well as ESAC forms submitted by CPD
19 for the fiscal years 2014 through 2018. My review of these records indicates that CPD has
20 received \$2,489,678.14 in federal equitable sharing funds from the Treasury Department's
21 Treasury Forfeiture Fund (TFF) in the 2014 through 2018 fiscal years:

22	Year	TFF Funds Received
23	2014	\$542,513.85
24	2015	\$663,574.56
25	2016	\$163,881.47
26	2017	\$820,008.80
27	2018	\$299,699.46
28	Total	\$2,489,678.14

EXHIBIT 6

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
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CHRISTINE CHUANG
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11 *Attorneys for Plaintiff State of California*

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13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity

4:19-cv-00872-HSG

DECLARATION OF James C. Rovella

1 as President of the United States of America;
2 **UNITED STATES OF AMERICA; U.S.**
3 **DEPARTMENT OF DEFENSE; PATRICK**
4 **M. SHANAHAN**, in his official capacity as
5 Acting Secretary of Defense; **MARK T.**
6 **ESPER**, in his official capacity as Secretary of
7 the Army; **RICHARD V. SPENCER**, in his
8 official capacity as Secretary of the Navy;
9 **HEATHER WILSON**, in her official capacity
10 as Secretary of the Air Force; **U.S.**
11 **DEPARTMENT OF THE TREASURY;**
12 **STEVEN T. MNUCHIN**, in his official
13 capacity as Secretary of the Treasury; **U.S.**
14 **DEPARTMENT OF THE INTERIOR;**
15 **DAVID BERNHARDT**, in his official capacity
16 as Acting Secretary of the Interior; **U.S.**
17 **DEPARTMENT OF HOMELAND**
18 **SECURITY; KIRSTJEN M. NIELSEN**, in
19 her official capacity as Secretary of Homeland
20 Security;

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Defendants.

1 I, James C. Rovella, declare as follows:

2 1. I am Commissioner of the Connecticut Department of Emergency Services and
3 Public Protection. I have personal knowledge of the facts set forth in this declaration. If called as
4 a witness, I could and would testify competently to the matters set forth below.

5 2. For at least each of the last five years, state and local law enforcement agencies in
6 the State of Connecticut have received equitable sharing resources – in both currency and
7 property – from the federal Treasury Forfeiture Fund (TFF). Those resources are an important
8 part of supporting effective law enforcement activities in Connecticut, and keeping our
9 communities safe and secure.

10 3. According to federal audits, in Federal Fiscal Year (FFY) 2018, which ended on
11 September 30, 2018, Connecticut-based law enforcement received TFF equitable sharing
12 resources worth a total dollar value of \$1,113,000, with \$1,060,000 in currency and the remainder
13 in property. In FFY 2017, Connecticut received \$311,000 in TFF equitable sharing resources, all
14 in currency. In FFY 2016, Connecticut received \$354,000 in TFF equitable sharing resources, all
15 in currency. In FFY 2015, Connecticut received \$460,000 in TFF equitable sharing resources, all
16 in currency. And in FFY 2014, Connecticut received \$440,000 in TFF equitable sharing
17 resources, all in currency.

18 4. In each of the last five years, the Connecticut Department of Emergency Services
19 and Public Protection (DESPP), which houses the Connecticut State Police, has received a
20 significant amount of currency through TFF equitable sharing. In State FY (SFY) 2018, ending
21 June 30, 2018, we received \$335,514; in SFY 2017, we received \$93,637; in SFY 2016, we
22 received \$51,319; in SFY 2015, we received \$269,251; and in SFY 2014 we received \$335,904.

23 5. Those TFF resources support key aspects of our work that are critical to our
24 continuing to protect the public. In SFY 2018, for instance, DESPP spent \$108,595 in TFF
25 equitable sharing funds on travel for necessary training activities; \$42,158 for equipment for line-
26 of-duty law enforcement personnel; and \$36,971 to support law enforcement operations.


27 6. DESPP regularly, and on an ongoing basis into the current fiscal year, submits
28 claims to equitable sharing from the TFF. I am not aware of any instances in which Connecticut

1 has submitted a claim for equitable sharing resources from the Treasury Forfeiture Funds and
2 been denied its reasonable share of forfeited assets.

3 7. If TFF funds are denied to DESPP, it will negatively impact our ability to train,
4 equip, and deploy state police officers. Connecticut anticipates a significant budget shortfall in the
5 upcoming fiscal years, and I do not anticipate that state general funds will be available to replace
6 resources lost if TFF funds are diverted.

7 I declare under penalty of perjury under the laws of the United States that the foregoing is
8 true and correct.


9 Executed on Friday, March 29, 2019, at Middletown, Connecticut.

11
12 
13 James C. Rovella
14 Commissioner
15 Department of Emergency Services and
16 Public Protection

15 State of Connecticut
16 County of Middletown

17 On this the 29th day of March, 2019, before me,
18 Abi Levesque (name of notary), personally appeared
19 James C. Rovella, known to me (or satisfactorily proven) to be the
20 person(s) whose name(s) _____ (is or are) subscribed to the within instrument and
21 acknowledged that James C. Rovella (he/she/they) executed the same for the
22 purposes therein contained.

21 In witness whereof I hereunto set my hand.

22 Date: March 29, 2019
23 

24 Notary Public

25 Print Name: Abi Levesque

26 My Commission Expires:
27 05/31/2020
28

Abi Levesque
NOTARY PUBLIC
State of Connecticut
My Commission Expires 05/31/2020

EXHIBIT 7

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
LEE I. SHERMAN (SBN 272271)
8 Deputy Attorneys General
300 S. Spring St., Suite 1702
9 Los Angeles, CA 90013
Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity

4:19-cv-00872-HSG

**DECLARATION OF RANDALL L.
HUGHES IN SUPPORT OF
PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION**

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as President of the United States of America;
**UNITED STATES OF AMERICA; U.S.
DEPARTMENT OF DEFENSE; PATRICK
M. SHANAHAN**, in his official capacity as
Acting Secretary of Defense; **MARK T.
ESPER**, in his official capacity as Secretary of
the Army; **RICHARD V. SPENCER**, in his
official capacity as Secretary of the Navy;
HEATHER WILSON, in her official capacity
as Secretary of the Air Force; **U.S.
DEPARTMENT OF THE TREASURY;
STEVEN T. MNUCHIN**, in his official
capacity as Secretary of the Treasury; **U.S.
DEPARTMENT OF THE INTERIOR;
DAVID BERNHARDT**, in his official capacity
as Acting Secretary of the Interior; **U.S.
DEPARTMENT OF HOMELAND
SECURITY; KIRSTJEN M. NIELSEN**, in
her official capacity as Secretary of Homeland
Security;

Defendants.

1 I, Randall L. Hughes, declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration. If called as a
3 witness, I could and would testify competently to the matters set forth below.

4 2. I am Police Chief of the Georgetown Police Department ("GPD"), in the State of
5 Delaware. I have served in my current position for the past 4 years.

6 3. In my current position, I perform duties relating to the participation as an equitable
7 share partner in the Treasury Forfeiture Fund ("TFF") administered by the U.S. Department of
8 Treasury. The GPD is a participant in the TFF's equitable share program pursuant to 31 U.S.C. §
9 9705 and the terms of an equitable share agreement with the Department of Treasury.

10 4. I am familiar with the records maintained by the GPD relating to its participation
11 in the TFF equitable share program. These records include claims submitted by GPD to the
12 Department of Treasury following law enforcement actions that resulted in a seizure; notices of
13 forfeiture that GPD receives from the Department of Treasury; records reflecting the payment of
14 equitable shares to the GPD by the Department of Treasury; and, records relating to GPD's use of
15 equitable shares toward law enforcement purposes.

16 5. Under the TFF equitable share program, the Department of Treasury may
17 distribute funds derived from forfeited assets to a state or locals law enforcement agency if that
18 agency is a participant the program and the agency participated in a law enforcement actions that
19 resulted in a seizure and forfeiture that is subject to the Department of Treasury's jurisdiction.

20 6. GPD participates in joint law enforcement law actions with federal agencies that
21 fall under the Department of Treasury's Treasury Forfeiture Fund program. These law
22 enforcement actions sometimes result in the seizure of assets - cash or property with a monetary
23 value. As a partner agency under the equitable share program, the GPD submits a claim for an
24 equitable share of the seized asserts based on GPD's level of participation in the action that
25 resulted in the seizure. The Department of Treasury makes a determination concerning GPD's
26 equitable share claim and provides the GPD with notice of the distributed amount.

27 7. For FY19 GPD has also submitted equitable share claims for seizures which have
28 occurred but for which no payment has yet been received.

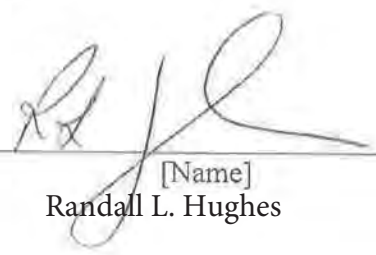
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8. The funds received by the GPD from the TFF are used for law enforcement purposes consistent with its equitable sharing agreement with the Department of Treasury.

9. If the GPD does not receive its equitable shares to pending claims, or if the Department of Treasury eliminates, reduces, or delays its payments of equitable share claims, GPD will be forced to draw from other law enforcement resources to pay for the facilities and equipment utilized by these law enforcement task forces, diverting funds from the GPD's other law enforcement priorities.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on April 1, 2019, at Georgetown, Delaware



[Name]
Randall L. Hughes

EXHIBIT 8

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
LEE I. SHERMAN (SBN 272271)
8 Deputy Attorneys General
300 S. Spring St., Suite 1702
9 Los Angeles, CA 90013
Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
COLORADO; STATE OF
18 **CONNECTICUT; STATE OF**
DELAWARE; STATE OF HAWAII;
19 **STATE OF ILLINOIS; STATE OF**
MAINE; STATE OF MARYLAND;
20 **COMMONWEALTH OF**
MASSACHUSETTS; ATTORNEY
21 **GENERAL DANA NESSEL ON BEHALF**
OF THE PEOPLE OF MICHIGAN;
22 **STATE OF MINNESOTA; STATE OF**
NEVADA; STATE OF NEW JERSEY;
23 **STATE OF NEW MEXICO; STATE OF**
NEW YORK; STATE OF OREGON;
24 **STATE OF RHODE ISLAND; STATE OF**
VERMONT; COMMONWEALTH OF
25 **VIRGINIA; and STATE OF WISCONSIN;**

26 Plaintiffs,

27 v.
28

4:19-cv-00872-HSG

**DECLARATION OF KURT KELEMEN
IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY
INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Kurt Kelemen, declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration. If called as a
3 witness, I could and would testify competently to the matters set forth below.

4 2. I am currently employed as the Controller for the Delaware State Police (“DSP”). I
5 have served in my current position for the past 4 years.

6 3. In my current position, I perform several duties relating to the participation as an
7 equitable share partner in the Treasury Forfeiture Fund (“TFF”) administered by the U.S.
8 Department of Treasury. The DSP is a participant in the TFF’s equitable share program pursuant
9 to 31 U.S.C. § 9705 and the terms of an equitable share agreement with the Department of
10 Treasury.

11 4. I am familiar with the records maintained by the DSP relating to its participation
12 in the TFF equitable share program. These records include claims submitted by DSP to the
13 Department of Treasury following law enforcement actions that resulted in a seizure; notices of
14 forfeiture that DSP receives from the Department of Treasury; records reflecting the payment of
15 equitable shares to the DSP by the Department of Treasury; and, records relating to DSP’s use of
16 equitable shares toward law enforcement purposes.

17 5. Under the TFF equitable share program, the Department of Treasury may
18 distribute funds derived from forfeited assets to a state or locals law enforcement agency if that
19 agency is a participant the program and the agency participated in a law enforcement actions that
20 resulted in a seizure and forfeiture that is subject to the Department of Treasury’s jurisdiction.

21 6. DSP participates in joint law enforcement law actions with federal agencies that
22 fall under the Department of Treasury’s Treasury Forfeiture Fund program. These law
23 enforcement actions sometimes result in the seizure of assets - cash or property with a monetary
24 value. As a partner agency under the equitable share program, the DSP submits a claim for an
25 equitable share of the seized asserts based on DSP’s level of participation in the action that
26 resulted in the seizure. The Department of Treasury makes a determination concerning DSP’s
27 equitable share claim and provides the DSP with notice of the distributed amount.

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1 7. Over the past three years the DSP has received the following funds from TFF:
2 FY16 \$11,124; FY17 \$0; FY18 \$46,600.

3 8. The funds received by the DSP from the TFF are used for law enforcement
4 purposes consistent with its equitable sharing agreement with the Department of Treasury.

5 9. If the DSP does not receive its equitable shares to pending claims, or if the
6 Department of Treasury eliminates, reduces, or delays its payments of equitable share claims,
7 DSP will be forced to draw from other law enforcement resources to pay for the facilities and
8 equipment utilized by these law enforcement task forces, diverting funds from the DSP's other
9 law enforcement priorities.

10 I declare under penalty of perjury under the laws of the United States that the foregoing is
11 true and correct.

12 Executed on April 1, 2019, at Dover, Delaware.

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Kurt Kelemen

EXHIBIT 9

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
LEE I. SHERMAN (SBN 272271)
8 Deputy Attorneys General
300 S. Spring St., Suite 1702
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Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
COLORADO; STATE OF
18 **CONNECTICUT; STATE OF**
DELAWARE; STATE OF HAWAII;
19 **STATE OF ILLINOIS; STATE OF**
MAINE; STATE OF MARYLAND;
20 **COMMONWEALTH OF**
MASSACHUSETTS; ATTORNEY
21 **GENERAL DANA NESSEL ON BEHALF**
OF THE PEOPLE OF MICHIGAN;
22 **STATE OF MINNESOTA; STATE OF**
NEVADA; STATE OF NEW JERSEY;
23 **STATE OF NEW MEXICO; STATE OF**
NEW YORK; STATE OF OREGON;
24 **STATE OF RHODE ISLAND; STATE OF**
VERMONT; COMMONWEALTH OF
25 **VIRGINIA; and STATE OF WISCONSIN;**

26 Plaintiffs,

27 v.

4:19-cv-00872-HSG

**DECLARATION OF MARK WOHLER
IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY
INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Mark Wohner, declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration. If called as a
3 witness, I could and would testify competently to the matters set forth below.

4 2. I am Chief of Police for the Newport Police Department (“NPD”), in the State of
5 Delaware.

6 3. In my current position, I perform several duties relating to the participation as an
7 equitable share partner in the Treasury Forfeiture Fund (“TFF”) administered by the U.S.
8 Department of Treasury. The NPD is a participant in the TFF’s equitable share program pursuant
9 to 31 U.S.C. § 9705 and the terms of an equitable share agreement with the Department of
10 Treasury.

11 4. I am familiar with the records maintained by the NPD relating to its participation
12 in the TFF equitable share program. These records include claims submitted by NPD to the
13 Department of Treasury following law enforcement actions that resulted in a seizure; notices of
14 forfeiture that NPD receives from the Department of Treasury; records reflecting the payment of
15 equitable shares to the NPD by the Department of Treasury; and, records relating to NPD’s use of
16 equitable shares toward law enforcement purposes.

17 5. Under the TFF equitable share program, the Department of Treasury may
18 distribute funds derived from forfeited assets to a state or locals law enforcement agency if that
19 agency is a participant the program and the agency participated in a law enforcement actions that
20 resulted in a seizure and forfeiture that is subject to the Department of Treasury’s jurisdiction.

21 6. NPD participates in joint law enforcement law actions with federal agencies that
22 fall under the Department of Treasury’s Treasury Forfeiture Fund program. These law
23 enforcement actions sometimes result in the seizure of assets - cash or property with a monetary
24 value. As a partner agency under the equitable share program, the NPD submits a claim for an
25 equitable share of the seized asserts based on NPD’s level of participation in the action that
26 resulted in the seizure. The Department of Treasury makes a determination concerning NPD’s
27 equitable share claim and provides the NPD with notice of the distributed amount.

28

EXHIBIT 10

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
LEE I. SHERMAN (SBN 272271)
8 Deputy Attorneys General
300 S. Spring St., Suite 1702
9 Los Angeles, CA 90013
Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
COLORADO; STATE OF
18 **CONNECTICUT; STATE OF**
19 **DELAWARE; STATE OF HAWAII;**
STATE OF ILLINOIS; STATE OF
20 **MAINE; STATE OF MARYLAND;**
COMMONWEALTH OF
21 **MASSACHUSETTS; ATTORNEY**
GENERAL DANA NESSEL ON BEHALF
22 **OF THE PEOPLE OF MICHIGAN;**
STATE OF MINNESOTA; STATE OF
23 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
24 **NEW YORK; STATE OF OREGON;**
STATE OF RHODE ISLAND; STATE OF
25 **VERMONT; COMMONWEALTH OF**
VIRGINIA; and STATE OF WISCONSIN;

26 Plaintiffs,

27 v.

28 **DONALD J. TRUMP**, in his official capacity

4:19-cv-00872-HSG

DECLARATION OF NOLAN ESPINDA,
DIRECTOR OF THE STATE OF
HAWAII DEPARTMENT OF PUBLIC
SAFETY, IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION

1 as President of the United States of America;
2 **UNITED STATES OF AMERICA; U.S.**
3 **DEPARTMENT OF DEFENSE; PATRICK**
4 **M. SHANAHAN**, in his official capacity as
5 Acting Secretary of Defense; **MARK T.**
6 **ESPER**, in his official capacity as Secretary of
7 the Army; **RICHARD V. SPENCER**, in his
8 official capacity as Secretary of the Navy;
9 **HEATHER WILSON**, in her official capacity
10 as Secretary of the Air Force; **U.S.**
11 **DEPARTMENT OF THE TREASURY;**
12 **STEVEN T. MNUCHIN**, in his official
13 capacity as Secretary of the Treasury; **U.S.**
14 **DEPARTMENT OF THE INTERIOR;**
15 **DAVID BERNHARDT**, in his official capacity
16 as Acting Secretary of the Interior; **U.S.**
17 **DEPARTMENT OF HOMELAND**
18 **SECURITY; KIRSTJEN M. NIELSEN**, in
19 her official capacity as Secretary of Homeland
20 Security;

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Defendants.

1 I, Nolan Espinda, declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration. If called as a
3 witness, I could and would testify competently to the matters set forth below.

4 2. I am the Director of the State of Hawai'i Department of Public Safety
5 ("Department of Public Safety"). Prior to serving as the Director of the Department of Public
6 Safety, I was the Warden of Hālawā Correctional Facility.

7 3. The Sheriff Division of the Department of Public Safety ("Sheriff Division") is
8 responsible for carrying out law enforcement services statewide, which includes working in
9 conjunction with other federal, state, and local law enforcement agencies to provide for the
10 health, safety, and welfare of all citizens in the State of Hawai'i. The Sheriff Division is an
11 agency of the State of Hawai'i.

12 4. The Sheriff Division participates in the Treasury Forfeiture Fund and has regularly
13 received funds from the Treasury Forfeiture Fund through the years.

14 5. From 2015 to 2018, the Sheriff Division received the following amounts through
15 equitable sharing from the Treasury Forfeiture Fund:

- 16 a. In 2015, \$27,048.55,
- 17 b. In 2016, \$8,850.60,
- 18 c. In 2017, \$97,517.24, and
- 19 d. In 2018, \$21,078.92.

20 6. In the past, the Sheriff Division has received equitable shares when it has
21 submitted claims and the forfeiture process has been completed.

22 7. In the past, the Sheriff Division has used the money received from equitable
23 sharing to increase its law enforcement capabilities. The Sheriff Division will determine how
24 equitable sharing funds can be used consistent with program requirements and conditions. Such
25 funds are generally used for a variety of purposes, primarily equipment and training-related costs.

26 8. Based on the Sheriff Division's past participation, the Sheriff Division anticipates
27 participating in equitable sharing from the Treasury Forfeiture Fund in the immediate and
28 foreseeable future.

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9. If the availability of this critical law enforcement funding is reduced, public safety in Hawai'i will be harmed in that the ability of the Sheriff Division to secure equipment and training that would allow it to better perform its mission will be impaired.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on April 2, 2019, at Honolulu, Hawai'i.



Nolan Espinda

EXHIBIT 11

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
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8 Deputy Attorneys General
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Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION

15 **STATE OF CALIFORNIA; STATE OF**
16 **COLORADO; STATE OF**
17 **CONNECTICUT; STATE OF**
18 **DELAWARE; STATE OF HAWAII;**
19 **STATE OF ILLINOIS; STATE OF**
20 **MAINE; STATE OF MARYLAND;**
21 **COMMONWEALTH OF**
22 **MASSACHUSETTS; ATTORNEY**
23 **GENERAL DANA NESSEL ON BEHALF**
24 **OF THE PEOPLE OF MICHIGAN;**
25 **STATE OF MINNESOTA; STATE OF**
26 **NEVADA; STATE OF NEW JERSEY;**
27 **STATE OF NEW MEXICO; STATE OF**
28 **NEW YORK; STATE OF OREGON;**
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

26 **DONALD J. TRUMP**, in his official capacity
as President of the United States of America;
27 **UNITED STATES OF AMERICA; U.S.**
28 **DEPARTMENT OF DEFENSE; PATRICK**

4:19-cv-00872-HSG

**DECLARATION OF MICHAEL T.
YOKLEY IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 **M. SHANAHAN**, in his official capacity as
2 Acting Secretary of Defense; **MARK T.**
3 **ESPER**, in his official capacity as Secretary of
4 the Army; **RICHARD V. SPENCER**, in his
5 official capacity as Secretary of the Navy;
6 **HEATHER WILSON**, in her official capacity
7 as Secretary of the Air Force; **U.S.**
8 **DEPARTMENT OF THE TREASURY;**
9 **STEVEN T. MNUCHIN**, in his official
10 capacity as Secretary of the Treasury; **U.S.**
11 **DEPARTMENT OF THE INTERIOR;**
12 **DAVID BERNHARDT**, in his official capacity
13 as Acting Secretary of the Interior; **U.S.**
14 **DEPARTMENT OF HOMELAND**
15 **SECURITY; KIRSTJEN M. NIELSEN**, in
16 her official capacity as Secretary of Homeland
17 Security;

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Defendants.

1 I, Michael T. Yokley, declare as follows:

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3 1. I am employed as Chief Financial Officer for the Illinois State Police (“ISP”). My
4 office is located at 801 S. Seventh Street-Suite 700-S Springfield IL 62703.

5 2. The Asset Forfeiture Section is responsible for tracking the seizure and forfeiture of
6 assets by ISP pursuant to the authority conferred on ISP by Illinois law. These assets include, for
7 example, currency and other property seized as part of ISP’s efforts to combat trafficking of illegal
8 drugs and narcotics. The Asset Forfeiture Section manages the collection and holding of asset
9 forfeiture information and funds, and provides for subsequent disposition of all drug-related assets
10 in compliance with state and federal law, court orders, and administrative rules.

11 3. As Chief Financial Officer, I am aware that ISP participates in equitable sharing
12 agreements with various federal law enforcement agencies, including the United States Department
13 of Treasury (“Treasury Department”). Through equitable sharing agreements, ISP receives a
14 portion of the assets seized and forfeited as a result of cooperative law enforcement efforts
15 involving ISP and federal law enforcement agencies. In order to be eligible to receive any such
16 assets, ISP must submit a DAG for each asset and an Equitable Sharing Agreement and
17 Certification (“ESAC”) form annually to the relevant federal law enforcement agencies. The Asset
18 Forfeiture Section maintains the ESAC forms submitted by ISP as part of its official records.
19

20 4. I have reviewed the ESAC forms submitted by ISP for the fiscal years 2011 through
21 2018. Based on my review of the ESAC forms submitted by ISP, I am aware that, during this time
22 period, ISP received \$516,624.42 in federal equitable sharing funds from the Treasury Department.
23

24 5. I am also aware that ISP is eligible to receive additional federal equitable sharing
25 funds from the Treasury Department for the current fiscal year. Specifically, ISP has participated
26 in initiating cases with cooperating federal law enforcement agencies resulting seizures in excess
27 of \$1,000,000. Based on ISP’s participation in initiating these cases, ISP is eligible to receive a
28

EXHIBIT 12

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
LEE I. SHERMAN (SBN 272271)
8 Deputy Attorneys General
300 S. Spring St., Suite 1702
9 Los Angeles, CA 90013
Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
COLORADO; STATE OF
18 **CONNECTICUT; STATE OF**
DELAWARE; STATE OF HAWAII;
19 **STATE OF ILLINOIS; STATE OF**
MAINE; STATE OF MARYLAND;
20 **COMMONWEALTH OF**
MASSACHUSETTS; ATTORNEY
21 **GENERAL DANA NESSEL ON BEHALF**
OF THE PEOPLE OF MICHIGAN;
22 **STATE OF MINNESOTA; STATE OF**
NEVADA; STATE OF NEW JERSEY;
23 **STATE OF NEW MEXICO; STATE OF**
NEW YORK; STATE OF OREGON;
24 **STATE OF RHODE ISLAND; STATE OF**
VERMONT; COMMONWEALTH OF
25 **VIRGINIA; and STATE OF WISCONSIN;**
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27
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4:19-cv-00872-HSG

**DECLARATION OF JOSEPH MAGATS
IN SUPPORT OF PLAINTIFFS'
MOTION**

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity

1 as President of the United States of America;
2 **UNITED STATES OF AMERICA; U.S.**
3 **DEPARTMENT OF DEFENSE; PATRICK**
4 **M. SHANAHAN**, in his official capacity as
5 Acting Secretary of Defense; **MARK T.**
6 **ESPER**, in his official capacity as Secretary of
7 the Army; **RICHARD V. SPENCER**, in his
8 official capacity as Secretary of the Navy;
9 **HEATHER WILSON**, in her official capacity
10 as Secretary of the Air Force; **U.S.**
11 **DEPARTMENT OF THE TREASURY;**
12 **STEVEN T. MNUCHIN**, in his official
13 capacity as Secretary of the Treasury; **U.S.**
14 **DEPARTMENT OF THE INTERIOR;**
15 **DAVID BERNHARDT**, in his official capacity
16 as Acting Secretary of the Interior; **U.S.**
17 **DEPARTMENT OF HOMELAND**
18 **SECURITY; KIRSTJEN M. NIELSEN**, in
19 her official capacity as Secretary of Homeland
20 Security;

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Defendants.

1 I, Joseph Magats, declare that the following is true and correct:

2 1. I am employed as the First Assistant State's Attorney in the Cook County State's
3 Attorney's Office (the "Office"). My office is located at 69 W. Washington, Suite 3200,
4 Chicago, Illinois 60602.

5 2. The Office is a law enforcement agency headquartered in Chicago, Illinois, with
6 over a dozen locations throughout Cook County, Illinois. The Office prosecutes all misdemeanor
7 and felony crimes committed in Cook County. The Office employs more than 1,100 people,
8 including over 700 attorneys and 75 sworn investigators. The Office is the second largest
9 prosecutor's office in the United States.

10 3. As part of my work for the Office, I am aware that the Office participates in
11 equitable sharing agreements with various federal law enforcement agencies, including the United
12 States Department of the Treasury ("Treasury Department"). Through equitable sharing
13 agreements, the Office receives a portion of the funds seized and forfeited as a result of
14 cooperative law enforcement efforts involving the Office and federal law enforcement agencies.
15 Pursuant to federal equitable sharing procedures, the Office must submit an Equitable Sharing
16 Agreement and Certification ("ESAC") form to the relevant federal law enforcement agencies.
17 The Office maintains the ESAC forms submitted by the Office as part of its official records.

18 4. I have reviewed the ESAC forms submitted by the Office for the fiscal years 2010
19 through 2018. A true and correct copy of these ESAC forms is attached hereto as Exhibit A.
20 Based on my review of these ESAC forms, I am aware that the Office received the following
21 amounts in federal equitable sharing funds from the Treasury Department's Treasury Forfeiture
22 Fund (TFF) in the 2010 through 2018 fiscal years:

23

24	Year	TFF Funds Received
25	2010	\$ 208,922.00
26	2011	43,944.00
27	2012	472,173.56
28	2013	295,635.09

1	2014	233,037.52
2	2015	303,651.83
3	2016	83,816.29
4	2017	168,959.03
5	<u>2018</u>	<u>122,273.85</u>
6	2010–2018 total	\$1,932,413.17

7
8 5. The Office has historically expended the funds received from the TFF for the
9 Office’s Investigations Bureau. The Investigations Bureau provides other local law enforcement
10 agencies in Cook County with investigative assistance, expertise, and technical resources. It also
11 handles investigations of specialized crimes such as official misconduct, violations of public
12 integrity, election fraud, and complex financial crimes, among other duties. The Office has used
13 TFF funds for training, vehicles, law enforcement equipment, and law enforcement operations
14 and investigations within the Investigations Bureau.

15 6. I am also aware that the Office is eligible to receive additional federal equitable
16 sharing funds from the TFF for the current fiscal year. The Office has TFF claims pending based
17 on its participation in initiating cases with cooperating federal law enforcement agencies that
18 resulted in the seizure of assets. Based on the Office’s participation in initiating these cases, the
19 Office is eligible to receive a portion of the seized assets from the TFF pursuant to the equitable
20 sharing agreement between the Office and the Treasury Department.

21 7. The Office requires substantial resources to protect public safety. If the Office
22 does not receive TFF disbursements for the pending claims, the Office will be harmed in the
23 amount of the unpaid claims, and its ability to procure resources and equipment for the conduct of
24 law enforcement activities will be hindered.

25 I declare under penalty of perjury under the laws of the United States that the foregoing is
26 true and correct.

27 Executed on March 28, 2019, at Chicago, Illinois.

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Joseph Magats

EXHIBIT A

Equitable Sharing Agreement and Certification

Police Department
 Sheriff's Office
 Task Force
 Prosecutor's Office
 Version: 1.9
 National Guard Counterdrug Unit
 Other

Agency Name: Cook County State's Attorney's Office **NCIC:** IL016013A
Street Address: 69 W. Washington, Suite 3200 **City:** Chicago **State:** IL **Zip:** 60602
Finance Contact: **First:** Raymond **Last:** Balcarcel **Email:** raymond.balcarcel@cookcountyil.gov
 Phone: 312-603-1861 **Last:** Lakomiak **Email:** Gerald.Lakomiak@cookcountyil.gov
Preparer: **First:** Gerald **Last:** Lakomiak **Email:** Gerald.Lakomiak@cookcountyil.gov
 Phone: 312-603-1895

Independant Public Accountant: Email:

FY End Date: 11/30/2010 **Agency Current FY Budget:** \$101,175,133.00

New Participant
 Existing Participant
 Amended Form

Annual Certification Report

Summary of Equitable Sharing Activity

	Justice Funds	Treasury Funds
a. Beginning Equitable Sharing Fund Balance	\$245,214.00	\$870,145.00
b. Federal Sharing Funds Received	\$517,761.00	\$208,922.00
c. Federal Sharing Funds Received from Other Law Enforcement Agencies & TH	\$0.00	\$0.00
d. Other Income	\$0.00	\$0.00
e. Interest Income Accrued	\$0.00	\$0.00
Non-Interest Bearing Account		
f. Total Equitable Sharing Funds (total lines 1-5)	\$762,975.00	\$1,079,067.00
g. Federal Sharing Funds Spent (total lines a-n below)	\$167,053.00	\$377,868.00
h. Ending Balance (subtract lines 7 from 6)	\$595,922.00	\$701,199.00

Summary of Shared Monies Spent

	Justice Funds	Treasury Funds
a. Total spent on salaries	\$165,690.00	\$0.00
b. Total spent on overtime	\$0.00	\$0.00
c. Total spent on informants, "buy money" and rewards	\$0.00	\$0.00
d. Total spent on travel and training	\$0.00	\$6,183.00
e. Total spent on communications and computers	\$0.00	\$46,299.00
f. Total spent on weapons and protective gear	\$0.00	\$0.00
g. Total spent on electronic surveillance	\$0.00	\$78,913.00
h. Total spent on building and improvements	\$0.00	\$107,119.00
i. Total transfers to other state and local law enforcement agencies (Table C)	\$0.00	\$0.00
j. Total spent on other law enforcement expenses (Table D)	\$1,363.00	\$139,354.00
k. Total Expenditures in Support of Community-based Programs (Table E)	\$0.00	
l. Total Windfall Transfers to Other Governmrnt Agencies (Table F)	\$0.00	\$0.00
m. Total spent on matching grants (Table G)	\$0.00	
n. Total	\$167,053.00	\$377,868.00
o. Did your agency receive non-cash assets? (Table H) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Table A: Members of Task Force

Table B: Equitable Sharing Funds Received from Other Agencies

Agency Name

Table C: Equitable Sharing Funds Transferred to Other Agencies

Table D: Other Law Enforcement Expenses

Description of Expense	Justice	Treasury
Legal Notices		\$42,102.00
Audit Charge		\$3,500.00
Bank Charges	\$1,363.00	\$2,109.00
Drug & Educational Awareness Programs		\$538.00
Automotive		\$91,105.00

Table E: Expenditures in Support of Community-based Programs

Table F: Windfall Transfers

Table G: Matching Grants

Table H: Other Non-Cash Assets Received

Asset Description

Table I: Civil Rights Cases

During the past fiscal year, has the Agency been part of any proceedings alleging discrimination by the Agency? Yes • No

Agency Head

Name: Anita Alvarez

Title: Cook County State's Attorney

Date: 11/30/2011

Email:

Governing Body Head

Name: Toni Preckwinkle

Title: President, Cook County Board

Date:

Email:

Subscribe to Equitable Sharing Wire:

Equitable Sharing Agreement and Certification

Police Department
National Guard Counterdrug Unit

Sheriff's Office

Task Force
Other

Prosecutor's Office

Version 2.0

Agency Name: Cook County State's Attorney's Office

NCIC: IL016013A

Street Address: 69 W. Washington, Suite 3200

City: Chicago

State: IL Zip: 60602

Finance Contact: First: Raymond

Last: Balcarcel

Phone: 312-603-1861

Email: raymond.balcarcel@cookcountyiil.gov

Preparer: First: Gerald

Last: Lakomiak

Phone: 312-603-1895

Email: gerald.lakomiak@cookcountyiil.gov

Independent Public Accountant: Email:

FY End Date: 11/30/2011

Agency Current FY Budget: \$88,271,065.00

New Participant

Existing Participant

Amended Form

Annual Certification Report

Summary of Equitable Sharing Activity

	Justice Funds	Treasury Funds
a. Beginning Equitable Sharing Fund Balance	\$595,922.00	\$701,199.00
b. Federal Sharing Funds Received	\$81,856.00	\$43,944.00
c. Federal Sharing Funds Received from Other Law Enforcement Agencies & TF	\$0.00	\$0.00
d. Other Income	\$0.00	\$0.00
e. Interest Income Accrued	\$0.00	\$0.00
Non-Interest Bearing Account		
f. Total Equitable Sharing Funds (total lines 1-5)	\$677,778.00	\$745,143.00
g. Federal Sharing Funds Spent (total lines a-n below)	\$170,434.00	\$494,193.00
h. Ending Balance (subtract lines 7 from 6)	\$507,344.00	\$250,950.00

Summary of Shared Monies Spent

	Justice Funds	Treasury Funds
a. Total spent on salaries	\$170,210.00	\$0.00
b. Total spent on overtime	\$0.00	\$0.00
c. Total spent on informants, "buy money" and rewards	\$0.00	\$0.00
d. Total spent on travel and training	\$0.00	\$8,576.00
e. Total spent on communications and computers	\$0.00	\$127,691.00
f. Total spent on weapons and protective gear	\$0.00	\$0.00
g. Total spent on electronic surveillance	\$0.00	\$124,136.00
h. Total spent on building and improvements	\$0.00	\$106,827.00
i. Total transfers to other state and local law enforcement agencies (Table C)	\$0.00	\$0.00
j. Total spent on other law enforcement expenses (Table D)	\$224.00	\$126,963.00
k. Total Expenditures in Support of Community-based Programs (Table E)	\$0.00	
l. Total Windfall Transfers to Other Government Agencies (Table F)	\$0.00	\$0.00
m. Total spent on matching grants (Table G)	\$0.00	
n. Total	\$170,434.00	\$494,193.00
o. Did your agency receive non-cash assets? (Table H) Yes <input checked="" type="radio"/> No		

Table A: Members of Task Force

Table B: Equitable Sharing Funds Received from Other Agencies

Agency Name

Table C: Equitable Sharing Funds Transferred to Other Agencies

Table D: Other Law Enforcement Expenses

Description of Expense	Justice	Treasury
Automotive	\$0.00	\$80,471.00
Legal Notices	\$0.00	\$44,207.00
Drug & Educational Awareness Programs	\$0.00	\$558.00
Bank Service Charges	\$224.00	\$1,727.00

Table E: Expenditures in Support of Community-based Programs

Table F: Windfall Transfers

Table G: Matching Grants

Table H: Other Non-Cash Assets Received

Asset Description

Table I: Civil Rights Cases

During the past fiscal year, has the Agency been part of any proceedings alleging discrimination by the Agency? Yes ● No

Agency Head

Name: Anita Alvarez

Title: Cook County State's Attorney

Date: 01/20/2012

Email:

Governing Body Head

Name: Toni Preckwinkle

Title: President, Cook County Board

Date: 03/16/2012

Email:

Subscribe to Equitable Sharing Wire:

Equitable Sharing Agreement and Certification

Police Department
National Guard Counterdrug Unit

Sheriff's Office

Task Force
Other

Prosecutor's Office

Version 2.1

Agency Name: Cook County State's Attorney's Office

NCIC: IL016013A

Street Address: 69 W. Washington, Suite 3200

City: Chicago

State: IL **Zip:** 60602

Finance Contact: **First:** Raymond

Last: Balcarcel

Phone: 312-603-1861

Email: raymond.balcarcel@cookcountyil.gov

Preparer: **First:** Raymond

Last: Balcarcel

Phone: (312)603-1861

Email: raymond.balcarcel@cookcountyil.gov

Independent Public Accountant: **Email:** RHannigan@bk-cpa.com

FY End Date: 11/30/2012

Agency Current FY Budget: \$90,678,192.00

New Participant

Existing Participant

Amended Form

Annual Certification Report

Summary of Equitable Sharing Activity

	Justice Funds	Treasury Funds
a. Beginning Equitable Sharing Fund Balance	\$507,343.94	\$250,949.66
b. Federal Sharing Funds Received	\$1,322,216.09	\$472,173.56
c. Federal Sharing Funds Received from Other Law Enforcement Agencies & TF	\$0.00	\$0.00
d. Other Income	\$0.00	\$0.00
e. Interest Income Accrued	\$0.00	\$0.00
Non-Interest Bearing Account		
f. Total Equitable Sharing Funds (total lines 1-5)	\$1,829,560.03	\$723,123.22
g. Federal Sharing Funds Spent (total lines a-n below)	\$155,749.40	\$332,015.03
h. Ending Balance (subtract lines 7 from 6)	\$1,673,810.63	\$391,108.19

Summary of Shared Monies Spent

	Justice Funds	Treasury Funds
a. Total spent on salaries	\$110,849.40	\$0.00
b. Total spent on overtime	\$0.00	\$0.00
c. Total spent on informants, "buy money" and rewards	\$0.00	\$0.00
d. Total spent on travel and training	\$0.00	\$6,902.98
e. Total spent on communications and computers	\$0.00	\$59,200.81
f. Total spent on weapons and protective gear	\$0.00	\$41,824.55
g. Total spent on electronic surveillance	\$0.00	\$5,173.99
h. Total spent on building and improvements	\$0.00	\$126,342.94
i. Total transfers to other state and local law enforcement agencies (Table C)	\$0.00	\$0.00
j. Total spent on other law enforcement expenses (Table D)	\$44,900.00	\$92,569.76
k. Total Expenditures in Support of Community-based Programs (Table E)	\$0.00	
l. Total Windfall Transfers to Other Government Agencies (Table F)	\$0.00	\$0.00
m. Total spent on matching grants (Table G)	\$0.00	
n. Total	\$155,749.40	\$332,015.03
o. Did your agency receive non-cash assets? (Table H) Yes <input checked="" type="checkbox"/> No		

Table A: Members of Task Force

Table B: Equitable Sharing Funds Received from Other Agencies

Agency Name

Table C: Equitable Sharing Funds Transferred to Other Agencies

Table D: Other Law Enforcement Expenses

Description of Expense	Justice	Treasury
Legal Notices		\$21,112.00
Auditing	\$9,000.00	\$8,000.00
Automotive	\$35,900.00	\$54,777.84
Subscriptions		\$3,552.00
Supplies		\$4,194.89
Translation Services		\$642.10
Records Fees		\$290.93

Table E: Expenditures in Support of Community-based Programs

Table F: Windfall Transfers

Table G: Matching Grants

Table H: Other Non-Cash Assets Received

Asset Description

Table I: Civil Rights Cases

During the past fiscal year, has the Agency been part of any proceedings alleging discrimination by the Agency? Yes • No

Agency Head

Name: Anita Alvarez
Title: Cook County State's Attorney
Date:
Email: statesattorney@cookcountyil.gov

Governing Body Head

Name: Toni Preckwinkle
Title: President, Cook County Board
Date:
Email: officeofthepresident@cookcountyil.gov

Subscribe to Equitable Sharing Wire:

Equitable Sharing Agreement and Certification

Police Department Sheriff's Office Task Force Prosecutor's Office Version 2.1
 National Guard Counterdrug Unit Other

Agency Name: Cook County State's Attorney's Office **NCIC:** IL016013A
Street Address: 69 W. Washington, Suite 3200 **City:** Chicago **State:** IL **Zip:** 60602
Finance Contact: **First:** Raymond **Last:** Balcarcel
 Phone: 312-603-1861 **Email:** raymond.balcarcel@cookcountyil.gov
Preparer: **First:** Raymond **Last:** Balcarcel
 Phone: (312)603-1861 **Email:** raymond.balcarcel@cookcountyil.gov
Independent Public Accountant: Email: RHannigan@bk-cpa.com

FY End Date: 11/30/2013 **Agency Current FY Budget:** \$93,229,590.00

New Participant Existing Participant Amended Form

Annual Certification Report

Summary of Equitable Sharing Activity

	Justice Funds	Treasury Funds
a. Beginning Equitable Sharing Fund Balance	\$1,673,810.63	\$391,108.19
b. Federal Sharing Funds Received	\$681,117.31	\$295,635.09
c. Federal Sharing Funds Received from Other Law Enforcement Agencies & TF	\$0.00	\$0.00
d. Other Income	\$0.00	\$0.00
e. Interest Income Accrued	\$0.00	\$0.00
Non-Interest Bearing Account		
f. Total Equitable Sharing Funds (total lines 1-5)	\$2,354,927.94	\$686,743.28
g. Federal Sharing Funds Spent (total lines a-n below)	\$248,614.87	\$453,195.14
h. Ending Balance (subtract lines 7 from 6)	\$2,106,313.07	\$233,548.14

Summary of Shared Monies Spent

	Justice Funds	Treasury Funds
a. Total spent on salaries	\$0.00	\$0.00
b. Total spent on overtime	\$0.00	\$0.00
c. Total spent on informants, "buy money" and rewards	\$0.00	\$8,792.08
d. Total spent on travel and training	\$0.00	\$11,086.71
e. Total spent on communications and computers	\$97,855.55	\$207,450.75
f. Total spent on weapons and protective gear	\$416.11	\$5,887.73
g. Total spent on electronic surveillance	\$92,045.00	\$0.00
h. Total spent on building and improvements	\$52,962.95	\$82,629.78
i. Total transfers to other state and local law enforcement agencies (Table C)	\$0.00	\$0.00
j. Total spent on other law enforcement expenses (Table D)	\$5,335.26	\$137,348.09
k. Total Expenditures in Support of Community-based Programs (Table E)	\$0.00	
l. Total Windfall Transfers to Other Government Agencies (Table F)	\$0.00	\$0.00
m. Total spent on matching grants (Table G)	\$0.00	
n. Total	\$248,614.87	\$453,195.14
o. Did your agency receive non-cash assets? (Table H) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Table A: Members of Task Force

Table B: Equitable Sharing Funds Received from Other Agencies

Agency Name

Table C: Equitable Sharing Funds Transferred to Other Agencies

Table D: Other Law Enforcement Expenses

Description of Expense	Justice	Treasury
Legal Notices		\$10,139.50
Auditing		\$3,500.00
Automotive	\$3,360.00	\$121,426.51
Supplies	\$1,975.26	\$2,014.56
Translation Services		\$267.52

Table E: Expenditures in Support of Community-based Programs

Table F: Windfall Transfers

Table G: Matching Grants

Table H: Other Non-Cash Assets Received

Asset Description

Table I: Civil Rights Cases

During the past fiscal year, has the Agency been part of any proceedings alleging discrimination by the Agency? Yes • No

Agency Head

Name: Anita Alvarez

Title: Cook County State's Attorney

Date: 01/24/2014

Email: statesattorney@cookcountyl.gov

Subscribe to Equitable Sharing Wire:

Governing Body Head

Name: Toni Preckwinkle

Title: President, Cook County Board

Date: 01/27/2014

Email: officeofthepresident@cookcountyl.gov

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Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds

Other Income

Other Income Type	Justice Funds	Treasury Funds
Other		\$1,373.91

Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Support of Community-Based Programs

Recipient	Justice Funds	Treasury Funds

Non-Categorized Expenditures

Description	Justice Funds	Treasury Funds

Salaries

Salary Type	Justice Funds	Treasury Funds

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section at 1400 New York Avenue, N.W., Washington, DC 20005.

Privacy Act Notice

The Department of Justice is collecting this information for the purpose of reviewing your equitable sharing expenditures. Providing this information is voluntary; however, the information is necessary for your agency to maintain Program compliance. Information collected is covered by Department of Justice System of Records Notice, 71 Fed. Reg. 29170 (May 19, 2006), JMD-022 Department of Justice Consolidated Asset Tracking System (CATS). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the System of Records Notice as amended by subsequent publications.

Single Audit Information**Independent Auditor**

Name:

Company:

Phone:

Email:

Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds

Other Income

Other Income Type	Justice Funds	Treasury Funds
Other		\$6,112.85

Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Support of Community-Based Programs

Recipient	Justice Funds	Treasury Funds

Non-Categorized Expenditures

Description	Justice Funds	Treasury Funds

Salaries

Salary Type	Justice Funds	Treasury Funds

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section at 1400 New York Avenue, N.W., Washington, DC 20005.

Privacy Act Notice

The Department of Justice is collecting this information for the purpose of reviewing your equitable sharing expenditures. Providing this information is voluntary; however, the information is necessary for your agency to maintain Program compliance. Information collected is covered by Department of Justice System of Records Notice, 71 Fed. Reg. 29170 (May 19, 2006), JMD-022 Department of Justice Consolidated Asset Tracking System (CATS). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the System of Records Notice as amended by subsequent publications.

Single Audit Information**Independent Auditor**

Name:

Company:

Phone:

Email:

Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds

Other Income

Other Income Type	Justice Funds	Treasury Funds
Other	\$5,241.52	

Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Support of Community-Based Programs

Recipient	Justice Funds	Treasury Funds

Non-Categorized Expenditures

Description	Justice Funds	Treasury Funds

Salaries

Salary Type	Justice Funds	Treasury Funds
Salary - Federal Task Force Replacement Officer	\$97,997.34	\$42,497.82

Paperwork Reduction Act Notice

Under the Paperwork Reduction Act, a person is not required to respond to a collection of information unless it displays a valid OMB control number. We try to create accurate and easily understood forms that impose the least possible burden on you to complete. The estimated average time to complete this form is 30 minutes. If you have comments regarding the accuracy of this estimate, or suggestions for making this form simpler, please write to the Asset Forfeiture and Money Laundering Section at 1400 New York Avenue, N.W., Washington, DC 20005.

Privacy Act Notice

The Department of Justice is collecting this information for the purpose of reviewing your equitable sharing expenditures. Providing this information is voluntary; however, the information is necessary for your agency to maintain Program compliance. Information collected is covered by Department of Justice System of Records Notice, 71 Fed. Reg. 29170 (May 19, 2006), JMD-022 Department of Justice Consolidated Asset Tracking System (CATS). This information may be disclosed to contractors when necessary to accomplish an agency function, to law enforcement when there is a violation or potential violation of law, or in accordance with other published routine uses. For a complete list of routine uses, see the System of Records Notice as amended by subsequent publications.

Single Audit Information**Independent Auditor**

Name:

Company:

Phone:

Email:

Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds

Other Income

Other Income Type	Justice Funds	Treasury Funds
Other	\$139,428.34	\$42,497.82

Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Support of Community-Based Programs

Recipient	Justice Funds	

Non-Categorized Expenditures

Description	Justice Funds	Treasury Funds

Salaries

Salary Type	Justice Funds	Treasury Funds

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Single Audit Information

Independent Auditor

Name:

Company:

Phone:

Email:



Equitable Sharing Agreement and Certification



NCIC/ORI/Tracking Number: IL016013A
Agency Name: Cook County State's Attorney's Office
Mailing Address: 69 W. Washington, Suite 3200
 Chicago, IL 60602

Type: Prosecutor's Office

Agency Finance Contact

Name: Coleman, Brenski
Phone: 312-603-1861

Email: brenski.coleman@cookcountyil.gov

Jurisdiction Finance Contact

Name: Coleman, Brenski
Phone: 3126031861

Email: brenski.coleman@cookcountyil.gov

ESAC Preparer

Name: Coleman, Brenski
Phone: 3126031861

Email: brenski.coleman@cookcountyil.gov

FY End Date: 11/30/2018

Agency FY 2019 Budget: \$126,811,403.00

Annual Certification Report

Summary of Equitable Sharing Activity		Justice Funds ¹	Treasury Funds ²
1	Beginning Equitable Sharing Fund Balance	\$1,868,859.24	\$1,030,499.57
2	Equitable Sharing Funds Received	\$322,739.88	\$122,273.85
3	Equitable Sharing Funds Received from Other Law Enforcement Agencies and Task Force	\$0.00	\$0.00
4	Other Income	\$2,774.84	\$0.00
5	Interest Income	\$0.00	\$0.00
6	Total Equitable Sharing Funds Received (total of lines 1-5)	\$2,194,373.96	\$1,152,773.42
7	Equitable Sharing Funds Spent (total of lines a - n)	\$152,026.19	\$121,633.29
8	Ending Equitable Sharing Funds Balance (difference between line 7 and line 6)	\$2,042,347.77	\$1,031,140.13

¹Department of Justice Asset Forfeiture Program participants are: FBI, DEA, ATF, USPIS, USDA, DCIS, DSS, and FDA

²Department of the Treasury Asset Forfeiture Program participants are: IRS, ICE, CBP and USSS.

Summary of Shared Funds Spent		Justice Funds	Treasury Funds
a	Law Enforcement Operations and Investigations	\$33,283.20	\$34,658.62
b	Training and Education	\$41,656.57	\$13,151.74
c	Law Enforcement, Public Safety, and Detention Facilities	\$0.00	\$0.00
d	Law Enforcement Equipment	\$77,086.42	\$73,822.93
e	Joint Law Enforcement/Public Safety Equipment and Operations	\$0.00	\$0.00
f	Contracts for Services	\$0.00	\$0.00
g	Law Enforcement Travel and Per Diem	\$0.00	\$0.00
h	Law Enforcement Awards and Memorials	\$0.00	\$0.00
i	Drug, Gang, and Other Education or Awareness Programs	\$0.00	\$0.00
j	Matching Grants	\$0.00	\$0.00
k	Transfers to Other Participating Law Enforcement Agencies	\$0.00	\$0.00
l	Support of Community-Based Programs	\$0.00	\$0.00
m	Non-Categorized Expenditures	\$0.00	\$0.00
n	Salaries	\$0.00	\$0.00
Total		\$152,026.19	\$121,633.29

Equitable Sharing Funds Received From Other Agencies

Transferring Agency Name	Justice Funds	Treasury Funds

Other Income

Other Income Type	Justice Funds	Treasury Funds
Reimbursements	\$2,774.84	

Matching Grants

Matching Grant Name	Justice Funds	Treasury Funds

Transfers to Other Participating Law Enforcement Agencies

Receiving Agency Name	Justice Funds	Treasury Funds

Support of Community-Based Programs

Recipient	Justice Funds	

Non-Categorized Expenditures

Description	Justice Funds	Treasury Funds

Salaries

Salary Type	Justice Funds	Treasury Funds

Paperwork Reduction Act Notice

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Single Audit Information

Independent Auditor

Name: LESTER H. MCKEEVER, JR.

Company: Washington, Pittman & McKeever, LLC

Phone: 312-786-0330

Email: LMCKEEVER@wpmck.COM

EXHIBIT 13

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
LEE I. SHERMAN (SBN 272271)
8 Deputy Attorneys General
300 S. Spring St., Suite 1702
9 Los Angeles, CA 90013
Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
COLORADO; STATE OF
18 **CONNECTICUT; STATE OF**
DELAWARE; STATE OF HAWAII;
19 **STATE OF ILLINOIS; STATE OF**
MAINE; STATE OF MARYLAND;
20 **COMMONWEALTH OF**
MASSACHUSETTS; ATTORNEY
21 **GENERAL DANA NESSEL ON BEHALF**
OF THE PEOPLE OF MICHIGAN;
22 **STATE OF MINNESOTA; STATE OF**
NEVADA; STATE OF NEW JERSEY;
23 **STATE OF NEW MEXICO; STATE OF**
NEW YORK; STATE OF OREGON;
24 **STATE OF RHODE ISLAND; STATE OF**
VERMONT; COMMONWEALTH OF
25 **VIRGINIA; and STATE OF WISCONSIN;**

26 Plaintiffs,

27 v.
28

4:19-cv-00872-HSG

**DECLARATION OF DANIEL A. SCOTT
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Daniel Scott declare as follows:

2 1. I am Daniel A. Scott. I have personal knowledge of the facts set forth in this
3 declaration. If called as a witness, I could and would testify competently to the matters set forth
4 below.

5 2. I am employed as a Game Warden Lieutenant by the State of Maine, Department
6 of Inland Fisheries & Wildlife, Bureau of Warden Service. I have served in that capacity since
7 2012. I have served as a Maine Game Warden for 22 years. .

8 3. As part of my official duties, I am responsible for overseeing the equitable sharing
9 funds due the Warden Service from the Treasury Forfeiture Fund.

10 4. By letter dated September 7, 2018, the Maine Warden Service was notified by the
11 Department of Treasury, Internal Revenue Service that the Maine Warden Service was entitled to
12 equitable sharing at the rate of 3% of \$238,956.42 (or \$7168), the net amount available for
13 equitable sharing related to the liquidation of two parcels of land seized during a joint law
14 enforcement operation conducted in 2014. A copy of the September 7, 2018 letter from the
15 Internal Revenue Service is attached hereto as Exhibit 1.

16 5. To date, the Maine Warden Service has not received payment of its equitable
17 share.

18 6. Equitable sharing proceeds are used by the Maine Warden Service to support
19 authorized public safety activities. Diversion of Treasury Forfeiture Funds will harm the Maine
20 Warden Service by depriving it of funding to which it is entitled.

21

22 I declare under penalty of perjury under the laws of the United States that the foregoing is true
23 and correct.

24 Executed on March 14, 2019, at Augusta, Maine

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27

28

/s/ Daniel A. Scott
Daniel A. Scott



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

Colonel's Office
Received

SEP 25 2018

Inland Fisheries & Wildlife
Augusta, ME

Criminal Investigation

September 7, 2018

Dan Scott
Maine Warden Service
284 State Street
State House Station #41
Augusta, Maine 04330

Person to Contact:
Special Agent Ryan Talbot
Asset Forfeiture Coordinator
Telephone Number:
617-557-2283
Refer Reply to:
FRENCH, Malcolm

Re: Seizure of Real Property (Total Asset Value: \$274,600.00, Net amount available for sharing: \$238,956.42)

Dear Mr. Scott:

This letter responds to your sharing request filed with the Internal Revenue Service (IRS) seeking equitable distribution of the above-described property pursuant to Section 309 of Public Law 98-4733 (the Comprehensive Crime Control Act of 1984), as implemented by the Secretary of the Treasury's Guidelines on Seized and Forfeited Property (April 2004).

In your request for equitable sharing, you asked for 30% of the net proceeds resulting from the above seizure. The AFTRAK number relating to this seizure is 04120124-01, 04120125-01 & 04120126-01.

DECISION

Your agency's sharing request for *net proceeds* has been granted in the amount of 3.0%. This percentage was based on your agency's overall participation in and contribution to the investigation. If you have any questions regarding the percentage approved, please contact the Asset Forfeiture Coordinator at the telephone number listed above.

The asset has been forfeited and the final order of forfeiture will be forwarded with the approved sharing decision forms to the Treasury Executive Office for Asset Forfeiture (TEOAF) for final approval and processing of payments. If after ninety days payment has not been received, please feel free to contact the Asset Forfeiture Coordinator listed above.

EXHIBIT 1

If your request has been granted in whole or in part, please note the following information:

No property can be shared unless your agency has submitted a Federal Equitable Sharing Agreement to TEOAF.

All assets placed into official use must be used for a law enforcement purpose for at least one year.

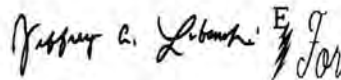
All state and local law enforcement agencies must implement standard accounting procedures and internal controls (e.g., tracking share requests and receipts, depositing shares into a separate revenue account or accounting code, restrictively endorsing checks upon receipt) to track equitably shared monies and tangible property. See the Department of Treasury Guide to Equitable Sharing for details.

Any property transferred to your agency must be utilized as a budget enhancement and not as a budget offset.

On occasion, circumstances arise which may require the return of forfeited property or proceeds after it has been equitably shared. If those circumstances occur, you may be requested to return the property or proceeds shared with you, or to have an equitable amount deducted from a future equitable share.

If you have any questions regarding this letter or the status of the related forfeiture action, please contact the person named above.

Sincerely,

Handwritten signature of Jeffrey A. Libonati in cursive script.

Ronald Whitsett
Director, Warrants and Forfeiture

Internal Revenue Service

1111 Constitution Avenue NW
Washington, DC 20224-0002

Official Business
Penalty for Private Use, \$300

SE:CI:OPS:WF

CAP DISTRICT
MD 207
17 SEP '18
PMS 1

Hasler

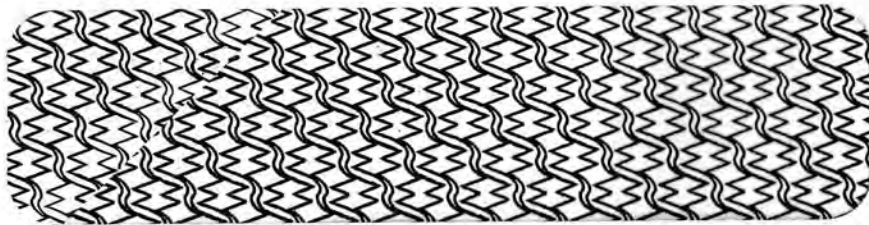
09/17/2018

US POSTAGE \$000.47⁹

FIRST-CLASS MAIL



US OFFICIAL MAIL
\$300 Penalty
For Private Use
ZIP 20743
011D12500050



04300-804504

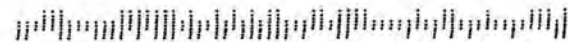


EXHIBIT 14

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
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8 Deputy Attorneys General
300 S. Spring St., Suite 1702
9 Los Angeles, CA 90013
Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA
14 OAKLAND DIVISION
15

17 **STATE OF CALIFORNIA; STATE OF**
COLORADO; STATE OF
18 **CONNECTICUT; STATE OF**
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19 **STATE OF ILLINOIS; STATE OF**
MAINE; STATE OF MARYLAND;
20 **COMMONWEALTH OF**
MASSACHUSETTS; ATTORNEY
21 **GENERAL DANA NESSEL ON BEHALF**
OF THE PEOPLE OF MICHIGAN;
22 **STATE OF MINNESOTA; STATE OF**
NEVADA; STATE OF NEW JERSEY;
23 **STATE OF NEW MEXICO; STATE OF**
NEW YORK; STATE OF OREGON;
24 **STATE OF RHODE ISLAND; STATE OF**
VERMONT; COMMONWEALTH OF
25 **VIRGINIA; and STATE OF WISCONSIN;**
26
27
28

Plaintiffs,

v.

4:19-cv-00872-HSG

**DECLARATION OF JOHN WILHELM
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, John Wilhelm, declare as follows:

2 1. I am Deputy Director of the Office of Strategic Planning at the Maryland
3 Department of State Police (MDSP), a position I have held for the past five years. Prior to this
4 role, I served as a sworn officer with the MDSP for 27 years, retiring as a Lieutenant in the
5 Computer Crimes Section. The Office of Strategic Planning develops and manages the MDSP's
6 operating and capital budgets and administers the MDSP's fiscal operations. I make this
7 declaration based on my personal knowledge and my review of internal records. If called as a
8 witness, I could and would testify competently to the matters set forth below.

9 2. The MDSP is a full-service law enforcement agency comprised of over 1,400
10 uniformed officers that is responsible for statewide traffic enforcement, criminal investigations,
11 tactical operations, and drug enforcement.

12 3. The MDSP is a participant in the Treasury Forfeiture Fund's equitable sharing
13 program and has been awarded equitable shares since the early 1990s for its contributions to law
14 enforcement operations that resulted in forfeitures. In my current role, I am responsible for
15 preparing and submitting an annual Equitable Sharing Agreement and Certification form to
16 maintain compliance as a participant in the program. That certification lists the total amount of
17 equitable funds received during the fiscal year and summarizes how the funds were spent.

18 4. The MDSP received a total of \$20,468.16 in equitable shares in 2016, \$115,073.70
19 in 2017, \$429,264.76 in 2018, and has received \$6,901.08 to date in 2019.

20 5. Currently, the MDSP has 54 requests pending with the Treasury Forfeiture Fund
21 for equitable shares relating to seized assets worth \$8,390,879. The MDSP expects to submit
22 requests for equitable shares in future fiscal years as well.

23 6. In accordance with Department of Treasury policy, the MDSP uses equitable
24 sharing funds for a broad range of law enforcement purposes. In recent years, Treasury equitable
25 sharing funds have been used for critical law enforcement expenses such as vehicle procurement,
26 in-car cameras, duty firearms, recruitment, homicide investigation training, polygraph training,
27 dive training, communications training, and SWAT training. Should the MDSP receive equitable
28 sharing funds for its pending requests, as it has in the past, the MDSP would use those funds

1 similarly, to strengthen the MDSP's law enforcement capabilities.

2 I declare under penalty of perjury under the laws of the United States that the foregoing is
3 true and correct.

4 Executed on April 1, 2019, at Pikesville, Maryland.

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John Wilhelm
Deputy Director
Office of Strategic Planning
Maryland State Police

EXHIBIT 15

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
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Telephone: (213) 269-6404
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E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

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13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
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18 **CONNECTICUT; STATE OF**
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MAINE; STATE OF MARYLAND;
20 **COMMONWEALTH OF**
MASSACHUSETTS; ATTORNEY
21 **GENERAL DANA NESSEL ON BEHALF**
OF THE PEOPLE OF MICHIGAN;
22 **STATE OF MINNESOTA; STATE OF**
NEVADA; STATE OF NEW JERSEY;
23 **STATE OF NEW MEXICO; STATE OF**
NEW YORK; STATE OF OREGON;
24 **STATE OF RHODE ISLAND; STATE OF**
25 **VERMONT; COMMONWEALTH OF**
VIRGINIA; and STATE OF WISCONSIN;

26 Plaintiffs,

27 v.

4:19-cv-00872-HSG

**DECLARATION OF MICHELLE
SMALL IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

22 Defendants.

23 I, Michelle Small, hereby declare as follows:

24 1. I, Michelle Small, am the Chief Administrative Officer for the Massachusetts State
25 Police (“MSP”), which is the statewide police agency for the Commonwealth of Massachusetts.

26 2. I have personal knowledge of the facts set forth in this declaration. If called as a
27 witness, I could and would testify competently to the matters set forth below.

28 3. MSP’s mission is to protect residents of and visitors to Massachusetts. In fulfilling
this mission MSP routinely partners with local, state, and federal law enforcement agencies on
investigations, operations, and training to make Massachusetts a safer place for all.

4. MSP regularly conducts joint law enforcement activities with federal law
enforcement agencies that participate in the Treasury Forfeiture Fund (“TFF”). As a result, MSP
has received funding from the TFF for joint law enforcement activities with relevant federal
agencies.

1 5. The following are the amounts received by MSP in each of the previous four fiscal
2 years from the TFF: FY 2016: \$35,890; FY 2017: \$481,822; FY 2018: \$35,286; and FY 2019 (to
3 date): \$13,980.

4 6. To date, MSP has received equitable shares from the TFF upon submitting a claim
5 and the completion of a forfeiture.

6 7. The precise amount received by MSP for each forfeiture depends on the value of
7 forfeited assets after victim payments, attorneys' fees, and other costs are paid.

8 8. MSP has received varying amounts from the TFF in relation to individual
9 forfeitures. Some of the individual forfeitures can be as high as tens or even hundreds of
10 thousands of dollars.

11 9. As of March 19, 2019, MSP had twenty-two pending claims for forfeited assets.
12 The total value of forfeited assets corresponding with these claims is \$1,960,878.

13 10. As of March 19, 2019, MSP had ten pending claims for seized assets that had not
14 yet been forfeited. These claims were for seven seizures of currency which totaled \$567,045, two
15 seizures of real property, and one seizure of a motor vehicle.

16 11. In the past, MSP has used the funds received from the TFF for equipment, internet
17 technology purchases, in-service trainings, and professional development.

18 12. If MSP were to receive funding from its outstanding TFF claims, it would use the
19 money to provide officers with training and professional development opportunities. The funds
20 also would be used to purchase internet technology equipment that is crucial to officer and public
21 safety. Examples of internet technology purchases are network equipment, booking equipment,
22 and special operations equipment.

23 13. The continued availability of funds through the TFF is important to the pursuit of
24 Massachusetts' law enforcement objectives and activities.

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14. MSP is committed to ensuring that funds from the TFF are used in an effective manner that furthers law enforcement objectives and activities to enhance public safety in Massachusetts.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on April 3, 2019, at Boston, Massachusetts


Michelle Small

EXHIBIT 16

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
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18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON**
26 **BEHALF OF THE PEOPLE OF**
27 **MICHIGAN; STATE OF**
MINNESOTA; STATE OF NEVADA;
STATE OF NEW JERSEY; STATE OF
NEW MEXICO; STATE OF NEW
YORK; STATE OF OREGON; STATE
OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF
WISCONSIN;

Plaintiffs,

4:19-cv-00872-HSG

**DECLARATION OF AMANDA
BAKER IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

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v.

DONALD J. TRUMP, in his official capacity as President of the United States of America; **UNITED STATES OF AMERICA**; **U.S. DEPARTMENT OF DEFENSE**; **PATRICK M. SHANAHAN**, in his official capacity as Acting Secretary of Defense; **MARK T. ESPER**, in his official capacity as Secretary of the Army; **RICHARD V. SPENCER**, in his official capacity as Secretary of the Navy; **HEATHER WILSON**, in her official capacity as Secretary of the Air Force; **U.S. DEPARTMENT OF THE TREASURY**; **STEVEN T. MNUCHIN**, in his official capacity as Secretary of the Treasury; **U.S. DEPARTMENT OF THE INTERIOR**; **DAVID BERNHARDT**, in his official capacity as Acting Secretary of the Interior; **U.S. DEPARTMENT OF HOMELAND SECURITY**; **KIRSTJEN M. NIELSEN**, in her official capacity as Secretary of Homeland Security;

Defendants.

1 I, Amanda Baker, declare as follows:

2 1. I have personal knowledge of the facts set forth in this declaration. If
3 called as a witness, I could and would testify competently to the matters set forth
4 below.

5 2. I am currently employed as the Director of Budget and Financial
6 Services for the Michigan State Police. I have been employed by the Michigan State
7 of Police for the past two years and two months. I have served in my current
8 position for the past two years, and two months.

9 3. As the Director of Budget and Financial Services for the Michigan State
10 Police (MSP), I perform several duties relating to the MSP's participation as an
11 equitable share partner in the Treasury Forfeiture Fund (TFF) administered by the
12 U.S. Department of Treasury. The MSP is a participant in the TFF's equitable
13 share program pursuant to 31 U.S.C. § 9705 and the terms of an equitable share
14 agreement with the Department of Treasury.

15 4. I am familiar with the records maintained by the MSP relating to its
16 participation in the TFF equitable share program. These records include: claims
17 submitted by the MSP to the Department of Treasury following law enforcement
18 actions that resulted in a seizure; notices of forfeiture that MSP receives from the
19 Department of Treasury; records reflecting the payment of equitable shares to the
20 MSP by the Department of Treasury; and records relating to MSP's use of equitable
21 shares for law enforcement purposes.

22 5. Under the TFF equitable share program, the Department of Treasury
23 may distribute funds derived from forfeited assets to a state or local law enforcement
24 agency if that agency is a participant in the program, and the agency participated in
25 a law enforcement action that resulted in a seizure and forfeiture that is subject to
26 the Department of Treasury's jurisdiction.

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1 6. The MSP and its troopers frequently participate in joint law
2 enforcement law actions with federal agencies that fall under the Department of
3 Treasury's Treasury Forfeiture Fund program, such as investigations of the Internal
4 Revenue Service and the Department of Homeland Security's Homeland Security.
5 These law enforcement actions sometimes result in the seizure of assets – cash or
6 property with a monetary value. As a partner agency under the equitable share
7 program, the MSP submits a claim for an equitable share of the seized assets based
8 on its level of participation in the action that resulted in the seizure. This initial
9 claim is submitted within forty-five days of the law enforcement action resulting in a
10 seizure. The Department of Treasury maintains possession of the seized assets and
11 provides MSP with notice of a judicial declaration of forfeiture. After receiving such
12 notice, MSP certifies that it is entitled to a share of the seized assets under state
13 law. The Department of Treasury then makes a determination concerning MSP's
14 equitable share claim and provides MSP with notice of the distributed amount.

15 7. Since 2011, the MSP has submitted a total 151 claims for
16 reimbursement. Each claim identified the date of the seizure, the federal agency
17 involved in the seizure, the amount of cash or value of the asset seized, and the
18 percentage of the total value of the seizure claimed by the MSP based on the level of
19 MSP's involvement in the law enforcement action. Each equitable share claim that
20 is filed is based on law enforcement actions that have already occurred and which
21 involved the expenditure of state resources and relied on the contributions of state
22 law enforcement personnel.

23 8. Since 2011, the Department of Treasury has not advised MSP of any
24 equitable share claim submitted by MSP that has been rejected by the Department
25 of Treasury, nor that any seizure subject to an equitable share claim by MSP did not
26 result in a forfeiture.

1 9. Of the 151 claims submitted by MSP since 2011, the Department of
2 Treasury has paid at least a portion of the equitable share sought by MSP for the
3 claims submitted.

4 10. Since 2011, the MSP has received the following allotments from the
5 Department of Treasury related to its forfeiture activities, averaging \$196,703 each
6 year:

7 2011 – \$196,693

8 2012 – \$156,741

9 2013 – \$348,809

10 2014 – \$322,969

11 2015 – \$482,078

12 2016 – \$ 34,494

13 2017 – \$ 9,424

14 2018 – \$ 22,413

15 11. In my position as the Director of Budget and Financial Services for the
16 MSP, I am responsible for ensuring that the funds the MSP receives from the TFF
17 are used for legitimate law enforcement purposes consistent with its equitable
18 sharing agreement with the Department of Treasury. Since 2011, the MSP has
19 applied the equitable shares that it has received toward the payment for training,
20 equipment, and for overtime for staff for vital services.


21
22 12. If the MSP does not receive equitable shares in 2019 as it has in the
23 past, or if the Department of Treasury reduces or delays its payments of equitable
24 share claims, the MSP will be forced either to draw from other law enforcement
25 resources to pay for the training and equipment used by the MSP, diverting funds
26 from the MSP's other law enforcement priorities, or otherwise forgo entirely the
27 planned training or equipment purchases.

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I declare under penalty of perjury under the laws of the United States that
the foregoing is true and correct.

Executed on March 29, 2019, at Dimondale, Michigan.



[Name]

EXHIBIT 17

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
LEE I. SHERMAN (SBN 272271)
8 Deputy Attorneys General
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E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity

4:19-cv-00872-HSG

**DECLARATION OF JEFF WERSAL IN
SUPPORT OF PLAINTIFFS' MOTION
FOR A PRELIMINARY INJUNCTION**

1 as President of the United States of America;
2 **UNITED STATES OF AMERICA; U.S.**
3 **DEPARTMENT OF DEFENSE; PATRICK**
4 **M. SHANAHAN**, in his official capacity as
5 Acting Secretary of Defense; **MARK T.**
6 **ESPER**, in his official capacity as Secretary of
7 the Army; **RICHARD V. SPENCER**, in his
8 official capacity as Secretary of the Navy;
9 **HEATHER WILSON**, in her official capacity
10 as Secretary of the Air Force; **U.S.**
11 **DEPARTMENT OF THE TREASURY;**
12 **STEVEN T. MNUCHIN**, in his official
13 capacity as Secretary of the Treasury; **U.S.**
14 **DEPARTMENT OF THE INTERIOR;**
15 **DAVID BERNHARDT**, in his official capacity
16 as Acting Secretary of the Interior; **U.S.**
17 **DEPARTMENT OF HOMELAND**
18 **SECURITY; KIRSTJEN M. NIELSEN**, in
19 her official capacity as Secretary of Homeland
20 Security;

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Defendants.

1 I, Jeff Wersal, declare as follows:

2 1. I am Commander of the Minnesota River Valley Drug Task Force ("MRVDTF")
3 and a Lieutenant with the Blue Earth County Sheriff's Office. I have personal knowledge of the
4 facts set forth in this declaration. If called as a witness, I could and would testify competently to
5 the matters set forth below.

6 2. The MRVDTF is a specialized investigative unit dedicated to combatting drug
7 trafficking. The MRVDTF is a multi-jurisdictional collaborative law enforcement effort between
8 Blue Earth County Sheriff's Office and nine other law enforcement agencies in southern
9 Minnesota. The Blue Earth County Sheriff's Office is the fiduciary agency for the MRVDTF.

10 3. The MRVDTF has a pending claim submitted on June 9, 2015 for payment from
11 the Treasury Forfeiture Fund. An investigation by the MRVDTF resulted in the IRS Criminal
12 Investigation Division seizing six vehicles with a total value of approximately \$66,000. The
13 pending claim is for these vehicles.

14 4. The federal seizing agency for this claim is the IRS Criminal Investigation
15 Division. The MRVDTF incurred extraordinary expenses in the course of this investigation and
16 contributed more than 1,000 hours to the investigation that forms the basis of this claim.

17 5. The MRVDTF intends to use the payment from the above-mentioned claim to pay
18 for training and police equipment.

19 6. Denial, reduction, or further delay of the funds will prevent the MRVDTF from
20 paying for the additional training and police equipment, and will thus negatively affect the
21 MRVDTF's ability to protect and serve the residents of its jurisdiction.

22 I declare under penalty of perjury under the laws of the United States that the foregoing is
23 true and correct.

24 Executed on April 1, 2019, at Marke to, Minnesota.

25
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27 
28 _____
JEFF WERSAL

EXHIBIT 18

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
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11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

4:19-cv-00872-HSG

**DECLARATION OF ROLAND D.
SWANSON, II IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

22 Defendants.

23 I, Roland D. Swanson, II, declare as follows:

24 1. I have personal knowledge of the facts set forth in this declaration. If called as a
25 witness, I could and would testify competently to the matters set forth below.

26 2. I am currently employed as Chief of the Investigations Division at the Office of the
27 Nevada Attorney General ("OAG"). I have been employed by the State of Nevada for the past 3.5
28 years and served in my current position for the past 3.5 years.

1 3. As the Chief of the Investigations Division, I perform several duties relating to the
2 Office's participation as an equitable share partner in the Treasury Forfeiture Fund ("TFF")
3 administered by the U.S. Department of Treasury. The Office is a participant in the TFF's equitable
4 share program pursuant to 31 U.S.C. 9705 and the terms of an equitable share agreement with the
5 Department of Treasury.

6 4. I am familiar with the records maintained by the Office relating to its participation
7 in the TFF equitable share program. These records include: claims submitted by OAG to the
8 Department of Treasury following law enforcement actions that resulted in a seizure; notices of
9 forfeiture that OAG receives from the Department of Treasury; records reflecting the payment of

1 equitable shares to the OAG by the Department of Treasury; and, records relating to OAG's use of
2 equitable shares toward law enforcement purposes.

3 5. Under the TFF equitable share program, the Department of Treasury may distribute
4 funds derived from forfeited assets to a state or local law enforcement agency if that agency is a
5 participant in the program and the agency participated in a law enforcement actions that resulted in
6 a seizure and forfeiture that is subject to the Department of Treasury's jurisdiction.

7 6. The OAG Investigations Division frequently participates in joint law enforcement
8 actions with federal agencies that fall under the Department of Treasury's Treasury Forfeiture Fund
9 program, such as the Internal Revenue Service. These law enforcement actions sometimes result in
10 the seizure of assets - cash or property with a monetary value. As a partner agency under the
11 equitable share program, OAG submits a claim for an equitable share of the seized asserts based
12 on OAG's level of participation in the action that resulted in the seizure. This initial claim is
13 submitted within 60 days of the law enforcement action resulting in a seizure. The Department of
14 Treasury maintains possession of the seized assets and provides the OAG with notice of Request
15 for Transfer of Property Seized/Forfeited by a Treasury Agency (TD F92-22.46). After receiving
16 such notice, the OAG certifies that it is entitled to a share of the seized assets under state law. The
17 Department of Treasury then makes a determination concerning OAG's equitable share claim and
18 provides the OAG with notice of the distributed amount.

19 7. Over the past five years, the OAG Investigations Division has submitted
20 approximately 12 claims for reimbursement. Each claim identified the date of the seizure, the
21 federal agency involved in the seizure, the amount of cash or value of the asset seized, and the
22 percentage of the total value of the seizure claimed by the OAG, based on the level of OAG's
23 involvement in the law enforcement action. Each equitable share claim is based on law enforcement
24 actions that have already occurred and which involved the expenditure of state resources and relied
25 on the contributions of state law enforcement personnel.

26 8. Within the past five years, the Department of Treasury has not advised the OAG of
27 any equitable share claim submitted by the OAG, that has been rejected by the Department of
28 Treasury, nor that any seizure subject to an equitable share claim by OAG did not result in a

1 forfeiture.

2 9. The OAG has received a total of \$422,211.94 in equitable share claims from the
3 Department of Treasury during the following state fiscal years (SFY):

- 4 a) SFY 2015: \$35,777.35
- 5 b) SFY 2016: \$369,469.30
- 6 c) SFY 2017: \$831.00
- 7 d) SFY2018: \$16,134.29
- 8 e) SFY 2019: \$0.00

9 10. OAG currently has approximately six claims outstanding. OAG has yet to receive
10 payments on any of these claims.

11 11. As the OAG's Chief of the Investigations Division, I am responsible for ensuring
12 that the funds the OAG receives from the TFF are used for legitimate law enforcement purposes
13 consistent with its equitable sharing agreement with the Department of Treasury. For the past
14 several years, the OAG has applied the equitable shares that it has received toward the payment of
15 law enforcement and officer safety equipment, investigative tools, financial fraud training, expert
16 testimony, and operational travel related to criminal investigations and prosecutions. This funding
17 is critical to the OAG's ability to effectively accomplish its law enforcement mission and enhance
18 public safety in the following program areas: General Financial Fraud; Elder Financial
19 Exploitation, Public Integrity Crimes; Insurance Fraud; Workers Compensation Fraud; and
20 Medicaid Fraud.

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EXHIBIT 19

1 ELLEN ROSENBLUM
Attorney General
2 NICOLE DEFEVER, State Bar No.191525
Senior Assistant Attorney General
3 Oregon Department of Justice
100 Market Street
4 Portland, OR 942401
Telephone: (971)673-1880
5 Fax: (971) 673-5000
E-mail: Nicole.DeFever@doj.state.or.us
6 *Attorneys for Plaintiff State of Oregon*

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
11

12 **STATE OF CALIFORNIA; STATE OF**
13 **COLORADO; STATE OF**
14 **CONNECTICUT; STATE OF**
15 **DELAWARE; STATE OF HAWAII;**
16 **STATE OF ILLINOIS; STATE OF**
17 **MAINE; STATE OF MARYLAND;**
18 **COMMONWEALTH OF**
19 **MASSACHUSETTS; ATTORNEY**
20 **GENERAL DANA NESSEL ON BEHALF**
21 **OF THE PEOPLE OF MICHIGAN;**
22 **STATE OF MINNESOTA; STATE OF**
23 **NEVADA; STATE OF NEW JERSEY;**
24 **STATE OF NEW MEXICO; STATE OF**
25 **NEW YORK; STATE OF OREGON;**
26 **STATE OF RHODE ISLAND; STATE OF**
27 **VERMONT; COMMONWEALTH OF**
28 **VIRGINIA; and STATE OF WISCONSIN;**

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States of America;
UNITED STATES OF AMERICA; U.S.
DEPARTMENT OF DEFENSE; PATRICK
M. SHANAHAN, in his official capacity as
Acting Secretary of Defense; **MARK T.**
ESPER, in his official capacity as Secretary of
the Army; **RICHARD V. SPENCER**, in his

4:19-cv-00872-HSG

**DECLARATION OF TRAVIS
HAMPTON IN SUPPORT OF
PLAINTIFFS' MOTION FOR A
PRELIMINARY INJUNCTION**

1 official capacity as Secretary of the Navy;
2 **HEATHER WILSON**, in her official capacity
3 as Secretary of the Air Force; **U.S.**
4 **DEPARTMENT OF THE TREASURY;**
5 **STEVEN T. MNUCHIN**, in his official
6 capacity as Secretary of the Treasury; **U.S.**
7 **DEPARTMENT OF THE INTERIOR;**
8 **DAVID BERNHARDT**, in his official capacity
9 as Acting Secretary of the Interior; **U.S.**
10 **DEPARTMENT OF HOMELAND**
11 **SECURITY; KIRSTJEN M. NIELSEN**, in
12 her official capacity as Secretary of Homeland
13 Security;
14
15 Defendants.

16 I, Travis Hampton, declare as follows:

- 17 1. I am the Superintendent for the Oregon State Police. I have personal knowledge of the
18 facts set forth in this declaration. If called as a witness, I could and would testify competently to
19 the matters set forth below.
- 20 2. The Oregon State Police (OSP) have received Treasury Forfeiture Funds (TFF) in the past
21 and expect to receive comparable monies in the future.
- 22 3. For the fiscal year 2017, the OSP received \$23,909.86 in TFF. Fiscal year 2016, the OSP
23 received \$63,378.99 in TFF. Fiscal year 2015, the OSP received \$284,338.97 in TFF.
- 24 4. The OSP uses the TFF to support law enforcement operations and investigations, for
25 training and education, and for law enforcement equipment.
- 26 5. For example, the OSP used \$1.8 million in 2011-2019 biennium to purchase radios, body
27 cameras, SWAT body armor, in-car cameras, and mobile data terminals for emergency vehicles.
- 28 6. When the OSP is the lead or partner agency in a seizure that results in a federal forfeiture,
the OSP requests equitable sharing pursuant to the federal equitable sharing guidelines.
7. The OSP is involved with multiple task forces around the state, which work to investigate
major crimes and disrupt drug trafficking and production, among other duties. One of those task
forces is the Portland Airport Organized Crime Task Force.
8. The Portland Airport Organized Crime Task Force has served over 30 federal search

1 warrants and made over 29 arrests since it was created in 2017. The Federal Bureau of
2 Investigation's "Director's Commendation" was awarded to the Portland Airport Organized
3 Crime Task Force in 2018 for its excellent work.

4 9. The OSP has a Southwest Marijuana Enforcement Team. In 2018, this team was involving
5 in 85 cases involving illegal Oregon marijuana exportation to other 17 states, and seized 126
6 firearms during its operations. In 2018, the Southwest Marijuana Enforcement Team seized over
7 \$1.6 million in currency from a large scale marijuana interstate diversion and money laundering
8 operation. Those seized funds were the subject of a federal forfeiture. As a result of that
9 forfeiture, the Oregon State Police has requested equitable sharing of Treasury Forfeiture Funds
10 totaling approximately \$1.1 million.

11 10. In addition, in the past six months, the OSP has been involved in the seizure of over \$2.3
12 million in currency that is allegedly illegal proceeds, and which the OSP reasonably believes will
13 be the subject of federal forfeiture. A portion of those forfeited funds are expected to be returned
14 to Oregon as TFF in 2019-2020.

15 11. The Oregon State Police also has a High Intensity Drug Trafficking Area (HIDTA)
16 Interdiction Team (HIT). In 2018, the HIT team had 202 cases with seizures of guns, drugs, and
17 currency. A portion of those seized funds are expected to be federally forfeited and returned to
18 Oregon as TFF in 2019.

19 12. The OSP has a limited budget, and is facing the closure of OSP offices due to budget
20 shortfalls. At this time, OSP is not able to provide 24-hour patrol in any of the counties in
21 Oregon.

22 13. The OSP relies upon the TFF funds to supplement its state budget. In particular, the OSP
23 is planning to use the next round of TFF funds to purchase protective helmets for our officers, and
24 to finish upgrading its mobile display terminals in patrol cars to Windows 10, as well as continue
25 to equip new vehicles with mobile data terminals and camera equipment.

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14. The safety of Oregonians, and the officers which protect them, will be diminished without the Treasury Forfeiture Funds for these necessary upgrades and equipment.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on April 2, 2019, at Salem, Oregon.



TRAVIS HAMPTON,
SUPERINTENDENT,
OREGON STATE POLICE

EXHIBIT 20

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
JANELLE M. SMITH
7 JAMES F. ZAHRADKA II
LEE I. SHERMAN (SBN 272271)
8 Deputy Attorneys General
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Telephone: (213) 269-6404
10 Fax: (213) 897-7605
E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

4:19-cv-00872-HSG

**DECLARATION OF PORTLAND
POLICE BUREAU'S ROBERT AZORR
IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY
INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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23
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Defendants.

1 I, Robert Azorr, declare as follows:

2 1. I am an Investigative Accountant assigned to the Drugs & Vice Division of the
3 Portland Police Bureau (PPB) in Portland, Oregon. I have personal knowledge of the facts set
4 forth in this declaration. If called as a witness, I could and would testify competently to the
5 matters set forth below.

6 2. In my capacity as the Police Investigative Accountant for PPB I have managed
7 both State and Federal Forfeiture Programs for 28 years. This includes the submission of all
8 federal Equitable Sharing Requests, the annual reporting and certification as required by the US
9 DOJ and US Dept. of Treasury's Equitable Sharing Program.

10 3. I was formerly employed as a financial investigator for the Oregon Department of
11 Justice where I routinely made analysis of the financial affairs of those involved in narcotic
12 trafficking and certain "white collar" crimes such as embezzlement, gambling, and fraud. In
13 addition, I was employed for three (3) years as a financial investigator for the Regional Organized
14 Crime and Narcotics Task Force (ROCN). That in this position I analyzed financial records
15 relating to drug trafficking organizations to trace the proceeds of such activity and develop a net
16 worth analysis to support civil forfeiture.

17 4. In my capacity as a financial investigator, I attended approximately eighty (80)
18 hours of training sponsored by the FBI, dealing with the use of computer technology and other
19 specialized techniques relating to money laundering, the tracing of money, and analysis of
20 financial records relating to drug trafficking. I was an instructor for FBI sponsored seminars on
21 financial investigations relating to narcotics trafficking. I have taught the net worth method of
22 calculating proceeds from illegal activity on at least 10 occasions throughout the United States
23 from 1990 to the present.

24 5. PPB often partners with other law enforcement agencies to address cross-
25 jurisdictional criminal activity. Partners include federal and local law enforcement agencies.

26 6. Through my role I am aware that PPB participates as an equitable-share partner in
27 the Treasury Forfeiture Fund, administered by the U.S. Department of Treasury.

28 7. When PPB participates in a law enforcement action that results in the seizure of

1 assets, PPB submits a claim for an equitable share of the seized assets based on its proportional
2 level of participation in the action.

3 8. PPB has received the following amounts through equitable sharing from the
4 Treasury Forfeiture Fund:

5	2018	\$ 406,464.07
6	2017	\$ 265,704.06
7	2016	\$ 600,318.40
8	2015	\$ 1,024,016.70
9	2014	\$ 150,612.05
10	2013	\$ 95,002.28
11	2012	\$ 478,963.15
12	2011	\$ 173,996.29
13	2010	\$ 245,471.46
14	2009	\$ 36,187.20

15 9. In the past, PPB has always received an equitable share whenever it has submitted
16 a claim and the forfeiture process has been completed.

17 10. PPB has submitted claims estimating \$1.8 million from January 2018 to the
18 present. It may take two to five years to receive funds back.

19 11. PPB has used the money received from equitable sharing as conditioned by the
20 equitable sharing program's requirements. Recent examples of what PPB has used the money for
21 are training and education (\$230,177), law enforcement equipment (\$1,628,326) and facilities
22 (\$109,773).

23 **I hereby declare that the above statement is true to the best of my knowledge and
24 belief, and that I understand it is made for use as evidence in court and is subject to penalty
25 for perjury.**

26 Executed on April 2, 2019, at Portland, Oregon.

27
28

Robert Azorr

EXHIBIT 21

1 PETER F. NERONHA
Attorney General of Rhode Island
2 JUSTIN J. SULLIVAN
Special Assistant Attorney General
3 Rhode Island Office of the Attorney General
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4 Providence, RI 02903
Telephone: (401) 274-4400
5 Fax: (213) 222-2995
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6 *Attorneys for Plaintiff State of Rhode Island*

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
11

12 **STATE OF CALIFORNIA; STATE OF**
13 **COLORADO; STATE OF**
14 **CONNECTICUT; STATE OF**
15 **DELAWARE; STATE OF HAWAII;**
16 **STATE OF ILLINOIS; STATE OF**
17 **MAINE; STATE OF MARYLAND;**
18 **COMMONWEALTH OF**
19 **MASSACHUSETTS; ATTORNEY**
20 **GENERAL DANA NESSEL ON BEHALF**
21 **OF THE PEOPLE OF MICHIGAN;**
22 **STATE OF MINNESOTA; STATE OF**
23 **NEVADA; STATE OF NEW JERSEY;**
24 **STATE OF NEW MEXICO; STATE OF**
25 **NEW YORK; STATE OF OREGON;**
26 **STATE OF RHODE ISLAND; STATE OF**
27 **VERMONT; COMMONWEALTH OF**
28 **VIRGINIA; and STATE OF WISCONSIN;**

Plaintiffs,

v.

23 **DONALD J. TRUMP**, in his official capacity
24 as President of the United States of America;
25 **UNITED STATES OF AMERICA; U.S.**
26 **DEPARTMENT OF DEFENSE; PATRICK**
27 **M. SHANAHAN**, in his official capacity as
28 Acting Secretary of Defense; **MARK T.**
ESPER, in his official capacity as Secretary of
the Army; **RICHARD V. SPENCER**, in his

4:19-cv-00872-HSG

**DECLARATION OF MAJOR TIMOTHY
G. SANZI IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTIVE RELIEF**

1 official capacity as Secretary of the Navy;
2 **HEATHER WILSON**, in her official capacity
3 as Secretary of the Air Force; **U.S.**
4 **DEPARTMENT OF THE TREASURY;**
5 **STEVEN T. MNUCHIN**, in his official
6 capacity as Secretary of the Treasury; **U.S.**
7 **DEPARTMENT OF THE INTERIOR;**
8 **DAVID BERNHARDT**, in his official capacity
9 as Acting Secretary of the Interior; **U.S.**
10 **DEPARTMENT OF HOMELAND**
11 **SECURITY; KIRSTJEN M. NIELSEN**, in
12 her official capacity as Secretary of Homeland
13 Security;
14
15 Defendants.

16 I, Major Timothy G. Sanzi, declare as follows:

- 17 1. I am Major Timothy G. Sanzi, Detective Commander of the Rhode Island State Police. I
18 have personal knowledge of the facts set forth in this declaration. If called as a witness, I
19 could and would testify competently to the matters set forth below.
- 20 2. The Rhode Island State Police is a full-service, statewide law enforcement agency whose
21 mission is to fulfill the law enforcement needs of the people with the highest degree of
22 fairness, professionalism, and integrity, and protect the inherent rights of the people of
23 Rhode Island to live in freedom and safety.
- 24 3. The Rhode Island State Police receive equitable sharing funds from the Treasury
25 Forfeiture Fund in connection with law enforcement activities jointly performed by and
26 between the Rhode Island State Police and federal law enforcement agencies.
- 27 4. The Rhode Island State Police have consistently received equitable sharing funds from the
28 Treasury Forfeiture Fund upon submitting a claim and the completion of a forfeiture.
- 29 5. In 2018, the Rhode Island State Police received \$47,146.28 from the Treasury Forfeiture
30 Fund in connection with joint law enforcement actions.
- 31 6. To date, in 2019, the Rhode Island State Police have received \$19,305.77 from the
32 Treasury Forfeiture Fund in connection with joint law enforcement actions.
- 33 7. The Rhode Island State Police use funds from the Treasury Forfeiture Fund to supplement

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its law enforcement budget and provide to law enforcement personnel and officers additional resources, equipment, vehicles, and training opportunities that not only bolster agency accreditation, but support communications initiatives and community outreach.

8. Upon information and belief, the President and U.S. Department of Treasury are diverting funds from the Treasury Forfeiture Fund.


9. The Rhode Island State Police continue joint law enforcement operations with federal officials and through these operations expect to file equitable sharing requests relating to the Treasury Forfeiture Fund.

10. In the past, including in 2018 and 2019, Treasury Forfeiture Funds have been shared or distributed to Rhode Island and Rhode Island State Police expect to receive additional funds for equitable sharing relating to the Treasury Forfeiture Fund.

11. The diversion of any of the Treasury Forfeiture Fund threatens to cause the Rhode Island State Police an imminent and irreparable injury, as the Rhode Island State Police will be deprived of funds that would otherwise be available for law enforcement purposes, negatively impacting the public safety and welfare of Rhode Island citizens.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on the 1st day of April, 2019, in North Scituate, Rhode Island.



Major Timothy G. Sanzi
Detective Commander
Rhode Island State Police

EXHIBIT 22

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
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11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

4:19-cv-00872-HSG

**DECLARATION OF DANIEL TRUDEAU
IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY
INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Daniel Trudeau, declare as follows:

2 1. I am a Major in the Vermont State Police (VSP) and Commander of VSP's
3 Criminal Division. The Criminal Division is one of three divisions within VSP and is responsible
4 for investigating major criminal offences, including drug crimes and other specialized
5 investigations. I have served in my current role since December 2018. Previously, I served in a
6 variety of roles in the Criminal Division since joining VSP in 2003, including Commander of the
7 Major Crimes Unit, Commander of the Bureau of Criminal Investigation, and a supervisor in the
8 Narcotics Investigation Unit. I have personal knowledge of the facts set forth in this declaration.
9 If called as a witness, I could and would testify competently to the matters set forth below.

10 2. VSP participates in the Treasury Department's asset forfeiture program and
11 occasionally receives equitable sharing payments from the Treasury Forfeiture Fund (TFF). VSP
12 uses payments from the TFF fund to finance a variety of law enforcement activities, including
13 training, equipment, and travel.

14 3. The most recent funds received by VSP from the TFF were in 2016. At that time,
15 VSP received \$7,160 from the TFF.

16 4. VSP has identified 11 pending claims, dating back to 2015, for which VSP has
17 submitted a claim to TFF but has not yet received a payment of its equitable share. Each of these
18 claims relate to seizures of currency, bank accounts, or property for drug-related incidents. Based
19 on VSP's experience submitting claims and receiving payments from the TFF, VSP expects to
20 receive payments totaling more than \$100,000 for these pending claims.

21 5. Loss of funding from the TFF would harm VSP by depriving it of a funding source
22 for the law enforcement activities set forth above.

23 I declare under penalty of perjury under the laws of the United States that the foregoing is
24 true and correct.

25 Executed on April 1, 2019, at Waterbury, Vermont

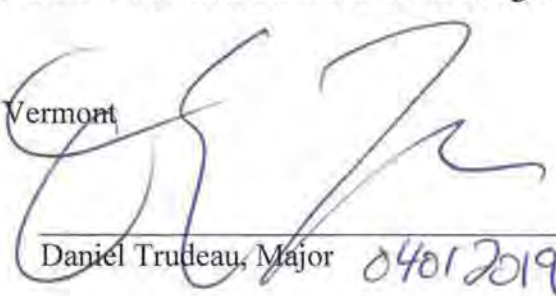
26
27 
28 Daniel Trudeau, Major 04012019

EXHIBIT 23

1 MARK R. HERRING
2 Attorney General
3 BRITTANY M. JONES
4 (Pro Hac Vice: February 22, 2019)
5 MICHELLE S. KALLEN
6 (Special Admission Pending)
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14 *Attorneys for Plaintiff State of Virginia*

10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

15 **STATE OF CALIFORNIA; STATE OF**
16 **COLORADO; STATE OF**
17 **CONNECTICUT; STATE OF**
18 **DELAWARE; STATE OF HAWAII;**
19 **STATE OF ILLINOIS; STATE OF**
20 **MAINE; STATE OF MARYLAND;**
21 **COMMONWEALTH OF**
22 **MASSACHUSETTS; ATTORNEY**
23 **GENERAL DANA NESSEL ON BEHALF**
24 **OF THE PEOPLE OF MICHIGAN;**
25 **STATE OF MINNESOTA; STATE OF**
26 **NEVADA; STATE OF NEW JERSEY;**
27 **STATE OF NEW MEXICO; STATE OF**
28 **NEW YORK; STATE OF OREGON;**
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

26 **DONALD J. TRUMP**, in his official capacity
27 as President of the United States of America;
28 **UNITED STATES OF AMERICA; U.S.**
DEPARTMENT OF DEFENSE; PATRICK

4:19-cv-00872-HSG

DECLARATION OF COLONEL GARY
T. SETTLE IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION

1 **M. SHANAHAN**, in his official capacity as
2 Acting Secretary of Defense; **MARK T.**
3 **ESPER**, in his official capacity as Secretary of
4 the Army; **RICHARD V. SPENCER**, in his
5 official capacity as Secretary of the Navy;
6 **HEATHER WILSON**, in her official capacity
7 as Secretary of the Air Force; **U.S.**
8 **DEPARTMENT OF THE TREASURY;**
9 **STEVEN T. MNUCHIN**, in his official
10 capacity as Secretary of the Treasury; **U.S.**
11 **DEPARTMENT OF THE INTERIOR;**
12 **DAVID BERNHARDT**, in his official capacity
13 as Acting Secretary of the Interior; **U.S.**
14 **DEPARTMENT OF HOMELAND**
15 **SECURITY; KIRSTJEN M. NIELSEN**, in
16 her official capacity as Secretary of Homeland
17 Security;

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Defendants.

1 I, Colonel Gary T. Settle, declare as follows:

2 1. I make this declaration from personal knowledge and a review of records
3 maintained by, or accessible to, the Virginia State Police Department. If called as a witness, I
4 would testify competently to the matters set forth below.

5 2. Having been appointed the Superintendent of the Virginia State Police on
6 December 15, 2017, by Governor Ralph S. Northam. Having served as a sworn member of the
7 Department of State Police for 31 years, serving in management and executive positions within
8 the agency with oversight of the Bureau of Field Operations and the Bureau of Criminal
9 Investigation.

10 3. Law enforcement agencies in the Commonwealth of Virginia and its localities
11 regularly participate as equitable sharing partners in the Department of Treasury's Forfeiture
12 Fund. As the Treasury's Annual Audit Reports indicate, from 2013 to 2017, law enforcement
13 agencies in the Commonwealth and its localities received over \$122 million in distributions from
14 the Treasury's Forfeiture Fund. The relevant excerpts from the Treasury's Audit Reports are
15 attached as Exhibit A.

16 4. The Virginia State Police Department represents one of the law enforcement
17 agencies in Virginia that participates as an equitable sharing partner in the Treasury's Forfeiture
18 Fund.

19 5. Virginia State Police regularly participate in joint investigations that result in
20 federal forfeitures, particularly bulk cash seizures coordinated with Homeland Security
21 Investigations (HSI). In such cases, the Virginia State Police Department submits a request for
22 equitable sharing in the forfeited asset. The Department of Treasury then makes a determination
23 as to the percentage of the forfeited asset to return to the Virginia State Police Department based
24 on the participation and expertise contributed by the Virginia State Police to the investigation that
25 resulted in the forfeited asset.

26 6. Because many of the Virginia State Police Department's requests for sharing in the
27 Treasury Forfeiture Fund involve cash seizures from investigations initiated by the Virginia State
28 Police, the Virginia State Police Department often obtains a significant sharing percentage

1 (approximately 50% to 80%) in response to its requests for sharing in such assets.

2 7. The Virginia State Police Department has not received any distributions from the
3 Treasury's Forfeiture Fund since August 2018. As of that date, the Virginia State Police
4 Department had approximately \$1.2 million in sharing requests that had not yet been resolved or
5 funded by the Department of Treasury. The Virginia State Police Department also anticipates that
6 its officers will be involved in future joint investigations that will result in additional sharing
7 requests.

8 8. The Virginia State Police Department typically uses the funding that it receives
9 from the Treasury's Forfeiture Fund to provide valuable training and equipment to state police
10 officers. If the Virginia State Police Department did not receive any sharing from the Treasury's
11 Forfeiture Fund, it would have less funding available to satisfy these training and equipment
12 needs or to reimburse itself for costs associated with the investigations that resulted in the
13 forfeited assets. Likewise, a significant delay in obtaining the Virginia State Police Department's
14 approved share of the assets in the Treasury's Forfeiture Fund would result in a similar delay in
15 the Virginia State Police Department's ability to use those funding for training and equipment
16 that benefit the safety and welfare of Virginia's citizens and law enforcement officers.

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on April 3, 2019, at North Chesterfield, Virginia.


Colonel Gary T. Settle,
Superintendent

On this 3 day of April, 2019, before me, the undersigned notary public, personally appeared Gary T. Settle, proved to me through satisfactory evidence of identification, which were his Driver's license, to be the person whose name is signed on the preceding document who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief, under penalties of perjury.



Kathryn Anne Teague, Notary Public
My Commission Expires December 31, 2020
Reg. # 7689769



Exhibit A to Settle Affidavit

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2017
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
Alabama	\$ 490	\$ -
Alaska	6	-
Arizona	238	2
Arkansas	330	6
California	8,149	146
Colorado	176	140
Connecticut	311	-
D.C. Washington	77	-
Delaware	66	-
Florida	2,579	595
Georgia	4,590	-
Guam	7	-
Hawaii	130	-
Idaho	74	65
Illinois	5,107	161
Indiana	844	3
Iowa	51	-
Kansas	7	-
Kentucky	346	-
Louisiana	34	-
Maine	1,096	3
Maryland	1,317	3
Massachusetts	1,942	81
Michigan	234	99
Minnesota	2,667	6
Mississippi	210	-
Missouri	430	-
Montana	43	-
Nebraska	591	14
Nevada	2,149	14
New Jersey	1,018	1,001
New Hampshire	1	-
New Mexico	-	-
New York	14,030	3,071
North Carolina	1,915	-
North Dakota	-	-
Ohio	806	28
Oklahoma	764	670
Oregon	595	102
Pennsylvania	1,271	100
Puerto Rico	211	-
Rhode Island	43	-
South Carolina	1,317	3
South Dakota	60	-
Tennessee	484	-
Texas	4,223	1,294
Utah	825	276
<i>Subtotal carried forward</i>	\$ 61,854	\$7,883

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2017
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
<i>Subtotal brought forward</i>	61,854	7,883
Vermont	7	-
Virgin Islands	-	-
Virginia	7,061	-
Washington	366	-
West Virginia	1,441	-
Wisconsin	70	8
Wyoming	-	-
Totals	<u>\$70,799</u>	<u>\$ 7,891</u>

Summarized above are the currency and property values of assets forfeited and shared with state and local agencies and U.S. Territories participating in the seizure. This supplemental schedule is not a required part of the financial statement of the Department of the Treasury Forfeiture Fund. Information presented on this schedule represents assets physically transferred during the year and, therefore, does not agree with total assets shared with state and local agencies in the financial statements. In addition, the above numbers do not include the adjustment to present property distributed at net realizable value.

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2016
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
Alabama	\$ 696	\$ 28
Alaska	-	-
Arizona	1325	7
Arkansas	100	-
California	10,520	395
Colorado	253	50
Connecticut	354	-
D.C. Washington	26	8
Delaware	26	-
Florida	5,986	98
Georgia	1,412	188
Guam	33	-
Hawaii	155	19
Idaho	95	209
Illinois	2,170	4
Indiana	2,813	2
Iowa	114	14
Kansas	345	-
Kentucky	1,814	-
Louisiana	81	-
Maine	213	-
Maryland	567	75
Massachusetts	938	-
Michigan	658	686
Minnesota	48	-
Mississippi	91	-
Missouri	1,839	171
Montana	174	-
Nebraska	1,673	48
Nevada	240	8
New Jersey	670	3
New Hampshire	16	14
New Mexico	-	-
New York	83,128	718
North Carolina	4,268	1,212
North Dakota	-	-
Ohio	671	38
Oklahoma	68	-
Oregon	703	139
Pennsylvania	526	-
Puerto Rico	641	-
Rhode Island	67	-
South Carolina	4,431	479
South Dakota	80	-
Tennessee	258	138
Texas	6,751	1,922
Utah	90	-
<i>Subtotal carried forward</i>	<u>\$ 137,127</u>	<u>\$6,673</u>

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2016
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
<i>Subtotal brought forward</i>	137,127	6,673
Vermont	8	-
Virgin Islands	-	-
Virginia	1,531	27
Washington	1,867	43
West Virginia	127	57
Wisconsin	239	416
Wyoming	<u>25</u>	<u>23</u>
Totals	<u>\$140,924</u>	<u>\$ 7,239</u>

Summarized above are the currency and property values of assets forfeited and shared with state and local agencies and U.S. Territories participating in the seizure. This supplemental schedule is not a required part of the financial statement of the Department of the Treasury Forfeiture Fund. Information presented on this schedule represents assets physically transferred during the year and, therefore, does not agree with total assets shared with state and local agencies in the financial statements. In addition, the above numbers do not include the adjustment to present property distributed at net realizable value.

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2015
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
Alabama	\$ 1,876	\$ -
Alaska	-	-
Arizona	1,729	109
Arkansas	136	14
California	13,480	368
Colorado	1,491	255
Connecticut	460	-
D.C. Washington	2	-
Delaware	94	7
Florida	11,198	421
Georgia	2,832	91
Guam	-	-
Hawaii	24	-
Idaho	42	25
Illinois	3,762	10
Indiana	971	-
Iowa	86	-
Kansas	139	11
Kentucky	1,335	-
Louisiana	115	-
Maine	12	-
Maryland	2,579	8
Massachusetts	1,760	256
Michigan	1,303	4
Minnesota	260	30
Mississippi	329	-
Missouri	558	-
Montana	42	-
Nebraska	3,235	3
Nevada	1,108	20
New Jersey	2,817	138
New Hampshire	7	-
New Mexico	515	122
New York	46,308	1,525
North Carolina	3,445	206
North Dakota	8	-
Ohio	4,177	33
Oklahoma	385	88
Oregon	1,368	94
Pennsylvania	3,419	22
Puerto Rico	443	1
Rhode Island	36	-
South Carolina	1,341	72
South Dakota	229	-
Tennessee	368	238
Texas	16,721	1,018
Utah	71	2
<i>Subtotal carried forward</i>	\$ 132,616	\$5,191

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2015
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
<i>Subtotal brought forward</i>	\$132,616	\$5,191
Vermont	82	28
Virgin Islands	-	-
Virginia	6,554	-
Washington	1,337	1
West Virginia	527	-
Wisconsin	206	1
Wyoming	-	-
	<hr/>	<hr/>
Totals	<u>\$141,322</u>	<u>\$5,221</u>

Summarized above are the currency and property values of assets forfeited and shared with state and local agencies and U.S. Territories participating in the seizure. This supplemental schedule is not a required part of the financial statement of the Department of the Treasury Forfeiture Fund. Information presented on this schedule represents assets physically transferred during the year and, therefore, does not agree with total assets shared with state and local agencies in the financial statements. In addition, the above numbers do not include the adjustment to present property distributed at net realizable value.

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2014
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
Alabama	\$ 987	\$ 6
Alaska	186	-
Arizona	934	229
Arkansas	333	10
California	12,182	34
Colorado	213	15
Connecticut	440	-
D.C. Washington	21	-
Delaware	12	-
Florida	19,267	561
Georgia	4,135	5
Guam	2,373	-
Hawaii	37	-
Idaho	16	115
Illinois	5,112	16
Indiana	2,536	-
Iowa	771	11
Kansas	238	5
Kentucky	1,728	-
Louisiana	514	8
Maine	35	-
Maryland	3,783	10
Massachusetts	2,721	-
Michigan	2,062	4
Minnesota	474	81
Mississippi	290	7
Missouri	607	2
Montana	8	65
Nebraska	1,861	-
Nevada	4,410	16
New Jersey	5,940	1
New Hampshire	2	9
New Mexico	984	-
New York	139,617	685
North Carolina	5,095	641
North Dakota	-	-
Ohio	487	102
Oklahoma	774	-
Oregon	593	(563)
Pennsylvania	1,461	33
Puerto Rico	1,917	44
Rhode Island	27	-
South Carolina	3,059	263
South Dakota	42	-
Tennessee	528	4
Texas	9,742	457
Utah	214	-
<i>Subtotal carried forward</i>	<u>\$ 238,768</u>	<u>\$2,876</u>

Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2014
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
<i>Subtotal brought forward</i>	\$238,768	\$2,876
Vermont	146	2
Virgin Islands	-	-
Virginia	61,417	6
Washington	361	6
West Virginia	673	-
Wisconsin	64	10
Wyoming	-	10
Totals	<u>\$301,429</u>	<u>\$2,910</u>

Summarized above are the currency and property values of assets forfeited and shared with state and local agencies and U.S. Territories participating in the seizure. This supplemental schedule is not a required part of the financial statement of the Department of the Treasury Forfeiture Fund. Information presented on this schedule represents assets physically transferred during the year and, therefore, does not agree with total assets shared with state and local agencies in the financial statements. In addition, the above numbers do not include the adjustment to present property distributed at net realizable value.

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2013
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
Alabama	\$ 236	\$ 16
Alaska	1,951	621
Arizona	959	58
Arkansas	640	-
California	11,973	374
Colorado	1,874	11
Connecticut	158	-
D.C. Washington	11	-
Delaware	290	75
Florida	3,788	1,090
Georgia	2,750	4
Guam	55	-
Hawaii	92	-
Idaho	192	37
Illinois	1,523	14
Indiana	135	-
Iowa	538	5
Kansas	373	2
Kentucky	306	2
Louisiana	489	33
Maine	1,370	-
Maryland	3,185	21
Massachusetts	665	528
Michigan	589	98
Minnesota	333	124
Mississippi	25	-
Missouri	5,253	2
Montana	36	5
Nebraska	150	-
Nevada	215	14
New Jersey	3,157	30
New Hampshire	1	-
New Mexico	196	6
New York	11,135	57
North Carolina	4,377	625
North Dakota	-	-
Ohio	609	159
Oklahoma	151	4
Oregon	370	66
Pennsylvania	457	28
Puerto Rico	877	31
Rhode Island	132	-
South Carolina	2,181	276
South Dakota	12	-
Tennessee	21	27
Texas	4,796	288
Utah	135	-
<i>Subtotal carried forward</i>	<u>\$ 68,761</u>	<u>\$4,731</u>

TREASURY FORFEITURE FUND
Equitable Sharing Summarized by State and U.S. Territories
For the Year Ended September 30, 2013
(Dollars in Thousands)
(Unaudited)

<u>State/U.S. Territories</u>	<u>Currency Value</u>	<u>Property Value</u>
<i>Subtotal brought forward</i>	\$68,761	\$4,731
Vermont	95	-
Virgin Islands	-	-
Virginia	45,836	2
Washington	2,799	72
West Virginia	1,336	-
Wisconsin	56	65
Wyoming	<u>12</u>	<u>-</u>
Totals	<u>\$118,895</u>	<u>\$4,870</u>

Summarized above are the currency and property values of assets forfeited and shared with state and local agencies and U.S. Territories participating in the seizure. This supplemental schedule is not a required part of the financial statement of the Department of the Treasury Forfeiture Fund. Information presented on this schedule represents assets physically transferred during the year and, therefore, does not agree with total assets shared with state and local agencies in the financial statements. In addition, the above numbers do not include the adjustment to present property distributed at net realizable value.

EXHIBIT 24

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
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E-mail: Lee.Sherman@doj.ca.gov
11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

4:19-cv-00872-HSG

**DECLARATION OF BRIAN O'KEEFE
IN SUPPORT OF PLAINTIFFS'
MOTION FOR A PRELIMINARY
INJUNCTION**

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Brian O’Keefe, declare as follows:

2 1. I am the Administrator of the Wisconsin Department of Justice’s Division of
3 Criminal Investigation (DCI). I have personal knowledge of the facts set forth in this declaration.
4 If called as a witness, I could and would testify competently to the matters set forth below.

5 2. I have been employed by the Wisconsin Department of Justice (WisDOJ) since
6 2011. I have served as Administrator of DCI since 2017, before which I served as the
7 Administrator of WisDOJ’s Division of Law Enforcement Services for six years. Before joining
8 WisDOJ, I served on the Milwaukee Police Department for twenty-five years, including the last
9 four years as the Deputy Chief of Police.

10 3. DCI is the principal statewide criminal investigatory agency for the State of
11 Wisconsin. DCI Special Agents work closely with local, county, tribal, state, and federal officials
12 to investigate and prosecute crimes involving homicide, arson, financial crimes, illegal gaming,
13 drug trafficking, computer crimes, homeland security, public integrity, government corruption,
14 and crimes against children.

15 4. DCI often partners with other law enforcement agencies to address cross-
16 jurisdictional criminal activity. Partners include federal and local law enforcement agencies.

17 5. Through my role as the DCI Administrator, I am aware that multiple law
18 enforcement agencies in Wisconsin participate as equitable-share partners in the Treasury
19 Forfeiture Fund (TFF), administered by the U.S. Department of Treasury. Under the TFF
20 equitable-share program, the Department of Treasury may distribute funds to a qualifying state or
21 local law enforcement agency if that agency participated in a joint law enforcement action with a
22 federal agency and the action resulted in a forfeiture of assets subject to the Department of
23 Treasury’s jurisdiction.

24 6. When a state or local law enforcement agency participates in a law enforcement
25 action that results in a seizure of assets, that agency may submit a claim for an equitable share of
26 the seized assets based on its proportional level of participation in the action.

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1 7. I am aware that law enforcement agencies in Wisconsin regularly participate in
2 joint law enforcement actions with federal agencies that fall under the TFF program, including the
3 Internal Revenue Service and the United States Secret Service.

4 8. These joint law enforcement actions sometimes result in the seizure of assets such
5 as cash or property with a monetary value. In the past, Wisconsin law enforcement agencies have
6 received payment for their equitable share of those seized assets under the TFF.

7 9. WisDOJ and DCI have previously participated in joint law enforcement actions
8 with federal agencies under the Department of Treasury and have received equitable-share
9 payments from the TFF based on their participation in those actions. I expect that WisDOJ and
10 DCI will continue to participate in such joint actions with those agencies in the future.

11 10. Attached hereto as Exhibit 1 is a true and correct copy of a report from the
12 Department of Treasury showing WisDOJ and DCI's equitable-share payments from 2003
13 through February 28, 2019.

14 11. As shown in Exhibit 1, since 2003 WisDOJ and DCI have received over
15 \$4.2 million in equitable-share payments from the TFF for their participation in joint actions with
16 the Internal Revenue Service, Immigration and Customs Enforcement, and the United States
17 Secret Service.

18 12. In my capacity as DCI Administrator, I have learned that as of March 27, 2019, at
19 least two local law enforcement agencies in Wisconsin (the Wauwatosa Police Department and
20 the Milwaukee County Sheriff's Department) have outstanding equitable-share cases under the
21 TFF.

22 13. Law enforcement agencies that receive funds from the TFF are required to use
23 those funds for legitimate law enforcement purposes that supplement or enhance the agency's law
24 enforcement and public safety efforts. Examples of allowable, legitimate uses include acquiring
25 law enforcement equipment; conducting law enforcement training and education; costs associated
26 with acquiring or operating public safety or detention facilities; and conducting outreach or
27 awareness programs, such as those relating to drugs and gangs.

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EXHIBIT 25

1 XAVIER BECERRA
Attorney General of California
2 ROBERT W. BYRNE
SALLY MAGNANI
3 MICHAEL L. NEWMAN
Senior Assistant Attorneys General
4 MICHAEL P. CAYABAN
CHRISTINE CHUANG
5 EDWARD H. OCHOA
Supervising Deputy Attorneys General
6 HEATHER C. LESLIE
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11 *Attorneys for Plaintiff State of California*

12
13 IN THE UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 OAKLAND DIVISION
16

17 **STATE OF CALIFORNIA; STATE OF**
18 **COLORADO; STATE OF**
19 **CONNECTICUT; STATE OF**
20 **DELAWARE; STATE OF HAWAII;**
21 **STATE OF ILLINOIS; STATE OF**
22 **MAINE; STATE OF MARYLAND;**
23 **COMMONWEALTH OF**
24 **MASSACHUSETTS; ATTORNEY**
25 **GENERAL DANA NESSEL ON BEHALF**
26 **OF THE PEOPLE OF MICHIGAN;**
27 **STATE OF MINNESOTA; STATE OF**
28 **NEVADA; STATE OF NEW JERSEY;**
STATE OF NEW MEXICO; STATE OF
NEW YORK; STATE OF OREGON;
STATE OF RHODE ISLAND; STATE OF
VERMONT; COMMONWEALTH OF
VIRGINIA; and STATE OF WISCONSIN;

Plaintiffs,

v.

4:19-cv-00872-HSG

DECLARATION OF JENNIFER
ONOFRIO

1 **DONALD J. TRUMP**, in his official capacity
2 as President of the United States of America;
3 **UNITED STATES OF AMERICA; U.S.**
4 **DEPARTMENT OF DEFENSE; PATRICK**
5 **M. SHANAHAN**, in his official capacity as
6 Acting Secretary of Defense; **MARK T.**
7 **ESPER**, in his official capacity as Secretary of
8 the Army; **RICHARD V. SPENCER**, in his
9 official capacity as Secretary of the Navy;
10 **HEATHER WILSON**, in her official capacity
11 as Secretary of the Air Force; **U.S.**
12 **DEPARTMENT OF THE TREASURY;**
13 **STEVEN T. MNUCHIN**, in his official
14 capacity as Secretary of the Treasury; **U.S.**
15 **DEPARTMENT OF THE INTERIOR;**
16 **DAVID BERNHARDT**, in his official capacity
17 as Acting Secretary of the Interior; **U.S.**
18 **DEPARTMENT OF HOMELAND**
19 **SECURITY; KIRSTJEN M. NIELSEN**, in
20 her official capacity as Secretary of Homeland
21 Security;

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Defendants.

1 I, Jennifer Onofrio, declare as follows:

2 1. I am a Director at The Port of Authority of New York & New Jersey (PANYNJ).

3 2. I submit this Declaration in support of the State of New Jersey's and the State of
4 New York's litigation against Donald J. Trump, in his official capacity as President of the United
5 States of America; United States of America; U.S. Department of Defense; Patrick M. Shanahan,
6 in his official capacity as Acting Secretary of Defense; Mark T. Esper, in his official capacity as
7 Secretary of the Army; Richard V. Spencer, in his official capacity as Secretary of the Navy;
8 Heather Wilson, in her official capacity as Secretary of the Air Force; U.S. Department of the
9 Treasury; Steven T. Mnuchin, in his official capacity as Secretary of the Treasury; U.S.
10 Department of the Interior; David Bernhardt, in his official capacity as Acting Secretary of the
11 Interior; U.S. Department of Homeland Security; and Kirstjen M. Nielsen, in her official capacity
12 as Secretary of Homeland Security regarding the diversion of federal funding that New Jersey and
13 New York receive toward building a wall on the United States-Mexico border. I am familiar with
14 the matters set forth herein, either from personal knowledge or on the basis of documents that
15 have been provided to and/or reviewed by me. If called as a witness, I could and would testify
16 competently to the matters set forth below.

17 3. I am a Director of Resource Management and Planning at PANYNJ located at 241
18 Erie Street Jersey City, New Jersey 07310. My educational background includes graduating with
19 a Master of Public Affairs degree from Princeton University in May of 2011, and a Bachelor of
20 Science degree in Liberal Arts from The New School in May of 2007. I have been employed as a
21 Director since April of 2018, and employed by PANYNJ since 2011. My prior roles in PANYNJ
22 include General Manager of Resource Management & Planning in the Office of the Chief
23 Security Officer; Manager of Performance, Policy & Planning in the Office of the Chief Security
24 Officer; Coordinator of Marketing Programs for PATH; and Leadership Fellow.

25 4. PANYNJ was formed pursuant to a compact between New York and New Jersey
26 to, among other things, construct and operate terminals and transportation facilities within the
27 Port of New York District, which includes parts of New York and New Jersey. New York and
28 New Jersey exercise substantial control over PANYNJ through appointment of its commissioners

1 and veto power over its commissioners' actions.

2 5. PANYNJ is responsible for building, operating, and maintaining infrastructure
3 critical to the transportation network of the New York and New Jersey region, including its
4 airports, marine terminals and ports, the Port Authority Trans-Hudson rail transit system, six
5 tunnels and bridges between New York and New Jersey, the Port Authority Bus Terminal in
6 Manhattan, and the World Trade Center. PANYNJ includes the Port Authority Police, which
7 serves and protects the people who work at and travel through PANYNJ facilities.

8 6. PANYNJ is a participant in the Department of the Treasury (Treasury) equitable
9 sharing program. Over the course of the past four years, PANYNJ has received \$558,353 in
10 equitable sharing payments from Treasury in connection with its assistance in detecting and
11 stopping drug trafficking. PANYNJ has received an additional \$439,226 in interest from these
12 payments.

13 7. PANYNJ expects to submit requests for equitable sharing in future fiscal years,
14 including in fiscal year 2019 and fiscal year 2020.

15 8. PANYNJ uses equitable sharing payments to support a broad range of critical
16 agency purposes to further its law enforcement operations and investigations, and to purchase law
17 enforcement equipment. For example, PANYNJ used equitable sharing payments to purchase
18 and deploy an electronic incident and arrest reporting system, which was integral to modernizing
19 the way in which PANYNJ reports crime. PANYNJ also used funds to purchase mobile vehicle
20 license plate readers for its patrol cars to assist in the apprehension of serious offenders and stolen
21 property at bridge and tunnel crossings. PANYNJ plans to use equitable sharing funds it has
22 received to purchase and install a gunshot detection system at one of its airports, and to support
23 training related to its electronic systems for issuing summonses and writing motor vehicle
24 accident reports.

25 I declare under penalty of perjury under the laws of the United States that the foregoing is true
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and correct.

Executed on April 3, 2019, at Jersey City, New Jersey.



Jennifer Onofrio
Director
Port Authority of New York & New Jersey



Search EQSH Payments 2003-Present

Department of the Treasury
Executive Office for Asset Forfeiture
1341 G Street, NW, Suite 900
Washington, DC 20220

Search Criteria:

Vendor Number:
Vendor Name contains:
State:

Agency:
Seizure Number:
Start Date:
End Date:

Payment:
Exact Amount:
or
Greater Than:
<
Less Than:

Search Results:

Agency	Vendor #	ST	Payee	Seizure #	Date	Payment
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000319	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000303	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000330	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000329	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000328	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000327	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000326	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000325	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000324	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000321	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000360	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000318	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000317	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000316	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000315	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000314	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000313	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000312	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000311	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000310	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000304	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000322	12/11/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000309	12/17/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000359	12/17/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000358	12/17/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000307	12/17/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000305	12/17/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000308	12/17/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000306	12/17/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000355	12/18/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000356	12/18/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000357	12/18/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000354	12/22/2003	\$20.00
IRS	4001359	WI	DEPT OF JUSTICE	IRSEQSH3997000352	12/22/2003	\$20.00

IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000353	12/22/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000340	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000342	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000341	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000345	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000346	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000347	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000349	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000351	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000339	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000350	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000337	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000338	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000336	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000335	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000334	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000333	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000332	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000331	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000320	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000348	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3997000343	12/29/2003	\$20.00
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3998003801	1/28/2004	\$874.49
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3902000201	3/1/2004	\$3,774.19
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3902000202	3/1/2004	\$3,774.19
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3903001401	3/16/2004	\$3,141.57
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3902006001	8/3/2004	\$6,115.41
ICE	4001359		WI DEPT OF JUSTICE	UCSEQSH2004370100000701	7/22/2005	\$3,367.41
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3904005001	8/10/2005	\$13,177.33
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH3904005002	8/10/2005	\$267.24
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4105000401	8/17/2005	\$6,798.53
ICE	4001359		WI DEPT OF JUSTICE	UCSEQSH2004370100000801	9/9/2005	\$1,484.56
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4105000501	9/21/2005	\$9,556.60
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902001401	7/5/2006	\$483.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000901	7/5/2006	\$27.16
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902001201	7/5/2006	\$400.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902001202	7/6/2006	\$80.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000811	7/6/2006	\$20.71
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000602	7/6/2006	\$100.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000401	7/6/2006	\$8,444.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000704	7/18/2006	\$32.50
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000705	7/18/2006	\$32.50
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000601	7/18/2006	\$32.67
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902001203	8/3/2006	\$170.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000801	8/3/2006	\$379.20
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3902000802	8/3/2006	\$830.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4106000401	12/1/2006	\$94,855.98
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4106000402	12/1/2006	\$458,154.41

Exhibit 1

IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003203	4/23/2008	\$41.92
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003207	4/23/2008	\$1,508.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003301	4/23/2008	\$31,834.50
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003206	4/23/2008	\$754.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003208	4/23/2008	\$41.92
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003205	4/23/2008	\$986.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003204	4/23/2008	\$1,885.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4106004501	4/23/2008	\$3,770.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904005701	4/23/2008	\$11,600.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904002301	4/23/2008	\$11,600.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003902	4/23/2008	\$10,499.16
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003201	4/23/2008	\$15,506.30
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003211	4/23/2008	\$810.54
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904001202	4/23/2008	\$29,000.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4106003201	4/23/2008	\$6,537.47
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003209	4/23/2008	\$628.23
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003212	4/23/2008	\$1.46
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003214	4/23/2008	\$4,862.27
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003215	4/23/2008	\$5,655.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003302	4/23/2008	\$1,015.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003401	4/23/2008	\$10,326.23
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904000601	4/23/2008	\$45,460.04
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904000801	4/23/2008	\$49,107.18
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904001301	4/23/2008	\$81,437.68
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4106003101	4/23/2008	\$2,427.07
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003210	4/23/2008	\$638.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003202	5/14/2008	\$3,364.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003213	5/22/2008	\$986.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904000501	6/10/2008	\$95,541.89
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904000901	6/10/2008	\$38,739.18
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH9404000402	6/13/2008	\$63,175.36
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903002101	7/3/2008	\$62,607.51
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903003901	7/3/2008	\$8,267.07
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903004001	7/3/2008	\$4,750.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4107002102	9/16/2008	\$12,859.52
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904001102	11/12/2008	\$49,300.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903000193	12/10/2008	\$9,100.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903000192	12/10/2008	\$32,500.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3903000101	12/10/2008	\$10,766.79
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105004101	4/15/2009	\$1,980.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105004301	4/15/2009	\$14,256.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105004001	4/15/2009	\$1,024.94
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105004201	6/10/2009	\$5,130.62
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4107000901	7/7/2009	\$858,799.74
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4107001201	7/7/2009	\$781,208.62
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4107001301	7/7/2009	\$876,774.26
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4108001201	7/14/2009	\$19,816.04
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4108005301	8/31/2009	\$3,060.41

IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH3904005801	9/17/2009	\$2,870.28
ICE	4001359	WI	WI DEPT OF JUSTICE	UCSEQSH2008370190000101	2/1/2010	\$7,500.00
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105004205	3/12/2010	\$101.90
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105000601	3/12/2010	\$348.90
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105004202	3/12/2010	\$444.82
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105000402	3/15/2010	\$448.10
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4105000502	3/15/2010	\$449.90
USSS	4001359	WI	WI DEPT OF JUSTICE	USSEQSH21010001001	2/7/2011	\$1,178.53
IRS	4001359	WI	WI DEPT OF JUSTICE	IRSEQSH4110001501	5/6/2011	\$39,943.20
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4111002001	12/5/2012	\$13,117.39
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4110000801	6/13/2013	\$1,692.36
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4110000702	7/25/2013	\$205.42
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4110000903	8/14/2013	\$3,090.73
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4110000904	8/14/2013	\$1.54
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4110000901	8/14/2013	\$620.46
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4110000703	8/14/2013	\$188.54
ICE	4001359		WI DEPT OF JUSTICE	UCSEQSH2013370100000501	2/24/2014	\$60,066.95
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4111003101	5/7/2014	\$462.46
IRS	4001359		WI DEPT OF JUSTICE	IRSEQSH4110000701	3/18/2015	\$17,701.49
IRS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	IRSEQSH7514005701	3/10/2016	\$2,440.21
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014004002	3/23/2016	\$167.11
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001060	9/23/2016	\$2,860.13
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001061	9/23/2016	\$1,287.12
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001062	9/23/2016	\$2,940.24
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001063	9/23/2016	\$2,910.09
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001064	9/23/2016	\$3,240.04
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001059	9/23/2016	\$2,962.45
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001068	9/23/2016	\$3,337.62
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001065	9/23/2016	\$3,252.35
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001069	9/23/2016	\$5,459.33
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001066	9/23/2016	\$3,364.96
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001001	9/23/2016	\$1,870.53
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001016	9/23/2016	\$2,224.83
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001008	9/23/2016	\$60.80
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001006	9/23/2016	\$707.30
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001005	9/23/2016	\$5,471.19
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001004	9/23/2016	\$498.62
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001003	9/23/2016	\$3,981.60
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001002	9/23/2016	\$15,833.27
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001067	9/23/2016	\$3,331.30
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USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001080	9/26/2016	\$3,195.83
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001081	9/26/2016	\$2,718.46
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001082	9/26/2016	\$2,770.16
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001083	9/26/2016	\$2,359.58
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001084	9/26/2016	\$4,149.21
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001079	9/26/2016	\$3,480.01
USSS	4001359		WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001086	9/26/2016	\$2,874.16

USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001074	9/26/2016	\$3,974.53
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001085	9/26/2016	\$2,498.77
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001078	9/26/2016	\$4,091.84
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001077	9/26/2016	\$4,442.26
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001075	9/26/2016	\$2,960.15
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001073	9/26/2016	\$3,900.17
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001072	9/26/2016	\$5,507.68
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001071	9/26/2016	\$6,028.50
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001070	9/26/2016	\$5,856.23
USSS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	USSEQSH21014001076	9/26/2016	\$3,201.05
IRS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	IRSEQSH4113000803	2/7/2017	\$2,953.20
IRS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	IRSEQSH4113000701	2/7/2017	\$6,559.48
IRS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	IRSEQSH4113000801	2/7/2017	\$5,956.68
IRS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	IRSEQSH4113000802	2/7/2017	\$14,077.20
IRS	4001359	WI DOJ - CRIMINAL INVESTIGATIONS	IRSEQSH4110001401	5/17/2017	\$7,062.95



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INSTRUCTIONS

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TOTAL: \$4,233,271.07