

WARD COUNTY NARCOTICS TASK FORCE
MEMORANDUM OF UNDERSTANDING

ARTICLE: I
NAME

The name of this organization shall be the WARD COUNTY NARCOTICS TASK FORCE (WCNTF). The organizations that make up this task force include the Ward County Sheriff's Office (WCSO), the Minot Police Department (MPD), and the North Dakota Bureau of Criminal Investigation (NDBCI).

ARTICLE: II
PURPOSE

The purpose of this organization shall be:

1. To target, investigate, and prosecute the individuals who engage in the criminal possession, production, transfer, or finance of any illegal drug or controlled substance.
2. To formally structure and jointly coordinate multi-jurisdictional drug investigation activities. All participating agencies will share in the contribution of finance, equipment, personnel, and technical resources.
3. To promote a unified drug enforcement effort between county, state, municipal, and federal organizations in an attempt to maximize the quality and the quantity of cases presented for prosecution.
4. To forfeit any assets which were acquired with funds traceable to criminal activity or assets used in the commission of a crime.

ARTICLE: III
OPERATIONS

- A. Board of Directors: A Board of Directors will establish policies, review cases, monitor financial affairs, manage project resources, and provide a general oversight of the organization's progress. The board shall be comprised of the Sheriff of Ward County, the Minot Police Department Chief, and the Bureau of Criminal Investigation Director, or their representative.
- B. Executive Board: A three member Executive Board shall be established for the review and approval of WCNTF asset forfeiture funds. The board will be comprised of the Ward County States Attorney, a member of the Ward County Commissioners, and a member of the Minot City Council.
- C. STRUCTURAL COMMAND: The Board of Directors will appoint a Task Force Coordinator. This coordinator shall be an active member assigned to the task force. They shall possess a working knowledge in areas relating to narcotics and financial investigations, asset forfeiture,

rules and regulations, along with skills in supervision, management, and statistical crime analysis.

- D. **MANPOWER/EQUIPMENT:** Each law enforcement agency participating in the WCNTF shall provide at least one licensed peace officer with a vehicle that is equipped with the necessary items to conduct a narcotics investigation. For the purpose of dividing property at the termination of the task force operation, a complete and continuous list of items contributed by agency shall be maintained.
- E. **CASE INITIATION:** The initiation of cases to be handled by the WCNTF shall be by the direction of the Task Force Coordinator.
- F. **DISCIPLINARY ACTION:** Any agent assigned to the WCNTF who violates department policies or generally accepted police practices, shall be referred to that person's respective agency for disciplinary action.

ARTICLE: IV DISTRIBUTION OF ASSET FORFEITURES

- A. During a narcotics investigation, assets or funds, which were obtained as a result of criminal activity or were used in the commission of a crime, shall be seized. All possible avenues, both civil and criminal, will be explored to determine if the assets can be forfeited.
 - 1. Any and all forfeited assets/funds seized by the WCNTF shall be equally divided into thirds between the agencies which presently comprise this unit. This includes the WCSO, the MPD, and the BCI. As per the Director, the BCI portion of funds will be allocated to the WCNTF. The Ward County States Attorney's Office will also be included in the distribution. Their share shall be 10% of all assets seized. The remaining assets/funds will be divided equally between the aforementioned entities.
 - 2. The responsibility, accountability, and control of the WCNTF asset forfeiture account will be that of the WCNTF coordinator. The utilization of the WCNTF asset forfeiture account shall be determined by a majority vote of the Executive Board.
 - 3. Circumstances may arise whereby a case is developed due to information given to the WCNTF by an agency that is not a member of this program. If this situation occurs, the Board of Directors maintains the right to review the information and determine what percentage of the forfeited assets, if any, the assisting agency shall receive.

ARTICLE: V FISCAL PROCEDURE

- A. **PAYROLL:** All personnel assigned to the WCNTF shall be paid by their respective agencies. The Fiscal Officer will be responsible for requesting reimbursement funds from the State. This shall be done on a monthly basis.

- B. OVERTIME PAY: It shall be the responsibility of the Task Force Coordinator to institute a system whereby the hours of each individual member will be monitored. The Task Force Coordinator shall be notified of and approve any overtime requested by any of the task force members.
- C. FISCAL OFFICER: The Fiscal Officer shall be appointed by the Board of Directors.

ARTICLE: VI
TERMINATION

Each agency participating in the WCNTF shall be obligated to participate until the end of the project period. Each grant project or project period runs for one year. At the end of the year, any participating agency may terminated their involvement by submitting a written letter to the Board of Directors.

MEMORANDUM OF UNDERSTANDING

We, the undersign, do hereby agree to the conditions stated in the Memorandum of Understanding.

Robert Roed
Sheriff, Ward County

John Klug
Chief of Police, Minot



Lonnie Grabowska
Director, NDBCI