

**MEMORANDUM OF UNDERSTANDING**  
**Northern Drug Initiative**  
**NORTH TEXAS HIDTA**

**Organizational Structure:**

The Northern Drug Initiative/Task Force will operate under the authority of the North Texas HIDTA Executive Board, and the Oklahoma Advisory Board if applicable, and will comply with all NT HIDTA administrative and financial requirements, as specified by the NT HIDTA Director, to include, but not limited to; participation in the preparation of an Annual Report, Threat Assessment, Initiative Budget proposal, periodic budget expenditure reports, case summaries, statistical accomplishment reports, and the NT HIDTA Policy and Procedures Guide, etc.

**Supervision and Personnel:**

Supervision of the Northern Drug Initiative will be provided by the Federal Bureau of Investigation (FBI) through the assignment of the Initiative Supervisor. All Group Supervisors will keep the Operations Manager informed of on-going investigations. This position is currently filled by a DEA Assistant Special Agent in Charge (ASAC). This position reports to the Executive Board and has managerial oversight of the Texas enforcement initiatives and the Regional Intelligence Support Center (RISC), with direct oversight of the Eastern and Western Drug Initiatives. This alignment allows for enhanced sharing of information, personnel and equipment between all of the initiatives. The responsibilities of the Operations Manager include: coordination of investigations conducted by the Texas enforcement initiatives; budget review and resource allocation of both enforcement and intelligence resources; and maintaining liaison with the Executive Board and other law enforcement management.

Texas Group Supervisors will coordinate investigative activity with the NT HIDTA Regional Intelligence Support Center (RISC) and all other NT HIDTA initiatives. Oklahoma initiatives will also coordinate investigative activity with the Oklahoma Intelligence Center (OIC).

Personnel assigned to the Northern Drug Initiative may be required to undergo a background investigation for a security clearance, if required by Agency regulations or HIDTA policy.

**Funding:**

Subject to availability of annually appropriated funds by the Office of National Drug Control Policy, funds for payment of certain personnel expenses, operational costs, and equipment will be provided to support the assignment of personnel to this initiative. This support may include full or partial payment for

office space, office equipment and supplies, travel, purchase of evidence and information sources, state/local overtime costs, cellular telephones, and other items. The Northern Drug Initiative will establish a budget for those specific expenses to be covered each year.

**Expenditures:**

All expenditures by participating members must comply with the financial guidelines of NT HIDTA and the designated fiduciaries for the Northern Drug Initiative.

**Overtime:**

Participating agencies may request reimbursement for overtime for state and local law enforcement officers assigned full-time to the Northern Drug Initiative. Officer(s) must be eligible for such compensation from their parent agency/department for work conducted in support of the Northern Drug Initiative. HIDTA funds shall not be used to pay for overtime related to training attendance, or non-investigative administrative work.

HIDTA funded overtime shall not exceed the lower of applicable state and local regulations for an officer's parent agency or 25% of the federal GS-12 Step-1 pay scale for federal law enforcement officer "Rest of US" that is in effect at the beginning of the calendar year (January 1). Overtime limits include all funding from federal sources such as OCDETF, Project Safe Neighborhoods and HIDTA funded overtime. HIDTA funded overtime is calculated by multiplying the individuals gross hourly overtime pay rate by the hours of overtime worked. North Texas HIDTA shall require repayment by the employing agency if overtime exceeds the maximum limit.

Overtime must be approved by the Northern Drug Initiative Group Supervisor. The parent agency or initiative commander of the individual receiving HIDTA-funded overtime shall ensure the maximum amounts are not exceeded, that the overtime is for HIDTA-related activities, and that the individual does not receive overtime compensation from another funding source for the same hours worked.

**Target Selection:**

The objective of NT HIDTA is to concentrate on the most significant Drug Trafficking Organizations and Money Laundering Organizations. Investigations are pursued with the expectation of identifying significant targets. Target selection will be consistent with an intelligence-based approach to accomplish this objective. The Group Supervisor will report all investigations (to the Oklahoma Advisory Board, if applicable and) to the Executive Board through the Operations Manager and will make periodic reports, as required, of investigative progress and accomplishments.

All HIDTA enforcement initiatives will use the RISC or the OIC for complete event and target deconfliction of all enforcement/operational activities. The RISC and OIC will assist initiatives in target selection and will coordinate the collection and sharing of information among all NT HIDTA enforcement initiatives.

**Equipment:**

All North Texas HIDTA Northern Drug Initiative property acquired by funding provided by the Office of National Drug Control Policy, will be utilized for the direct support of HIDTA drug enforcement operations and will be maintained and safeguarded at all times. This equipment may be used in non-HIDTA activities if those activities: are consistent with the HIDTA's strategy; do not interfere with the work of HIDTA initiatives; and do not become the primary user of the equipment. The Northern Drug Initiative property will be included in the North Texas HIDTA inventory & control system, and must be made available for periodic inventory when requested. All initiative property assigned or loaned to North Texas HIDTA Northern Drug Initiative participating members will be returned to the Northern Drug Initiative Group Supervisor upon termination of that member's participation in the Northern Drug Initiative. All Northern Drug Initiative Property will be returned to the North Texas HIDTA Director if the North Texas HIDTA Northern Drug Initiative terminates its participation in the North Texas HIDTA. Prior to disposing of any HIDTA-funded equipment, all HIDTA grantees must make the equipment available to the HIDTA Director for possible use by another HIDTA participant.

**Press Policy:**

The Northern Drug Initiative Group Supervisor will clear all press releases through the United States Attorney or the State District Attorney as appropriate for all investigative matters under prosecution and will advise the NT HIDTA Director prior to release of any information. The Northern Drug Initiative Group Supervisor may be tasked by the FBI to address media questions when issues arise concerning the operations of the FBI.

**Drug and Alcohol Policy:**

All personnel assigned to the NT HIDTA hold positions of public trust and public safety, therefore, all NT HIDTA personnel are expected to maintain an alcohol- and drug-free work environment to protect the health and safety of the public and other personnel assigned at NT HIDTA.

### **Equitable Sharing of Seized Assets:**

The North Texas HIDTA Northern Drug Initiative will conduct administrative and judicial seizures and forfeitures of assets, whenever legally possible, under applicable federal statutes and guidelines or under Texas or Oklahoma state forfeiture proceedings, whichever is more appropriate, in order to accomplish the most effective law enforcement result.

### **Forfeiture Processing**

Whenever possible, the assets which are seized pursuant to NT HIDTA investigations shall be forfeited through federal asset seizure programs. Forfeitures will be processed by the deputizing Federal Law Enforcement Agency which generates the seizure.

In the case of assets which must be forfeited through state forfeiture procedures, the jurisdiction which shall process the forfeiture will be chosen by the same principles of equitable sharing among investigative agencies reflected in the regulations related to sharing of federally forfeited assets.

### **Sharing Requests**

Per the NT HIDTA Forfeited Asset Sharing Policy, Appendix M of the Policies and Procedures Guide, a minimum of 10% of forfeited assets from each Texas enforcement initiative will also be provided to the RISC and the remaining forfeited assets will be shared with the participating agencies based on the recommendations of the processing Federal Agency.

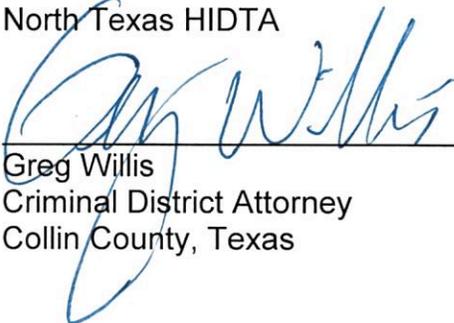
The processing Federal Agency (Texas) must promptly notify the North Texas HIDTA Regional Intelligence Support Center (RISC) of the details of the potential forfeitures. Asset Sharing Requests (DAG-71 form for DOJ or TDF-92-22.46 for U.S. Treasury) must be submitted within the 60 day deadline by the RISC to the processing Federal Agency for their share of the forfeiture.

**Conclusion**

The term of this MOU shall be from the date of signature by authorized representatives of all participating agencies. Individual agencies may be added at any time with appropriate contract amendments or deleted within 30-days written notice. This agreement may be modified at any time by written consent of all involved agencies and approval of the NT HIDTA Executive Board. Modifications to this MOU shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

  
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Lance Sumpter  
Director  
North Texas HIDTA

8-25-11  
Date

  
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Greg Willis  
Criminal District Attorney  
Collin County, Texas

8-25-11  
Date