

# Can I Claim It?

## YOUR TASK FORCE ALONE

### Must Meet All 3 Conditions

1. No outside entity is involved with the seizure, and the enforcement action and/or associated investigation is solely within your task force

- a. *Outside entity is any agency, task force, etc., other than personnel assigned to the task force.*
- b. *Involvement means ANY involvement no matter how minor, even something as small as simple as passing on a tip*

2. The seizure occurred in a HIDTA County, or if a seizure occurs in a non-HIDTA county, the seizure must have a nexus to an investigation in a HIDTA county.

*For a nexus to a HIDTA county claim to be warranted:*

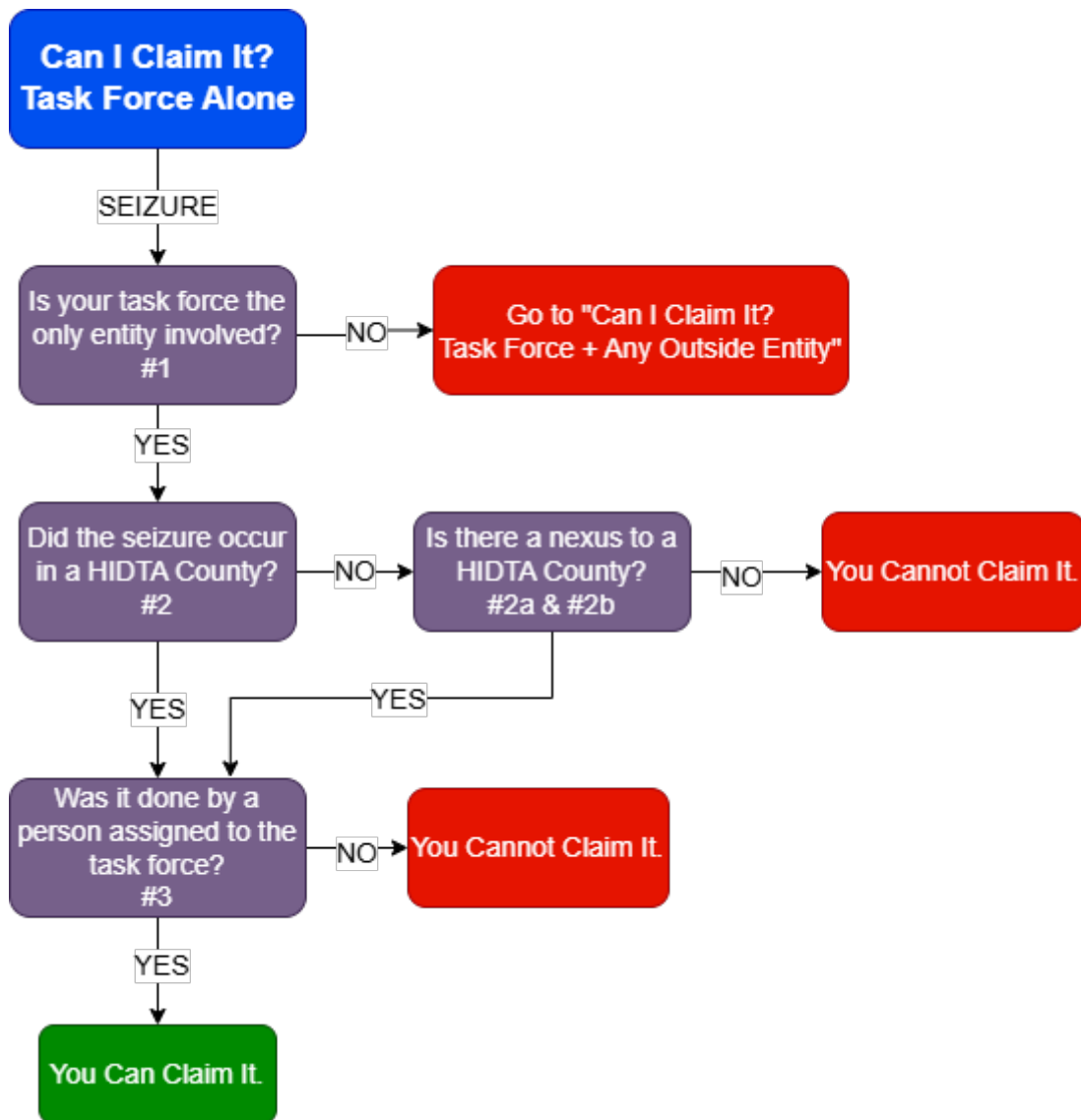
- a. *Your task force must have an active investigation in a HIDTA county associated with the seizure. No seizure originating in a non-HIDTA county can be claimed simply because the seizure was enroute to a HIDTA county, left a HIDTA county, or passed through a HIDTA county.*
- b. *A significant seizure (i.e. trafficking amount) occurring in a non-HIDTA county that results in an active investigation in a HIDTA county where it was determined the seizure had a nexus, can be claimed by the task force working the investigation in the HIDTA county.*

The intent of the nexus rule is to allow investigations which are being carried out in HIDTA counties to claim a seizure in a non-HIDTA county that led to the investigation, not for work to be done in non-HIDTA counties hoping to find a nexus to a HIDTA county after the fact.

3. The seizure must be conducted by a member of the task force actively working jointly with other members of the task force, it cannot be an officer or an agent working independently from the day-to-day operations of the task force.

# Can I Claim It?

## YOUR TASK FORCE ALONE



# Can I Claim It?

## YOUR TASK FORCE + ANY OUTSIDE ENTITY

### Must Meet All 3 Conditions

1. An outside entity other than your Task Force is involved with the seizure:

- a. *Outside entity is any agency, task force, etc., other than personnel assigned to the task force.*
- b. *Involvement means ANY involvement no matter how minor, even something as small as simple as passing on a tip*

2. Your task force must be conducting proactive investigative activities to further an investigation connected to the seizure.

*(Continued participation in another agency or task forces investigation such as serving or assisting with search warrants in your AOR, conducting stops on their behalf, passing on information such as a lead you received, conducting a follow-up interview for the other entity, or performing administrative tasks related to the seizure, does not count as proactive investigative activities.)*

3. The seizure occurred in a HIDTA County, or if a seizure occurs in a non-HIDTA county, the seizure must have a nexus to an investigation in a HIDTA county.

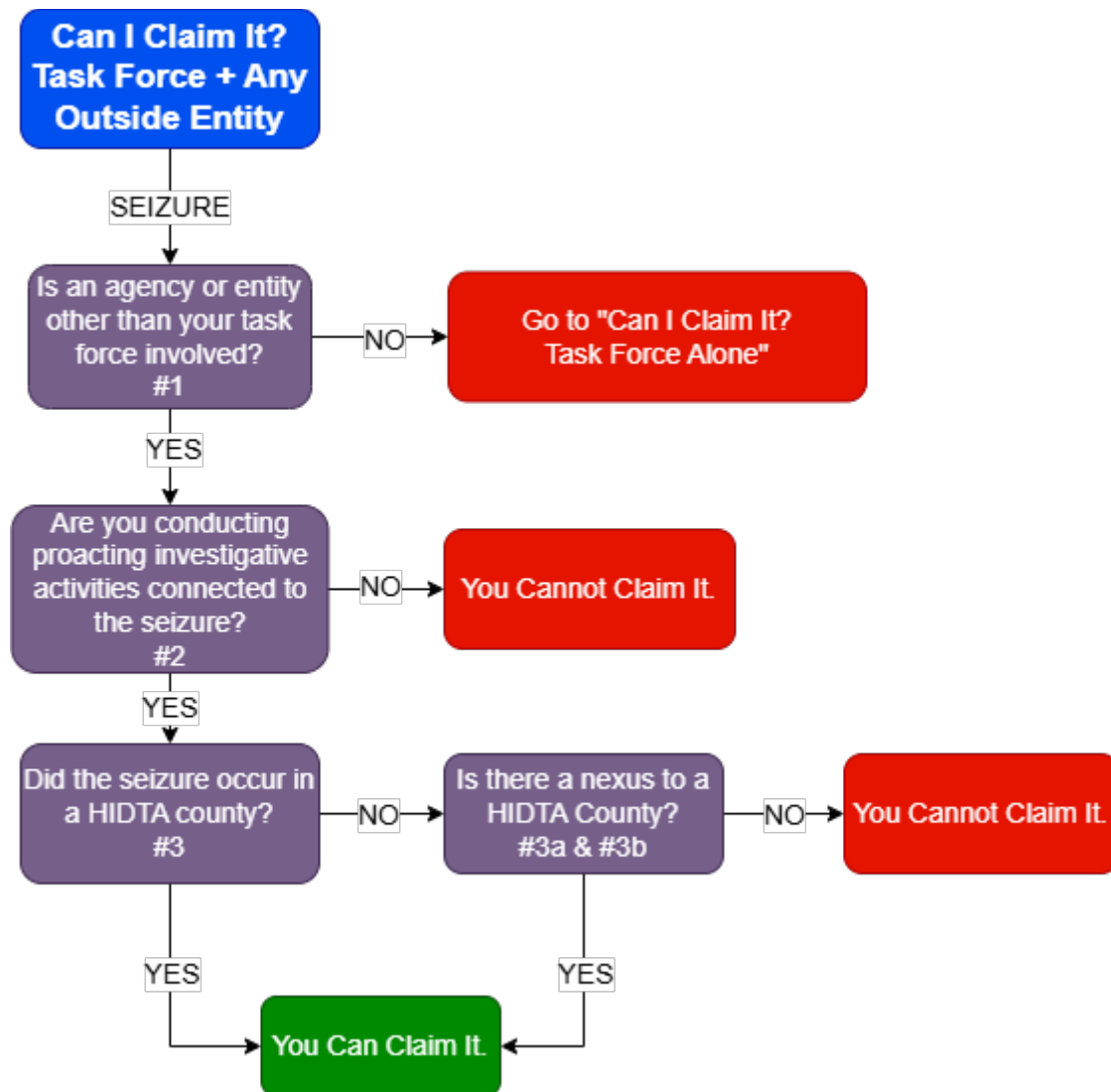
*For a nexus to a HIDTA county claim to be warranted:*

- a. *Your task force must have an active investigation in a HIDTA county associated with the seizure. No seizure originating in a non-HIDTA county can be claimed simply because the seizure was enroute to a HIDTA county, left a HIDTA county, or passed through a HIDTA county.*
- b. *A significant seizure (i.e. trafficking amount) occurring in a non-HIDTA county that results in an active investigation in a HIDTA county where it was determined the seizure had a nexus, can be claimed by the task force working the investigation in the HIDTA county.*

The intent of the nexus rule is to allow investigations which are being carried out in HIDTA counties to claim a seizure in a non-HIDTA county that led to the investigation, not for work to be done in non-HIDTA counties hoping to find a nexus to a HIDTA county after the fact.

# Can I Claim It?

## YOUR TASK FORCE + ANY OUTSIDE ENTITY



# Can I Claim It?

## How Much Can I Claim?

(If You Met Conditions For “Can I Claim It?”)

### YOUR TASK FORCE ALONE

All of it.

### YOUR TASK FORCE + ANY OUTSIDE ENTITY

1. If the outside entity is not affiliated with Appalachia HIDTA or any other HIDTA, and is not reporting seizures to PMP, you may claim the entire amount of the seizure as long as all other conditions for claiming the seizure are met. In determining an outside entities involvement with another HIDTA, a reasonable effort such as simply asking your POC with the other entity if they are affiliated with a HIDTA task force will suffice. For larger joint cases or seizures, asking in email is best practice.
2. If the outside entity is another HIDTA-funded task force, including non-Appalachia HIDTA funded HIDTA task forces, an agreement must be made as to who is eligible to claim the seizure, or how the seizure will be split.

### **SPLITTING OF SEIZURES**

- a. The lead Task Force working on the case and the seizure has the right to claim the entire seizure or decide to split it.
- b. If a seizure originated by an AHIDTA interdiction cold stop in a HIDTA county, and an investigation began as a result, the seizure is generally claimed by the interdiction task force not the task force conducting the investigation.
- c. Splitting of seizures is primarily between AHIDTA task forces, but also includes non-Appalachia but still HIDTA task forces who report seizures to PMP.
- d. Seizures do not have to be split evenly and can be split anyway desired as long as the sum of the seizure quantities and values claimed all the initiatives involved does not exceed the total quantity/value of the seizure.
- e. Considered best practice is for splitting of seizures to be along lines of effort, if one task force did significantly more work on the investigation do not split 50/50.
- f. You **MUST** communicate with the other Task Force Commander when stats are due to make sure the stats are properly split.