

Mayor and Council Communication

DATE: 08/11/20

M&C FILE NUMBER: M&C 20-0536

LOG NAME: 35FY20 ASSET FORFEITURE SUPPLEMENT

SUBJECT

Adopt Supplemental Appropriation Ordinances in the Justice and State Asset Forfeiture Funds for a Combined Amount of \$1,160,693.00 and in the Justice and State Asset Forfeiture Capital Funds for a Combined Amount of \$412,000.00 for Fiscal Year 2020 and Update the FY2020-2024 Capital Improvement Plan (ALL COUNCIL DISTRICTS)

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached appropriation ordinance increasing appropriations in the Justice Asset Forfeiture Fund in the amount of \$376,160.00 for the purpose of transferring \$7,000.00 to the Justice Asset Forfeiture Capital Fund, increasing receipts in the amount of \$120,000.00 and decreasing the assigned fund balance by \$256,160.00;
 2. Adopt the attached appropriation ordinance increasing appropriations in the State Asset Forfeiture Fund in the amount of \$784,533.00 for the purpose of transferring \$405,000.00 to the State Asset Forfeiture Capital Fund, increasing receipts in the amount of \$409,533.00 and decreasing the assigned fund balance by \$375,000.00;
 3. Adopt the attached appropriation ordinance increasing receipts and appropriations in the Justice Asset Forfeiture Capital Fund in the amount of \$7,000.00 in the Equipment - Police programmable project for the purpose of funding equipment needs (City Project No. P00033); and
 4. Adopt the attached appropriation ordinance increasing receipts and appropriations in the State Asset Forfeiture Capital Fund in the amount of \$405,000.00 in the Facility Renovation/Exp - Police programmable project for the purpose of funding facility needs (City Project No. P00050)
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DISCUSSION:

In the 35 plus years since the Comprehensive Crime Control Act of 1984, authorized federal officials implemented a national Asset Forfeiture Program (Program)The Program has become a powerful tool for targeting criminals, including drug dealers and white collar criminals who prey on the vulnerable for financial gain. Forfeiture statutes are now prevalent and their use, along with other important anti-crime measures, have a significant impact on crime reduction.

One of the most important provisions of the Program is the authorization to share federal forfeiture proceeds with cooperating state and local law enforcement agencies.

Funds received from the Program can only be used by the Fort Worth Police Department (FWPD) to purchase items that are permissible under the U.S. Department of Justice Guide to Equitable Sharing for State and Local Law Enforcement Agencies and the Texas Code of Criminal Procedure Chapter 59, Forfeiture of Contraband.

For Fiscal Year 2020, FWPD estimates using up to an additional \$1,160,693.00 of these funds to cover permissible law enforcement operating expenditures, which include:

- Training
- Minor Equipment
- Uniforms
- Classified Services
- Facility Needs
- Capital Equipment

Funding for these projects was not included in the FY2020-2024 Capital Improvement Plan, because by federal and state laws revenues and projects cannot be anticipated or planned in these fund types. The action in this M&C will update the FY2020-2024 Capital Improvement Plan.

These projects are located in ALL COUNCIL DISTRICTS.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Justice Asset Forfeiture Fund, State Asset Forfeiture Fund, Justice Asset Forfeiture Capital Fund for the Equipment - Police programmable project, and the State Asset Forfeiture Capital Fund for the Facility Renovation/Exp - Police programmable project as appropriated. Prior to an expenditure being incurred, the Police Department has the responsibility to validate the availability of funds.

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