City of Fort Worth, Texas

Mayor and Council Communication

DATE: 10/28/25 **M&C FILE NUMBER:** M&C 25-1010

LOG NAME: 35FY26 ROLLOVER ASSET FORTEITURE

SUBJECT

(ALL) Adopt Appropriation Ordinances to Enact Fiscal Year 2025-2026 Budget Adjustments by Reallocating Funds in the Amount of $300,000.00 and $172,000.00 from Unreserved Fund Balance to the State Asset Forfeiture Fund and Justice Asset Forfeiture Fund, Respectively, and Authorize Associated Transfers for the Purpose of Funding Fiscal Year 2026 Operating Expenses and to Continue Previously Approved Projects that Impact the Safety, Wellness, and Resiliency of the Police Department, Fire Department, and Community (City Project No. P00035)

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the State Asset Forfeiture Fund in the amount of $300,000.00 from available unreserved fund balance, for the purpose of funding Fiscal Year 2026 operating expenses;
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Justice Asset Forfeiture Fund in the amount of $172,000.00 from available unreserved fund balance, for the purpose of funding Fiscal Year 2026 operating expenses; and
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Justice Asset Forfeiture Capital Fund in the amount of $82,200.00 transferred from the Justice Asset Forfeiture Fund, for the purpose of funding the Vehicles - Police programmable project (City Project No. P00035).

DISCUSSION:

The Comprehensive Crime Control Act of 1984, authorized federal officials to implement a national Asset Forfeiture Program (Program). The Program has been a tool for targeting criminals, including drug dealers and white-collar criminals who victimize the community by committing crimes for financial gain. Forfeiture statutes, along with other important anti-crime measures, contribute to crime reduction. One of the 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 fund items that are permissible under the Texas Code of Criminal Procedure Chapter 59, Forfeiture of Contraband. These funds may not be used to supplant or replace existing resources dedicated to law enforcement purposes through, either the reduction of general operating budgets or to cover costs assigned to other funding sources.

In Fiscal Year (FY) 2024, the Chief of Police prioritized these funds to enhance the safety, wellness, and resiliency of the Department, its officers, and the community. On January 23, 2024, the Fort Worth City Council approved the use of asset forfeiture funds for specific law enforcement-related expenses related to mental health, wellness, and resiliency within the FWPD (Mayor & Council Communication (M&C) 24-0056). In order to achieve this, FWPD estimates continuing using up to $472,000.00 of these funds to cover previously approved law enforcement operating expenditures, including:

- Officer Wellness
- Lease of Building
- Forensic Genome Testing
- Officer Safety
- Training
- Community Safety

Funding for Asset Forfeiture is not included in the FY 2026 Operating Budget, because by federal and state laws, revenues and project funding cannot be anticipated or planned in these types of funds. FWPD anticipates submitting a separate M&C to recommend new projects upon completion of the previous year's reporting process.

Funding is available for appropriation from fund balance of the State Asset Forfeiture Fund with a current balance of $815,020.05 and after recommendation above, it will have a balance of $515,020.05. Funding is available for appropriation from fund balance of the Justice Asset Forfeiture Fund with a current balance of $1,516,896.69 and after recommendation above, it will have a balance of $1,344,896.69.

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 funds are currently available in unreserved fund balance within the State Asset Forfeiture Fund and the

Justice Asset Forfeiture Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the State Asset Forfeiture Fund, Justice Asset Forfeiture Fund and in the Justice Asset Forfeitu Capital Fund for the Vehicles-Police 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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Expedited