



Legislation Text

File #: 24-0307, Version: 1

Consider and take action on a resolution authorizing participation in the Federal Asset Forfeiture and Equitable Sharing Program ("Program") and authorizing the City Manager to accept any assets (either property or cash) received through the Program (Chief of Police)

Approval of this item will authorize the Police Department to participate with the Federal Asset Forfeiture and Equitable Sharing Program and authorize the City Manager to accept any future assets (either property or cash) into the City's possession.

Asset forfeiture is the seizure of property by the government without compensation because of the property's connection to criminal activity. It is a legal tool that enables the federal government to recover property that can be used to compensate victims of the crime underlying the forfeiture, among other important law enforcement interests. The Department of Justice's Asset Forfeiture Program encompasses the seizure, forfeiture, and disposition of assets that represent the proceeds of, or were used to facilitate, federal crimes.

The League City Police Department has one Officer assigned as a Task Force Officer with the Drug Enforcement Administration (DEA). Following a thorough investigation, and after the suspects are tried and convicted, their property may be subject to forfeiture. If the property qualifies for seizure, the federal government may be awarded the property through the judicial system. Depending on the level of involvement of the League City Officer in the case, LCPD may receive a portion of the seized funds.

These funds have specific permissible law enforcement initiatives and impermissible uses. The Attorney General is authorized to use the funds to pay any necessary expenses associated with forfeiture operations such as property seizure, detention, management, forfeiture, and disposal. The funds may also be used to finance certain general investigative expenses. These authorized uses are enumerated in 28 U.S.C. § 524(c).

In addition any federal and state requirements, any expenditures with these funds would also need to comply with the City's procurement policy.

Attachments:

- 1. Proposed Resolution
- 2. Grant - Pre-Approval Form & Equitable Sharing Agreement and Certification

FUNDING

{x} Funding received through this program will be deposited into the Asset Forfeiture Fund, revenue account 2225-44340. Expenditures for this account will either be budgeted through the annual budget process or will be presented as a budget amendment.

{ } Requires Budget Amendment to transfer from Account # _____ to Account # _____

{ } NOT APPLICABLE

STRATEGIC PLANNING

{ } Addresses Strategic Planning Critical Success Factor # _____

{ X } NOT APPLICABLE