

CITY OF CORAL GABLES

- MEMORANDUM -

TO: PETER J. IGLESIAS
CITY MANAGER

DATE: APRIL 21, 2023

FROM: EDWARD J. HUDAK, JR.
CHIEF OF POLICE

SUBJECT:
FORFEITED ASSET FUND
REQUESTS

The Forfeited Asset Fund (FAF) consists of certain assets seized during the course of criminal investigations and the proceeds from the sale of certain forfeited assets distributed from both Federal Forfeited Asset Sharing and State Asset Forfeiture proceedings. These assets and proceeds may be expended for law enforcement purposes but may not be used to meet normal operating expenses of the law enforcement agency.

Listed below are proposals seeking approval to expend State and Federal Forfeited Assets pursuant to the provisions of Florida State Statute 932.7055 and the Department of Justice "*Guide to Equitable Sharing for State and Local Law Enforcement Agencies.*"

In order to proceed with these proposals, the Coral Gables Police Department ("CGPD") is requesting your approval of the following expenditure requests, which have already been reviewed, vetted, and approved by the City Attorney and the Finance Director. In conjunction with the proposals below, a Financial Summary of available funding has also been included with this memorandum.

STATE ASSET FORFEITURE FUNDS

As provided for in Florida State Statute 932.7055(5)(a), the proceeds and interest from assets forfeited as a result of criminal investigations shall be used for school resource officer, crime prevention, safe neighborhood, drug abuse education and prevention programs, or other law enforcement purposes.

1. Florida Contraband Forfeiture Act Requirement – 2021-2022 Fiscal Year

Florida Statute 932.7055(5)(c)(3) requires that a local law enforcement agency receiving more than \$15,000 pursuant to the Florida Contraband Forfeiture Act within a fiscal year must expend or donate no less than 25% of such proceeds for the support or operation of crime prevention, drug abuse prevention, school resource officer or safe neighborhood programs.

In fiscal year 2022, deposits in the amount of \$134,352.46 were made to the State Forfeited Asset Fund account. This allows for a 25% encumbrance of \$33,589 under the Florida Contraband

Forfeiture Act.

Accordingly, the Police Department is proposing an encumbrance of \$33,589 to set aside a portion of these assets forfeited to meet this requirement and provide ongoing and future support for and the operation of programs such as the Drug Abuse Resistance Education (D.A.R.E.) and Police Explorer Post #594.

2. Public Safety Communications Accreditation Program

The Coral Gables Police Department has identified a need to initiate a Public Safety Communications Accreditation Program. This program will enhance the City's existing Communications Section in the areas of quality assurance, accountability, and procedural efficiencies, as well as provide it with the ability to continually assess and improve its operations.

Florida Statute 932.7055(5)(a) a permissible use of assets forfeited by a local law enforcement agency include crime prevention and other law enforcement purposes, such as providing additional equipment or expertise. The implementation of a Public Safety Communications Accreditation Program qualifies under those purposes.

Accordingly, the Police Department is proposing an expenditure of \$180,000 from State Forfeited Assets to fund the Public Safety Communications Accreditation Program, which qualifies as a permissible expenditure under FSS 932.7055(5)(a).

FLORIDA CONTRABAND ACT FUNDS

Florida State Statute 932.7055(5)(c)(3) specifically directs local law enforcement agencies to expend or donate twenty-five percent (25%) of the proceeds from assets forfeited pursuant to the provisions of the Florida Contraband Forfeiture Act for the support or operation of any drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood, or school resource officer programs.

Accordingly, the Police Department has encumbered assets forfeited pursuant to the provisions of FSS 932.7055 under City Commission resolutions to be set aside for the support and operation of those types of programs.

No requests at this time.

FEDERAL ASSET FORFEITURE FUNDS

1. Mounted Patrol Program – Expansion (FY2022-2025)

The Coral Gables Police Department has identified a need to continue and expand its Mounted Patrol Program (“MPP”) through fiscal year 2025. The original program was previously approved using Federal Forfeited Asset funds during fiscal year 2019.

Since its implementation, the MPP has provided for greater situational awareness at special events and other large events being secured by the Police Department. In addition, the officer and horse have served as a representative of the agency at state and regional events.

Funding is needed to continue and expand the program to include a second horse, update equipment used to house, transport, and secure the horse, and address increases to boarding, feeding, and maintenance expenses associated with the program.

The “*Guide to Equitable Sharing for State and Local Law Enforcement Agencies*” by the United States Department of Justice provides direction to local law enforcement agencies on the permissible uses of forfeited assets shared with local agencies as a result of a local agency’s participation in federal criminal investigations.

Per this guide, a permissible use of federally forfeited assets is the cost associated with law enforcement equipment and operations.

Accordingly, the Police Department is proposing an expenditure of \$175,000 in forfeited assets to expand and continue the Mounted Patrol Program.

2. Piloted Drone Program

The Coral Gables Police Department has identified a need for a Piloted Drone Program. Implementing the use of drones will assist the agency in locating missing persons, identifying suspects, responding to in-progress crimes, and will also enhance security capabilities at special events. The intent of this program is to have drones dispatched by communications personnel at the same time officers are dispatched to calls for service, allowing for a simultaneous dispatch, deployment, and response by the agency to specific types of calls for service.

This technology can be used to monitor the immediate perimeter for crimes in progress, as well as dangerous and suspicious activity. In addition, this equipment can be used to assess scenes of major car accidents, fires, or other natural disasters before first responders arrive. This program will increase the efficiency of the agency’s response and provide additional capabilities not currently available.

The “*Guide to Equitable Sharing for State and Local Law Enforcement Agencies*” by the United States Department of Justice provides direction to local law enforcement agencies on the permissible uses of forfeited assets shared with local agencies as a result of a local agency’s participation in federal criminal investigations.

Per this guide, a permissible use of federally forfeited assets is the cost associated with law enforcement equipment and operations.

Accordingly, the Police Department is proposing an expenditure of \$240,000 in forfeited assets to fund the Piloted Drone Program.

3. Electric Police Patrol Vehicle

The Coral Gables Police Department has identified the need to evaluate electric vehicles for effectiveness, efficiency, and safety issues in the commission of public safety responsibilities. The Department is requesting the purchase of an electric vehicle to test and evaluate for its use in a law enforcement capacity.

The "*Guide to Equitable Sharing for State and Local Law Enforcement Agencies*" by the United States Department of Justice provides direction to local law enforcement agencies on the permissible uses of forfeited assets shared with local agencies as a result of a local agency's participation in federal criminal investigations.

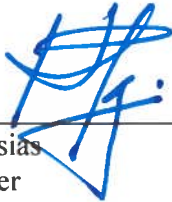
Per this guide, a permissible use of federally forfeited assets is the cost associated with law enforcement equipment and operations.

Accordingly, the Police Department is proposing an expenditure of \$80,000 in forfeited assets to fund the Electric Police Patrol Vehicle Program.

APPROVAL

DATE

DISAPPROVAL



5/3/23

Peter J. Iglesias
City Manager

Peter J. Iglesias
City Manager

CGPD Forfeited Asset Accounts - Financial Summary

State Asset Forfeiture Funds	
Total State Asset Forfeiture Funds as of March 2, 2023	\$ 735,695.78
Less:	
25% encumbrance from FY20	\$ 55,859.00
25% encumbrance from FY21	\$ 47,397.00
Encumbered funds for D.A.R.E.	\$ 7,370.73
Encumbered funds for Police Explorers	\$ 27,410.59
Encumbered funds under POSS/PARS Resolutions 2009-90 and 2014-233 (FY15)	\$ 2,165.00
State Asset Forfeiture Funds Available for Expenditure	\$ 595,493.46
State Asset Forfeiture Funds Proposed for Expenditure:	
25% encumbrance from FY22	\$ 33,589.00
Public Safety Communications Accreditation Program	\$ 180,000.00
Total State Asset Forfeiture Funds Proposed for Expenditure	\$ 213,589.00
 New Balance of State Asset Forefeiture Funds	 \$ 381,904.46

State Asset Forfeiture Funds - Set-Aside	
25% encumbrance from FY20	\$ 55,859.00
25% encumbrance from FY21	\$ 47,397.00
Total Set-Aside	\$ 103,256.00
Set-Aside Funds Proposed for Expenditure:	
No requests at this time	\$ -
Total Set Aside Funds Proposed for Expenditure	\$ -
 New Balance of State Asset Forefeiture Funds - Set-Aside	 \$ 103,256.00

Federal Asset Forfeiture Funds	
Total Federal Asset Forfeiture Funds as of March 2, 2023	\$ 1,103,581.97
Less:	
Senior Management Training	\$ 13,119.67
BolaWrap Program Expansion	\$ 10,000.00
Mounted Patrol Program (FY20-FY23)	\$ 33,223.10
Body-Worn Camera Program - Year 1 Matching Grant Funds	\$ 400,000.00
Federal Funds Available for Expenditure	\$ 647,239.20
Funds Proposed for Expenditure from Federal:	
Mounted Patrol Program - Expansion (FY22-25)	\$ 175,000.00
Piloted Drone Program	\$ 240,000.00
Electric Police Patrol Vehicle	\$ 80,000.00
Total funds Proposed for Expenditure	\$ 495,000.00
 New Balance of Federal Asset Forefeiture Funds	 \$ 152,239.20