

CITY OF CORAL GABLES

- MEMORANDUM -

TO: AMOS ROJAS, JR.
CITY MANAGER

DATE: JUNE 7, 2024

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 is a proposal 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 this proposal, the Coral Gables Police Department ("CGPD") is requesting your approval of the following expenditure request, which has already been reviewed, vetted, and approved by the City Attorney and the Finance Director. In conjunction with the proposal 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.

No requests at this time.

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. Senior Management Training – Supplement

The Coral Gables Police Department has identified the need for additional funding allocated to senior management training due to recent promotions and transfers, and in anticipation of solidifying the Department's senior administration.

Previous funding approved in FY20 has been exhausted and the funds have greatly benefited Departmental personnel. As a result, a supplement of \$60,000 is requested to continue this enhancement and improve the knowledge and capabilities of Departmental management personnel.

As the funds are to be used exclusively for training – such as registration/tuition, travel costs and per diem – these expenses fall under exemption 11 (“fees and costs of job-related seminars and training”) of Section 2-607 of the Procurement Code.

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 training and education, as well as law enforcement travel and per diem.

Accordingly, I am requesting an encumbrance of \$60,000 in forfeited assets to be expended as needed for senior management training.

2. Piloted Drone Program - Supplement

The Coral Gables Police Department has identified the need for additional funding allocated to the Piloted Drone Program. Since implementation, the use of drones has assisted the agency in locating missing persons, identifying suspects, responding to in-progress crimes, and has also enhanced 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, I am requesting an encumbrance of \$160,000 in forfeited assets to fund the Piloted Drone Program.

APPROVAL



Amos Rojas, Jr.
City Manager

DATE

6-25-24

DISAPPROVAL

Amos Rojas, Jr.
City Manager

EJH/lg

CGPD Forfeited Asset Accounts - Financial Summary

State Asset Forfeiture Funds	
Total State Asset Forfeiture Funds as of May 6, 2024	\$ 793,570.19
Less:	
25% encumbrance from FY20	\$ 55,859.00
25% encumbrance from FY21	\$ 47,397.00
25% encumbrance from FY22	\$ 33,589.00
Encumbered funds for D.A.R.E.	\$ (233.74)
Encumbered funds for Police Explorers	\$ 36,573.87
Encumbered funds under POSS/PARS Resolutions 2009-90 and 2014-233 (FY15)	\$ 2,165.00
Public Safety Communications Accreditation Program	\$ 165,324.00
State Asset Forfeiture Funds Available for Expenditure	\$ 452,896.06
State Asset Forfeiture Funds Proposed for Expenditure:	
None at this time	\$ -
Total State Asset Forfeiture Funds Proposed for Expenditure	\$ -
New Balance of State Asset Forefeiture Funds	\$ 452,896.06

State Asset Forfeiture Funds - Set-Aside	
25% encumbrance from FY20	\$ 55,859.00
25% encumbrance from FY21	\$ 47,397.00
25% encumbrance from FY22	\$ 33,589.00
Total Set-Aside	\$ 136,845.00
Set-Aside Funds Proposed for Expenditure:	
None at this time	\$ -
Total Set Aside Funds Proposed for Expenditure	\$ -
New Balance of State Asset Forefeiture Funds - Set-Aside	\$ 136,845.00

Federal Asset Forfeiture Funds	
Total Federal Asset Forfeiture Funds as of May 6, 2024	\$ 1,114,759.35
Less:	
Senior Management Training 2020-041	\$ 3,119.67
Mobile Command Post 2020-172	\$ 20,834.00
Mounted Patrol Program 2019-232	\$ 24,987.02
Body-Worn Camera Program - Year 1 Matching Grant Funds	\$ 142,616.80
Mounted Patrol Program Expansion - (FY23) 2023-087	\$ 121,286.02
Tactical Medic Program 2019-229	\$ 5,626.00
Electric Police Patrol Vehicle 2023-089	\$ 22,215.72
Federal Funds Available for Expenditure	\$ 774,074.12
Funds Proposed for Expenditure from Federal:	
Additional Funds for Senior Management Training	\$ 60,000.00
Additional Funds for Piloted Drone Program	\$ 160,000.00
Total funds Proposed for Expenditure	\$ 220,000.00
New Balance of Federal Asset Forefeiture Funds	\$ 554,074.12