



## Legislation Text

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**File #: 18-7749, Version: 1**

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A Resolution authorizing an encumbrance in the amount of \$100,000 from Federal Forfeited Asset Fund (F.A.F.) moneys for overtime expenditures related to Public School Year Security Coverage for the 2018/2019 school year.

The Coral Gables Police Department participates with federal law enforcement agencies of the United States Departments of Justice, Treasury and/or Homeland Security in joint law enforcement investigations. The Coral Gables Police Department's participation in those joint federal - local investigations produces federally seized funds. At the discretion of the United States Attorney General under United States Statute: 18 U.S.C. Section 981 (e)(2), and 21 U.S.C. Section 881 (e)(1)(A) and (e)(3)(b), the Coral Gables Police Department may lawfully receive equitable shares of the federally seized funds at the conclusion of the legal proceedings.

The "*Guide to Equitable Sharing for State and Local Law Enforcement Agencies*" by the United States Department of Justice provides that the equitably shared forfeited asset funds resulting from the participation of a local agency in investigations with Federal law enforcement agencies may be used to pay the overtime and benefits of current sworn law enforcement personnel involved in law enforcement operations.

Under Resolution 2018-134, and in response to the passing of Senate Bill 7026, the Marjory Stoneman Douglas High School Public Safety Act, the Coral Gables City Commission directed the Coral Gables Police Department to assist Miami Dade County School Board with providing security at public schools located within the City during the 2018/2019 school year. The plan of action to provide coverage at the five different school campuses will require the use of overtime to cover gaps that may occur due to leave, training and/or other availability issues. Due to Resolution 2018-134, school security at public schools within the City of Coral Gables during the 2018/2019 school year became part of law enforcement operations, which qualifies this request as a permissible use of funds under exception two of the DOJ Guide.

The F.A.F. Committee met on August 7, 2018 and approved this expenditure.