



## Legislation Details (With Text)

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**Title:** Action on the Appropriation of Asset Forfeiture Funds for FY 2021/22 and Related Budget Amendment (Deferred from July 6, 2021)

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Date	Ver.	Action By	Action	Result
7/13/2021	1	City Council and Authorities Concurrent	Adopted	Pass

## REPORT TO COUNCIL

### SUBJECT

Action on the Appropriation of Asset Forfeiture Funds for FY 2021/22 and Related Budget Amendment (Deferred from July 6, 2021)

### COUNCIL PILLAR

Deliver and Enhance High Quality Efficient Services and Infrastructure

### BACKGROUND

Asset Forfeiture funds are obtained as a result of narcotic and other criminal investigations. Federal and State authorities allow the Police Department to share in the distribution of funds seized pursuant to judicial and/or administrative actions. The use of these monies is limited to funding law enforcement-related programs or purchases of equipment.

The City has the opportunity to enhance Police Department services by funding the following items, totaling \$182,500, with Asset Forfeiture monies. The Police Department has identified the following items, training, or improvements as being necessary to better serve the community by maintaining or improving our current level of service, enhancing our ability to apprehend criminal offenders, or by ensuring a higher degree of officer and employee safety.

### DISCUSSION

The Police Department's Asset Forfeiture appropriation requests for equipment and other law enforcement uses and programs for FY 2021/22 are outlined as follows:

Proposed Item / Use	Amount	Description
Canine Program	\$35,000	<p>SCPD currently has five K-9's. Funds earmarked for equipment at end of life (e.g. training bite suit, K-9 collar and remote kits) as well as specialized training (e.g. Spectrum weekly cycles for handler and K-9, equipment for tracking and explosive detection).</p> <p>In addition, the canine program is seeking a grant for a therapy pet to live in the Police Building. If funded, asset forfeiture funds would be utilized for pet therapy training and dog supplies. Therapy pet to improve the psychological well-being of our employees (e.g. lower blood pressure and heart rate, reduce anxiety, increase levels of endorphins and oxytocin, etc.) and provide short and long-term comfort following a traumatic incident. Dog to be utilized at schools, festivals, community events, etc.</p>

<p>Communications Center</p>	<p>\$10,000</p>	<p>Public Safety Dispatchers work a 12-hour shift and are not able to leave the Communications Center due to the nature of their assignment. As a result, the Communications Center has a full kitchen, restroom facilities, outdoor patio and a quiet room. The quiet room serves as a peaceful haven for staff to decompress and recoup on break or retreat from the stress of a traumatic call. These resources are in need of some refreshing (e.g. paint, replace couch, storage shed, etc.) and the manager would like to add a massage chair for employee wellness.</p>
<p>Community Policing, Awards and Meetings</p>	<p>\$15,000</p>	<p>Funds utilized to support: 1) community policing initiatives (e.g. Chat with the Chief, Coffee with a Cop, Citizens' Police Academy, D.A.R.E. program, National Night Out, Talk and Tour, SCPD Open House, community meetings, etc.) which are hopeful to return over the coming fiscal year; 2) awards and recognition items (e.g. pins, patches, badges, challenge coins, 2019-2021 volunteer and staff awards to be presented in 2021, etc.); 3) expenses associated with Dispatcher and Records recognition weeks, and, 4) meeting supplies to support the Chief's Advisory Committee, including recognition items at the conclusion of their term</p>
<p>Conference and Training Funds</p>	<p>\$60,000</p>	<p>Of SCPD's 16-member management team, 1 has been in their current assignment longer than 2-years. This staff, and those participating in succession planning efforts, have not attended high-level management conference(s) as a result of the rotation to attend coupled by the pandemic/postponed opportunities. It is more important than ever that our leaders in critical positions participate in recognized programs offered by the International Association of Chiefs of Police Conference (IACP), California Peace Officers Association Conference (CPOA), Federal Bureau of Investigation (FBI), Municipal Management Association of Northern California (MMANC), National Emergency Number Association (NENA), etc.:</p>

	<p><i>FBI National Conference July 7-10, 2021 Orlando, Florida</i></p> <p><i>CPOA Executive Leadership Institute July 17-31, 2021 Claremont, California</i></p> <p><i>National Emergency Number Association July 24 – 29, 2021 Columbus, Ohio</i></p> <p><i>Crisis Intervention Specialist Conference August 16-18, 2021 Phoenix, AZ</i></p> <p><i>Women Leaders in Law Enforcement September 8-10, 2021 Anaheim, California</i></p> <p><i>Crime Prevention through Environmental Design September 13-17, 2021 Las Vegas, Nevada</i></p> <p><i>IACP September 11-14, 2021 New Orleans, Louisiana</i></p> <p><i>MMANC October 20-22, 2021 Monterey, California</i></p> <p><i>CPOA Forum October 27-31, 2021 San Diego, California</i></p> <p><i>Senior Management Institute for Police TBD Boston, Massachusetts</i></p> <p>These are recognized as some of the best training for sworn and civilian law enforcement managers in the world. Any remaining funds could be used for other recognized trainings and/or conferences specific to a <u>management team members</u> responsibilities</p>
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Crisis Intervention Specialist	\$1,000	Less lethal equipment dedicated for CIS Team for use of force situations escalated by the subject
Detective Bureau	\$10,000	Transition Detectives from two small, low quality monitors to one, large HD monitors to view evidence (e.g. photos, video, etc.)
Evidence Related Technology	\$8,000	Technology and legislation changes force law enforcement to be adaptable. Funds to support the purchase of hardware, <u>software</u> and other equipment to maintain the ability to get data from smart phones, computers, disparate video systems, etc. when acting on a court authorized search warrant or other evidence exception.
Records Unit	\$1,000	Touch screen kiosk for residents without access to a computer and/or to perform basic functions (e.g. sex registrant paperwork, online police report, schedule appointments with staff, etc.) in the lobby with minimal or no contact with staff. In turn, items would be legible and could be submitted electronically.
Recruiting Materials	\$10,000	At the time of this report, SCPD has 38 vacancies. Over the coming year, the Professional Standards team will be attending multiple career fairs and distribute memorabilia <u>in order to</u> aggressively seek out qualified candidates
Special Response and Crisis Negotiation Teams	\$15,000	Replacement equipment (e.g., generator for SRT van, tools, breaching equipment, communication headsets, etc.) and enhancements (e.g., less lethal resources, etc.) to improve the ability for the teams to respond to rapidly evolving critical incidents
Traffic Unit	\$10,000	Replace preliminary alcohol screening devices and LIDAR equipment
Undercover Buy Fund	\$5,000	Funds used by undercover officers during criminal investigations to purchase drugs and contraband
Volunteer Program	\$2,500	The return of the volunteer program after a one-year hiatus will require training and more frequent meetings with refreshments. In addition, several long-term volunteers <u>are in need of</u> new apparel as they serve as representatives of the Department.
<b>TOTAL</b>	<b>\$182,500</b>	

All equitably shared asset forfeiture funds comply with the requirements in SB 443.

**ENVIRONMENTAL REVIEW**

The purchase of supplies does not constitute a “project” within the meaning of the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational policy making or administrative activity that will not result in direct or indirect changes in the environment.

**FISCAL IMPACT**

Approval of this request will provide \$182,500 to support enforcement, other programs, and needs in the Police Department without using General Fund monies. There are sufficient funds in the Expendable Trust Fund to be transferred. The recommended budget amendment table below transfers these funds to the Police Operating Grant Trust Fund in order to complete the purchases recommended in this report.

**Budget Amendment  
FY 2021/22**

	<b>Current</b>	<b>Increase / (Decrease)</b>	<b>Revised</b>
<b>Expendable Trust Fund</b>			
<u>Fund Balance</u>			
Beginning Fund Balance	\$0	\$182,500	\$182,500
<u>Transfers To</u>			
Transfer to the Police Operating Grant Trust Fund	\$0	\$182,500	\$182,500
<b>Police Operating Grant Trust Fund</b>			
<u>Transfers From</u>			
Transfer From the Expendable Trust Fund	\$0	\$182,500	\$182,500
	<b>Current</b>	<b>Increase / (Decrease)</b>	<b>Revised</b>
<u>Expenditures</u>			
Seized Asset Funds	\$0	\$182,500	\$182,500

**COORDINATION**

This report has been coordinated with the Finance Department and City Attorney’s Office.

**PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City’s official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City’s website and in the City Clerk’s Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk’s Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <mailto:clerk@santaclaraca.gov>.

**RECOMMENDATION**

1. Approve the appropriation of Asset Forfeiture Funds in the amount of \$182,500 pursuant to State and federal Regulations; and
2. Consistent with City Charter Section 1305 *“At any meeting after the adoption of the budget, the City Council may amend or supplement the budget by motion adopted by the **affirmative votes of at least five members** so as to authorize the transfer of unused balances appropriated for one purpose to another purpose, or to appropriate available revenue not included in the budget,”* approve the following FY 2021/22 budget amendments:
  - A. In the Expendable Trust Fund, recognize Beginning Fund Balance of \$182,500 from asset forfeiture funds received and establish a Transfer to the Police Operating Grant Trust Fund (**five affirmative Council votes required for the use of unused balances**); and
  - B. In the Police Operating Grant Trust Fund, establish a Transfer from the Expendable Trust Fund and establish a Seized Asset Funds appropriation in the amount of \$182,500 (**five affirmative Council votes required to appropriate additional revenue**).

Reviewed by: Patrick Nikolai, Chief of Police

Approved by: Deanna J. Santana, City Manager