



Legislation Details (With Text)

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**Title:** Action on the Appropriation of Asset Forfeiture Funds for FY 2020/21 and Related Budget Amendment [Council Pillar: Deliver and Enhance High Quality Efficient Services and Infrastructure]

**Sponsors:**

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Date	Ver.	Action By	Action	Result
6/9/2020	1	Council and Authorities Concurrent Meeting	Approved	

**REPORT TO COUNCIL**

**SUBJECT**

Action on the Appropriation of Asset Forfeiture Funds for FY 2020/21 and Related Budget Amendment [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 \$166,000, 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 2020/21 are outlined as follows:

Proposed Use	Amount	Description
Undercover Buy Fund	\$5,000	Funds used by undercover officers during criminal investigations to purchase illegal drugs and contraband

Evidence and Investigations Related Technology	\$31,000	Technology and legislation changes force law enforcement to be adaptable. Funds to support the purchase of hardware, software 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. Funds would also be utilized to purchase laptops for detectives. These tools would be utilized in the field and would meet SLETS/CJIC security requirements
Canine Replacement, Equipment and Training	\$30,000	SCPD currently has six K-9's. Funds to support equipment and training in tracking and explosive detection

<p>Tactical Equipment and Training for Special Response Team (SRT)                  \$70,000 SRT (commonly referred to as the SWAT Team) requires regular training to remain tactically functional. In addition, equipment needs are significant for this team to safely perform their duties; protective equipment require regular replacement (helmets, vests, shields) due to use and/or expiration. In addition, other pieces of equipment expand the ability of the team to safely perform their duties</p>		
<p>Conference and Training Funds</p>	<p>\$15,000</p>	<p>With extensive changes among SCPD's nine-member management team, it is more important than ever to participate in the International Association of Chiefs of Police Conference (10/17-20 in New Orleans, Louisiana and/or 11/6-9 in Atlanta, Georgia, depending on COVID-19). This conference provides for 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</p>

Community Policing, Awards and Meetings	\$15,000	Funds utilized to support community policing initiatives (community events, D.A.R.E. supplies), awards, recognition items (challenge coins, pins, patches), meeting supplies, as well as items to support the needs of the Chief's Advisory Committee
<b>TOTAL</b>	<b>\$166,000</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 \$166,000 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 2020/21**

	<b>Current</b>	<b>Increase/ (Decrease)</b>	<b>Revised</b>
<b>Expendable Trust Fund</b>			
<u>Fund Balance</u>			
Beginning Fund Balance	\$0	\$166,000	\$166,000
<u>Transfers Out</u>			
Transfer to the Police Operating Grant Trust Fund	\$0	\$166,000	\$166,000
<b>Police Operating Grant Trust Fund</b>			
<u>Transfers In</u>			
Transfer from the Expendable Trust Fund	\$0	\$166,000	\$166,000
<u>Expenditures</u>			
Seized Asset Funds	\$0	\$166,000	\$166,000

**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 \$166,000 pursuant to State and federal Regulations; and
2. Approve the related FY 2020/21 Budget Amendment in the Expendable Trust Fund to recognize Beginning Fund Balance of \$166,000 from asset forfeiture funds received and transfer the funds to the Police Operating Grant Trust Fund; 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 \$166,000.

Reviewed by: Patrick Nikolai, Chief of Police

Approved by: Deanna J. Santana, City Manager