

City of Fayetteville Staff Review Form

2019-0075

Legistar File ID

2/19/2019

City Council Meeting Date - Agenda Item Only
N/A for Non-Agenda Item

Greg Tabor

1/25/2019

POLICE (200)

Submitted By

Submitted Date

Division / Department

Action Recommendation:

Approval of a budget adjustment in the amount of \$71,744 to distribute federal forfeiture funds held by the City of Fayetteville on behalf of the 4th Judicial District Drug Task Force as required by the Department of Justice's Asset Forfeiture and Equitable Sharing Program.

Budget Impact:

Drug Enforcement

Account Number	Fund
Project Number	Project Title
Budgeted Item? <u>No</u>	Current Budget \$ -
	Funds Obligated \$ -
	Current Balance \$ -
Does item have a cost? <u>NA</u>	Item Cost
Budget Adjustment Attached? <u>Yes</u>	Budget Adjustment \$ 71,744.00
	Remaining Budget \$ 71,744.00

V20180321

Purchase Order Number: _____

Previous Ordinance or Resolution # _____

Change Order Number: _____

Approval Date: _____

Original Contract Number: _____

Comments:



MEETING OF FEBRUARY 19, 2019

TO: Mayor and City Council

FROM: Greg Tabor, Chief of Police

A handwritten signature in black ink, appearing to be 'GT', is written over the name 'Greg Tabor'.

DATE: January 25, 2019

SUBJECT: Budget Adjustment for Disbursement of Federal Forfeitures

RECOMMENDATION:

Approval of a budget adjustment in the amount of \$71,744 to distribute federal forfeiture funds held by the City of Fayetteville on behalf of the 4th Judicial District Drug Task Force as required by the Department of Justice's (DOJ) Asset Forfeiture and Equitable Sharing Program.

BACKGROUND:

The City of Fayetteville has acted as the fiduciary for the 4th Judicial District Drug Task Force (DTF) since its inception in 1991. Seizures of various assets through drug investigations, once adjudicated, are returned to the DTF via federal or state forfeitures. The DOJ's Asset Forfeiture and Equitable Sharing Program provides oversight and guidelines for all federal forfeitures. The DTF Control Board, made up of the top law enforcement officer from each agency that assigns investigators to the DTF, approves distribution of forfeited funds based on participation. Historically, the DTF Control Board withholds 10-15% of each distributed forfeiture for purchase of equipment and training specific to DTF operations.

DISCUSSION:

In July 2018, DOJ's Asset Forfeiture and Equitable Sharing Program announced that multi-jurisdictional task forces can no longer participate or receive federal forfeitures and must distribute all federal forfeited funds held. Fayetteville currently holds \$71,743.95 in federally forfeited funds. On January 23, 2019, the DTF Control Board (currently Chief Greg Tabor – Fayetteville, Chief Mike Peters – Springdale, Chief Chris Workman – Prairie Grove, and Sheriff Tim Helder – Washington County) elected to distribute the balance of DTF's federally forfeited funds to be compliant with the DOJ's Asset Forfeiture and Equitable Sharing Program.

Furthermore, all future federally forfeited funds may be paid either to a fiduciary agency or to individual member agencies directly. The DTF Control Board at the meeting on January 23, 2019 also elected to maintain Fayetteville as its fiduciary with 100% of all future DTF related federal forfeitures to be held and used for DTF operational expenditures only. These funds will be accounted for using the City's Project Accounting System.

BUDGET/STAFF IMPACT:

Budget adjustment using Drug Enforcement Fund unreserved fund balance to distribute federally forfeited funds held by the DTF in the amount of \$71,744. This budget adjustment has no impact on current staffing.

Attachments:

Budget Adjustment