



**BUSINESS OF THE CITY COUNCIL
CITY OF MERCER ISLAND, WA**

**AB 4259
February 4, 2008
Regular Business**

**ACCEPT AND AUTHORIZE EXPENDITURE
FEDERAL SEIZURE FUNDS FOR POLICE
DEPARTMENT USE**

Proposed Council Action:

Recognize receipt of federal seizure funds and
expend funds for various Police Department
purposes.

DEPARTMENT OF Police (Ed Holmes)

COUNCIL LIAISON n/a

EXHIBITS n/a

APPROVED BY CITY MANAGER

Richard 1-30-08

AMOUNT OF EXPENDITURE	\$	175,000
AMOUNT BUDGETED	\$	
APPROPRIATION REQUIRED	\$	175,000

SUMMARY

On March 28, 1994, the City Council approved a new position within the Police Division of the Department of Public Safety. The position was the "Financial Investigator," and it was designed to be a self-funding position via the proceeds of seized assets. The investigator focused on drug dealers, seizing assets that were acquired as a result of illegal drug sales. Seizures included bank accounts, investments, personal property, and real property. This position was funded out of the Criminal Justice fund, with the understanding that the fund would be reimbursed with money acquired from asset seizures.

The investigator initially worked closely with the Eastside Narcotics Task Force and other local agencies. Proceeds from the seizure of assets served to reimburse the expenses associated with this position. As the investigator's skills grew, so did the size and complexity of the cases he worked. When cases became too large for the local agencies to deal with, the federal government (IRS, FBI, and DEA) would take over the investigations. As the Financial Investigator continued his involvement in these cases, he found that he was spending much of his time working with the federal government.

It became apparent that the timeline for securing reimbursements from local cases was much shorter than the reimbursement timeline involving federal cases. While the Financial Investigator position had initially met its goal of being self-funding, it became evident that as more time was spent on the federal cases, reimbursements were increasingly delayed. Finally, in June of 2001, with no clear indication of when (or how much) the City would receive in future reimbursements, the Director of Public Safety decided to dissolve this position as it was deemed to no longer be self-funding. The Financial Investigator was subsequently reassigned to a vacant position in Patrol.

In July of 2007 we were unexpectedly notified by the IRS that we would be receiving our share of property that had been seized in 2001. This was a result of a case which had involved our Financial Investigator. The letter did not indicate when we would receive the funds, nor did it indicate the dollar amount.

In September of 2007, we finally received the reimbursement check in the amount of \$419,687.44. This money has been placed back into the Criminal Justice fund, and because it is federal seizure money, it follows very similar spending rules as the other money in this fund (to be used for Law Enforcement purposes only, and may not supplant existing budgets). This revenue presents us with a unique opportunity to acquire some much needed equipment. Absent this revenue, we would otherwise have to look to the City's General Fund to fund these needs.

We propose spending approximately \$50,000 on needed vehicle and equipment replacements in our Patrol and Detective fleet. Much of this money is needed to fund the replacement of the equipment in the patrol cars (light bars and other emergency lighting, prisoner screens, computer mounts, back seat / seatbelt systems, and equipment consoles, et cetera). Most of this equipment is on a nine-year replacement cycle, and is now due to be replaced. The money needed to fund the replacements was inadvertently left out of the budget. Our current in-car video recording system in the Patrol vehicles has reached the end of its useful life as well, and is in need of replacement. We are proposing to spend approximately \$50,000 on a new in-car video recording system and associated hardware / software for our six marked patrol units.

Our Marine Patrol unit needs to use approximately \$25,000 of this money to purchase specialized infrared equipment and breathing equipment. The infrared equipment would assist in locating people in the water, and the breathing equipment would protect the officers when they fight marine fires.

We would also like to spend approximately \$50,000 of this money to purchase needed equipment for our patrol officers, detectives, and evidence room. This includes items such as new radios, uniform / equipment replacements, holsters, and new evidence room lockers. This would also include the purchase of a new accident reporting and ticketing system that will electronically connect the field officer with the courts, the Department of Transportation, the Department of Licensing, and at a later time our Records Management System.

In total, we are requesting approval to spend \$175,000 of the \$419,687.44 received. This would leave a balance of approximately \$244,000 in the fund for future needs. As mentioned at the September 17, 2007 Council meeting, if additional federal grants are not received we could use approximately \$170,000 of this money on the Police Department's share of the NORCOM technology costs.

RECOMMENDATION

Police Chief Ed Holmes

MOVE TO: Recognize receipt of \$419,687.44 in Federal seizure funds and authorize the expenditure of \$175,000 for Police Department use as described in AB 4259.