

LRB – RESEARCH AND ANALYSIS SECTION

**PUBLIC SAFETY COMMITTEE
FILE #090250**

JUNE 25, 2009

File #090250 authorizes the Milwaukee Police Department to transfer \$108,000 from the Federal Forfeiture Trust Fund for the purchase of training ammunition for sworn officers transitioning to the newly adopted Smith and Wesson service firearm. This expenditure was not included in the 2009 Asset Forfeiture Plan presented earlier this year, with the proposed addendum based on an emergent operational need within the Department.

BACKGROUND

Federal asset forfeiture funds come to the Police Department as a result of department participation in the seizure or forfeiture of tangible property or cash from successful drug trafficking investigations. The funds are then placed in a Federal Forfeiture Trust Fund. In accordance with the federal government's Asset Forfeiture Sharing Program, transfers and subsequent expenditures from the Fund must be used for increased or enhanced law enforcement efforts, and may not be used to supplant existing Police Department budgetary aims.

Common Council File #920252 requires the Police Department to present an annual Asset Forfeiture Plan, detailing current expenditure priorities for asset forfeiture funds, to the Common Council. The 2009 Asset Forfeiture Plan, which included \$1,703,845 in expenditure priorities, was presented to the Public Safety Committee on January 29, 2009, in Communication File #081166.

In addition, because forfeiture funds provide a significant level of "discretionary" spending power to the Police Department, a separate resolution is required for the release of monies from the Federal Forfeiture Trust Fund. File #081167, presented at the same January 2009 Public Safety Committee hearing, authorized the transfer of \$1,183,045 for specific items and/or programs highlighted within the 2009 Asset Forfeiture Plan.

DISCUSSION

The 2009 Asset Forfeiture Plan presented in January was based on needs and priorities of the Police Department at that time. As such, addendums or revisions to this plan are necessary when those needs and priorities change. This resolution effectively adds \$108,000 in training ammunition to the 2009 Asset Forfeiture Plan and authorizes the release of monies from the Federal Forfeiture Trust Fund for purchase of same.

FISCAL IMPACT

As of May 20, 2009, there was \$290,061 in the Police Department's Federal Forfeiture Trust Fund. Approval of this file authorizes the transfer and expenditure of \$108,000 from this fund. Because no City operating monies are included in this request, this resolution has no impact on the tax levy.

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June 17, 2009