



FILED APR 12 11 11 00

OFFICE OF THE ERIE COUNTY DISTRICT ATTORNEY

FRANK A. SEDITA, III
DISTRICT ATTORNEY

OPEN

April 12, 2011

The Honorable
Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

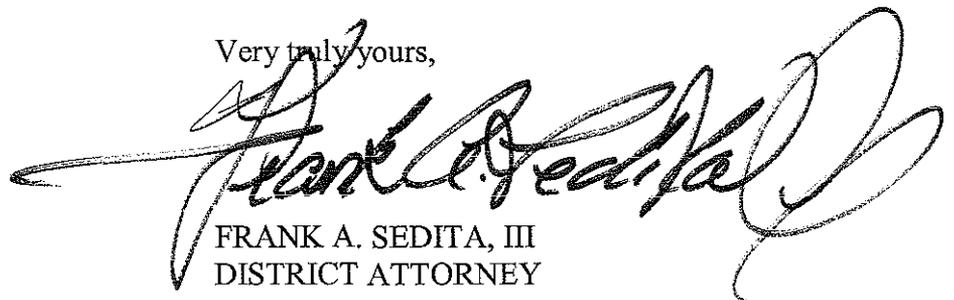
Re: District Attorney's Office
Asset Forfeiture Appropriations
Immediate Consideration Requested

Honorable Members:

Enclosed please find a proposed resolution and an accompanying memorandum from the District Attorney's Office requesting authorization to transfer and appropriate the District Attorney's Asset Forfeiture funds to be used for the purchase of a fingerprinting station and upgrade to our victim/witness services tracking software.

If your Honorable Body requires any further information, kindly contact the Office of the District Attorney and we will be happy to accommodate your request.

Very truly yours,



FRANK A. SEDITA, III
DISTRICT ATTORNEY

FAS/ah

8E-7

ACCOMPANYING MEMORANDUM

To: Erie County Legislature
From: Frank A. Sedita, III, District Attorney
Date: April 12, 2011
Re: District Attorney's Office
Asset Forfeiture Appropriations
Immediate Consideration Requested

I. Summary of Recommended Action

The proposed resolution and accompanying memorandum request authorization to transfer and appropriate the District Attorney's Asset Forfeiture funds to be used to for the purchase and upgrade of equipment and software.

II. Fiscal Implications of Proposal

Funds are currently available in the District Attorney's Assets Forfeiture Trust fund. These forfeited funds were obtained in the course of our prosecution of drug dealers. The Federal forfeiture guidelines allow for expenditure of these funds for law enforcement equipment. Additional funds in the amount of \$35,000 will be transferred from the Erie County District Attorney's Assets Forfeiture Trust Fund to the District Attorney's Assets Forfeiture Grant.

There will be no impact on County tax dollars.

III. Reason for Recommendation and Background of Proposal

The District Attorney's Office continuously receives forfeited funds from the Federal government as a result of successful prosecutions. These funds are initially deposited into a separate trust fund whereby they can earn interest on a daily basis. Asset forfeiture monies are used by the District Attorney's Office to enhance its investigative, surveillance and prosecutorial efforts, as the forfeiture regulations dictate. However, in order to actually encumber and utilize these monies, it is necessary to transfer funds from this Erie County District Attorney's Asset Forfeiture Trust Fund to the Asset Forfeiture Program (SAFDA). This resolution is required to allow for this transfer to take place. The District Attorney is requesting the authorization to transfer \$35,000 from the trust fund and appropriate the funds in its 'SAFDA' program.

Our Office would like to purchase a LiveScan fingerprinting machine so that fingerprinting can be processed through our office on any direct arrests that have been made. In our Special Investigation or white collar cases, the Erie County District Attorney's Office is the primary investigatory agency and responsible for processing the defendant's arrest, including fingerprinting and mugshots. Allowing our office to process our own arrests will give us an immediate fingerprint identification number. This fingerprint number is necessary to process the defendant's pre-sentence information.

Our office is also in need of upgrading our IRis (Information and Referral) Software. The software is used by our advocacy staff to help our office manage the assistance and service referrals provided to our victims and witnesses. We currently have Version 2.3 of

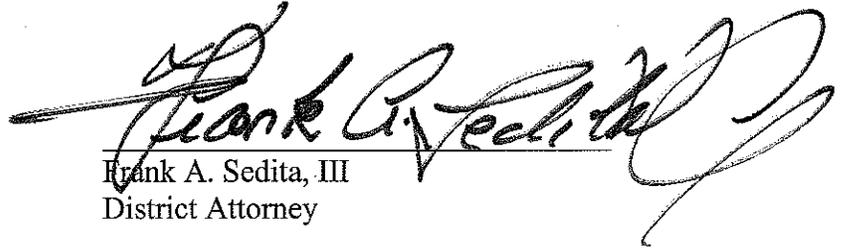
the software and need the upgraded version 4.0. Upgrading the software will allow us to better manage our victim services, track referrals and analyze the data collected.

IV. Consequences of Negative Action

Failure to approve this request will hinder the operation and effectiveness of the District Attorney's Office.

V. Steps Following Approval of Measure

The District Attorney's Office will work with the Division of Budget and Management to implement this proposal.



Frank A. Sedita, III
District Attorney

PROPOSED RESOLUTION

Re: District Attorney's Office
Asset Forfeiture Appropriations
Immediate Consideration Requested

WHEREAS, the Erie County District Attorney's Office would like to purchase a Live Scan fingerprinting station to allow for quicker and more efficient processing of arrests made directly by our Office; and

WHEREAS, the District Attorney's Office needs to upgrade IRis, their victim service and referral software from version 2.3 to Version 4 to provide better services to those victims of crime; and

WHEREAS, the source of funds for the above mentioned items will be paid from the District Attorney's asset forfeiture proceeds, and it is necessary to transfer funds from the Erie County District Attorney's Asset Forfeiture Trust Fund prior to their being expended.

NOW, THEREFORE, BE IT

RESOLVED, that \$ 35,000 in available balances in the Erie County District Attorney's Assets Forfeiture Trust Fund are hereby transferred to the District Attorney's Assets Forfeiture Program, Funded Program "SAFDA", and be it further

RESOLVED, that the following appropriations are hereby authorized:

DISTRICT ATTORNEY ASSET FORFEITURE PROGRAM
BUSINESS AREA: 114
COST CENTER: 1140010
FUNDED PROGRAM /WBS ELEMENT: SAFDA

<u>Revenue</u>	
421550 Forfeiture Crime Proceeds	<u>\$ 35,000</u>
Total Revenue	<u>\$ 35,000</u>
 <u>Appropriation</u>	
561410 Lab & Technical Equipment	<u>\$ 35,000</u>
Total Appropriations	<u>\$ 35,000</u>

and be it further,

RESOLVED, that the Director of Budget and Finance is hereby authorized to adjust SAFDA budgets as necessary during the year in order for the District Attorney's Office to enhance its investigative, surveillance and prosecutorial efforts, as the forfeiture regulations dictate, and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Erie County District Attorney, the Erie County Comptroller and the Director of Budget and Management.