

TIMOTHY B. HOWARD
 SHERIFF OF ERIE COUNTY



OPEN

February 13, 2012

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

Re: Erie County Sheriff's Office - Asset Forfeiture Funded Program SAFS
Immediate Consideration Requested

Honorable Members:

The attached resolution, in accordance with the procedures previously approved by Resolution #Int. 23-3 adopted on December 1, 1994, requests the allocation of funds within the Sheriff's Asset Forfeiture Funded Program SAFS.

The Sheriff's Office is requesting that the balance of \$190,575 currently available in Seized Assets Funds be used for the purchase of undercover narcotics vehicles and specialized lighting to be used at crime scenes during arson investigations. These expenditures meet the criteria established by U.S. Department of Justice for equitably shared funds.

Please refer this matter for immediate consideration and approval at the February 16, 2012 meeting of your Honorable Body. Representatives of the Sheriff's Office will be available to answer any questions.

Very truly yours,

TIMOTHY B. HOWARD
 SHERIFF OF ERIE COUNTY

Attachments

3E-25

PROPOSED RESOLUTION

Re: Erie County Sheriff's Office - Asset Forfeiture Funded Program SAFS

WHEREAS, procedures have been established by Resolution #Int. 23-3 adopted on December 1, 1994; and

WHEREAS, funds previously transferred from the Seized Asset Trust Account into the Asset Forfeiture Funded Program SAFS have not been totally expended; and

WHEREAS, some of the funds allocated will be used to purchase undercover narcotics vehicles, which due to the nature of their use require special handling during the purchase and registration process; and

WHEREAS, the Erie County Legislature has the authority, under Article III Section 07.b of the Erie County Administrative Code to waive bidding procedures when deemed impractical by a 2/3 vote of the Legislature; and

WHEREAS, all expenditures meet the criteria established by the U.S. Department of Justice for the use of equitable shared funds; and

WHEREAS, there will be no impact on county tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that \$190,575 currently available in the Erie County Sheriff's Office Asset Forfeiture Funded Program SAFS be allocated to fund the purchase of equipment and vehicles required by the Sheriff's Office; and be it further

RESOLVED, that the following budgetary transactions are hereby authorized:

ERIE COUNTY SHERIFF'S OFFICE
ASSET FORFEITURE FUNDED PROGRAM SAFS

<u>REVENUE</u>		<u>Increase</u>
421550	Forfeiture Crime Proceeds	<u>190,575</u>
	Total Revenue	<u>190,575</u>
<u>APPROPRIATION</u>		<u>Increase</u>
561410	Lab & Technical Equipment	8,275
561440	Motor Vehicles	<u>182,300</u>
	Total Appropriations	<u>190,575</u>

and be it further

RESOLVED, that the Sheriff and Erie County Department of Purchasing are authorized to purchase automobiles from a selected vendor without competitive bidding; and be it further

RESOLVED, that these expenditures meet the criteria established by the U.S. Department of Justice for the use of equitable shared funds; and be it further

RESOLVED, that certified copies be forwarded to the Division of Budget and Management, the Erie County Comptroller, the Director of Purchasing and the Office of the Sheriff.

ACCOMPANYING MEMORANDUM

RE: Erie County Sheriff's Office - Asset Forfeiture Funded Program SAFS

I. Summary of Recommended Action

The attached resolution has been requested by the Sheriff's Office to allocate funds previously transferred from the Asset Forfeiture Trust Account and to establish appropriations into the Asset Forfeiture Funded Program SAFS.

II. Fiscal Implications of Proposal

Funds in the amount of \$190,575 are currently available in the Asset Forfeiture Funded Program SAFS. The current balance of the trust account is \$866,062. There will be no impact on county tax dollars.

III. Reasons for Recommendation

Appropriated funds will provide for the following:

Commitment Item #561410 – Lab & Tech Equipment - \$8,275

Funds will be utilized for the purchase of specialized lighting equipment for use at crime scenes during arson investigations.

Commitment Item #561440 – Motor Vehicles - \$182,300

Funds will be utilized for the purchase of vehicles to be used by narcotics personnel in undercover investigations.

IV. Consequences of Negative Action

Failure to approve this request will prevent the Sheriff's Office from utilizing Seized Asset funds for the purposes mentioned above. During crime scene investigations, especially in the case of arson investigations it is necessary to have auxiliary lighting to illuminate the area. Undercover narcotics vehicles must be used while conducting investigations and it is critical to the officer's safety that the vehicle cannot be identified as a police vehicle.

V. Steps Following Approval of Measure

Certified copies of this resolution will be forwarded to the Division of Budget and Management, Erie County Comptroller, the Director of Purchasing and the Sheriff's Office.