



AGENDA ITEM SUMMARY

District Impacted

- ☐ 1 = Haberstroh
- ☐ 2 = Woolard
- ☐ 3 = Boyd
- ☐ 4 = Cisneros
- ☐ 5 = Bergmann
- ☒ All

DESCRIPTION	CHAPTER 59 ASSET FOREFEITURE REPORT (STATE)
STAFF'S RECOMMENDED ACTION (be specific)	ACCEPT AND RECEIVE ASSET FORFEITURE REPORT FOR FY 2014 FOR THE STATE OF TEXAS
CONTACT PERSON	Chief James Kohler
SUMMARY	<p>The Boerne Police Department has maintained a seized fund account that is regulated under Chapter 59, Texas Code of Criminal Procedure. Chapter 59, Forfeiture of Contraband, stipulates that these monies are to be used solely for salaries/overtime, officer training, specialized investigative equipment and supplies, and items used by officers in direct law enforcement duties. These monies typically come from the sale of assets that are used by the criminals, to carry out their illegal activity. An example of an asset would be a vehicle.</p> <p>The law also stipulates that a budget must be prepared and presented to the governing body. This budget was presented to the Council earlier this year. In addition, under Chapter 59 it clearly states that the governing body cannot use the monies to offset any decreases in the budget in any other areas, which is commonly referred to as supplanting.</p> <p>The police department must present to the governing body a detailed list of expenditures upon 60 days after the end of the fiscal year, which is the audit. If approved, the audit will then be signed by the Mayor, and then forwarded to the Texas Attorney General's Office.</p> <p>The seized funds guidelines recommend spending the monies within three years, unless there is a large capital improvement that is needed. This past year we spent \$9,165.00 on rifles at no cost to the taxpayer.</p> <p>The police department had an ending balance of \$11,136. There is an additional \$30,952 that is pending within our court system which may, or may not be awarded to the police department. Both the finance department and the police department have been tracking expenditures for FY 2014/15.</p>
COST	
SOURCE OF FUNDS	

ADDITIONAL INFORMATION	See attached 2014 Report
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This summary is not meant to be all inclusive. Supporting documentation is attached.

Form Revised 10/13/15