



# CITY OF SANTA BARBARA

## COUNCIL AGENDA REPORT

**AGENDA DATE:** April 24, 2012

**TO:** Mayor and Councilmembers

**FROM:** Investigative Division, Police Department

**SUBJECT:** Appropriation Of Court Ordered Forfeited Funds To The Investigative Division's Special Investigative Fund

**RECOMMENDATION:** That Council:

- A. Accept \$18,451 of court ordered forfeited funds; and
- B. Approve an increase in estimated revenue and appropriations in the Police Asset Forfeiture and Grants Fund.

### **DISCUSSION:**

On September 15, 2011, the District Attorney's Office concluded a criminal prosecution which resulted in the court ordered forfeiture (non-drug related) of \$18,451. The court ordered that these forfeited funds be returned "to the Department to recoup buy money." The Police Department's "buy money", which is held in safekeeping, is referred to as the Investigative Division's Special Investigative Fund (SIF). The SIF account is used exclusively to purchase evidence, narcotics/intelligence information and to pay informants. The court ordered forfeited funds are restricted for use in the SIF as directed by the court. Cash disbursements from the SIF are spontaneous and unpredictable and cannot be budgeted. Department policy allows expenditures from the SIF account to a maximum of \$150,000 depending on investigative needs.

Periodically, as needed, the department spends money out of the budgetary account to reimburse the cash SIF. Staff recommends increasing the appropriation authority to use the \$18,451 in forfeited funds.

### **BUDGET/FINANCIAL INFORMATION:**

The City's General Fund Budget is not affected by this request. Court ordered forfeited funds are a separate Special Revenue Fund. These funds will be placed in a special project fund so they will not be comingled with the General Fund.

**PREPARED BY:** Alex Altavilla, Police Captain

**SUBMITTED BY:** Camerino Sanchez, Chief of Police

**APPROVED BY:** City Administrator's Office