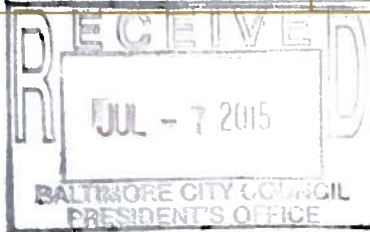


FROM	NAME & TITLE	Henry J. Raymond, Director <i>HJR</i>	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Finance Room 449 City Hall (410-396-4940)		
	SUBJECT	City Council Resolution 15-233R		

TO



DATE: June 23, 2015

The Honorable President and
Members of the City Council
Room 400, City Hall

City Council Resolution 15-0233R calls for the direction of federal asset forfeiture funds to accelerate the Baltimore City Police Department's installation of cameras in all police vans and purchase of body worn cameras for all appropriate officers.

History

The National Asset Forfeiture Program was created by the Comprehensive Crime Control Act of 1984 to aid law enforcement agencies in their efforts to seize "tools of crime" and profits derived from criminal activities from those from criminal organizations. Assets are forfeited to the Department of Justice (DOJ) by state and local law enforcement agencies that directly participated in the investigation or prosecution.

Through equitable sharing the State Attorney General is authorized to remit a portion of the net proceeds to those agencies. Revenue from Asset Forfeiture must be deposited into a special fund and utilized only for law enforcement purposes, which are strictly outlined by the DOJ.

Permissible purchases fall into the following categories:

- Law enforcement investigations
- Law enforcement training
- Law enforcement and detention facilities
- Law enforcement equipment
- Law enforcement travel and transportation
- Law enforcement awards and memorials
- Drug and gang education and awareness programs
- Matching funds
- Pro rata funding
- Asset accounting and tracking
- Language assistant services
- Transfers to other law enforcement agencies
- Support community-based programs
- Windfall situations

The City of Baltimore has historically received Asset Forfeiture revenue for its participation in federal investigations and prosecutions. The Baltimore City Police Department (BCPD) is allocated \$2M from the Asset Forfeiture special fund each fiscal year; the allocation amount is

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allocated \$2M from the Asset Forfeiture special fund each fiscal year; the allocation amount is reflective of the average revenue from the program, which is remitted to the City on the federal fiscal year calendar.

This revenue stream is entirely dependent on BCPD's involvement in cases that gain federal attention. For this reason, revenue can be volatile. However, over time the special fund has accumulated a surplus. As of 05/29 BCPD has received \$2.6M in revenue for Fiscal 2015.

<i>Detail</i>	<i>FY09</i>	<i>FY10</i>	<i>FY11</i>	<i>FY12</i>	<i>FY13</i>	<i>FY14</i>	<i>FY15 Projected</i>
Beginning Balance	\$4,412,749	\$3,882,100	\$5,217,076	\$6,564,575	\$7,138,867	\$6,609,278	\$4,737,185
<i>Revenue</i>	\$1,825,169	\$2,509,211	\$2,109,799	\$3,398,843	\$1,902,035	\$264,268	\$2,551,425
<i>Expenditure</i>	\$2,355,819	\$1,174,235	\$762,300	\$2,824,552	\$2,431,623	\$2,136,361	\$1,947,482
Ending Balance	\$3,882,100	\$5,217,076	\$6,564,575	\$7,138,867	\$6,609,278	\$4,737,185	\$5,341,128

The department generally uses their annual allocation for large, one time equipment costs, as well as travel and training. In the past, the City has transferred \$1M from the special fund to help cover BCPD overtime expenditures that exceeded the budgeted allocation.

Fiscal 2016

Body-Worn Cameras

Finance created a new activity under BCPD's Administration service (621) for the department's Body Worn Camera Program. Based on the Mayor's Working Group recommendations, the Fiscal 2016 General Fund budget supports the estimated pilot needs (\$1.5M). An additional \$3.6M is budgeted in the Asset Forfeiture Fund for the initial purchase of camera hardware, software and officer training. This allocation from Asset Forfeiture is in addition to the annual \$2M budgeted for spending at departmental discretion. The Fiscal 2016 budget meets the requests outlined in Council Resolution 15-0233R.

The Finance Department understands the Council's desire to move expeditiously with the implementation of the body-worn camera program. We have responded by decreasing the initial RFP schedule 7-weeks by reducing the advertising and PILOT periods, and obtaining an MBE/WBE waiver. However, we must caution that this procurement is complex and will require time to properly evaluate and select a vendor that meets the requirements of the Police Department and the recommendations of the Mayor's Working Group on the Use and Implementation of the Body-Worn Cameras. The report dated February 18, 2015 recommends among other things, a PILOT program, development of general orders, training and a phased implementation period. The City Council and a member of the local clergy participated in this work group and help craft these recommendations.

In-Van Cameras

Finance understands the Police Department is exploring a number of options to modernize the fleet for the long term, and improve safety in the short term. The Police Department has convened an internal working group to evaluate best practices, as well as to solicit input from transport officers. The Commissioner is developing specifications for new prisoner transport vehicles and the retrofit of 23 existing prisoner transport vehicles. These options may include eliminating the center partition, side-loading and a camera monitoring system.

Finance is prepared to move forward with funding once the Police Department finalizes its recommendations. According to the regulations associated with Asset Forfeiture Funds, the camera equipment is an eligible purchase. Finance supports the use of the department's existing \$2M allocation – which is separate from the Fiscal 2016 funding for body-worn cameras – for the existing fleet retrofit or the purchase of in-van cameras as requested in this Resolution.