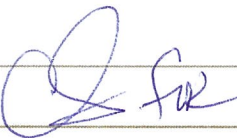



FROM	NAME & TITLE	Robert Cenname, Chief 	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Bureau of the Budget and Management Research Room 432, City Hall (410) 396-4941		
	SUBJECT	City Council Resolution #17-0040 – Increased Transparency about Police-Seized Property		

DATE:

TO

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

March 14, 2018

Attention: Natawna Austin

City Council Resolution #17-0040R has been introduced for the purposes of requesting that the Baltimore City Police Department provide the City Council with a full accounting of all seized guns, drugs, dirt bikes, and cash over the last five years, along with a thorough explanation of how this material was disposed of, how the disposal process typically takes, and what the best ways to include community representatives in that process might be.

The City receives two different types of asset forfeitures: local and federal. Each is governed by separate rules and legal requirements. Maryland Criminal Procedure Code, Title 12, Section 202; Title 13, Sections 102, 104, 105, and 106 provide the Police Department with authority to seize property in connection with gambling or drug operations and procedures for forfeiture of seized property.

Local Asset Forfeiture

The City receives and tracks local asset forfeiture from three sources: narcotics, gambling, and non-drug confiscations. Collected funds are not directly deposited to the General Fund. First, funds are deposited into a holding account, and if a citizen is later found not guilty, refunds are disbursed. Net proceeds are only recorded as General Fund revenue at the end of the fiscal year. Due to the timing of legal proceedings, actual revenue booked varies considerably from year to year. From Fiscals 2009-2017 the General Fund budget reflected \$24M and realized \$19.61M in revenue.

Local Forfeiture Revenues

	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18
<i>Budget</i>	\$2M	\$2M	\$2M	\$2M	\$2M	\$3M	\$8M	\$1.5M	\$1.5M	\$1.5M
<i>Actual</i>	\$4.27M	\$601K	\$233K	\$254K	\$407K	\$4.97M	\$6.8M	\$59K	\$1.49M	\$0

**Accumulated balances were budgeted for capital projects in Fiscal 2015.*

**Fiscal 2018 figures are as of 3/1/18.*

Federal Asset Forfeiture

The Department of Justice Asset Forfeiture Program is a nationwide law enforcement initiative that removes the tools of crime from criminal organizations, deprives wrongdoers of the proceeds of their crimes, recovers property that may be used to compensate victims, and deters criminals. Federal asset forfeitures are budgeted and deposited to a special fund, which is governed by specific guidelines set by the DOJ for eligible expenses, such as overtime, equipment and travel. Funds are distributed based on the

participation of local law enforcement in federal cases, so actual revenue received varies considerably from year-to-year. The table below displays the budget, revenues, and expenditures for the past ten years.

Federal Asset Forfeiture (6112) Budget vs. Revenue vs. Expenditure

	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18
<i>Budget</i>	-	\$2.5M	\$2.48M	\$2.38M	\$2.3M	\$2M	\$2.04M	\$2.07M	\$2.12M	\$2.16
<i>Actual Revenue</i>	\$1.82M	\$2.5M	\$2.1M	\$3.4M	\$1.9M	\$264K	\$2.7M	\$858K	\$619K	\$469K
<i>Actual Expenditures</i>	\$2.35M	\$1.17M	\$762K	\$2.82M	\$2.4M	\$2.13M	\$1.6M	\$3.37M	\$896K	\$35K

*Fiscal 2016 included the purchase of body worn cameras for the Police Department.

*Fiscal 2018 figures are as of 3/1/18.

To date, the balance on the federal asset forfeiture account is \$3.04M.

cc: Henry Raymond
Kyron Banks

