



Legislation Details (With Text)

File #: 0087-2012 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/10/2012 **In control:** Public Safety & Judiciary Committee

On agenda: 1/30/2012 **Final action:** 2/1/2012

Title: To authorize an appropriation from the Division of Police's Law Enforcement Drug Seizure Fund and to authorize the Director of Public Safety of the City of Columbus to reimburse \$404,070.72 to the Franklin County Prosecutor's Office for compliance with the existing Memorandum of agreement between the Division of Police and the FCPO and to declare an emergency. (\$404,070.72)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/1/2012	1	CITY CLERK	Attest	
1/31/2012	1	MAYOR	Signed	
1/30/2012	1	COUNCIL PRESIDENT	Signed	
1/30/2012	1	Columbus City Council	Approved	Pass

Need: An appropriation and authorization is needed to pay monies that the Columbus Division of Police has settled with the Franklin County Prosecutor's Office for their share of proceeds stemming from joint investigations. This legislation authorizes the Director of Public Safety to release \$404,070.72 of Police Federal Seizure Funds to the Franklin County Prosecutor's Office (FCPO). The transfer of these funds ensures compliance with the existing Memorandum of Agreement dated October 15, 2003, between the Division of Police and FCPO and compliance with the current United States Department of Justice Guide to Equitable Sharing. The agreement requires that the Division of Police provide a stated portion or share of asset seizures as an incentive for FCPO participation. This sum of money reconciles all outstanding asset seizures involving the FCPO prior to November 14, 2011.

Bid Information: N/A

Emergency designation: Emergency legislation is necessary to enable the most expedient payment to the Franklin County Prosecutor's Office.

FISCAL IMPACT:

There will be no fiscal impact for the City General Fund Account. The funds awaiting appropriation and disbursement to the county are in the CPD Law Enforcement Drug Seizure Fund.

To authorize an appropriation from the Division of Police's Law Enforcement Drug Seizure Fund and to authorize the Director of Public Safety of the City of Columbus to reimburse \$404,070.72 to the Franklin County Prosecutor's Office for compliance with the existing Memorandum of agreement between the Division of Police and the FCPO and to declare

an emergency. (\$404,070.72)

WHEREAS, the City of Columbus Division of Police has been a participant and recipient of Law Enforcement Seizure Funds from investigation and prosecution; and

WHEREAS, funds from these investigations and prosecutions should be shared based on the Memorandum of Agreement dated October 15, 2003 and in compliance with the current United States Department of Justice Guide to Equitable Sharing; and

WHEREAS, the sum of \$404,070.72 be reimbursed to the Franklin County Prosecutor's Office to comply with the Memorandum of Agreement and to reconcile all outstanding asset seizures involving FCPO prior to November 14, 2011; and

WHEREAS, it is necessary to pay the Franklin County Prosecutor's Office as expediently as possible to disburse proceeds for this settlement; and

WHEREAS, an emergency exists as it is immediately necessary to authorize an appropriation and disbursement of proceeds for this settlement between the Columbus Division of Police and the FCPO in the most expeditious manner possible for the preservation of public health, peace, property, safety and welfare, now therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That from the unappropriated monies in the Division of Police's Law Enforcement Drug Seizure Fund and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purposes the sum of \$404,070.72 is appropriated as follows:

DIV	FD	OBJ#1	OBJ#3	OCA	Sub-fund
30-03	219	05	5513	300988	016

SECTION 2. That monies appropriated in the foregoing Section 1 shall be reimbursed to the Franklin County Prosecutor's Office as a settlement to comply with the existing Memorandum of Agreement between the Division of Police and the FCPO.

SECTION 3. That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.