City of Birmingham
A Walkable Community

MEMORANDUM

Police Department

DATE: **February 23, 2015**

TO: **Joseph A. Valentine, City Manager**

FROM: **Donald A. Studt, Chief of Police**

SUBJECT: **State Law Drug Forfeitures – Transfer of Funds**

When funds are seized for forfeiture actions by our officers as a result of criminal investigations, they are deposited in the drug enforcement bond account number 701-000.000-256.0005. The purpose of this account is to hold monies in a type of escrow, as the person from whom the money is seized has the right to contest the action. Should they file a claim the matter is adjudicated and the money may be awarded back to the petitioner. If no claim is filed in the allotted time period, the funds can be transferred by City Commission resolution to the state drug forfeiture account number 265-000.000-660.0001 for use by the police department.

On review of the status of the bond account, we have found $21,401.16 in funds dating back prior to 2001.

CASE NUMBER	AMOUNT
98-10054	$ 727.00
98-13642	511.00
98-14317	555.00
99-16339	939.00
99-17355	837.00
99-18999	500.00
99-20256	5,752.00
99-20296	88.21
00-3538	760.69
00-8029	282.00
00-15145	179.00
00-15933	12.00
00-16442	485.00
00-16444	1.13
00-18165	42.14
01-1726	160.78
13-17040	425.00
SUBTOTAL	$12,256.95

Additionally, there is a combined total of $9,144.21 in the drug enforcement bond account pursuant to miscellaneous state drug forfeitures that predate the cutoff for availability of detailed accounting records in the BS&A financial software program. The total amount of funds to be transferred from the bond account to the state forfeiture account is $21,401.16.

There are no claims filed or bonds posted to contest these funds. Therefore, the department requests that the City Commission approve by resolution the forfeiture of these assets and transfer the funds to the state drug forfeiture account number 265-000.000-660.0001.

The police and finance department have met and established a process by which future state forfeiture activities will be reviewed and sent to the city commission on an annual basis.

SUGGESTED RESOLUTION:

To approve state law drug forfeitures and authorize the finance department to transfer $21,401.16 from the drug enforcement bond account number 701-000.000-256.0005 to the state drug forfeiture account number 265-000.000-660.0001.