Memorandum

MIAMI-DADE COUNTY

DATE: September 4, 2012

Agenda Item No. 8(I)(3)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

FROM: Carlos A. Gimenez
Mayor

SUBJECT: Resolution To Authorize The Expenditure of Funds From the Miami-Dade Police Department Law Enforcement Trust Fund

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Recommendation

It is recommended that the Board of County Commissioners approve the attached Resolution supporting the County Mayor or County Mayor's Designee action to expend $2,050,000 from the Miami-Dade Police Department Law Enforcement Trust Fund in accordance with the Report of Proposed Expenditures from the Law Enforcement Trust Fund (attached).

Scope

The Miami-Dade Police Department Law Enforcement Trust Fund impacts countywide services.

Fiscal Impact/Funding Source

Miami-Dade County will not incur any costs. The Law Enforcement Trust Fund monies are awarded to the Miami-Dade Police Department as a result of forfeiture litigation in State court and participation in the Federal Asset Sharing Programs.

Track Record/Monitor

The Law Enforcement Trust Fund project requests are reviewed by Gustavo Knoepffler, Chief Financial Officer in the Miami-Dade Police Department, to ensure compliance with Law Enforcement Trust Fund requirements.

Background

On December 2, 1980, the Law Enforcement Trust Fund for Miami-Dade County was established by the Board of County Commissioners through Resolution R-1633-80. The Law Enforcement Trust Fund must be used for law enforcement purposes which are not budgeted. Allowable purposes may include: to defray costs of protracted or complex investigations; to provide additional technical equipment or expertise; to provide matching funds to obtain federal grants; or for other law enforcement purposes. The funds are administered in compliance with Miami-Dade Police Department policies, statutory requirements, and federal guidelines.

The Law Enforcement Trust Fund contains monies awarded to the Department as a result of forfeiture litigation in State court and participation in the Federal Asset Sharing Programs. Specifically, the Law Enforcement Trust is comprised of three different funding sources: the State civil forfeitures, governed by Florida Statutes Sections 932.701 through 932.706; and two federal asset sharing programs from the U.S. Department of Justice and the U.S. Treasury,

governed by the federal guidelines from the U.S. Department of Treasury Executive Office for Asset Forfeiture.

The allocation of these funds adheres to a process as part of the Miami-Dade Police Department's standard operating procedures. Department entities submit Law Enforcement Trust Fund project requests to the Miami-Dade Police Department Law Enforcement Trust Fund Committee Chairperson.

The requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with Law Enforcement Trust Fund requirements. The Law Enforcement Trust Fund Committee reviews those requests which meet program requirements and recommends selected projects for funding. The recommendations are reviewed by the Police

Legal Bureau for legal sufficiency and a report is prepared by the Fiscal Administration Bureau. The revenue and expenditures are documented in the County budget ordinance and are routinely reported in the Department's fiscal reports. The package is certified by the Director prior to the report being presented to the Board for approval per Florida Statutes Section 932.7055(5) (b).

The proposed expenditures for FY 2011/2012, or until completion of the project, include: Gangs and Violent Crime Initiative - $500,000; Residential Burglary Initiative - $300,000; Violent Crime Initiative - $800,000, Gun Bounty Program - $200,000; National Law Enforcement Museum - $100,000; Cargo Theft Initiative - $50,000; and Narcotics Investigations - $100,000. These funds will support long-term, ongoing protracted or complex investigations and other allowable law enforcement operations in compliance with the Miami-Dade Police Department's policies, statutory requirements, and federal guidelines.

Genaro "Chip" Iglesias
Office of the Mayor

MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez and Members, Board of County Commissioners

DATE: September 4, 2012

FROM: R. A. Cuevas, Jr. County Attorney

SUBJECT: Agenda Item No. 8(I)(3)

Please note any items checked.

_____ **"3-Day Rule" for committees applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **No committee review**

_____ **Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous_____) to approve**

_____ **Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 8(I)(3)
9-4-12

RESOLUTION NO. _____

RESOLUTION AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO AUTHORIZE THE EXPENDITURE OF FUNDS FROM THE MIAMI-DADE POLICE DEPARTMENT LAW ENFORCEMENT TRUST FUND IN THE AMOUNT OF $2,050,000.00

WHEREAS, Board desires to accomplish the purposes outlined in the accompanying Report of Proposed Expenditures, a copy of which is incorporated herein by reference,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board grants, pursuant to Florida Statutes Section 932.7055, the request of the County Mayor or County Mayor's designee to expend $2,050,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund for the purposes described in the accompanying Report of Proposed Expenditures.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman
Audrey M. Edmonson, Vice Chairwoman

Bruno A. Barreiro	Lynda Bell
Esteban L. Bovo, Jr.	Jose "Pepe" Diaz
Sally A. Heyman	Barbara J. Jordan
Jean Monestime	Dennis C. Moss
Rebeca Sosa	Sen. Javier D. Souto
Xavier L. Suarez	

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of September, 2012. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By:_____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Ben Simon

Memorandum

MIAMI-DADE COUNTY

Date: June 8, 2012

To: Carlos A. Gimenez, Mayor
Miami-Dade County

Attn: Genaro "Chip" Iglesias
Deputy Mayor/Chief of Staff

From: James K. Loftus, Director
Miami-Dade Police Department

Subject: Report of Proposed Expenditures from the Law Enforcement Trust Fund

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The Law Enforcement Trust Fund (Trust Fund) for Miami-Dade County was established by the Board of County Commissioners and must be used for law enforcement purposes which are not budgeted. Allowable purposes may include: to defray costs of protracted or complex investigations; to provide additional technical equipment or expertise; to provide matching funds to obtain federal grants; or for other law enforcement purposes. The funds are administered in compliance with Miami-Dade Police Department policies, statutory requirements, and federal guidelines.

The Trust Fund contains funds awarded to the Department as a result of forfeiture litigation in State court and participation in the Federal Asset Sharing Programs. Specifically, the Trust Fund is comprised of three different funding sources: State civil forfeitures, governed by Florida Statutes Sections 932.701 through 932.706; and two federal asset sharing programs from the U.S. Department of Justice and the U.S. Treasury, governed by the federal guidelines from the U.S. Department of Treasury Executive Office for Asset Forfeiture.

The allocation of Trust Fund funds adheres to a process as part of the Miami-Dade Police Department's standard operating procedures. Department entities submit Trust Fund project requests to the Miami-Dade Police Department Trust Fund Committee Chairperson. The requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with Trust Fund requirements. The Trust Fund Committee reviews those requests which meet program requirements and recommends selected projects for funding. The recommendations are reviewed by the Police Legal Bureau for legal sufficiency and a report is prepared by the Fiscal Administration Bureau. The revenue and expenditures are documented in the County budget ordinance and are routinely reported in the Department's fiscal reports. The package is certified by the Director prior to the report being presented to the Board for approval per Florida Statutes Section 932.7055 (5) (b).

The following are the proposed expenditures for FY 2011/2012, or until completion of the project.

PROPOSED ASSET SHARING EXPENDITURES (Trust Fund)

1. **Gangs and Violent Crime Initiative** **$500,000**
This Trust Fund project will support proactive investigations to reduce gang violence, especially with the use of firearms, occurring in Miami-Dade County. In many cases, these crimes may be linked to repeat violent felony offenders. The rising trend in violent crimes poses a grave threat to the safety of the community and also to law enforcement. This Trust Fund project will support several collaborations to combat these violent crimes which involve gangs: an intra-agency collaboration which includes the Robbery Bureau's Street Terror Offender Program, Narcotics Bureau's Street Gang Section, Homicide Bureau, and Economic Crimes Bureau; an inter-agency collaboration with federal, state, and local law enforcement agency partners. This initiative will support investigative expenses to include increased personnel for these targeted operations, intelligence information, and other factors. In addition, a portion of this amount will be allocated to the Juvenile Services Department to provide support to the Miami-Dade Anti-Gang Strategy. Funds will be provided from Justice Asset Sharing and State Asset Sharing.

2. **Residential Burglary Initiative** **$300,000**

This Trust Fund project will support an initiative aimed at combating the rise in residential burglaries throughout Miami-Dade County. These crimes are a great concern for the entire community. The project will provide the resources to allocate and deploy personnel based on identified crime trends, neighborhoods, intelligence information, and other factors. This initiative will support increased personnel for these targeted enforcement operations and the use of innovative strategies to reduce residential burglaries. The overall project will be closely monitored by the Department's executive team, including the Director, Assistant Directors, and Chief Financial Officer. Funds will be provided from Treasury Asset Sharing.

3. **Violent Crime Initiative** **$800,000**

This Trust Fund project will support an initiative aimed at combating violent crime, especially gun violence, throughout Miami-Dade County. These crimes are a great concern for the entire community and the visitors who come here each day. The project will provide the resources to allocate and deploy personnel based on identified crime trends, neighborhoods, intelligence information and other factors. This initiative will support increased personnel for these targeted enforcement operations. The project is a proactive response to serious violent crimes to provide for the public safety of our citizens and visitors. The overall project will be closely monitored by the Department's executive team, including the Director, Assistant Directors, and Chief Financial Officer. Funds will be provided from State Asset Sharing (Complex Investigations).

4. **Gun Bounty Program** **$200,000**

The Countywide Gun Bounty Program is aimed at reducing gun violence and related crimes through the incorporated and unincorporated areas of Miami-Dade County by confiscating guns possessed illegally. The tipster (caller) initiates contact by calling Miami-Dade Crime Stoppers at (305) 471-8477. The tipster then provides detailed information regarding the specific location of the gun and the subject in possession of that gun. The call is dispatched as a priority call to that location. If the offender is arrested, the tipster is eligible for a $1,000 reward. The tipster will use a code initially assigned by Crime Stoppers to collect the reward. Since the program's inception, the program has averaged on a monthly basis, 7 arrests, and approximately 11 gun recoveries. Additionally, this program has led to more than 160 arrests related to open violent crimes as a result of confiscating these illegal firearms. The Gun Bounty Program has succeeded due to the participation of citizens in communities across the County. The program has also established a partnership with the Miami-Dade County Public Schools. This partnership is important since national as well as local crime trends indicate that young people are increasingly committing violent crimes using lethal weapons. This program relies on neighborhoods, schools, and law enforcement working together to make our communities safe. Funds are used for advertising, program materials, brochures, rewards and other related program expenses. Funds will be provided from State Asset Sharing Funds (Crime Prevention Programs).

5. **National Law Enforcement Museum** **$100,000**

This Trust Fund project will provide support to the National Law Enforcement Museum to honor the work performed by law enforcement officers. It is the first museum to recognize law enforcement on a national level. This museum, a public/private project, is designed to showcase police work and the history of American law enforcement. It's primary purpose is to educate the American public about the challenges our law enforcement officers face daily, preserve historical artifacts, and give law enforcement officers the opportunity to create a personal recorded testimony of their experiences protecting and serving the public. It will also serve as a research repository for law enforcement safety and best practices. Funds will be provided from State Asset Sharing (Other Law Enforcement Purposes).

6. **Cargo Theft Initiative** **$ 50,000**
This Trust Fund project will provide support to a Cargo Theft and Commercial Burglary Initiative. This initiative was established as a result of the recent disbanding of the specialty unit which previously handled these protracted or complex investigations (the Cargo Theft Task Force). Cargo theft investigations and related commercial burglaries where large volumes of cargo are stolen are now conducted by the General Investigations Units at district police stations. Funds will support deployment of personnel for these investigations and also related investigative expenses. Funds will be provided from Justice Asset Sharing.

7. **Narcotics Investigations** **$100,000**
This Trust Fund project will provide support to enhance protracted or complex narcotics investigations throughout Miami-Dade County where the possession, sale, and/or distribution of selected narcotics is occurring. Funds will be utilized for investigative expenses. Funds will be provided from Justice Asset Sharing.

FINANCIAL SUMMARY

PROPOSED JUSTICE ASSET SHARING EXPENDITURES	$ 550,000
PROPOSED STATE ASSET SHARING EXPENDITURES	$ 1,200,000
PROPOSED TREASURY ASSET SHARING EXPENDITURES	$ 300,000
Total Recommended Amount	**$ 2,050,000**

As the Director of the Miami-Dade Police Department, I do hereby certify that the aforementioned request for expenditures from the Law Enforcement Trust Fund complies with the provision of Florida Statutes Section 932.7055 and applicable guidelines related to equitable sharing of federal assets.

JAMES K. LOFTUS
Director

6-8-12
DATE