

# MEMORANDUM

Agenda Item No. 8(I)(1)

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**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

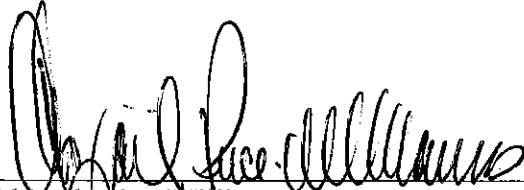
**DATE:** January 20, 2016

**FROM:** Abigail Price-Williams  
County Attorney

**SUBJECT:** Resolution approving the  
County Mayor request to  
expend \$4,353,000.00 from  
the Miami-Dade Police  
Department Law Enforcement  
Trust Fund; and authorizing  
the County Mayor to use such  
funds for expenditures effective  
as of October 1, 2015 and  
described herein

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The accompanying resolution was prepared by the Miami-Dade Police Department and placed on the agenda at the request of Prime Sponsor Commissioner Barbara J. Jordan.

  
\_\_\_\_\_  
Abigail Price-Williams  
County Attorney

APW/lmp

# Memorandum



**DATE:** January 20, 2016

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**FROM:** Carlos A. Gimenez  
Mayor

A handwritten signature in black ink, appearing to read "Carlos A. Gimenez", written over the printed name of the Mayor.

**SUBJECT:** Resolution Approving the Expenditures 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 (Board) approve the County Mayor or County Mayor's designee expenditures of \$4,353,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund in accordance with the Report of Proposed Expenditures from the Law Enforcement Trust Fund (Report). It is further recommended that the Board authorize the County Mayor or County Mayor's designee to use such funds as described in the Report effective as of October 1, 2015.

## **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 federal asset sharing programs.

## **Track Record/Monitor**

The Law Enforcement Trust Fund project requests are reviewed by Gustavo Knoepffler, Chief Financial Officer for the Miami-Dade Police Department.

## **Delegation of Authority**

The County Mayor or County Mayor's designee is seeking authority to expend \$4,353,000.00 from the Miami-Dade Police Law Enforcement Trust Fund in accordance with the Report of Proposed Expenditures from the Law Enforcement Trust Fund.

## **Background**

On December 2, 1980, the Law Enforcement Trust Fund for Miami-Dade County was established by the Board 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's policies, statutory requirements, and federal guidelines.

The Law Enforcement Trust Fund is comprised of three (3) different funding sources: the State civil forfeitures, governed by Florida Statutes Sections 932.701 through 932.706; U.S. Department of Justice Asset Sharing Program; and U.S. Treasury Asset Sharing Program. The Law Enforcement Trust Fund monies awarded to the Miami-Dade Police Department are a result of forfeiture litigation in State court

and federal asset sharing programs. Federal assets are shared among participating law enforcement agencies based on the agencies' direct participation in task force investigations that result in the forfeiture of federally seized assets. The Department's partnerships with federal agencies and the related task forces have been the subject of recent resolutions approved by the Board.

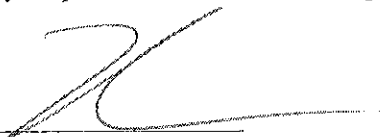
Law Enforcement Trust Fund project requests are submitted to the Miami-Dade Police Department Law Enforcement Trust Fund Committee Chairperson. The requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with Law Enforcement Trust Fund requirements. The Police Legal Bureau reviews the requests for legal sufficiency and prepares the Report of Proposed Expenditures from the Law Enforcement Trust Fund. The revenues and expenditures are documented in the County budget ordinance, the federal equitable sharing and certification report, and an annual audit to the County's Finance Department.

The package is certified by the Director of the Miami-Dade Police Department prior to the Report being presented to the Board for approval per Florida Statutes Section 932.7055(5) (b).

The proposed expenditures will be effective with the start of fiscal year 2015-16 through completion of the project. These expenditures include:

- Community Trust Building Initiative - \$500,000
- Specialized Equipment/Ballistic Plates and Carriers - \$526,000
- Research Study - \$250,000
- Vehicle Research Investigations - \$35,000
- Violent Crimes and Special Investigations Initiative - \$1,495,000
- Targeted Crimes Initiative - \$800,000
- Illegal Dumping and other Environmental Crimes - \$50,000
- Specialized Investigations - \$210,000
- Specialized equipment/Scanning Electron Energy Dispersive X-Ray Spectrometer - \$30,000
- Specialized Equipment/All-Terrain Vehicles and Trailer - \$22,000
- Boating Under the Influence Task Force - \$80,000
- Homeland Security Initiatives - \$155,000
- Investigative Support - \$200,000

These funds will support long-term, ongoing protracted or complex investigations and other allowable law enforcement expenditures in compliance with the Miami-Dade Police Department's policies, statutory requirements, and federal guidelines.



Russell Benford  
Deputy Mayor

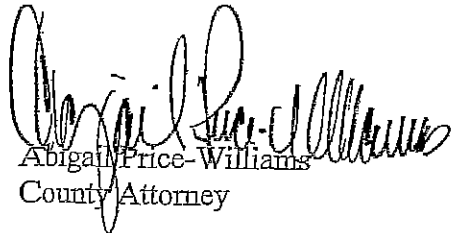


# MEMORANDUM

(Revised)

**TO:** Honorable Chairman Jean Monestime  
and Members, Board of County Commissioners

**DATE:** January 20, 2016

**FROM:**   
Abigail Price-Williams  
County Attorney

**SUBJECT:** Agenda Item No. 8(I)(1)

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
- Statement of social equity required
- Ordinance creating a new board requires detailed County Mayor'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)(1)  
1-20-16

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE REQUEST TO EXPEND \$4,353,000.00 FROM THE MIAMI-DADE POLICE DEPARTMENT LAW ENFORCEMENT TRUST FUND; AND AUTHORIZING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO USE SUCH FUNDS FOR EXPENDITURES EFFECTIVE AS OF OCTOBER 1, 2015 AND DESCRIBED HEREIN

WHEREAS, the 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 approves, pursuant to Section 932.7055, Florida Statutes, the request of the County Mayor or County Mayor's designee to expend \$4,353,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund for the purposes described in the accompanying Report of Proposed Expenditures (the "Report") and authorizes the County Mayor or County Mayor's designee to use such funds for the expenditures described in the Report effective as of October 1, 2015.

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:

Jean Monestime, Chairman

Esteban L. Bovo, Jr., Vice Chairman

Bruno A. Barreiro

Jose "Pepe" Diaz

Sally A. Heyman

Dennis C. Moss

Sen. Javier D. Souto

Juan C. Zapata

Daniella Levine Cava

Audrey M. Edmonson

Barbara J. Jordan

Rebeca Sosa

Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of January, 2016. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this Resolution and the filing of this approval with the Clerk of the 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.



Matthew Papkin

# Memorandum



**Date:** October 9, 2015

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

**Attn:** Russell Benford  
Deputy Mayor

**From:** J.D. Patterson, Director  
Miami-Dade Police Department

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

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 Law Enforcement Trust Fund is comprised of three different funding sources: the State civil forfeitures, governed by Florida Statutes Sections 932.701 through 932.706; U.S. Department of Justice Asset Sharing Program; and U.S. Treasury Asset Sharing Program. The Law Enforcement Trust Fund monies awarded to the Miami-Dade Police Department are a result of forfeiture litigation in State court and federal asset sharing programs.

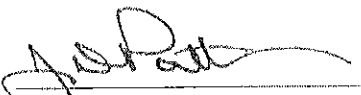
Law Enforcement Trust Fund project requests are submitted to the Miami-Dade Police Department Law Enforcement Trust Fund Committee Chairperson. The requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with Law Enforcement Trust Fund requirements. The Police Legal Bureau reviews the requests for legal sufficiency and prepares the Report of Proposed Expenditures from the Law Enforcement Trust Fund. The revenues and expenditures are documented in the County budget ordinance, the federal equitable sharing and certification report, and an annual audit to the County's Finance Department. 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).

Approval is requested for the proposed expenditures effective October 1, 2015 through completion of the project.

## FINANCIAL SUMMARY

PROPOSED STATE ASSET SHARING EXPENDITURES	\$ 3,656,000
PROPOSED JUSTICE ASSET SHARING EXPENDITURES	\$ 342,000
PROPOSED TREASURY ASSET SHARING EXPENDITURES	\$ 355,000
<b>Total Recommended Amount</b>	<b>\$ 4,353,000</b>

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.

  
\_\_\_\_\_  
J.D. Patterson  
Director

10/9/15  
Date

Attachment



Miami-Dade Police Department

Attachment to the Report of Proposed Expenditures from the Law Enforcement Trust Fund

Project Number	Project Name	Allocator	Funding Category	Description
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1 Community Trust Building Initiative \$500,000 State  
 Trust Funds will support crime prevention activities to develop and implement a strategy which incorporates recommendations from the President's Task Force On 21st Century Policing, primarily via community policing. Funds will support personnel and operational expenses.

2 Specialized Equipment/Ballistic Plates and Carriers \$526,000 State  
 Trust funds will support specialized equipment for police officer safety, specifically, ballistic plates and carriers

3 Research Study \$250,000 State  
 Trust Funds will support securing the services of an external research team to conduct a study concerning the use of deadly force by MDPD sworn personnel, and to implement changes and improvements, if warranted, as recommended by the study.

4 Vehicle Research Investigations \$35,000 State  
 Trust Funds will support investigations conducted by the Vehicle Research Unit

5 Violent Crimes and Special Investigations \$1,495,000 State  
 Trust Funds will support an initiative aimed at combating violent crimes and other special investigations. A high priority will be investigations concerning gun safety. The initiative will enhance complex, protracted investigations by providing the resources to allocate and deploy personnel based on crime data and other intelligence. Crimes may include, but not be limited to, robberies, homicides, special victims, economic, and narcotics. Funds will enhance investigative support via forensic services and crime scene investigations, and also related investigative expenses.

6 Targeted Crimes Initiative \$800,000 State  
 Trust Funds will support combating targeted crimes, particularly in our neighborhoods. Personnel will be deployed using a data driven process using crime analysis, crime trends, intelligence, and other factors. The project will provide the resources to allocate and deploy personnel and support related investigative expenses.

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Project Number	Project Name	Allocation	Funding Category	Description
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7 Illegal Dumping and other Environmental Crimes \$50,000 State

Trust Funds will support investigations conducted by the Agricultural Patrol Section to address crimes such as crop and equipment theft, illegal slaughterhouses, and animal cruelty.

8 Specialized Investigations \$210,000 Justice

Trust Funds will support specialized investigations concerning public corruption.

9 Specialized Equipment/Scanning Electron Energy Dispersive X-Ray Spectrometer \$30,000 Justice

Trust Funds will allow the purchase of this equipment to support investigations and prosecutions involving analyzing gunshot residue, and the elemental analysis of other trace materials. These funds will combine with federal grant funds to support the purchase of this important equipment.

10 Specialized Equipment/All Terrain Vehicles And Trailer \$22,000 Justice

Trust Funds will allow securing all-terrain vehicles and trailer to support community policing/crime prevention initiatives, especially when covering areas not easily accessible by vehicles, such as County parks, large malls, and other such hard to reach areas.

11 Boating Under the Influence (BUI) Task Force \$80,000 Justice

Trust Funds will support additional details to address boating under the Influence (BUI) on local waterways.

12 Homeland Security Initiatives \$155,000 Treasury

Trust Funds will support complex, protracted investigations involving forensic video assistance, technical operations, and community awareness.

13 Investigative Support \$200,000 Treasury

Trust Funds will provide support to uniformed patrol units and other units during the execution of narcotics and high-risk search warrants and additional dignitary protection as may be necessary during the 2016 election campaign.

**Total Recommended Amount \$4,353,000**

State Asset Sharing \$3,656,000

Justice Asset Sharing \$342,000

Treasury Asset Sharing \$355,000

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