

## MEMORANDUM

Agenda Item No. 8(I)(1)

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**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** July 20, 2021

**FROM:** Geri Bonzon-Keenan  
County Attorney

**SUBJECT:** Resolution retroactively  
approving the request of the  
County Mayor to expend  
\$2,010,000.00 from the Miami-  
Dade Police Department Law  
Enforcement Trust Fund; and  
authorizing the County Mayor to  
use such funds for expenditures  
as described in the report of  
proposed expenditures from the  
Law Enforcement Trust Fund

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Resolution No. R-723-21

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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 Sally A. Heyman.

  
Geri Bonzon-Keenan  
County Attorney

GBK/uw

# Memorandum



**Date:** July 20, 2021

**To:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**From:** Daniella Levine Cava  
Mayor

A handwritten signature in blue ink that reads "Daniella Levine Cava".

**Subject:** Resolution Retroactively Approving and Authorizing the Expenditure of Funds from the Miami-Dade Police Department Law Enforcement Trust Fund in an Amount of \$2,010,000.00

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## **Recommendation**

It is recommended that the Board of County Commissioners (Board) approve the resolution retroactively authorizing the County Mayor or County Mayor's designee's action in expending \$2,010,000.00 from the Miami-Dade Police Department's (MDPD) Law Enforcement Trust Fund (LETf) 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's use of such funds as described in the Report to be retroactive to June 1, 2021. This start date will allow for combating targeted crimes in response to identified community needs.

## **Scope**

This item provides for countywide services.

## **Delegation of Authority**

The County Mayor or County Mayor's designee is authorized to expend an amount not to exceed \$2,010,000.00 from the LETf in accordance with the Report of Proposed Expenditures from the LETf.

## **Fiscal Impact/Funding Source**

LETf funds are awarded to the MDPD as a result of forfeiture litigation in State court, as well as participation in federal asset sharing programs. As such, Miami-Dade County will not incur any costs.

## **Track Record/Monitor**

In order to ensure compliance with State and local requirements, Assistant Director Gustavo Knoepffler, of the MDPD's Departmental Services, will track and monitor these LETf expenditures.

## **Background**

On December 2, 1980, the Board adopted Resolution No. R-1633-80, creating the LETf for use by the MDPD. The LETf must be used for non-budgeted law enforcement purposes. Permissible LETf expenditures may include: defraying costs of protracted or complex investigations; providing additional technical equipment and expertise; providing matched funding in order to obtain federal grants; or to fund other permissible law enforcement activities. The LETf funds are

administered in accordance with the MDPD’s policies, statutory requirements, and federal guidelines.

The LETF is comprised of the following funding sources: (1) State civil forfeitures, governed by Sections 932.701-932.706 of the Florida Statutes; (2) the United States Department of Justice Asset Sharing Program; and (3) the United States Treasury Asset Sharing Program. The LETF funds awarded to the MDPD are a result of forfeiture litigation in State court, as well as federal asset sharing programs. Federal assets are shared among participating law enforcement agencies based on the agencies’ direct participation in task force operations resulting in the forfeiture of federally seized assets.

The MDPD’s partnerships with federal agencies and the related task forces have been the subject of many resolutions approved by the Board. Additionally, these funds are exempt from the Inspector General Contract Fee and the User Access Programs, as those fees and assessments are not allowable under the Florida Forfeiture Contraband Act. Moreover, State and federal funds are excluded from all administrative fees.

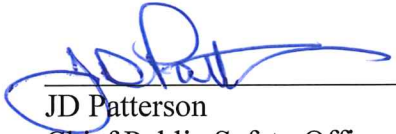
In order to ensure compliance with LETF requirements, proposed LETF expenditures are first reviewed by the MDPD’s LETF Committee. Approved LETF expenditures are then reviewed by personnel in the MDPD’s Fiscal Administration Bureau. Additionally, the MDPD’s Police Legal Bureau reviews the LETF expenditure requests for legal sufficiency and prepares the Report of Proposed Expenditures from the LETF. 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 entire LETF expenditure request is certified by the Director of the MDPD prior to the Report being presented to the Board for approval, per Section 932.7055(5)(b) of the Florida Statutes.

As such, the following projects may be funded or reimbursed with LETF funds, as long as such expenditures were incurred after June 1, 2021.

1. Secure Special Evidence - \$20,000.00
2. Organized Crimes Investigations - \$70,000.00
3. Retail Crimes Investigations - \$80,000.00
4. Homeland Security Investigations - \$25,000.00
5. Homicide Investigations - \$230,000.00
6. Narcotics Investigations - \$150,000.00
7. Proactive Recruitment Activities - \$50,000.00
8. Criminal Conspiracy and Public Corruption Investigations - \$50,000.00
9. Robbery Reduction Initiative - \$100,000.00
10. Targeted Crimes Investigations - \$510,000.00
11. Marine Patrol Investigations - \$100,000.00
12. Domestic Crimes Investigations - \$75,000.00
13. Sex Crimes Investigations - \$75,000.00
14. Warrants Investigations - \$125,000.00
15. Parks Enforcement - \$350,000.00

Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners  
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These LETF expenditures will support long-term, ongoing protracted and complex investigations, as well as other allowable law enforcement expenditures that comply with the MDPD's policies, statutory requirements, and federal guidelines.



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JD Patterson  
Chief Public Safety Officer



## MEMORANDUM (Revised)

**TO:** Honorable Chairman Jose "Pepe" Diaz  
and Members, Board of County Commissioners

**DATE:** July 20, 2021

**FROM:**   
Gen Bonzon-Keenan  
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 present \_\_\_\_, 2/3 membership \_\_\_\_, 3/5's \_\_\_\_, unanimous \_\_\_\_, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) \_\_\_\_, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) \_\_\_\_ 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)  
7-20-21

RESOLUTION NO. R-723-21

RESOLUTION RETROACTIVELY APPROVING THE REQUEST OF THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EXPEND \$2,010,000.00 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 AS DESCRIBED IN THE REPORT OF PROPOSED EXPENDITURES FROM THE LAW ENFORCEMENT TRUST FUND

**WHEREAS**, this Board desires to accomplish the purposes outlined in the accompanying memorandum, 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:

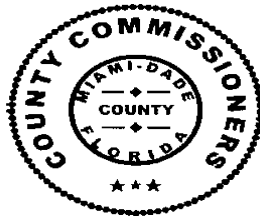
**Section 1.** Retroactively approves, pursuant to section 932.7055, Florida Statutes, the request of the County Mayor or County Mayor's designee to expend \$2,010,000.00 from the Miami-Dade Police Department Law Enforcement Trust Fund for the purposes described in the accompanying Report of Proposed Expenditures (Report), which is attached hereto as Exhibit A and incorporated herein by reference.

**Section 2.** Retroactively authorizes the County Mayor or County Mayor's designee to use such funds as described in the Report, and that the identified projects be funded or reimbursed with funds from the Law Enforcement Trust Fund, as long as such expenditures were incurred on or after June 1, 2021.

The foregoing resolution was offered by Commissioner **Sally A. Heyman**, who moved its adoption. The motion was seconded by Commissioner **Kionne L. McGhee** and upon being put to a vote, the vote was as follows:

|                                       |            |                        |            |
|---------------------------------------|------------|------------------------|------------|
| Jose "Pepe" Diaz, Chairman            | <b>aye</b> |                        |            |
| Oliver G. Gilbert, III, Vice-Chairman | <b>aye</b> |                        |            |
| Sen. René García                      | <b>aye</b> | Keon Hardemon          | <b>aye</b> |
| Sally A. Heyman                       | <b>aye</b> | Danielle Cohen Higgins | <b>aye</b> |
| Eileen Higgins                        | <b>aye</b> | Joe A. Martinez        | <b>aye</b> |
| Kionne L. McGhee                      | <b>aye</b> | Jean Monestime         | <b>aye</b> |
| Raquel A. Regalado                    | <b>aye</b> | Rebeca Sosa            | <b>aye</b> |
| Sen. Javier D. Souto                  | <b>aye</b> |                        |            |

The Chairperson thereupon declared this resolution duly passed and adopted this 20<sup>th</sup> day of July, 2021. 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

**Melissa Adames**

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

A handwritten signature in black ink, appearing to be "Anita Viciano Zapata", written over a horizontal line.

Anita Viciano Zapata

## Memorandum



**Date:** June 9, 2021

**To:** Daniella Levine Cava, Mayor  
Miami-Dade County

**Attn:** JD Patterson  
Chief Public Safety Officer

**From:** Alfredo Ramirez III, Director  
Miami-Dade Police Department

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

The Law Enforcement Trust Fund (LETF) 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 (MDPD) policies, statutory requirements, and federal guidelines.

The LETF is comprised of the following three different funding sources: (1) State civil forfeitures, governed by Florida Statutes Sections 932.701 through 932.706; (2) U.S. Department of Justice Asset Sharing Program; and (3) U.S. Treasury Asset Sharing Program. LETF monies awarded to the MDPD are a result of forfeiture litigation in State court and federal asset sharing programs.

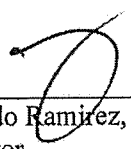
LETF project requests are reviewed by the MDPD's LETF Committee. The Committee approved requests are reviewed by personnel in the Fiscal Administration Bureau to ensure compliance with LETF requirements. The Police Legal Bureau reviews the requests for legal sufficiency and prepares the Report of Proposed Expenditures from the LETF. 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 this writer prior to the Report being presented to the Board for approval per Florida Statutes Section 932.7055 (5)(b).

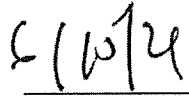
The proposed expenditures will be retroactive to June 1, 2021, through completion of the initiatives. This start date allows for combating targeted crimes in response to identified community needs, especially at this time of year.

#### FINANCIAL SUMMARY

|                                              |                       |
|----------------------------------------------|-----------------------|
| PROPOSED STATE ASSET SHARING EXPENDITURES    | \$ 1,405,000.00       |
| PROPOSED JUSTICE ASSET SHARING EXPENDITURES  | \$ 430,000.00         |
| PROPOSED TREASURY ASSET SHARING EXPENDITURES | \$ 175,000.00         |
| <b>Total Recommended Amount</b>              | <b>\$2,010,000.00</b> |

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

  
Alfredo Ramirez, III  
Director

  
Date

AR/lf  
Attachment



**Miami-Dade Police Department**

**Report of Proposed Expenditures from the Law Enforcement Trust Fund (Project Detail)**

| Project Number | Project Name                                             | Allocation            | Funding Category             | Description                                                                                                                                                                                                                                                                                                                                                         |
|----------------|----------------------------------------------------------|-----------------------|------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1              | Secure Special Evidence                                  | \$20,000              | State Other Operating        | Trust Funds will support the Property and Evidence Bureau and allow them to augment activities of on-duty personnel assigned to identify, consolidate, and prepare property for destruction.                                                                                                                                                                        |
| 2              | Organized Crimes Investigations                          | \$70,000              | Justice                      | Trust Funds will support long-term investigations related to organized criminal enterprises, as well as various kinds of economic crimes investigations.                                                                                                                                                                                                            |
| 3              | Retail Crimes Investigations                             | \$80,000              | Justice                      | Trust Funds will support long-term investigations related to organized retail crimes.                                                                                                                                                                                                                                                                               |
| 4              | Homeland Security Investigations                         | \$25,000              | Treasury                     | Trust Funds will support cost associated with conducting protracted and complex Countywide investigations aimed at mitigating potential threats occurring during high-profile and large-scale events.                                                                                                                                                               |
| 5              | Homicide Investigations                                  | \$230,000             | Justice                      | Trust Funds will support costs associated with long-term homicide investigations and related crimes.                                                                                                                                                                                                                                                                |
| 6              | Narcotics Investigations                                 | \$150,000             | Treasury                     | Trust Funds will support protracted and complex investigations related to narcotics and other associated crimes.                                                                                                                                                                                                                                                    |
| 7              | Proactive Recruitment Activities                         | \$50,000              | State Other Operating        | Trust Funds will support costs associated with the Personnel Management Bureau's proactive recruitment activities that include but, are not limited to, extensive background screenings, advertising, and job fairs.                                                                                                                                                |
| 8              | Criminal Conspiracy and Public Corruption Investigations | \$50,000              | Justice                      | Trust Funds will support the Professional Compliance Bureau and the Federal Bureau of Investigations Miami Area Task Force with costs associated with proactive investigations related to criminal conspiracies and public corruption.                                                                                                                              |
| 9              | Robbery Reduction Investigations                         | \$100,000             | State Complex Investigations | Trust Funds will support long-term investigations aimed at locating and apprehending wanted robbery offenders, as well as implementing strategies to reduce the rise in robberies.                                                                                                                                                                                  |
| 10             | Targeted Crimes Investigations                           | \$510,000             | State Complex Investigations | Trust Funds will support investigations aimed at combating targeted crimes throughout the County. Personnel will be deployed using a data-driven process based on crime analysis, crime trends, intelligence, and other factors. Trust Funds will provide the resources needed to allocate and deploy personnel and support associated with investigative expenses. |
| 11             | Marine Patrol Investigations                             | \$100,000             | State Complex Investigations | Trust Funds will support the Marine Patrol Unit with costs associated with investigating watercraft thefts and related crimes, as well as increased efforts to enforce boating safety.                                                                                                                                                                              |
| 12             | Domestic Crimes Investigations                           | \$75,000              | State Complex Investigations | Trust Funds will support the investigation and apprehension of subjects responsible for a variety of domestic-related crimes.                                                                                                                                                                                                                                       |
| 13             | Sex Crimes Investigations                                | \$75,000              | State Complex Investigations | Trust Funds will support the Special Victims Bureau's increased efforts to combat sex crimes and related criminal activity. Trust Funds will also support proactive sexual predator and offender sweeps.                                                                                                                                                            |
| 14             | Warrants Investigations                                  | \$125,000             | State Complex Investigations | Trust Funds will support the Felony Apprehension Unit's protracted and complex investigations of wanted violent felons, as well as enforcement related to the Florida Career Offender Registration Act.                                                                                                                                                             |
| 15             | Parks Enforcement                                        | \$350,000             | State Crime Prevention       | Trust Funds will support a healthy, safe environment for our youth and deter criminal activity while at County parks. Additionally, Trust Funds will support the implementation of crime prevention programs designed to enhance this initiative.                                                                                                                   |
|                | State Asset Sharing                                      | \$1,405,000           |                              |                                                                                                                                                                                                                                                                                                                                                                     |
|                | Justice Asset Sharing                                    | \$430,000             |                              |                                                                                                                                                                                                                                                                                                                                                                     |
|                | Treasury Asset Sharing                                   | \$175,000             |                              |                                                                                                                                                                                                                                                                                                                                                                     |
|                | <b>Total Recommended Amount</b>                          | <b>\$2,010,000.00</b> |                              |                                                                                                                                                                                                                                                                                                                                                                     |