

June 12, 2013

WHEREAS, the Tarrant County Criminal District Attorney, the Tarrant County Sheriff's Office, the Anderson County Criminal District Attorney, and the Texas Office of the Attorney General has recently requested that the City of Dallas enter into an interlocal agreement to receive the disposition of forfeited money and/or property acquired through contraband seizure; and

WHEREAS, Chapter 59 of the Texas Code of Criminal Procedure, entitled "Forfeiture of Contraband" provides for the forfeiture to the State of Texas of property found to be "contraband" as defined therein; and

WHEREAS, Chapter 59 of the Texas Code of Criminal Procedure authorizes "local agreements" between the attorney representing the State and law enforcement agencies to effect the disposition of forfeited contraband; and

WHEREAS, the Prosecuting Attorney represents the State of Texas in forfeiture proceedings involving contraband seized and forfeited under Chapter 59 of the Texas Code of Criminal Procedure; and

WHEREAS, the City and the Tarrant County Criminal District Attorney, Tarrant County Sheriff's Office, Anderson County Criminal District Attorney, and the Texas Office of the Attorney General desire to enter into a "local agreement" regarding the disposition of contraband seized and forfeited under Chapter 59 of the Texas Code of Criminal Procedure.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager is hereby authorized to execute an interlocal agreement with Tarrant County Criminal District Attorney, Tarrant County Sheriff's Office, Anderson County Criminal District Attorney, and the Texas Office of the Attorney General for the disposition of contraband seized and forfeited under Chapter 59 of the Texas Code of Criminal Procedure:

- a. The City will receive 20% of all money seized and forfeited.
- b. The City will receive 20% of all other seized and forfeited assets.

Section 2. That the City Controller is hereby authorized to receive all money and proceeds from the sale of contraband received by the City and shall deposit same in a special fund in the City Treasury Fund 0411, Department DPD, Unit 6367, Revenue Source 8473 to be used by the Dallas Police Department solely for law enforcement purposes in accordance with Chapter 59 of the Texas Code of Criminal Procedure.

Section 3. That all money and proceeds from the sale of contraband received by the Tarrant County Criminal District Attorney, the Tarrant County Sheriff's Office, the Anderson County Criminal District Attorney, and the Texas Office of the Attorney General shall be deposited in a special fund in the County Treasury for the Benefit of the Office of the District Attorney to be used by the District Attorney solely for the official purposes of that office in accordance with Chapter 59 of the Texas Code of Criminal Procedure.

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED BY
CITY COUNCIL

JUN 12 2013


City Secretary