Legislation Details (With Text)

File #:	RES. 2020-R046	**Version:**	1	**Name:**	
Type:	Resolution			**Status:**	Adopted
File created:	7/1/2020			**In control:**	City Council
On agenda:	8/10/2020			**Final action:**	8/10/2020
Title:	To request that the Chief Administrative Officer cause to be prepared and submitted to the Finance and Economic Development Standing Committee [a quarterly] an annual report that provides certain data relevant to the City's five civil asset forfeiture special funds for the purpose of increased oversight of the sources and uses of civil asset forfeiture special funds. (As Amended)				
Sponsors:	Stephanie Lynch, Michael Jones, Andreas Addison, Ellen Robertson, Kristen Nye, Cynthia Newbille				
Indexes:	Civil Asset Forfeiture Special Funds, Standing Committee				
Code sections:					
Attachments:	1. Res. No. 2020-R046 Amended 20200806, 2. 20200810 Amendment of Res. No. 2020-R046				

Date	Ver.	Action By	Action	Result
8/10/2020	1	City Council	adopted	Pass
7/27/2020	1	City Council	continued	
7/1/2020	1	City Council	introduced and referred	

To request that the Chief Administrative Officer cause to be prepared and submitted to the Finance and Economic Development Standing Committee [~~a quarterly~~] an annual report that provides certain data relevant to the City's five civil asset forfeiture special funds for the purpose of increased oversight of the sources and uses of civil asset forfeiture special funds. (As Amended)

WHEREAS, the Special Fund Budget for the fiscal year commencing July 1, 2020, and ending June 30, 2021, adopted by Ordinance No. 2020-050 on May 11, 2020, includes the following five civil asset forfeiture special funds: Commonwealth Attorney State Asset Forfeiture Special Fund, Commonwealth Attorney Federal Asset Forfeiture Special Fund, Police Federal Asset Forfeiture Special Fund, Police State Asset Forfeiture Special Fund, and Sheriff and Jail State Asset Forfeiture Special Fund; and

WHEREAS, the total appropriation from seized assets for the five civil asset forfeiture special funds identified in the Special Fund Budget for the fiscal year commencing July 1, 2020, and ending June 30, 2021, adopted by Ordinance No. 2020-050 on May 11, 2020, is $882,366.00; and

WHEREAS, the five civil asset forfeiture special funds identified in the Special Fund Budget for the fiscal year

commencing July 1, 2020, and ending June 30, 2021, adopted by Ordinance No. 2020-050 on May 11, 2020, provide no detail on the proposed uses of those funds; and

WHEREAS, it is the Council's belief that the evaluation of the sources and uses of the five civil asset forfeiture special funds identified in the Special Fund Budget for the fiscal year commencing July 1, 2020, and ending June 30, 2021, adopted by Ordinance No. 2020-050 on May 11, 2020, to provide transparency and oversight is hindered by the lack of a timely formal report to the Council's Finance and Economic Development Standing Committee summarizing relevant data; and

WHEREAS, the Council believes that [~~quarterly~~] annual monitoring of certain data pertaining to the five civil asset forfeiture special funds identified in the Special Fund Budget for the fiscal year commencing July 1, 2020, and ending June 30, 2021, adopted by Ordinance No. 2020-050 on May 11, 2020, will improve transparency in and oversight of the sources and uses of those civil asset forfeiture special funds; and

WHEREAS, the Council believes that it is in the best interests of the citizens of the City of Richmond that the Council request that the Chief Administrative Officer cause to be prepared and submitted to the Finance and Economic Development Standing Committee [~~quarterly reports~~] an annual report that [~~summarize~~] summarizes certain data relevant to all of the aforementioned civil asset forfeiture special funds;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF RICHMOND:That the Council hereby requests, pursuant to section 5.05.1(c) of the Charter of the City of Richmond [~~(2019)~~] (2020), as amended, that, beginning [~~with the sixth week after the end of the first quarter of the fiscal year commencing July 1~~] October 31, 2020, and [~~ending June 30, 2021, and by no later than the sixth week after the closing of~~] each [~~quarter~~] October 31 thereafter, the Chief Administrative Officer cause to be prepared and submitted to the Finance and Economic Development Standing Committee a report that summarizes certain data relevant to the following five civil asset forfeiture special funds: Commonwealth Attorney State Asset Forfeiture Special Fund, Commonwealth Attorney Federal Asset Forfeiture Special

Fund, Police Federal Asset Forfeiture Special Fund, Police State Asset Forfeiture Special Fund, and Sheriff and Police State Asset Forfeiture Special Fund.

BE IT FURTHER RESOLVED:

That the Council hereby requests that such report be completed in Excel format and summarize certain data relevant to the following five civil asset forfeiture special funds: Commonwealth Attorney State Asset Forfeiture Special Fund, Commonwealth Attorney Federal Asset Forfeiture Special Fund, Police Federal Asset Forfeiture Special Fund, Police State Asset Forfeiture Special Fund, and Sheriff and Police State Asset Forfeiture Special Fund, including, at a minimum, to the extent permitted by law, the total number of asset forfeiture seizures for each civil asset seizure special fund with the following for each such special fund:

1. The source of the asset forfeiture.

2. The date of the asset seizure.

3. The type of asset seizure and whether such asset seizure is a federal or state asset forfeiture.

4. The dollar value of the assets forfeited.5. The [~~proposed~~] use of the asset forfeiture special fund.

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