



## FY 2024 Recommended Budget Budget Question

Board Question #: 17

**BUDGET QUESTION:** How much does the Sheriff's Office have in Forfeiture & Seizure funds? What and when have they used those funds? What is their plan for using those funds going forward?

**RESPONDING DEPARTMENT/OFFICE:** Sheriff's Office and Accounting Office

**RESPONSE:**

Background on Forfeited Asset Sharing Program:

In November 1990, the citizens of Virginia voted to adopt laws allowing local law enforcement agencies to benefit from the seizure of monies, property, and goods connected with the illegal distribution of narcotics. These laws made it possible for law enforcement agencies to receive the proceeds from the sale of items obtained in substantial connection with drug trafficking, and to have forfeited to them, for agency usage, certain seized items that could be used to promote law enforcement.

According to [§ 19.2-386.22](#) of the *Code of Virginia*, all money and property used in substantial connection with the manufacture, sale or distribution of an illegal narcotic can be seized by a law enforcement agency. Anything of value furnished or intended to be furnished in exchange for controlled substances can also be seized. Further, all money and property, real or personal, traceable to an exchange together with any interest or profits derived from the investment of money or property is subject to seizure.

County Forfeited Asset Sharing Activity:

The County maintains a project ledger within its financial system to track the program's revenues and expenditures, and annually compiles and submits a program report of this activity to the Department of Criminal Justice Services (DCJS). As of January 30, 2023, the State Forfeited Asset Sharing Program holds \$943,333 in unencumbered funds. The attached financial report summarizes the financial activity for the current year in progress and the previous nine fiscal years.

In terms of planned future use, the Sheriff's Office has provided the following information.

The Sheriff's Office plans on utilizing these funds in the future for any necessary unbudgeted items like equipment, software and other one-time expenses. The nature of our business oftentimes demands us to purchase additional equipment immediately. If there is a large social concern over safety of our children or an urgent

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need based on an act of nature, asset forfeiture funds gives us the budget flexibility to purchase items quickly to allow an immediate response.

Currently, we do not have a complete list of items that we are planning on purchasing but the Sheriff's Office is considering at least one of the new budget initiatives to be paid for using asset forfeiture funds. Information is expected to be finalized by February 3<sup>rd</sup> and provided to the Budget Office.

Spotsylvania County  
 Sheriff - State Forfeited Asset Sharing Program Activity

	Data from Annual Reports Submitted to DCJS <sup>1</sup>										As of
	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	1/30/23 <sup>3,4</sup>
<b>Beginning Balance</b>	\$ 514,484	\$ 467,054	\$ 547,027	\$ 668,182	\$ 621,323	\$ 595,152	\$ 560,018	\$ 620,725	\$ 631,734	\$ 685,920	
<b>Revenues, net<sup>2</sup>:</b>	\$ 47,188	\$ 96,582	\$ 121,155	\$ 14,231	\$ 91,476	\$ 62,865	\$ 75,267	\$ 86,596	\$ 54,492	\$ 408,305	
<b>Expenditures:</b>											
2001 Sundowner 2H BP Trailer	-	7,500	-	-	-	-	-	-	-	-	-
Appraisal costs	-	-	-	-	-	-	-	-	306	-	-
Advanced fingerprinting extracting equipment	-	-	-	-	-	-	-	-	-	-	150,891
Carport project	-	-	-	-	-	98,000	-	-	-	-	-
Communications & computers	16,439	980	-	22,565	4,047	-	-	-	-	-	-
Delivery cost for MRAP (Mine Resistant Ambush Protected) Vehicle	-	-	-	7,000	-	-	-	-	-	-	-
Drug enforcement	-	-	-	-	-	-	-	10,000	-	-	-
Flashlights Mountings	-	8,130	-	-	-	-	-	-	-	-	-
Public Safety Bldg gutter/apron/sidewalk improvs	-	-	-	-	-	-	14,559	-	-	-	-
Surveillance equipment	3,879	-	-	31,525	113,600	-	-	-	-	-	-
Target range equipment & installation	-	-	-	-	-	-	-	65,587	-	-	-
Tasers, holsters and other equipment	74,299	-	-	-	-	-	-	-	-	-	-
<b>Total Expenditures:</b>	\$ 94,618	\$ 16,610	\$ -	\$ 61,090	\$ 117,647	\$ 98,000	\$ 14,559	\$ 75,587	\$ 306	\$ 150,891	
<b>Ending Balance</b>	\$ 467,054	\$ 547,027	\$ 668,182	\$ 621,323	\$ 595,152	\$ 560,018	\$ 620,725	\$ 631,734	\$ 685,920	\$ 943,333	

<sup>1</sup> Data pulled from annual reports compiled and submitted by the Accounting Division

<sup>2</sup> Revenues are net of forfeiture and expenditure returns.

<sup>3</sup> FY23 revenues to date include a large receipt from the closing of a single case and is not representative of normal annual forfeitures.

<sup>4</sup> Advanced fingerprinting extracting equipment is currently obligated under PO 23034 and awaiting implementation.