



STAFF REPORT

DATE: April 18, 2017

TO: Ronald L. Olson, City Manager

FROM: Margaret Young, Chief of Police

SUBJECT: Purchase using State Seizure funds

BACKGROUND AND FINDINGS:

State Law, under Chapter 59 of the Code of Criminal Procedure, authorizes the state to share forfeited property and cash seized during criminal investigations with the participating law enforcement agency. Shared funds are kept in separate accounts that are monitored, regulated, and controlled by the Chief Law Enforcement Officer. Shared funds allow local law enforcement to fund programs that expand crime fighting resources and enhance the enforcement abilities of the department above what is routinely accessible through the normal budget process. The governing body is required to be notified of budgeted expenditures from these accounts, and the municipality may not use expenditures to offset or decrease salaries, expenses, or allowances already budgeted as the result of the availability of these funds.

Typically, seizure funds are utilized to acquire equipment that enhances the policing operation of a department, increasing the ability to safely conduct investigations and ensure convictions. Expenditures are normally one-time procurements of equipment or temporary support of new, unbudgeted police operations. We have utilized these funds for programs such as police canines, specialized training, purchase of surveillance equipment, crime scene equipment, and advanced computer technology, and to pay off third-party liens on vehicles acquired through the seizure process.

The Police Department's Tactical Response Unit is in need of tactical helmets and hearing protection with integrated microphones. Over the past year the team completed an extensive review of entry procedures and techniques. That review resulted in changes in the techniques used by the entry team when serving search and arrest warrants. The change requires new headsets with hearing protection. In order to accommodate the headset and hearing protection, new tactical helmets need to be purchased. The items are safety equipment to protect hearing and facilitate communications of Tactical Response Unit Officers when making tactical entries. The total cost for the tactical entry helmets is \$9,000. The total cost for the microphones, hearing protection, and accessories is \$40,023.

The Tactical Response Unit needs a cargo box to be secured to the top of the rescue vehicle. The cargo box allows for storage of TRU equipment. The cargo box is designed specifically for this specific rescue vehicle. It is waterproof and will provide some ballistic shielding when open. The total cost of the item is \$3,700.

The Tactical Response Unit must be prepared for a biological and or chemical attack. This necessitates the purchase of air purifying respirators which will allow the team to operate in a high threat environment. The cost of 25 masks is \$27,720.

The Special Investigations Division detectives are not able to recover, in a forensically sound environment, many surveillance videos from local businesses and residences. This is primarily because of an incompatibility in recovery systems and many business employees or residents do not know how to download the videos. A Digital Video Recovery Examiner allows the detective to capture the video evidence in a forensically sound environment, without having to disable the business or homeowner's surveillance system. The cost of the DVR Examiner is \$2,700.

The Patrol Division has two night vision optical instruments that have exceeded the recommended manufacturer life expectancy; one is no longer repairable. The units are 15 years old and are no longer supported by manufactured warranty. The department deploys these devices in night patrol tactics to apprehend criminal elements. The Department will replace one of the devices at a cost of \$5,230.

Patrol Officers are the first responders in all traumatic incidents. The officers have limited capability when assisting emergency medical needs of citizens and fellow officers while waiting for emergency medical technicians to arrive. The department needs to purchase emergency medical trauma kits to provide to all patrol officers. The total cost for kits is \$16,117.

The Police Department's Organized Crime unit needs to upgrade the equipment that is used to recover data from cellular phones and devices that use micro memory cards. The cost of this system is \$9,100.

The 27th Judicial District Court has awarded a forfeiture seizure, 2010 Dodge Challenger, to the Killeen Police Department. The vehicle has a lien of \$868 that has to be paid before the vehicle can be titled and registered to the City of Killeen.

In compliance with Chapter 59.06, this memorandum is to provide notice to the governing body of the projected expenditure of funds from the police department's State Seizure account in the amount of \$114,458

THE ALTERNATIVES CONSIDERED:

1. Reprogram funds from the department's operations to cover the costs. Due to recent budget cuts, there are no excess funds available.
2. Use funds from the State Forfeiture Seizure account.
3. Program funds into the FY18 budget.

Which alternative is recommended? Why?

Utilizing the State Seizure fund is the best option, as it allows for major equipment purchases with the least fiscal impact. It also allows for the immediate purchase of crime fighting and lifesaving equipment in lieu of waiting until the next fiscal year.

CONFORMITY TO CITY POLICY:

These expenditures conform to the State law governing seizure accounts and current City of Killeen purchasing policy. The funds will be transferred into the appropriate equipment accounts based on the policy.

FINANCIAL IMPACT:

What is the amount of the expenditure in the current fiscal year? For future years?

The total expenditure in the current fiscal year is \$114,458. Funds will be available after a budget amendment transfers them from the State Seizure account into the appropriate departmental accounts.

208-0000-495-46-35	\$ 99,260
208-0000-495-61-35	\$ 14,330
<u>208-0000-495-6110</u>	<u>\$ 868</u>
Combined Total	\$114,458

The future expenses will vary depending on the life and maintenance of the equipment.

The helmets have a life expectancy of five years; a replacement portion will be incorporated into the TRU equipment budget beginning FY20.

The hearing protection have a life expectancy of 8-10 years dependent upon wear and tear. The cargo box is a one-time purchase with no future anticipated cost.

The respirator masks have a life expectancy of 10 years dependent upon wear and tear.

The DVR Examiner is an annual subscription of \$2,700, which includes software updates.

The night vision optic device is a one-time purchase.

The medical kits are consumable items; however, replacement kits are not anticipated for three years. At that time, they would be replaced as used @ \$90 per kit.

The cell phone extraction device has an annual subscription for update of \$3,700.

Is this a one-time or recurring expenditure?

The electronics (DVR Examiner and Cell phone device) require annual software updates; therefore, \$6,400 would need to be planned in the annual department budget. Other items are one-time expenditures (night vision optics and cargo box). There are consumables items that will need to be replaced as used or when they exceed life expectancy (trauma kits, helmets, hearing protection, microphones, and respirator mask filters).

Is this expenditure budgeted?

The purchases of the items in this notification are not in the current budget.

If not, where will the money come from?

The funds needed to purchase these items are located in the State Forfeiture Seizure account and require a budget amendment to make them available to the department.

Is there a sufficient amount in the budgeted line-item for this expenditure?

The State Seizure funds are not in the budget. The current balance in this account is \$181,812. After the budget amendment of \$114,458 into the department equipment accounts, the remaining balance in the State Seizure account will be \$ 67,354.

RECOMMENDATION:

The Police Department recommends council acknowledge notification of intent to purchase the qualifying equipment.

DEPARTMENTAL CLEARANCES:

Purchasing
Finance

ATTACHED SUPPORTING DOCUMENTS:

Safety Equipment Quote
Air Respirator Quote
DVR Examiner Quote
Night Vision Instrument Quotes
Trauma Kit Quotes
Cellebrite Recovery Data Quote
Sole Source Letter – Cellebrite Inc
Cargo Box Quote
Sole Source Letter – The Armored Group
Certificates of Interested Parties