

ORDINANCE 2013-1

Whereas, I.C. 34-24-1-, authorizes the forfeiture of property Used in Violation of Certain Criminal Statutes;

Whereas, the Cass County Sheriff's Department has entered into an agreement with the Department of Justice and other Law Enforcement Agencies to participate in the equitable sharing program;

Whereas, the Cass County Sheriff's Office may receive money and other items from the equitable sharing plan for State and Local Law Enforcement Agencies;

NOW, THEREFORE, BE IT RESOLVED AND ORDAINED AS FOLLOWS

1. The Cass County Sheriff Office is authorized to accept such funds from the Federal Courts and other agencies that share within the equitable sharing program.
2. The Cass County Sheriff's Office is authorized to accept different items, property, funds, and vehicles seized by State Courts and Agencies, both members and non-members of the equitable sharing program.
3. That the monies collected from the Courts or Agencies shall be placed in a non-reverting account, titled Forfeiture/Seizure Fund. The account may be expended by the Chief Administrative Officer of the entity for related expenditures.
4. The expenditures of the shared monies shall follow the Department of Justice Policy and guidelines, which requires that the shared monies and property be used for Law Enforcement purposes.
5. Expenditures made from the Forfeiture/Seizure Fund will be made by filing a claim to the Cass County Auditor with the intended use listed.

6. Permissible uses include; Law Enforcement Investigations, Law Enforcement Training, Law Enforcement and detention facilities, Law Enforcement Equipment, Law Enforcement Travel and Transportation, Law Enforcement Awards and Memorials, Drug and Gang Education, and other Law Enforcement uses.
7. Use of forfeited property by a non-law enforcement agency; Non-law enforcement agency personnel are not permitted to use shared vehicles, forfeited property, or items purchased with shared funds.
8. To avoid conflict of interest or the appearance of conflict of interest, any employee of any Federal, State, or Local governmental agency (or members of his or hers immediate family or those residing in his or her household) who was involved in the investigation which led to the forfeiture of the property to be sold by the USMS contractor is prohibited from purchasing, either directly or indirectly, the forfeited or seized property.
9. All prior ordinances or parts there of inconsistent with any provisions of this Ordinance are hereby repealed.
10. This Ordinance is hereby passed and adopted in a regular meeting of the Cass County Commissioners, Indiana, this 1 day of April, year 2013.

Cass County Commissioners
By 
