TO: Mayor Shaun Sipma
Members of the City Council

FROM: Chief John Klug

DATE: October 20, 2021

SUBJECT: RESOLUTION FOR APPLICATION AND ELIGIBILITY CRITERIA – SEIZED ASSET FORFEITURE EXPENDITURES

I. RECOMMENDED ACTION

1. Recommend approval and adoption of the resolution to establish the application and approval process and eligibility criteria for civil asset forfeitue funds; and
2. Authorize the Mayor to sign the resolution.

II. DEPARTMENT CONTACT PERSONS

John Klug, Chief of Police 857-9800

III. DESCRIPTION

A. Background
In recent years, the State Legislature set guidelines for the process of documenting and expending funds seized in connection to criminal activity and forfeited to law enforcement agencies. The attached Resolution Establishing and Application and Approval Process and Eligibility Criteria will provide a process to ensure compliance with N.D. Century Code, Chapter 19-03.1. This process will also ensure transparency in the process which requires the Chief of Police to make the application for approval to the Minot City Council for finding of compliance with this resolution.

B. Proposed Project
N/A

C. Consultant Selection
N/A

IV. IMPACT:

A. Strategic Impact:
This resolution will provide the guidelines for a transparent process for the police department to apply for and use the funds seized by and forfeited to the Minot Police Department through the civil asset forfeiture process.

B. Service/Delivery Impact:
N/A
C. **Fiscal Impact:**
The fiscal impact cannot be predicted because it is dependent on the amount seized in connection to criminal investigations and varies from year to year.

V. **ALTERNATIVES**

Alt 1. The Council could deny the approval of the attached resolution as written.

VI. **TIME CONSTRAINTS**

A process should be adopted prior to any further expenditures of forfeiture funds.

VII. **LIST OF ATTACHMENTS**

A. Resolution Establishing Application and Approval Process and Eligibility Criteria for Civil Asset Forfeiture