

**CITY OF OAKWOOD  
ADMINISTRATIVE POLICIES AND PROCEDURES**

**POLICY NO. 10**

**SUBJECT: USE OF MONEY DERIVED FROM FORFEITURES OR THE SALE OF  
CONTRABAND**

**DATE: JUNE 27, 2006**

**REVISED: JUNE 7, 2018**

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**RECOMMENDED BY:** Alan J. Hill  
Alan J. Hill, Safety Director

**CONCURRED BY:** Robert F. Jacques  
Robert F. Jacques, Law Director

**APPROVED BY:** Norbert S. Klopsch  
Norbert S. Klopsch, City Manager

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**POLICY:** This document sets forth the City's policy (this "Policy") regarding the use of money received from the sale of contraband or lawful forfeiture and deposited in or credited to the City's 214 Law Enforcement Fund.

**PURPOSE:** From time to time, the City receives moneys from the sale of contraband or lawful forfeiture proceedings. These moneys can be paid to the City for a variety of reasons, but most commonly they have been forfeited by court order in connection with felony drug cases investigated and/or brought by the City's Department of Public Safety. This Policy is intended to govern the use of these moneys once they have been received by the City, and to comply with the requirements of Ohio Revised Code Section 2981.13(C)(2).

**GENERAL PROVISIONS:**

- A. The City has established a separate fund known as the 214 Law Enforcement Fund (the "Law Enforcement Fund"). Any proceeds from the lawful forfeiture or sale of contraband, and any other proceeds received by the City in accordance with the provisions of Ohio Revised Code Chapter 2981, shall be deposited in or credited to the Law Enforcement Fund.

B. Expenditures from the Law Enforcement Fund are restricted by state law and local ordinance. Accordingly, money from the Law Enforcement Fund may be used for the following law enforcement purposes *only*:

1. To pay all or part of the cost of protracted or complex investigations or prosecutions;
2. To pay for reasonable technical training or expertise;
3. To provide matching funds in order to obtain federal grants to aid law enforcement, in the support of DARE programs or other programs designed to educate adults or children with respect to the dangers associated with the use of drugs of abuse;
4. To pay the costs of emergency action taken under Ohio Revised Code Section 3745.13 relative to the operation of an illegal methamphetamine laboratory, if the forfeited property or money involved was that of a person responsible for the operation of the laboratory; and/or
5. To provide for such other law enforcement purposes as the Director of Public Safety, with approval of the City Manager, may determine to be appropriate.

C. The Director of Public Safety shall file a report through the City Manager to City Council no later than the thirty-first day of January of each calendar year, verifying that the proceeds and forfeited moneys were expended only for the purposes authorized by this policy and Ohio R.C. 2981.13(C)(2)(a) and specifying the amounts expended for each authorized purpose. For purposes of this Policy, the report is "filed" with the Council if the report has been submitted to the Clerk of Council in electronic or hard-copy written form.

D. Of the proceeds and forfeited moneys deposited during each calendar year, at least ten percent (10%) of the first one hundred thousand dollars (\$100,000) and at least twenty percent (20%) of the amounts exceeding one hundred thousand dollars (\$100,000), shall be set aside within the Law Enforcement Fund for use in connection with community preventive education programs. For purposes of this Policy, such programs include, but are not limited to, DARE programs and other programs designed to educate adults and children with respect to the dangers associated with the use of drugs of abuse. Amounts set aside for community preventive education programs under this provision are not required to be spent during the budget year in which they were received, so long as they remain set aside for such expenditures as they may arise.