

DELAWARE COUNTY COMMISSIONERS
ORDINANCE NO. 2008.014

ORIGINAL

Establishing the Delaware County Asset Forfeiture Fund

BE IT ORDAINED BY THE DELAWARE COUNTY COMMISSIONERS that:


1. There is hereby created the "Delaware County Asset Forfeiture Fund" hereinafter referred to as "the Fund". This non-reverting fund shall consist of deposits in the form of voluntarily surrendered assets and reimbursements of law enforcement costs (as defined in I.C. 34-6-2-73) and other law enforcement-related fees recovered by the Office of the Delaware County Prosecutor under I.C. 34-24-1, I.C. 34-24-2, and/or Federal Adoptive Forfeiture and Equitable Sharing programs (as enumerated in I.C. 34-24-1-9), as generated from law enforcement activities of the Delaware County Police Department, the Indiana State Police and the Muncie-Delaware County Drug Task Force. Any State forfeiture funds shall be handled in accordance with this ordinance.
2. The Fund shall be appropriated on a yearly basis in accordance with I.C. 36-2-5-2.
3. The purposes for which funds may be expended are limited to:
 - (a) Purchase of equipment and material to aid law enforcement within Delaware County.
 - (b) Training and education expenses for law enforcement officers.
 - (c) Satisfaction of "matching funds" as required by State and Federal granting authorities for the operation of the Muncie-Delaware County Drug Task Force.
 - (d) Actual operating expenses of the Muncie-Delaware County Drug Task Force.
 - (e) Attorney fees for the collection of these seized assets as directed by the Delaware County Prosecutor.
 - (f) Expenses for the sale of seized assets pursuant to State statute.
 - (g) Any other expenditures permitted by the U.S. Department of Justice under 21 U.S.C. Sec. 81 *et seq.* and their Guide to Equitable Sharing of Federally Forfeited Property for State and Local Law Enforcement Agencies.
4. All money to be disbursed under this Ordinance shall be disbursed subject to the prior written approval of the Delaware County Prosecutor, and the chiefs of the two law

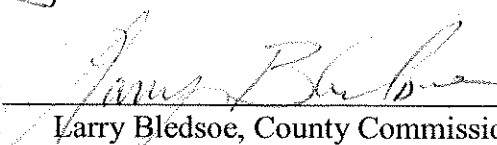
enforcement agencies which contribute the largest percentage of manpower to the Drug Task Force.

5. Any money remaining in the Fund at the end of the year shall not revert to any other fund, but shall remain in the Asset Forfeiture Fund.

The foregoing was passed by the Delaware County Commissioners this 19 day of May, 2008.

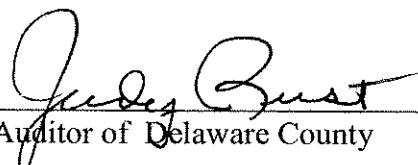
DELAWARE COUNTY COMMISSIONERS

By: 
John Brooke, County Commissioner

By: 
Larry Bledsoe, County Commissioner

By: 
Tom L. Bennington, County Commissioner

ATTEST:


Auditor of Delaware County