

South Portland City Council
Position Paper of the Interim City Manager

Subject:

ORDER #34-16/17- Accepting \$8,054 under the State of Maine Asset Forfeiture Program to be used by the Police Department. Passage requires majority vote.

Position:

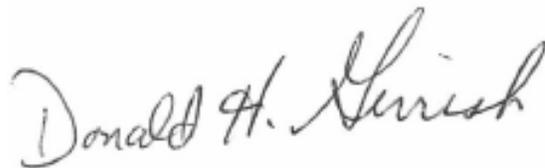
Under the State Asset Forfeiture Program, property or cash that is seized as a result of law enforcement action may be transferred back to local law enforcement agencies that participated in the enforcement action.

This item concerns the acceptance of \$8,054 and stems from a case involving William Seabron in which the Police Department participated in the arrest. In order to allow the Cumberland County Superior Court to award these funds to the City of South Portland, the City Council has to approve the acceptance prior to the defendant appearing in court.

Any funds received must be used by the Police Department to supplement, not replace, resources available. The \$8,054 received will be credited to the State of Maine Asset Forfeiture Account.

Requested Action:

Council passage of ORDER #34-16/17.



Interim City Manager



SOUTH PORTLAND POLICE DEPARTMENT

30 Anthoine Street
South Portland, Maine 04106-4403
207-799-5511
207-799-9728 Fax



To: Don Gerrish, Interim City Manager
From: Chief Edward J. Googins
Date: August 8, 2016
Ref: State Asset Forfeiture

The City of South Portland is in line to receive money (\$8,054.00) seized in the case of State vs. William Seabron, CR-16-1521.

This money will be placed in #204912-412011.

Please place this item on the next Council agenda to accept the forfeiture so a court order can be issued transferring the money from the seizure.



*OFFICE OF THE DISTRICT ATTORNEY
CUMBERLAND COUNTY*

Stephanie Anderson
District Attorney

142 Federal Street, Portland, Maine, 04101
101 Meadows Road, West Bath, Maine, 04530-9704

Portland
(207) 871-8384

Bath
(207) 443-5104

August 4, 2016

Chief Edward Googins
South Portland Police Department
30 Anthoine Street
South Portland, ME 04106

RE: State v. William Seabron, CR-16-1521
City of South Portland Approval

Dear Chief:

Enclosed please find a City of South Portland Approval form for the forfeiture of the money seized in this case. As you can see, the City/Town Council, or a representative thereof, needs to sign this form and return it to me so that I can provide you with a court order that will transfer the money that was seized to the City/Town. Please let me know if you have any questions for me.

Thank you.

Sincerely,

DEPARTMENT OF THE ATTORNEY GENERAL

State of Maine

By: 

Lea-Anne Sutton

Assistant Attorney General

8086

STATE OF MAINE
Cumberland, SS

UNIFIED CRIMINAL DOCKET
Criminal Action
Docket No. CR-16-1521

State of Maine

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City/Town Of South Portland
Approval Of Transfer
15 M.R.S.A. §5824(3)
and §5826(6)

v.

William Seabron,
Defendant

AND
\$8,054.00 US CURRENCY
DEFENDANT IN REM

NOW COMES the City/Town of South Portland, Maine, by and through its legislative body, the City/Town Council, and does hereby grant approval pursuant to Section 5824(3) and Section 5826(6) of Title 15 of the Maine Revised Statutes Annotated, to the transfer of the above captioned Defendant(s) *In Rem*, namely \$8,054.00 US Currency, on grounds that the City/Town of South Portland Police Department did make a substantial contribution to the investigation of this or a related criminal case.

WHEREFORE, the City/Town of South Portland Town/City Council does hereby approve of the transfer of the Defendant(s) *In Rem* to the City/Town of South Portland, Maine pursuant to 15 M.R.S.A. §5824(3) and §5826(6).

Dated: _____

Chairperson/Mayor/Selectman/Clerk

(Impress Legislative Body Seal Here)



CITY OF SOUTH PORTLAND

THOMAS E. BLAKE
Mayor

DON H. GERRISH
Interim City Manager

EMILY F. CARRINGTON
City Clerk

SALLY J. DAGGETT
Jensen Baird Gardner & Henry

IN CITY COUNCIL

ORDER #34-16/17

District One
CLAUDE V. Z. MORGAN

District Two
PATRICIA A. SMITH

District Three
EBEN C. ROSE

District Four
LINDA C. COHEN

District Five
BRAD FOX

At Large
MAXINE R. BEECHER

At Large
THOMAS E. BLAKE

ORDERED, that the City Manager be and hereby is authorized to accept eight thousand fifty-four dollars (\$8,054) from the State of Maine as the City of South Portland's equitable distribution of forfeited assets; and

BE IT FURTHER ORDERED, that the City hereby appropriate Sixteen Thousand Three Hundred and Forty-Three Dollars (\$16,343) in donations received to date for attorneys' fees and costs incurred in defending against the lawsuit referenced herein, and

BE IT FURTHER RESOLVED, that the \$8,054, shall be used for law enforcement purposes at the South Portland Police Department, and said monies shall supplement and not supplant the Police Department budget appropriated by the City.

Said amount shall be credited to the State of Maine Asset Forfeiture Account #204912-412011.

Fiscal Note: \$8,054

Date: August 15, 2016