

South Portland City Council
Position Paper of the City Manager

Subject:

ORDER #137-13/14 - Accepting \$2,845, or any portion thereof, 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 seized as a result of law enforcement action may be transferred back to local law enforcement agencies that participated in the enforcement action.

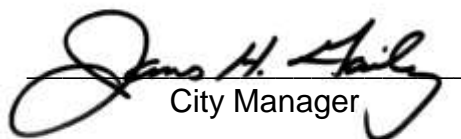
This item concerns the acceptance of \$2,845 or any portion thereof, stemming from the case involving Jamie West. The Police Department participated in the arrest.

In order to allow the Cumberland County Superior Court to release this property to the City of South Portland, the City Council has to approve the acceptance.

Any funds received must be used by the police department to supplement, not replace, resources available. The actual cash received will be credited to the State of Maine Asset Forfeiture Account.

Requested Action:

Council passage of ORDER #137-13/14.


City Manager



CITY OF SOUTH PORTLAND

GERARD A. JALBERT
Mayor

JAMES H. GAILEY
City Manager

SUSAN M. MOONEY
City Clerk

SALLY J. DAGGETT
Jensen Baird Gardner & Henry

IN CITY COUNCIL

ORDER #137-13/14

District One
MICHAEL R. POCK

District Two
PATRICIA A. SMITH

District Three
MELISSA E. LINSKOTT

District Four
LINDA C. COHEN

District Five
GERARD A. JALBERT

At Large
MAXINE R. BEECHER

At Large
THOMAS E. BLAKE

ORDERED, that the City Manager be and hereby is authorized to accept two thousand eight hundred forty-five (\$2,845.00) or any portion thereof, from the State of Maine as the City of South Portland's equitable distribution of forfeited assets; and

BE IT FURTHER ORDERED, that the \$2,845.00, or any portion thereof, 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: Revenue - \$2,845. 00 or any portion thereof

Dated: April 23, 2014

STATE OF MAINE
Cumberland, SS

UNIFIED CRIMINAL DOCKET
Criminal Action
Docket No. CR-13-7021

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.

Jamie West,
Defendant

AND
\$2,845.00 US CURRENCY
DEFENDANT IN REM #1

NOW COMES the City/Town of 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 #1*, namely \$2,845.00 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)

JANET T. MILLS
ATTORNEY GENERAL



STATE OF MAINE
OFFICE OF THE ATTORNEY GENERAL
6 STATE HOUSE STATION
AUGUSTA, MAINE 04333-006
April 4, 2014

REGIONAL OFFICES
84 HARLOW ST. 2ND FLOOR
BANGOR, MAINE 04401
TEL: (207) 941-3070
FAX: (207) 942-3075

415 CONGRESS ST. STE. 301
PORTLAND, MAINE 04101
TEL: (207) 852-0260
FAX: (207) 852-0259

14 ACCESS HIGHWAY, STE. 1
CARIBOU, MAINE 04736
TEL: (207) 496-3792
FAX: (207) 496-3291

TEL: (207) 626-8800
TTY USERS CALL MAINE RELAY 711

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

RE: State v. Jamie West, CR-13-7021 and \$2,845.00 US Currency
City of South Portland Approval

Dear Chief:

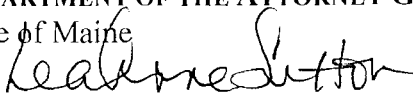
Enclosed please find a City of South Portland Approval form for the forfeiture of the money seized in this case. As you can see, the City/Town Council, or a representative thereof, needs to sign this form and return it to me so that I can provide you with a court order that will transfer the money that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