

South Portland City Council
Position Paper of the City Manager

Subject:

ORDER #159-16/17- Accepting \$819.00 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 \$819.00 and stems from a case involving Erica Greenwood, 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 \$819.00 received will be credited to the State of Maine Asset Forfeiture Account.

Requested Action:

Council passage of ORDER #159-16/17.



City Manager



POLICE DEPARTMENT

EDWARD J. GOOGINS
CHIEF OF POLICE

AMY J. BERRY
DEPUTY CHIEF

To: Don Gerrish, Interim City Manger

From: Edward J. Googins, Police Chief

Date: March 6, 2017

Ref: Asset Forfeiture

A handwritten signature in black ink, appearing to be "EJ Googins", written over the "From:" line.

The Cumberland County Superior Court has awarded South Portland Police Department \$819.00 in an asset forfeiture case (State of Maine v. Erica Greenwood.) These funds will be placed in the department's State asset forfeiture account.

Please schedule this item on an upcoming Council agenda to accept this asset forfeiture.



*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

March 3, 2017

Bath
(207) 443-5104

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

RE: State v. Erica Greenwood, CR-16-6805 and \$819.00
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*

Lea-Anne Sutton

Assistant Attorney General

8186

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STATE OF MAINE
Cumberland, SS

UNIFIED CRIMINAL DOCKET
Criminal Action
Docket No. CR-16-6805

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.

Erica Greenwood,
Defendant

AND
\$819.00 US CURRENCY
DEFENDANT IN REM #1

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 \$819.00 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

PATRICIA A. SMITH
Mayor

SCOTT T. MORELLI
City Manager

SALLY J. DAGGETT
Jensen Baird Gardner & Henry

EMILY F. SCULLY
City Clerk

IN CITY COUNCIL

ORDER #159-16/17

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
SUSAN J. HENDERSON

ORDERED, that the City Manager be and hereby is authorized to accept eight hundred and nineteen dollars (\$819.00) of forfeited assets; and

BE IT FURTHER RESOLVED, that the \$819.00 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 \$819.00

Dated: March 20, 2017