

**RESOLUTION NO. 196 -2018, ADOPTING LOCAL LAW
NO. 11 -2018, A LOCAL LAW TO FURTHER INCREASE
TRANSPARENCY OF ASSET FORFEITURE FUNDS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on February 6, 2018, a proposed local law entitled, "**A LOCAL LAW TO FURTHER INCREASE TRANSPARENCY OF ASSET FORFEITURE FUNDS**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 11 -2018, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW TO FURTHER INCREASE TRANSPARENCY OF
ASSET FORFEITURE FUNDS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that Local Law No. 6-2017 established policies and procedures to improve the transparency of the County's various asset forfeiture funds.

This Legislature also finds and determines that Local Law No. 6-2017 requires the County's law enforcement agencies – the Police Department, the District Attorney, the Sheriff and the Probation Department – to provide an annual report to the County Executive, the County Comptroller and the County Legislature detailing the receipts and expenditures of their asset forfeiture funds.

This Legislature further finds that in order to increase the transparency and accountability of asset forfeiture monies, law enforcement agencies should report on their asset forfeiture funds four times a year.

Therefore, the purpose of this law is to amend Local Law No. 6-2017 to require law enforcement agencies to report on their asset forfeiture funds on a quarterly basis.

Section 2. Amendments.

Section 3 of Local Law No. 6-2017 is hereby amended as follows:

Section 3. Reporting of County Asset Forfeiture Funds.

- A. The Suffolk County Police Department, the Suffolk County District Attorney, Suffolk County Probation Department and the Suffolk County Sheriff's Office shall each provide **[annual] quarterly** reports to the Suffolk County Executive, each member of the Suffolk County Legislature and the Suffolk County Comptroller, detailing the receipts and

expenditures associated with each department's asset forfeiture fund. Reports shall be submitted by March 15th, June 15th, September 15th, and December 15th of each year detailing fund activity for the preceding [calendar year] quarter.

- B. The information provided by the Suffolk County Police Department, the Suffolk County District Attorney, Suffolk County Probation Department and the Suffolk County Sheriff's Office on asset forfeiture fund expenditures shall be sufficiently detailed to explain how the monies are expended without compromising any law enforcement investigations or prosecutions. Expenditures to outside agencies shall be documented with the agency name, the amount provided and the purpose of funding.

Section 3. Applicability.

This law shall apply to all actions occurring on or after the effective date of this law.

Section 4. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 5. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 6. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

- [] Brackets denote deletion of existing language
- ___ Underlining denotes addition of new language

DATED: March 20, 2018

APPROVED BY:

/s/ Steven Bellone
County Executive of Suffolk County

Date: April 9, 2018

After a public hearing duly held on April 5, 2018
Filed with the Secretary of State on April 20, 2018