



City Council Agenda Item Report

May 21st, 2013

Agenda Item No.

Contact – Bo Kidd, Chief of Police, 512-312-1001

Subject: Deliberation and possible action regarding an agreement with The Hays County District Attorney's Office regarding disposition of forfeitures generated by the Buda Police Department.

1. Background/History

Occasionally in police work, law enforcement officers come across contraband that is subject to forfeiture. Chapter 59 of the Texas Criminal Code of Procedure gives rules and guidelines for both the District Attorney and the law enforcement agency pertaining to the disposition of seized property.

2. Findings/Current Activity

The Hays County District Attorney's Office has an existing agreement with all law enforcement entities in Hays County that are authorized to seize property/contraband. The current agreement was outdated and it was determined that there needed to be some revisions and greater detail cases involving multiple law enforcement agencies. The agreement before Buda City Council is the same agreement and terms that all other law enforcement entities will have with the District Attorney Office in Hays County. Under this agreement, forfeited currency or property will be divided accordingly: Buda Police Department 70% and the Hays County DA's Office 30% after court costs.

3. Financial Impact

None

4. Action Options/Recommendation

Staff requests Council approval of the agreement with the Hays County District Attorney's Office and the Buda Police Department, authorizing the Chief of Police to execute the agreement.