

December 13, 2023

WHEREAS, Chapter 59 of the Texas Code of Criminal Procedure, entitled Forfeiture of Contraband provides for the forfeiture to the State of Texas of property determined to be contraband as defined therein; and

WHEREAS, Article 18.18 of the Texas Code Criminal Procedure (TCCP) provides for the forfeiture to the State of Texas, any political subdivision of the State, or to any institution or agency, of items believed to be gambling paraphernalia, devices, equipment, real (gambling property), cash proceeds, prohibited weapons, criminal instruments, and other determined to be contraband as defined therein; and

WHEREAS, the District Attorney's Office of Denton County represents the State of Texas in forfeiture proceedings involving contraband seized in Denton County, Texas, pursuant to Chapter 59 and Article 18.18 of the Texas Code of Criminal Procedure; and

WHEREAS, the Dallas Police Department and District Attorney's Office of Denton County desire to enter into a local agreement regarding the disposition of contraband seized and forfeited under Chapter 59 and Article 18.18 of the Texas Code of Criminal Procedure; and

WHEREAS, Article 59.06 of Chapter 59 of the Texas Code of Criminal Procedure has authorized the Dallas Police Department as the law enforcement agency and the District Attorney's Office of Denton County as the attorney representing the state to execute this Agreement; and

WHEREAS, the terms of this agreement shall apply only to those cases where contraband is finally forfeited, and the cases are closed by the District Attorney on or after the effective date of this agreement.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute an Interlocal Agreement between the District Attorney's Office of Denton County and the Dallas Police Department, for the disposition of proceeds from contraband forfeited pursuant to Chapter 59 and Article 18.18 of the Texas Code of Criminal Procedure and execute any and all documents required by the Interlocal Agreement, approved as to form by the City Attorney.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit proceeds through asset seizures and forfeitures under Chapter 59 and Article 18.18 of the Texas Code Criminal Procedure in Confiscated Monies State Fund, Fund 0411, Department DPD, Unit 6367, Revenue Code 8473 to be used by the Dallas Police Department solely for law enforcement purposes in accordance with Chapter 59 and Article 18.18 of the Texas Code of Criminal Procedure.

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SECTION 3. That this contract is designated as Contract No. DPD-2023-00023260.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.