

ORDINANCE NO. 861

AN ORDINANCE CREATING AN ASSET FORFEITURE ACCOUNT (FUND) FOR THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA, PURSUANT TO I.C. 34-4-30.1-1, ET SEQ., AND FURTHER ESTABLISHING AN INVESTIGATIVE FUND FOR THE POLICE DEPARTMENT OF THE TOWN OF ST. JOHN, LAKE COUNTY, INDIANA.

WHEREAS, I.C. 34-4-30.1-1 et seq. provides for forfeiture of vehicles and other property utilized in violation of certain criminal statutes of the State of Indiana; and

WHEREAS, in order to reap the benefits of the foregoing Statutes, and in order for the St. John Police Department to reap the benefits of the foregoing Statutes, more particularly, there must be created a separate account (fund) as part of the General Fund of the Town of St. John, Lake County, Indiana, for the deposit of the proceeds of the sale of said items and/or monies pursuant to said Statute; and

WHEREAS, said monies can only be utilized to reimburse the Town of St. John Police Department their "law enforcement costs" pursuant to I.C. 34-4-30.1-8; and

WHEREAS, such law enforcement costs include, but are not limited to repayment of the "Investigative Fund" of the Police Department of the Town of St. John that makes a seizure pursuant to Indiana law; and

WHEREAS, the Town Council, Town of St. John, Lake County, Indiana, finds it proper and appropriate and in the best interest of the Town of St. John and the St. John Police Department that an Asset Forfeiture Account (fund) be created and an Investigative Fund be also established for the St. John Police Department accordingly.

NOW THEREFORE, BE IT ORDAINED by the Town Council, Town of St.

John, Lake County, Indiana, pursuant to I.C. 34-4-30.1-1 et seq., that an Asset Forfeiture Account (fund) is hereby created by the Town of St. John, Lake County, Indiana, which shall be a separate account (fund) but part of the general fund of the Town of St. John for receipt of asset forfeiture proceeds received by and on behalf of the St. John Police Department; and

BE IT FURTHER ORDAINED that said funds shall be accounted for and/or audited by the Clerk-Treasurer of the Town of St. John, Lake County, Indiana, and which funds shall not be commingled with any other Police Department funds, i.e., drug buy money, currency in evidence, or funds recovered in any other manner; and

BE IT FURTHER ORDAINED that said monies shall only be utilized for the reimbursement or repayment for "law enforcement costs" for the St. John Police Department, which "law enforcement costs" are described as follows:

1. Expenses incurred by the St. John Police Department that make a seizure wherein asset forfeiture proceeds become available for the criminal investigation associated with the seizure.
2. Repayment of the "Investigative Fund" of the St. John Police Department that makes a seizure to the extent that the St. John Police Department can specifically identify any part of the money as having been expended from the said fund.

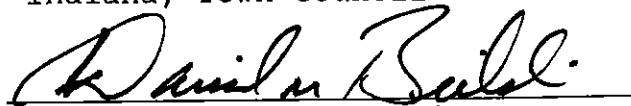
BE IT FURTHER ORDAINED that there is hereby created an "Investigative Fund" for and on behalf of the St. John Police Department, which fund shall be utilized to further criminal investigations of any nature or type or in which the St. John Police Department, by and through its Chief of Police feels compelled to investigate, and which Investigative Fund shall further be utilized to further the ends of the Detective Bureau or

Department within the St. John Police Department including educating detectives and officers in new investigative techniques and to further their criminal investigative education.

That it is hereby declared that an emergency exists for the immediate taking of effect of this Ordinance and the same shall be effective from and after its passage, to the extent provided by law.

PASSED AND ADOPTED by the Town Council of Town of St. John, Lake County, Indiana, this 13 day of May, 1991.

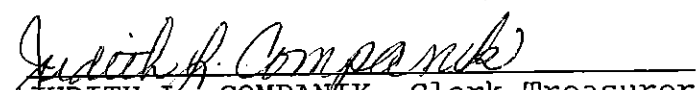
Town of St. John, Lake County, Indiana, Town Council


DAVID M. BIELSKI, President

KENNETH D. GEMBALA, Vice-President


DOUGLAS E. PATTERSON, Member

ATTEST:


JUDITH L. COMPANIK, Clerk-Treasurer

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