

From: [Boykin, Brian](#)
To: [Libby, Lee C.](#); [Jones, Tony R.](#)
Cc: [Ashford, Rosa](#)
Subject: RE: FL 0010100- Use of Federal Forfeiture Funds issue- Gainesville PD
Date: Monday, March 31, 2014 4:00:49 PM

Chief Jones/Lee Libby:

The Guide to Equitable Sharing for State and Local Law Enforcement Agencies (April 2009), Section VIII.A.1.m, allows agencies to use up to 15 percent of its shared funds received

within the last two fiscal years to support community-based programs that support job skills, housing and other community-based programs whose mission is supportive of and consistent with law enforcement efforts. Cash donations are strictly prohibited, but your agency may purchase tangible goods or services to support the program, so long as the expenditure is permissible in accordance with the Guide. For example, operating costs, such as lease payments or office equipment, along with materials and supplies would be permissible expenditures. Salaries of individuals working with the organization are not permitted.

Accordingly, the use of equitable sharing funds to purchase/build a facility for the Reichert House is a permissible use of shared funds.

Please ensure that the Gainesville Police Department does not exceed the 15 percent cap for all expenditures in support of community based programs in the corresponding year.

If you have further questions, please feel free to contact me at 202-598-2306.

From: Libby, Lee C. [mailto:libbylc@cityofgainesville.org]
Sent: Friday, March 28, 2014 11:22 AM
To: Boykin, Brian
Subject: RE: FL 0010100- Use of Federal Forfeiture Funds issue- Gainesville PD

Mr. Boykin,

I am the Legal advisor for the Gainesville Police Department. Our Chief asked me for an opinion as to whether the department can use federal forfeiture funds to build a new building for the Reichert House program to be used for gang and crime prevention services for the city's youth. Due to the complexity of the issue, I told him I would like to get an opinion from DOJ.

The Reichert House is a 503(c) charity which provides services designed to give youth opportunities to learn about themselves and to assist them in achieving a lifestyle that is free from substance abuse, violent crime, and incarceration. The program provides the youth support to build positive lives for themselves so they can move into contributing roles in society. (<http://www.reicherthouse.org/index.html>) While the building would be used for a proper purpose under the Guide to Equitable Sharing, it would be built on non-city owned property and be owned by the charity, not the city. I perceive this may be an insurmountable hurdle. I would greatly appreciate your opinion as to the matter.

If you need any more information, please let me know. Thank you for your assistance.

Lee C. Libby
Assistant City Attorney
City of Gainesville
413 NW 8th Avenue
Gainesville, FL 32601
City Hall: (352) 393-8818
GPD: (352) 393-7504

OFFICE HOURS: Monday thru Thursday 7 AM to 6 PM CLOSED on Fridays

FYI: Under Florida's public records law, most written communications to or from City officers and employees regarding City business are public records and are available to the public upon request. Your email communications may be subject to public disclosure.

From: Boykin, Brian [<mailto:Brian.Boykin@usdoj.gov>]
Sent: Friday, March 28, 2014 10:47 AM
To: Scott, Lonnie
Cc: Ashford, Rosa; Nguyen, Katherine; Benton, Mark S.; Shuping, M. April; Spitzer, Amy B; Lindsay, Denise J.; Libby, Lee C.; Jones, Tony R.
Subject: RE: FL 0010100

Thank you. I appreciate everyone's assistance.

From: Scott, Lonnie [<mailto:scottl@cityofgainesville.org>]
Sent: Friday, March 28, 2014 10:35 AM
To: Boykin, Brian
Cc: Ashford, Rosa; Nguyen, Katherine; Benton, Mark S.; Shuping, M. April; Spitzer, Amy B; Lindsay, Denise J.; Libby, Lee C.; Jones, Tony R.
Subject: RE: FL 0010100

Brian, I want to thank you and your staff for all your help. I appreciate your assistance getting us into compliance, it was a great assistance and informative. I am copying others that worked with us on correcting these problems so that they will have your information as well for any future inquires. Again, thank you again for all you guidance with these issues it was invaluable. Lonnie

From: Boykin, Brian [<mailto:Brian.Boykin@usdoj.gov>]
Sent: Thursday, March 27, 2014 4:25 PM
To: Scott, Lonnie
Cc: Ashford, Rosa; Nguyen, Katherine
Subject: FW: FL 0010100
Importance: High

Lonnie- Thanks for taking the time to promptly correct this matter. Your cooperation was greatly appreciated.

Your agency has been marked compliant.

In the future, feel free to contact me directly if you have any questions related to the administration of the Program. Also, you may send your permissible use questions to Afmls.aca@usdoj.gov.

Brian
202-598-2306

From: Ashford, Rosa
Sent: Thursday, March 27, 2014 4:18 PM
To: Boykin, Brian
Subject: FW: FL 0010100
Importance: High

Brian,

I uploaded the attachment and made this agency in compliance. Thanks

From: afmls.aca
Sent: Thursday, March 27, 2014 4:04 PM
To: Ashford, Rosa
Cc: Boykin, Brian
Subject: FW: FL 0010100
Importance: High

Rosa- Please upload this email and attachment to the agency's file and ensure they are marked in compliance.

Also, let me know once this task is complete.

Brian

U.S. Department of Justice
Asset Forfeiture and Money Laundering Section
www.justice.gov/criminal/afmls

From: Lindsay, Denise J. [lindsaydj@cityofgainesville.org]
Sent: Tuesday, March 25, 2014 1:33 PM
To: afmls.aca
Cc: Boykin, Brian; Shuping, M. April; Scott, Lonnie
Subject: FL 0010100

Attached is the general journal voucher entry as proof of repayment for the Gainesville Police Department. The money has been moved from general funds dollars to the Equitable sharing account in the amount of \$88,305.00.

This is for the below (email dated 3/24/2014)

The total amount of impermissible expenditures is \$88,305.00. Within 30 days of receipt of this email, GPD must reimburse its Equitable Sharing account \$88,305.00. Proof of repayment, such as a deposit slip or general ledger verifying the transaction, must be submitted via email to Afmls.aca@usdoj.gov. This amount must be reported as "other income" on GPD's FY 2014 Annual Certification.