

**CITY COUNCIL REPORT**

**DATE:** March 10, 2016

**TO:** Mayor and Councilmembers

**FROM:** Chief Kevin Treadway, Marianne Sullivan

**CC:** Josh Copley, Shane Dille, Barbara Goodrich, Leadership Team

**SUBJECT:** Report to Council as required pursuant to A.R.S. Section 13-2314.03.

Arizona Revised Statute Section 13-2314.03 requires those political subdivisions of the state, who receive money from the county anti-racketeering revolving fund, to make a report each quarter to their respective governing bodies. This CCR is being written to comply with this legal requirement.

**DISCUSSION**

A.R.S. section 13-2314.03 provides for counties to establish and administer an anti-racketeering revolving fund. The monies that go into the fund are obtained through civil forfeiture proceedings initiated by the Coconino County Attorney's Office as a result of criminal investigations conducted by the various law enforcement agencies in Coconino County. The fund here in Coconino County is overseen by the METRO Board made up of members from several partnering law enforcement agencies including, the Flagstaff Police Department, NAU Police Department, Coconino County Sheriff's Office, Coconino County Attorney's Office, and the Arizona Department of Public Safety. Other participating agencies are the Bureau of Alcohol, Tobacco & Firearms and Explosives, the Federal Bureau of Investigations, Page Police Department, Williams Police Department, the U.S. Department of Homeland Security and the Drug Enforcement Administration. Agencies may make requests to the METRO Board for funds to and the METRO Board votes to approve or deny the requests.

There are several restrictions on what the METRO Board funds may be used for under State and Federal law. Specifically A.R.S. Section 13-2314.03(E) states:

"E. Monies in the fund may be used for the funding of gang prevention programs, substance abuse prevention programs, substance abuse education programs, programs that provide assistance to victims of a criminal offense that is listed in section 13-2301 and witness protection pursuant to section 11-536 or for

any purpose permitted by federal law relating to the disposition of any property that is transferred to a law enforcement agency. Monies in the fund may be used for the investigation and prosecution of any offense included in the definition of racketeering in section 12-2301 subsection D, paragraph 4 or section 13-2312, including civil enforcement.”

Federal Law restricts the use of the funds under United States Department of Justice and Department of Treasury Guidelines. Those things listed in the guidelines as ***impermissible uses*** are:

- Supplanting regularly budgeted law enforcement items, property must be used to increase or supplement the resources of the receiving state or local law enforcement not replace them.
- Payment of Salaries for existing positions where the payment constitutes a supplanting of the agency’s appropriated funds unless specifically authorized by law or in certain task force specialized situations.
- Use of law enforcement property, funds, or pro-rata property/funds by non-law enforcement entities or personnel
- Payment of non-law enforcement expenses
- Uses contrary to the laws of the state or local jurisdiction.
- Uses that create the appearance that the funds are being used for political, personal, or non-official purposes.
- Extravagant expenditures.

This fund therefore is not available for City Council to use to supplement the already existing budget that is provided to the Flagstaff Police Department. It is available as an additional funding source to the participating agencies for very limited purposes. Examples of what the fund has been used for in the past are:

- Specialized training for law enforcement
- Specialized equipment to be used for investigations related to racketeering.
- Matching funds as required by the Department of Justice Jag-Bryne Grant that is awarded annually to the MERTO Task Force. (This grant, along with the matching funds from the RICO fund, is used to pay salaries of three of the members of the METRO Task Force. The salary for the support person assigned to the METRO Task Force is paid for by the RICO fund. The Flagstaff Police Department pays for the final investigator position. )
- Overtime for Members of the METRO Task Force participating in special operations

There are further restrictions on how much money can be used for a particular purpose. Not more than 15% of the funds may be used for costs associated with non-law enforcement, non-profit community-based programs or activities formally

approved by the METRO Board as being supportive of and consistent with a law enforcement efforts, policies, or initiatives.

### DOCUMENTS

See attached copy of quarterly reports from July 1, 2015 to September 30, 2015 and October 1, 2015 to December 31, 2015 of the funds received by the Flagstaff Police Department from the METRO Board fund submitted by the Coconino County Attorney's office to the Arizona Criminal Justice Commission.

### RECOMMENDATION / CONCLUSION

This report is for information only.

ARIZONA CRIMINAL JUSTICE COMMISSION  
QUARTERLY  
FORFEITURE MONIES REPORT

INDIVIDUAL AGENCY ACTIVITY REPORT

The Individual Agency Activity Report is a report of "all" revenues and expenditures at the individual agency level. This report must be filled out by those agencies participating in a Master Account held by the Attorney General or County Attorney and must accompany the Master Account Summary report when filed with the Commission. It may also be utilized by County Attorney Pooled accounts to assist in collecting information if desired.

REPORTING PERIOD: 7/1/2015 THRU 9/30/2015

COUNTY: Coconino -THIS REPORT IS ACCURATE TO DATE. ,

AGENCY: City of Flagstaff - ANY ADJUSTMENTS WILL BE MADE IN FOLLOWING QTR

DIVISION/SECTION Police Department

ADDRESS: 211 W Aspen , Flagstaff, AZ 86001

Metro RICO Summary of Funds - Salaries, Overtime, & Equipt, Training, PD & ACJC Metro Match fur

Type of Government Entity Reporting:

Municipality  County  State

Type of Forfeited Monies Reported:

Anti-Racketeering  Other  Both

PREPARED BY: Lisa Deem, Grants Specialist 928-213-2226   
Type Name/Title/Telephone

APPROVED BY: Rick Tadder, Management Services Director 928-213-2215  
Type Name/Title/Telephone

SIGNATURE/DATE:  11/3/15  11/3/15

**ARIZONA CRIMINAL JUSTICE COMMISSION  
 QUARTERLY  
 FORFEITURE MONIES REPORT  
 INDIVIDUAL AGENCY ACTIVITY REPORT**

The Individual Agency Activity Report is a report of "all" revenues and expenditures at the individual agency level. This report must be filled out by those agencies participating in a Master Account held by the Attorney General or County Attorney and must accompany the Master Account Summary report when filed with the Commission. It may also be utilized by County Attorney Pooled accounts to assist in collecting information if desired.

**COUNTY ATTORNEY REPORTING:** City of Flagstaff - ANY ADJUSTMENTS WILL BE I

**REPORTING PERIOD:** 7/1/2015 **THRU** 9/30/2015

STATE	FEDERAL	TOTAL
-------	---------	-------

<b>A. BEGINNING CASH BALANCE</b>	\$ 29,740.00	29,740
----------------------------------	--------------	--------

**B. TRANSFERS IN FROM:** (From Schedule A)

<b>1. ATTORNEY GENERAL FUND</b>	-	-
---------------------------------	---	---

<b>2. COUNTY ATTORNEY FUND</b>	1,350	1,350
--------------------------------	-------	-------

<b>C. INTEREST EARNED</b>		-
---------------------------	--	---

<b>D. TOTAL MONIES ON HAND</b>	31,090	-
--------------------------------	--------	---

<b>E. TOTAL QTRLY EXPENDITURES</b>	45,335	-
------------------------------------	--------	---

<b>F. TRANSFERS OUT</b> (FROM SCHEDULE A)	-	-
--	---	---

<b>G. TOTAL DISBURSEMENTS</b>	45,335	-
-------------------------------	--------	---

<b>H. ENDING QTRLY CASH BALANCE</b>	(14,245)	-
-------------------------------------	----------	---

<b>I. ENCUMBRANCE</b>		-
-----------------------	--	---

<b>J. COMMITMENTS</b>		-
-----------------------	--	---

<b>K. AVAILABLE PROGRAM MONIES</b>	(14,245)	-
------------------------------------	----------	---

**ARIZONA CRIMINAL JUSTICE COMMISSION  
QUARTERLY  
FORFEITURE MONIES REPORT**

**SECTION II - EXPENDITURES**

	STATE	FEDERAL	TOTAL
<b>A. MATCH MONIES TO GRANT</b>	<b>12,569</b>		<b>12,569</b>
<b>B. GANG &amp; SUBSTANCE ABUSE PREVENTION &amp; EDUCATION (FROM SCHEDULE B)</b>	-	-	-
<b>C. WITNESS PROTECTION</b>			-
<b>D. CIVIL REMEDIES - COURT COSTS &amp; ATTORNEY FEES</b>			-
<b>E. PERSONNEL SERVICES</b>			
Salaries	13,519		13,519
Emp Related Exp	incl		#VALUE!
Overtime	13,310		13,310
Subtotal Personnel Svs Only	26,829	-	26,829
<b>F. PROFESSIONAL/OUTSIDE SERVICES</b>			
Financial Auditing			-
Court Reporting			-
Expert Witness			-
Filing Fees			-
Appraisal Costs			-
Lien Payments			-
Title Search			-
Auction Fees			-
Subpoena Services			-
Temporary Clerical Svs			-
Property Management			-
Other (list)			-
Subtotal Profess/Outside Only	-	-	-
<b>G. TRAVEL</b>			
In State	1,659		1,659
Out of State			-
Subtotal Travel Only	1,659	-	1,659
<b>H. OTHER OPERATING EXPENSES</b>			
Evidence Acquisition			-
Office Supplies			-

**SECTION II - EXPENDITURES**

	<b>STATE</b>	<b>FEDERAL</b>	<b>TOTAL</b>
<b>Training</b>	<b>50</b>		<b>50</b>
<b>Communications</b>			-
<b>Postage</b>			-
<b>Bank Charges</b>			-
<b>Advertising</b>			-
<b>Printing</b>			-
<b>Rental Fees</b>			-
<b>Publications/Books</b>			-
<b>Lease/Purchase</b>			-
<b>Maintenance-Auto/Aircraft</b>			-
<b>Maintenance-Furniture/Equip</b>			-
<b>Maintenance-Police Dog</b>			-
<b>Software</b>			-
<b>Utilities</b>			-
<b>Property Maintenance</b>			-
<b>Towing</b>			-
<b>Insurance</b>			-
<b>Other (list)</b>			-
<b>Operating supplies</b>	<b>4,228</b>		<b>4,228</b>
<b>Confidential Funds</b>	-		-
			-
<b>Subtotal Other Operating Only</b>	<b>4,278</b>	-	<b>4,278</b>

**I. EQUIPMENT**

<b>Office Furniture/Equip</b>			-
<b>Data Processing</b>			-
<b>Surveillance</b>			-
<b>Communications</b>			-
<b>Transportation</b>			-
<b>Other (list)</b>			-
<b>non capital</b>	-		-
			-
			-
<b>Subtotal Equipment Only</b>	-	-	-

**J. CONSTRUCTION**

			-
--	--	--	---

**K. TOTAL EXPENDITURES**

	<b>45,335</b>	-	<b>45,335</b>
--	---------------	---	---------------



SUMMARY

METRO IAAR Summary

Programs	Quarter ending 9/30/14				Qtr ending 12/31/14			Qtr ending 3/31/15			Qtr ending 6/30/15		
	Beg Bal 7/1/14	Income	Expend	Ending Bal	Income	Expend	Ending Bal	Income	Expend	Ending Bal	Income	Expend	Ending Bal
Metro Match	0.00	0.00	0.00	0.00	72,915.00	34,541.50	38,373.50	0.00	17,291.15	21,082.35	0.00	21,083.01	-0.66
RICO Salary	5,649.00		13,388.00	-7,739.00		17,446.00	-25,185.00	57,761.59	14,707.00	17,869.59	0.00	28,405.97	-10,536.38
RICO OT	46,925.00		3,731.00	43,194.00		17,479.00	25,715.00	3,075.00	8,106.00	20,684.00	0.00	8,657.90	12,026.10
RICO Equip	27,305.60		4,808.00	22,497.60	1,213.62	7,584.92	16,126.30	10,695.61	4,111.46	22,710.45	4,239.74	10,691.74	16,258.45
PD Equip	11,992.00			11,992.00			11,992.00			11,992.00			11,992.00
	91,871.60	0.00	21,927.00	69,944.60	74,128.62	77,051.42	67,021.80	71,532.20	44,215.61	94,338.39	4,239.74	68,838.62	29,739.51

METRO IAAR Summary

Programs	Quarter ending 9/30/15			
	Beg Bal 7/1/15	Income	Expend	Ending Bal
Metro Match	-0.66	0.00	12,569.41	-12,570.07
RICO Salary	-10,536.38	0	13,519.37	-24,055.75
RICO OT	12,026.10	0.00	13,309.94	-1,283.84
RICO Equip	16,258.45	1,350.00	5,936.64	11,671.81
PD Equip	11,992.00	0.00	0.00	11,992.00
	29739.51	1,350.00	45,335.36	-14,245.85
				-14,245.85

6058  
6072  
6163  
6164

ARIZONA CRIMINAL JUSTICE COMMISSION  
QUARTERLY  
FORFEITURE MONIES REPORT

INDIVIDUAL AGENCY ACTIVITY REPORT

The Individual Agency Activity Report is a report of "all" revenues and expenditures at the individual agency level. This report must be filled out by those agencies participating in a Master Account held by the Attorney General or County Attorney and must accompany the Master Account Summary report when filed with the Commission. It may also be utilized by County Attorney Pooled accounts to assist in collecting information if desired.

REPORTING PERIOD: 10/1/2015 THRU 12/31/2015

COUNTY: Coconino - THIS REPORT IS ACCURATE TO DATE.

AGENCY: City of Flagstaff - ANY ADJUSTMENTS WILL BE MADE IN FOLLOWING QTR

DIVISION/SECTION Police Department

ADDRESS: 211 W Aspen , Flagstaff, AZ 86001

Metro RICO Summary of Funds - Salaries, Overtime, & Equipt, Training, PD & ACJC Metro Match fu

Type of Government Entity Reporting:

- Municipality       County       State

Type of Forfeited Monies Reported:

- Anti-Racketeering       Other       Both

PREPARED BY: Lisa Deem, Grants Specialist 928-213-2226  
Type Name/Title/Telephone

APPROVED BY: Rick Tadder, Management Services Director 928-213-2217  
Type Name/Title/Telephone

*Stacy Brecher-Knapp*  
*1/26/16*

SIGNATURE/DATE: *Rick Tadder* *1/26/2016*

**ARIZONA CRIMINAL JUSTICE COMMISSION  
QUARTERLY  
FORFEITURE MONIES REPORT**

**INDIVIDUAL AGENCY ACTIVITY REPORT**

The Individual Agency Activity Report is a report of "all" revenues and expenditures at the individual agency level. This report must be filed out by those agencies participating in a Master Account held by the Attorney General or County Attorney and must accompany the Master Account Summary report when filed with the Commission. It may also be utilized by County Attorney Pooled accounts to assist in collecting information if desired.

**COUNTY ATTORNEY REPORTING:** City of Flagstaff - ANY ADJUSTMENTS WILL BE I

**REPORTING PERIOD:** 10/1/2015 THRU 12/31/2015

STATE	FEDERAL	TOTAL
-------	---------	-------

<b>A. BEGINNING CASH BALANCE</b>	\$ (14,245.00)		(14,245)
<b>B. TRANSFERS IN FROM:</b> (From Schedule A)			
<b>1. ATTORNEY GENERAL FUND</b>	-		-
<b>2. COUNTY ATTORNEY FUND</b>	-		-
<b>C. INTEREST EARNED</b>			-
<b>D. TOTAL MONIES ON HAND</b>	(14,245)	-	(14,245)
<b>E. TOTAL QTRLY EXPENDITURES</b>	55,033	-	55,033
<b>F. TRANSFERS OUT</b> (FROM SCHEDULE A)	-	-	-
<b>G. TOTAL DISBURSEMENTS</b>	55,033	-	55,033
<b>H. ENDING QTRLY CASH BALANCE</b>	(69,278)	-	(69,278)
<b>I. ENCUMBRANCE</b>			-
<b>J. COMMITMENTS</b>			-
<b>K. AVAILABLE PROGRAM MONIES</b>	(69,278)	-	(69,278)

**ARIZONA CRIMINAL JUSTICE COMMISSION  
 QUARTERLY  
 FORFEITURE MONIES REPORT**

**SECTION II - EXPENDITURES**

	STATE	FEDERAL	TOTAL
<b>A. MATCH MONIES TO GRANT</b>	21,920		21,920
<b>B. GANG &amp; SUBSTANCE ABUSE              PREVENTION &amp; EDUCATION              (FROM SCHEDULE B)</b>	-	-	-
<b>C. WITNESS PROTECTION</b>			-
<b>D. CIVIL REMEDIES - COURT COSTS              &amp; ATTORNEY FEES</b>			-
<b>E. PERSONNEL SERVICES</b>			
Salaries	13,170		13,170
Emp Related Exp	8,598		8,598
Overtime	6,250		6,250
Subtotal Personnel Svs Only	28,019	-	28,019
<b>F. PROFESSIONAL/OUTSIDE SERVICES</b>			
Financial Auditing			-
Court Reporting			-
Expert Witness			-
Filing Fees			-
Appraisal Costs			-
Lien Payments			-
Title Search			-
Auction Fees			-
Subpoena Services			-
Temporary Clerical Svs			-
Property Management			-
Other (list)			-
Subtotal Profess/Outside Only	-	-	-
<b>G. TRAVEL</b>			
In State	3,134		3,134
Out of State			-
Subtotal Travel Only	3,134	-	3,134
<b>H. OTHER OPERATING EXPENSES</b>			
Evidence Acquisition			-
Office Supplies	387		387

**SECTION II - EXPENDITURES**

	<b>STATE</b>	<b>FEDERAL</b>	<b>TOTAL</b>
<b>Training</b>	<b>455</b>		<b>455</b>
<b>Communications</b>			-
<b>Postage</b>			-
<b>Bank Charges</b>			-
<b>Advertising</b>			-
<b>Printing</b>			-
<b>Rental Fees</b>			-
<b>Publications/Books</b>			-
<b>Lease/Purchase</b>			-
<b>Maintenance-Auto/Aircraft</b>	<b>127</b>		<b>127</b>
<b>Maintenance-Furniture/Equip</b>	<b>435</b>		<b>435</b>
<b>Maintenance-Police Dog</b>			-
<b>Software</b>			-
<b>Utilities</b>	<b>445</b>		<b>445</b>
<b>Property Maintenance</b>			-
<b>Towing</b>			-
<b>Insurance</b>			-
<b>Other (list)</b>			-
<b>Operating supplies</b>	<b>112</b>		<b>112</b>
<b>Confidential Funds</b>	-		-
			-
<b>Subtotal Other Operating Only</b>	<b>1,961</b>	-	<b>1,961</b>

**I. EQUIPMENT**

<b>Office Furniture/Equip</b>			-
<b>Data Processing</b>			-
<b>Surveillance</b>			-
<b>Communications</b>			-
<b>Transportation</b>			-
<b>Other (list)</b>			<b>#VALUE!</b>
<b>non capital</b>	-		-
			-
			-
<b>Subtotal Equipment Only</b>	-	-	-

**J. CONSTRUCTION**

			-
--	--	--	---

**K. TOTAL EXPENDITURES**

<b>55,033</b>	-	<b>55,033</b>
---------------	---	---------------



METRO IAAR Summary

Programs	Quarter ending 9/30/13				Qtr ending 12/31/13			Qtr ending 3/31/14			Qtr ending 6/30/14		
	Beg Bal 7/1/13	Income	Expend	Ending Bal	Income	Expend	Ending Bal	Income	Expend	Ending Bal	Income	Expend	Ending Bal
Metro Match	0.00	0.00	8,719.00	-8,719.00	58,739.00	15,846.00	34,174.00	0.00	15,162.00	19,012.00	0.00	18,696.00	316.00
RICO Salary	-11,773.35		41,482.24	-53,255.59	154,472.00	41,592.41	59,624.00	0.00	35,686.41	23,937.59	0.00	18,288.42	5,649.17
RICO OT	6,537.71		5,504.55	1,033.16	70,000.00	10,509.29	60,523.87	0.00	7,144.01	53,379.86	0.00	6,454.42	46,925.44
RICO Equip	8,647.59		6,773.91	1,873.68	43,915.55	6,152.20	39,637.03	0.00	9,389.37	30,247.66	4,817.56	7,759.24	27,305.98
PD Equip	28,608.49	0.00	37,296.35	-8,687.86	21,912.50	0.00	13,224.64	0.00	1,232.40	11,992.24			11,992.24
	32,020.44	0.00	99,776.05	-67,755.61	349,039.05	74,099.90	207,183.54	0.00	68,614.19	138,569.35	4,817.56	51,198.08	92,188.83

METRO IAAR Summary

Programs	Quarter ending 9/30/14				Qtr ending 12/31/14			Qtr ending 3/31/15			Qtr ending 6/30/15		
	Beg Bal 7/1/14	Income	Expend	Ending Bal	Income	Expend	Ending Bal	Income	Expend	Ending Bal	Income	Expend	Ending Bal
Metro Match	0.00	0.00	0.00	0.00	72,915.00	34,541.50	38,373.50	0.00	17,291.15	21,082.35	0.00	21,083.01	-0.66
RICO Salary	5,649.00		13,388.00	-7,739.00		17,446.00	-25,185.00	57,761.59	14,707.00	17,869.59	0.00	28,405.97	-10,536.38
RICO OT	46,925.00		3,731.00	43,194.00		17,479.00	25,715.00	3,075.00	8,106.00	20,684.00	0.00	8,657.90	12,026.10
RICO Equip	27,305.60		4,808.00	22,497.60	1,213.62	7,584.92	16,126.30	10,695.61	4,111.46	22,710.45	4,239.74	10,691.74	16,258.45
PD Equip	11,992.00			11,992.00			11,992.00			11,992.00			11,992.00
	91,871.60	0.00	21,927.00	69,944.60	74,128.62	77,051.42	67,021.80	71,532.20	44,215.61	94,338.39	4,239.74	68,838.62	29,739.51

METRO IAAR Summary

Programs	Quarter ending 9/30/15				Qtr ending 12/31/15 - draft				
	Beg Bal 7/1/15	Income	Expend	Ending Bal	Income	Expend	Ending Bal		
Metro Match	-0.66	0.00	12,569.41	-12,570.07		21,920.00	-34,490.07		
RICO Salary	-10,536.38	0	13,519.37	-24,055.75		17,196.20	-41,251.95		
RICO OT	12,026.10	0.00	13,309.94	-1,283.84		10,822.59	-12,106.43		
RICO Equip	16,258.45	1,350.00	5,936.64	11,671.81		5,094.67	6,577.14		
PD Equip	11,992.00	0.00	0.00	11,992.00			11,992.00		
	29739.51	1,350.00	45,335.36	-14,245.85	0.00	55,033.46	-69,279.31		
				-14,245.85					

---

## CITY COUNCIL REPORT

DATE: March 10, 2016

TO: Mayor and Councilmembers

FROM: Chief Kevin Treadway, Marianne Sullivan

CC: Josh Copley, Shane Dille, Barbara Goodrich, Leadership Team

SUBJECT: Report to Council as required pursuant to A.R.S. Section 13-2314.03.

---

Arizona Revised Statute Section 13-2314.03 requires those political subdivisions of the state, who receive money from the county anti-racketeering revolving fund, to make a report each quarter to their respective governing bodies. This CCR is being written to comply with this legal requirement.

### DISCUSSION

A.R.S. section 13-2314.03 provides for counties to establish and administer an anti-racketeering revolving fund. The monies that go into the fund are obtained through civil forfeiture proceedings initiated by the Coconino County Attorney's Office as a result of criminal investigations conducted by the various law enforcement agencies in Coconino County. The fund here in Coconino County is overseen by the METRO Board made up of members from several partnering law enforcement agencies including, the Flagstaff Police Department, NAU Police Department, Coconino County Sheriff's Office, Coconino County Attorney's Office, and the Arizona Department of Public Safety. Other participating agencies are the Bureau of Alcohol, Tobacco & Firearms and Explosives, the Federal Bureau of Investigations, Page Police Department, Williams Police Department, the U.S. Department of Homeland Security and the Drug Enforcement Administration. Agencies may make requests to the METRO Board for funds to and the METRO Board votes to approve or deny the requests.

There are several restrictions on what the METRO Board funds may be used for under State and Federal law. Specifically A.R.S. Section 13-2314.03(E) states:

"E. Monies in the fund may be used for the funding of gang prevention programs, substance abuse prevention programs, substance abuse education programs, programs that provide assistance to victims of a criminal offense that is listed in section 13-2301 and witness protection pursuant to section 11-536 or for

any purpose permitted by federal law relating to the disposition of any property that is transferred to a law enforcement agency. Monies in the fund may be used for the investigation and prosecution of any offense included in the definition of racketeering in section 12-2301 subsection D, paragraph 4 or section 13-2312, including civil enforcement.”

Federal Law restricts the use of the funds under United States Department of Justice and Department of Treasury Guidelines. Those things listed in the guidelines as *impermissible uses* are:

- Supplanting regularly budgeted law enforcement items, property must be used to increase or supplement the resources of the receiving state or local law enforcement not replace them.
- Payment of Salaries for existing positions where the payment constitutes a supplanting of the agency’s appropriated funds unless specifically authorized by law or in certain task force specialized situations.
- Use of law enforcement property, funds, or pro-rata property/funds by non-law enforcement entities or personnel
- Payment of non-law enforcement expenses
- Uses contrary to the laws of the state or local jurisdiction.
- Uses that create the appearance that the funds are being used for political, personal, or non-official purposes.
- Extravagant expenditures.

This fund therefore is not available for City Council to use to supplement the already existing budget that is provided to the Flagstaff Police Department. It is available as an additional funding source to the participating agencies for very limited purposes. Examples of what the fund has been used for in the past are:

- Specialized training for law enforcement
- Specialized equipment to be used for investigations related to racketeering.
- Matching funds as required by the Department of Justice Jag-Bryne Grant that is awarded annually to the MERTO Task Force. (This grant, along with the matching funds from the RICO fund, is used to pay salaries of three of the members of the METRO Task Force. The salary for the support person assigned to the METRO Task Force is paid for by the RICO fund. The Flagstaff Police Department pays for the final investigator position. )
- Overtime for Members of the METRO Task Force participating in special operations

There are further restrictions on how much money can be used for a particular purpose. Not more than 15% of the funds may be used for costs associated with non-law enforcement, non-profit community-based programs or activities formally

approved by the METRO Board as being supportive of and consistent with a law enforcement efforts, policies, or initiatives.

**DOCUMENTS**

See attached copy of quarterly reports from July 1, 2015 to September 30, 2015 and October 1, 2015 to December 31, 2015 of the funds received by the Flagstaff Police Department from the METRO Board fund submitted by the Coconino County Attorney's office to the Arizona Criminal Justice Commission.

**RECOMMENDATION / CONCLUSION**

This report is for information only.