

**2018-2019 BUDGET QUESTION**  
***Response to Request for Information***

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**DEPARTMENT:** Austin Police

**REQUEST NO.:** 134

**REQUESTED BY:** Alter

**DATE REQUESTED:** 8/30/18

**DATE POSTED:** 9/5/18

**REQUEST:** Why is the FY 2019 proposed budget lower than FY 2018 for the Police Federal Department of Treasury Asset Forfeiture Fund as illustrated on page 448?

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**RESPONSE:**

The annual proposed budget for this fund is based on the ending balance from the prior year plus actual revenues received in the current year, as of the date the proposed budget is prepared. Federal regulations require that agencies may not commit to spending shared funds in advance of receipt because (1) the completion of the forfeiture is uncertain and (2) the amount that will ultimately be approved to be received is also uncertain. This is why there is no revenue estimate included in the FY 2019 proposed budget column on the fund summary and requirements are always based on actual forfeiture amounts on hand when the budget is prepared. The process from seizure to award can take anywhere from months to years. The nature of the legal system makes it difficult to determine the outcome, timing, or amount of any pending litigation.

The Department estimates spending \$1.4 million from this fund in FY 2018, the majority of which funded outsourcing backlogged DNA sexual assault kits.