

RESOLUTION NO. 203

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, AUTHORIZING ITS POLICE OFFICERS TO REQUEST ASSISTANCE FROM THE MARTIN COUNTY SHERIFF'S DEPARTMENT AND AUTHORIZING ITS CHIEF OF POLICE TO STIPULATE DIVISION OF PROPERTY AND PROCEEDS IN CONTRABAND FORFEITURE PROCEEDINGS.

WHEREAS, the Town Commission of the Town of Sewall's Point, Florida, recognizes that, from time to time, the officers of the Town Police Department may be required to make searches of persons reasonably suspected of violating narcotics and other criminal laws, arrests of persons for the violation of narcotics and other criminal laws, and seizure of contraband under the Florida Contraband Forfeiture Act; and

WHEREAS, the Town Commission is aware that the arrest, search and seizure requirements in narcotics and other crimes are extremely technical and that the officers of the Town's Police Department are infrequently involved in such arrests; and

WHEREAS, the Martin County Sheriff's Department and other law enforcement agencies maintain and staff narcotics units and other special crime units, the members of which have special training in search, arrest and seizure procedures under the narcotics and other criminal laws; and

WHEREAS, it is the policy of the Martin County Sheriff's Department and other law enforcement agencies to provide assistance from their narcotics units and other officers in such searches, arrests and seizures to the Police Department of the Town of Sewall's Point, Florida, upon request therefore; and

WHEREAS, the Town Commission deems it to be in the best interests of the Town and its citizens, and for their health, safety and welfare, that such assistance in narcotics and other criminal searches, arrests and seizures be given and received when necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA:

1. That the Chief of Police of the Town of Sewall's Point, Florida, is authorized to instruct officers in his department to request assistance from the Martin County Sheriff's Department or other law enforcement agencies for any criminal search, arrest or

contraband seizure when, in their discretion, such assistance in deemed necessary.

2. That in any contraband forfeiture proceeding arising out of any such search, arrest or seizure by an officer of the Police Department of the Town of Sewall's Point in which the Martin County Sheriff's Department or some other law enforcement agency has been substantially involved, the Chief of Police is authorized to stipulate an equal or greater share for the Town of Sewall's Point in any equitable division of forfeited property or the proceeds thereof between the Town of Sewall's Point and the County of Martin or the governing body of the other law enforcement agency, subject to the approval of the court having jurisdiction over the forfeiture proceeding, in accordance with Section 932.704(3)(b), Florida Statutes, as the same may exist from time to time.

PASSED AND ADOPTED this 13th day of April, 1983.

ATTEST:

Joan Barrow
JOAN BARROW, Town Clerk

Approved as to form and
correctness:

M. Lanning Fox
M. LANNING FOX
Town Attorney

Gilbert C. Strubell
GILBERT C. STRUBELL,
Mayor-Commissioner

Helena B. Towl
HELENA B. TOWL,
Commissioner

William E. Barton, III
WILLIAM E. BARTON, III,
Commissioner

Dana de Windt
DANA deWINDT,
Commissioner

Edward H. Gluckler
EDWARD H. GLUCKLER,
Commissioner