



Montgomery County Council

For Immediate Release

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Montgomery Council Unanimously Approves Expanded Uses of Drug Forfeiture Funds

Bill 35-09, Whose Chief Sponsor Was Councilmember Duchy Trachtenberg, Will Allow Money Seized From Drug Criminals To Be Used for Drug Treatment and Prevention Programs

ROCKVILLE, Md., November 17, 2009—The Montgomery County Council today unanimously approved Expedited Bill 35-09 that will allow money seized from criminals convicted of drug-related crimes to be used for drug treatment and prevention programs. The bill, whose chief sponsor was Councilmember Duchy Trachtenberg, was co-sponsored by Council President Phil Andrews, Council Vice President Roger Berliner and Councilmembers Marc Elrich, George Leventhal and Nancy Navarro.

The bill amends current law that restricts the use of Drug Enforcement Forfeiture Funds to “expenses related to enforcement of laws regarding controlled dangerous substances.”

The Drug Enforcement Forfeitures Fund (DEFF) contains money that is forfeited to the County under state law as drug-related contraband. The fund includes cash and the proceeds of the sale of real and personal property seized during drug enforcement actions. The DEFF had a balance of \$2,686,145 at the beginning of Fiscal Year 2009 and had approximately \$2.3 million at the beginning of FY10.

Councilmember Trachtenberg, who chairs the Council’s Management and Fiscal Policy Committee and serves on its Health and Human Services Committee, said a change in the law regarding how forfeited funds could be spent will be important as the County continues to face budget shortfalls that are impacting programs, such as drug prevention and drug treatment programs.

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“Drug prevention and treatment programs, and the operation of the Drug Court, are important parts of a successful campaign to reduce the use of controlled dangerous substances,” said Councilmember Trachtenberg. “Recent severe shortfalls in County revenue make it important to look for alternative sources to fund these critical programs. It is hard to think of a better use of money seized from drug offenders than to allocate it toward people who want help for their drug-related problems.”

Allocating DEFF funds for drug treatment and prevention programs will increase the non-tax supported alternative funding available for these critical programs.

“This is a timely and most appropriate use of these funds,” said Council President Andrews. “At a time when we are forced to make difficult fiscal decisions, it is essential that critical programs such as rehabilitating drug offenders continue to have adequate funding.”

Expedited Bill 35-09 also will require quarterly reporting to the Council on the DEFF revenue and expenses. The Council is responsible for appropriating the funds in the DEFF. Regular reports will provide important information to help the Council in appropriating these funds in the most effective way.

The quarterly reports on the fund, which will be made by the Police Department, will include an update on the current balance in the fund, information on recent deposits from forfeitures and details on recent expenditures from the fund.

“This legislation is another example of good government,” said Council Vice President Berliner. “We need to carefully manage our scarce resources—now more than ever—and this bill is a step in the right direction.”

In September, the Montgomery County Alcohol and Other Drug Abuse Advisory Council (AODAAC) unanimously adopted a motion in support of what has evolved to become Expedited Bill 35-09. The resolution read: “Whereas addiction treatment is crime prevention, therefore be it resolved that the Montgomery County Drug Enforcement Forfeiture Fund regulations be amended to include as an authorized use of funds ‘drug abuse treatment and prevention services.’”

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