



**PEMBROKE PINES  
CITY COMMISSION**

**Frank C. Ortis**  
MAYOR  
954-450-1020  
fortis@ppines.com

**Jay D. Schwartz**  
VICE MAYOR  
DISTRICT 2  
954-450-1030  
jschwartz@ppines.com

**Thomas Good, Jr.**  
COMMISSIONER  
DISTRICT 1  
954-450-1030  
tgood@ppines.com

**Angelo Castillo**  
COMMISSIONER  
DISTRICT 4  
954-450-1030  
acastillo@ppines.com

**Iris A. Siple**  
COMMISSIONER  
DISTRICT 3  
954-450-1030  
isiple@ppines.com

**Charles F. Dodge**  
CITY MANAGER  
954-450-1040  
cdodge@ppines.com

**INTER-OFFICE CORRESPONDENCE**

**MEMORANDUM NO. 2021-035**

**TO:** Chief Kipp Shimpeno, Pembroke Pines Police Department

**FROM:** Michael D. Cirullo, Jr., Assistant City Attorney *MDC*

**DATE:** March 23, 2021

**RE:** Use of Law Enforcement Trust Funds for Training Conference

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You have asked whether Law Enforcement Trust Funds may be used towards the cost of the annual Florida Police Chiefs Association (FPCA) Training Conference being held this year in Broward County, at the Seminole Hard Rock Hotel in Hollywood, Florida. The Broward County Chiefs of Police Association (BCCPA) has requested each agency in Broward County to donate \$5,000.00 from Law Enforcement Trust Funds towards the costs of the FPCA Training Conference. The FPCA has advised that the donation is a one-time request, the funds will be used to offset the costs of the training programs, all expenditures will be consistent with the requirements of Section 932.7055, Florida Statutes, and the FPCA will provide an accounting of the expenditures as required by Florida law. The donation will be made to the Florida Police Chiefs Education and Research Foundation, which is a 501(c)(3) non-profit charitable organization, with all donations being applied to the BCCPA's costs of sponsoring and hosting the Training Conference.

The Florida Attorney General has opined that the use of forfeiture funds to offset the costs of law enforcement training conferences is permissible. Attorney General Opinion 2003-09 (AGO 2003-09). The written requests of the FPCA and the BCCPA contain the items required to be addressed in a request for this type of donation. AGO 2003-09.

Florida forfeiture law (section 932.7055, Florida Statutes) requires agencies that acquire at least \$15,000 pursuant to the Florida Contraband Forfeiture Act within a fiscal year to expend or donate at least twenty-five percent (25%) of its proceeds from forfeiture for the support or operation of any drug treatment, drug abuse education, drug prevention, crime prevention, safe neighborhood, or school resource officer program or programs. The local law enforcement agency has the discretion to determine which program or programs will receive the designated proceeds.

A donation for the costs of sponsoring and hosting the Training Conference would appear to be consistent with Florida forfeiture law. AGO 2003-09. Therefore, upon certification by the Chief that he has found these funds to be consistent with Chapter 932, Florida Statutes, and upon approval by the City Commission, the requested funds may be donated to the Florida Police Chiefs Education and Research Foundation.

Memorandum No. 2021-035

March 23, 2021

Page 2

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If you have any questions concerning this matter, please do not hesitate to contact our office.

MDC