



# Sheriffs Can Use Federal Asset Forfeiture Funds To Support the National Law Enforcement Museum

*By John Shanks and Kevin Morison  
National Law Enforcement Officers Memorial Fund*

The idea came to Orange County (FL) Sheriff Kevin Beary during the National Sheriffs' Association 2008 Winter Conference in New Orleans: why not allow sheriff's offices and other law enforcement agencies to use some of their federal asset forfeiture funds to help build the first-ever national museum dedicated to law enforcement?

A longtime supporter of the National Law Enforcement Officers Memorial Fund, Sheriff Beary was very familiar with the NLEOMF's "Matter of Honor" capital campaign to raise \$80 million for the National Law Enforcement Museum in Washington, DC. He also knew that his fellow sheriffs wanted to help, and he was convinced asset forfeiture funds could provide an effective, straightforward way for them to get involved.

At first, the idea seemed to be a non-starter. U.S. Department of Justice staff at the Winter Conference indicated they were not sure if federal program regulations would allow donations to the Museum's capital campaign, but they promised to investigate further.

Back in DC, NLEOMF Chairman and CEO Craig Floyd and John Shanks, Director of Law Enforcement Relations, met with attorneys from DOJ's Money Laundering and Asset Forfeiture Section to discuss the matter. They contended the Museum project fit into existing asset forfeiture guidelines by providing community education and awareness programs that would help to reduce crime. Additionally, the Museum could serve as a valuable recruiting tool for the law enforcement profession.

The DOJ responded on April 11, 2008, in a letter from Richard Weber, Chief of the Money Laundering and Asset Forfeiture Section. "After careful consideration," he wrote, "we have determined that such donations would be a permissible use of equitable sharing monies on the part of State and local agencies."

With the DOJ opinion in hand, Mr. Floyd sent a letter to law enforcement executives across the country, alerting

them to the program and encouraging their support. "Imagine if you will the drug enforcement exhibition in the Museum being funded with money seized from drug traffickers in your community or the white collar crime exhibition being funded with monies seized in a sting operation in your local area," he wrote. "Supporting this Museum, your Museum, is an important venture for your agency to undertake and will support the profession that you and your officers so proudly serve."

It didn't take long for two forward-thinking sheriffs in Florida to respond.

Over the summer, the Seminole County Sheriff's Office, led by Sheriff Donald Eslinger, and the Orange County Sheriff's Office, led by Sheriff Beary, each provided \$5,000 in federal asset forfeiture funds to the Museum campaign. This followed the announcement that other Florida law enforcement agencies are using some of their state asset forfeiture funds to support the Museum. The Miami-Dade Chiefs Association has pledged \$250,000, with approximately \$200,000 raised to date using state forfeiture money. The Miami-Dade Police Department, under the leadership of Director Bobby Parker, recently gave \$125,000 in state asset forfeiture funds.

"We are very grateful to these agencies for recognizing the importance of the Museum and for being pioneers in devoting some of their asset forfeiture funds to this noble endeavor," said Mr. Floyd. "We understand that not every agency will be able to participate in the program, but many agencies can and we want them to be aware of their options. There are also agencies that may experience a large, one-time asset forfeiture allotment from a major drug bust or white collar crime investigation. We ask those agencies to keep the Museum in mind when they receive and start to distribute those funds," he added.

Each year, the Justice Department returns millions of dollars in federal asset forfeiture funds to state and local



law enforcement agencies. In 2007, the total was \$407 million.

Under Department of Justice equitable sharing regulations, a participating law enforcement agency is permitted to use up to 15 percent of the total federal equitable sharing received by that agency during the two most recent fiscal years to support community-based programs by private, nonprofit organizations that are supportive of, and consistent, with a law enforcement effort, policy, or initiative.

“We have concluded that State and local law enforcement agencies may, as part of their support for community based, non-profit organizations and subject to the 15 percent limitation rule, donate equitable sharing funds to the National Law Enforcement Officers Memorial Fund,” Section Chief Weber wrote.

Not only did the DOJ authorize the use of equitable sharing funds throughout construction of the National Law Enforcement Museum, but also concluded that these funds may be used in future years to “directly pay specific expenses on behalf of the Museum or reimburse the Museum by check for expenditures on itemized expenses for specific programs and activities.”

Authorized by Congress in the year 2000, the National Law Enforcement Museum will be an architecturally inspiring, 95,000 square foot, mostly underground museum located in the nation’s capital, adjacent to the National Law

Enforcement Officers Memorial. Scheduled to open in 2011, the Museum features five galleries that will explore the law enforcement profession through high-tech, interactive exhibitions, historical artifacts, an extensive media collection and comprehensive educational programming.

The privately funded Museum has launched an \$80 million capital campaign called “A Matter of Honor.” Approximately \$36 million has been raised to date, with law enforcement having contributed more than one-third of that total. ✪

For additional information about using federal asset forfeiture funds for the National Law Enforcement Museum, contact John Shanks, NLEOMF Director of Law Enforcement Relations at (202) 737-8529 or via e-mail at [john@nleomf.org](mailto:john@nleomf.org). For information about the Museum, including a virtual tour, visit [www.LawEnforcementMuseum.org](http://www.LawEnforcementMuseum.org).