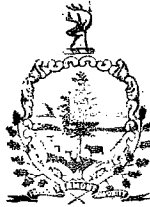


**From:** Rebecca Buck  
**To:** jill.gould@state.vt.us  
**Date:** 4/7/2006 12:06 PM  
**Subject:** Re: Question from Rep. Obuchowski regarding JFO #2257

**CC:** jeff.wennberg@state.vt.us; Klein, Steve; Obuchowski, Michael; sarah.c...  
Hi Jill-- Representative Obuchowski has the following questions with regard to JFO #2257 (new limited service position: Environmental Scientist III associated with continuing FEMA Community Assistance Program grant):

How does this position fit with the emergency management bill (H-890) that was referred to house appropriations committee on 04/06/06? Is there any relationship between this position and H-890?

Please cc me on your response to Representative Obuchowski. Thanks. --Becky



**Mailing Address:**  
1 Baldwin Street  
Drawer 33  
Montpelier, Vermont 05633-5701

Tel.: (802) 828-2295  
Fax: (802) 828-2483

**STATE OF VERMONT**  
**JOINT FISCAL COMMITTEE**  
1 Baldwin Street  
Montpelier, Vermont 05633-5701

## MEMORANDUM

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**To:** James Reardon, Commissioner of Finance & Management

**From:** Rebecca Buck, Staff Associate *RB*

**Date:** July 17, 2006

**Subject:** Status of Asset Seizure Request

---

No Joint Fiscal Committee member has requested that the following item be held for review:

**JFO #2258** – Request from the Department of Motor Vehicles to accept assets from the Federal Drug Enforcement Agency. These assets were seized during a traffic violation. The Department of Motor Vehicles will be receiving 70% of the money and assets seized. There was \$7,600 in cash and an estimated \$8,000 auction value for a Ford F-250 Super Duty pickup truck for a total of approximately \$11,000 to be given to the Department. The Department will be purchasing equipment with this money.

*[JFO received 06/16/06]*

In accordance with 32 V.S.A. §5, the requisite 30 days having elapsed since this item was submitted to the Joint Fiscal Committee, the Governor's approval may now be considered final. We ask that you inform the Secretary of Administration and your staff of this action.

cc: Michael Smith  
Linda Morse  
Dawn Terrill  
Bonnie Rutledge

**From:** Michael Obuchowski  
**To:** Rebecca Buck  
**Date:** 7/10/2006 8:52:07 AM  
**Subject:** Re: 2 week notice date for JFO #2258

Okay to proceed. Thank you.

>>> Rebecca Buck 7/10/2006 5:50 AM >>>  
Good morning Obie:

I wanted to check in with you regarding JFO #2258 (asset seizure from DEA to DMV: cash and pickup truck). While the 2 week notice date to hold was actually June 30 you had questions that needed to be answered. Now that you have had some time to review that response I wanted to check in with you and see if you are ok with this time to proceed to final approval in accordance with the 30 day process. --  
Becky

**From:** "Elovirta, William" <William.Elovirta@state.vt.us>  
**To:** <obie@leg.state.vt.us>, <rbuck@leg.state.vt.us>  
**Date:** 7/3/2006 10:08:46 AM  
**Subject:** DMV Asset Forfeiture from Criminal Case 06-0A-00009

On April 11, 2006 Inspector Matt Nesto stopped a 2001 Ford F-250 supercab diesel pickup truck for speed on I-89 in South Burlington. The stop resulted in the seizure of approximately 6 lbs of marijuana, \$7,600.00 U.S. currency and the vehicle. The DEA has seized the vehicle and currency as a result of DMV's criminal case. DMV as part of the DEA asset seizure process is looking for permission to accept cash proceeds from the sale of the vehicle and currency forfeiture. Final determination of exact funds depend on the auction sale of the truck (NADA list approx. \$13,100) along with currency divided between DEA, DMV, VSP, Burlington PD and Chittenden Cty States Atty the participating agencies in this case. Normal distribution of funds is for DEA to receive 20% of the funds for processing the seizure. VSP, Burlington PD and Chittenden SA would receive 5% for assisting on the case and DMV receives the remaining percentage as the lead agency.

This is the first time an inspector with the Commercial Vehicle Enforcement Unit have a made seizure resulting in asset proceeds. DMV is requesting permission to accept cash proceeds from the case to be used for the purchase on Mobile Vision System 7 in-car cameras. The uniformed Commercial Vehicle Enforcement Unit has 23 vehicles assigned to that unit. At this time seven of those vehicles are not equipped with in-car cameras. The officer in this seizure case was one of those officers not so equipped with an in-car camera system. DMV would like to budget the awarded funds to equip as many of the remaining vehicle as possible. The Mobile Vision system is under state contract #6310 and the current unit price is \$3,345.00 each along with \$230.00 for installation.

In previous conversations with JFO DMV had also indicated using some of the funds for a Criminal Activity fund but as of last week DMV was advised by the Vermont Atty Generals office of a court award that would cover funding that type of investigation account. A JFO AA-1 submissions was sent for that specific case # 5001-06-C-0065.

Please free to contact me with any additional questions you may have on this case.

Sincerely,

Capt. William "Jake" Elovirta  
Vermont Department of Motor Vehicles  
Enforcement & Safety Division  
120 State Street, RM 301E  
Montpelier, VT 05603-0001

(802) 828-2078  
(802) 828-2092 fax  
(802) 793-9119 cell  
178\*94\*9330 Nextel DC  
(802) 250-2934 pager

william.elovirta@state.vt.us

CC: "Hemond, Ellen" <Ellen.Hemond@state.vt.us>

**From:** "Aronowitz, Jason" <Jason.Aronowitz@state.vt.us>  
**To:** <rbuck@leg.state.vt.us>  
**Date:** 7/3/2006 10:26:31 AM  
**Subject:** FW: Re: DEA grant acceptance question

Jason Aronowitz  
Budget Analyst  
Finance and Management  
(802) 828-6451

-----Original Message-----

From: Stephanie Barrett [mailto:sbarrett@leg.state.vt.us]  
Sent: Monday, June 19, 2006 3:36 PM  
To: Aronowitz, Jason  
Subject: RE: Re: DEA grant acceptance question

Thank you!

>>> "Aronowitz, Jason" <Jason.Aronowitz@state.vt.us> 6/19/2006 3:34 PM

>>>

The cameras are in the range of \$3500 each. About 2/3 of the DMV cruisers have them. The fund that paid for the existing cameras is depleted.

The inspection fund would be used for short-term rental of vehicles that are in need of inspection, put temporary insurance on them, and pay for an inspection.

In previous sting operations (without the use of this pool of money), vehicles from BGS on their way to auction were used. I do not know that continuing use of the same vehicle type would work for this purpose.

Further detail can be obtained from Capt. Jake Elovirta 828-2078 or Director Glenn Button 828-2156 of DMV.

Jason Aronowitz  
Budget Analyst  
Finance and Management  
(802) 828-6451

-----Original Message-----

From: Stephanie Barrett [mailto:sbarrett@leg.state.vt.us]  
Sent: Monday, June 19, 2006 2:35 PM  
To: Aronowitz, Jason  
Subject: Fwd: Re: DEA grant acceptance question

Jason - Obie had a few more specific questions - is there a budget range for the cameras and number of cars that are currently w/o them? how would the inspection fund work exactly?  
The first answer is never enough for Obie  
Thanks

Stephanie

>>> "Mike Obuchowski" <obie@basketville.com> 6/19/2006 5:18 PM >>>

How many cameras and decoy cars? Budget? Thanks.

----- Original Message -----

From: "Stephanie Barrett" <sbarrett@leg.state.vt.us>

To: <obie@basketville.com>

Sent: Monday, June 19, 2006 10:16 AM

Subject: DEA grant acceptance question

> Obie

> DMV plans to use the proceeds to fit more of the DMV cruisers with

> video cameras - currently 2/3 of the DMV fleet has them they would

like

> all the vehicles to have them. If there is enough funds they would

also

> like to have a small contingency fund to use decoy cars to 'sting'

> garages - ie. make sure they are really performing inspections.

>

> The fifth floor is looking into the form A1 question - and I will

check

> with Sandy when she is in tomorrow.

>

> Stephanie Barrett

> Legislative Joint Fiscal Office

> 1 Baldwin Street

> Montpelier, VT 05633

> Tel. 802-828-5973

> Fax 802-828-2483

>

**From:** Rebecca Buck  
**To:** Obuchowski, Michael  
**Date:** 7/3/2006 9:16:15 AM  
**Subject:** Your question re: JFO #2258 (DMV DEA Seizure funds and truck)

Obie: Stephanie is out today but I wanted to get back on track with the above item in a timely fashion. I was unaware there were outstanding questions on this item and after our telephone conversation this morning I requested additional budget detail from Jake Elovirta (I believe he's in the enforcement division at DMV). He will be providing that information directly to you today via e-mail with a cc to me.

Have a great 4th!--Becky

**CC:** Klein, Steve





**Mailing Address:**  
1 Baldwin Street  
Drawer 33  
Montpelier, Vermont 05633-5701

Tel.: (802) 828-2295  
Fax: (802) 828-2483

**STATE OF VERMONT  
JOINT FISCAL COMMITTEE**  
1 Baldwin Street  
Montpelier, Vermont 05633-5701

## MEMORANDUM

---

**To:** Joint Fiscal Committee Members

**From:** Sandra Noyes, Business Manager

**Date:** June 16, 2006

**Subject:** Acceptance of Assets from DEA

Enclosed please find one (1) request which the Joint Fiscal Office recently received from the Administration:

**JFO #2258** – Request from the Department of Motor Vehicles to be able to accept assets from the Federal DEA. These were assets seized during a traffic violation. The Department of Motor Vehicles will be receiving 70% of the money & assets seized. There was \$7,600 in cash and an estimated \$8,000 auction value for a Ford F-250 Super Duty pickup truck for a total of approximately \$11,000 to be given to DMV. The Department will be purchasing equipment with this money.

[JFO received 06/16/06]

The Joint Fiscal Office has reviewed this submission and determined that all appropriate forms bearing the necessary approvals are in order.

In accordance with the procedures for processing such requests, we ask you to review the enclosed and notify the Joint Fiscal Office (Rebecca Buck at 802/828-5969; [rbuck@leg.state.vt.us](mailto:rbuck@leg.state.vt.us), Sandy Noyes at 802/828-5968; [snoyes@leg.state.vt.us](mailto:snoyes@leg.state.vt.us), or Stephen Klein at 802/828-5769; [sklein@leg.state.vt.us](mailto:sklein@leg.state.vt.us)) if you would like this item held for legislative review. Unless we hear from you to the contrary by June 30 we will assume that you agree to consider as final the Governor's acceptance of this request.

cc: Michael Smith, Secretary  
James Reardon, Commissioner  
Linda Morse, Administrative Assistant  
Bonnie Rutledge, Commissioner

JFO#2258

Vermont Department of Finance & Management  
Office of Budget and Management



**AA-1 Request**

To: Michael K. Smith, Secretary of Administration  
Via: James Reardon, Commissioner of Finance & Management  
From: Jason Aronowitz  
Date: June 9, 2006  
Subject: DMV AA-1 Request

**Request:** Acceptance of Assets Seized by DEA.

**CFDA #:** n/a

**Amount:** 70% of auction value of 2001 Ford F-250 plus 70% of \$7,600.00; total estimated at approximately \$11,000.

**Background:**

The Department of Motor Vehicles can receive 70% of the proceeds from a DEA asset seizure based on information received from DMV. The AA-1 process needs to be followed to accept this prize on behalf of DMV. The assets consist of \$7600.00 in cash and a 2001 Ford F-250 Super Duty pickup truck. The auction value of the truck is difficult to predict without more information (mileage, condition, etc.) but can be expected to be in the neighborhood of \$8000. 70% of the total is about \$11K.

**RECOMMENDATION:**

Recommend **Approval** of this AA-1 request.

OK  
Suzanne Zeller  
6/9/06

OK  
sky  
6/12/06

**STATE OF VERMONT**  
**REQUEST FOR GRANT ACCEPTANCE**  
 (use additional sheets as needed)

FORM AA-1  
 (Rev. 9-90)

1. **Agency:** Agency of Transportation  
 2. **Department:** Department of Motor Vehicles Enforcement & Safety Division  
 3. **Program:** Commercial Vehicle Enforcement Unit  
 4. **Legal Title of Grant:** Asset Forfeiture From Criminal Case  
 5. **Federal Catalog No.:** 06-DEA-466445      06-DEA-466439      DEA-CF-0033  
 6. Drug Enforcement Agency (DEA) 60 Main Street, Suite 200 - Burlington, Vermont 05401

7. **Grant Period:** From: N/A      To: N/A

8. **Purpose of Grant:** (attach additional sheets if needed)  
 Asset forfeiture from a DMV criminal case

9. **Impact on Existing Programs if Grant is not Accepted:** None

10. **Budget Information:**

	(1st State FY) FY 2001	(2nd State FY) FY 2002	(3rd State FY) FY 2003
--	---------------------------	---------------------------	---------------------------

Does Not Apply			
<b>EXPENDITURES:</b>			
Personal Services	Does Not Apply		
Operating Expenses	\$	\$	\$
Grants	\$	\$	\$
<b>TOTAL</b>	\$ 0.00	\$ 0.00	\$ 0.00
<b>REVENUES:</b>			
<u>State Funds:</u>			
Cash	\$	\$	\$
In-Kind	\$	\$	\$
<u>Federal Funds:</u>			
(Direct Costs)	\$	\$	\$
(Statewide Indirect)	\$	\$	\$
(Department Indirect)	\$	\$	\$
<u>Other Funds:</u>			
(source) Grant	\$	\$	\$
<b>TOTAL</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>

Appropriation Nos.

Amounts

\$  
\$  
\$

-over-

RECD MAY 31 2006

11. Will grant monies be spent by one or more personal service contracts?

YES  NO

If YES, signature of appointing authority here indicates intent to follow current guidelines on bidding.

X \_\_\_\_\_

12a. Please list any requested Limited Service positions:

Titles	Number of Positions
Doe Does Not Apply	
<b>TOTAL Positions</b>	0

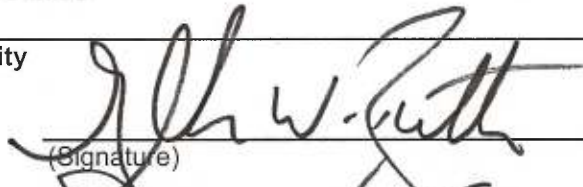
12b. Equipment and space for these positions:

Does Not Apply

- Is presently available.
- Can be obtained with available funds.

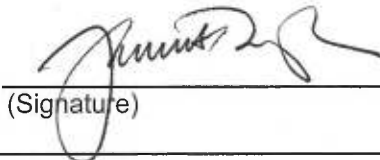
13. Signature of Appointing Authority

I certify that no funds have been expended or committed in anticipation of Joint Fiscal Committee approval of this grant.

  
 \_\_\_\_\_ (Signature) 5-26-06 (Date)  
 DIRECTOR OF ENFORCEMENT & SAFETY  
 \_\_\_\_\_ (Title)  
 DMV

14. Action by Governor:

- Approved
- Rejected

  
 \_\_\_\_\_ (Signature) 6/13/06 (Date)

15. Secretary of Administration:

- Request to JFO
- Information to JFO

  
 \_\_\_\_\_ (Signature) 6-12-06 (Date)

16. Action by Joint Fiscal Committee:

(Dates)

- Request to be placed on JFC agenda
- Approved (not placed on agenda in 30 days)
- Approved by JFC
- Rejected by JFC
- Approved by Legislature

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_ (Signature) (Date)

Date: 04 | 25 | 2006

Investigative Agency: DEA

Case Number: CF-06-0033

U.S. Department of Justice

Application for Transfer of Federally Forfeited Property
(For Use By United States Law Enforcement Agencies Only)

I. For Federal Use Only

(For Additional Information - See Instructions)

Asset #: 06-dea-466439
Seizure Date: 04/12/06
Judicial District: VT
Case Type: Adoption [X] Joint [ ] (Check One)

- All assets transferred must be used for the law enforcement purpose stated in the request.
Deadline for submission of this request is sixty (60) days following the seizure.
The requesting agency will be responsible for reimbursing the Federal Government its costs and may be responsible, in a single-asset case, for reimbursing the federal share.

II. Requesting Agency Name: Vermont Department of Motor Vehicles

Address: 120 State Street
Montpelier, VT 05603

NCIC Code: [ ]

Contact Person: Jake Elovirta Telephone Number: (802) 828-5720

III. Asset Requested [ ] Other assets in the case. (Attach list).
Property Description: \$7,600.00 U.S. Currency Request Type: [ ] Item [X] Cash / Proceeds 70 %

IV. Specific Intended Law Enforcement Use:
[ ] Salaries [X] Purchase of Equipment [ ] Other (Please Explain):
[ ] Purchase of Vehicles [ ] Place Into Official Use (If other than Cash)

V. Contributions (If any answer to A thru E is yes, provide details in Part VI)
A. Did your agency originate the information leading to the seizure? Yes [X] No [ ]
B. Were any other assets seized under state law? Yes [ ] No [X]
C. Were extraordinary expenses incurred? Yes [ ] No [X]
D. Did your agency supply any unique or indispensable assistance? Yes [ ] No [X]
E. Are there any assets located in foreign countries associated with this case? Yes [ ] No [X]
F. How many hours were expended? 40 hours

VI. Additional space for detailed answers (Include Part to which answer(s) apply)

THE SUSPECT WAS STOPPED FOR SPEEDING. DRUGS WERE FOUND IN THE VEHICLE. THE VEHICLE AND CASH WERE SEIZED.

(If more space is required, use a separate sheet of paper and attach.)

Yes  No

VII. Certifications:

A. The requestor certifies that the above information is true and accurate, that the property transferred will be used for the law enforcement purpose stated, and that all monies received pursuant to this request will be deposited and accounted for consistent with applicable state laws, regulations and orders. The requestor agrees to report on the actual use of equitably transferred property upon request. The requestor agrees to pay fees and expenses necessary to effect transfer of title no later than the time of transfer. The requestor understands that if it is unable to pay the necessary fees and expenses at the time of transfer, the asset will be sold and the maximum percent of net sale proceeds will be awarded in lieu of the asset.

[Signature] - DIRECTOR  
Signature / Title

4.28.06  
Date

B. As legal counsel, I have reviewed this Application for Transfer of Federally Forfeited Property and I certify that the contact person identified in Part II has the authority to accept forfeited property and is the official to whom transfer documents and/or money should be delivered.

[Signature] AAG  
Signature / Title

5/30/06  
Date

Address: 120 State St  
Montpelier VT 05603-001

Telephone Number: 802 828-2156

Date: 04 25 2006

Investigative Agency: DEA

Case Number: CF-06-0033

U.S. Department of Justice

Application for Transfer of Federally Forfeited Property
(For Use By United States Law Enforcement Agencies Only)

For Federal Use Only

(For Additional Information - See Instructions)

Asset #: 06-dea-466445
Seizure Date: 04/12/06
Judicial District: VT
Case Type: Adoption [X] Joint [ ] (Check One)

- All assets transferred must be used for the law enforcement purpose stated in the request.
Deadline for submission of this request is sixty (60) days following the seizure.
The requesting agency will be responsible for reimbursing the Federal Government its costs and may be responsible, in a single-asset case, for reimbursing the federal share.

II. Requesting Agency Name: Vermont Department of Motor Vehicles

Address: 120 State Street
Montpelier, VT 05603

NCIC Code: [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ] [ ]

Contact Person: Jake Elovirta

Telephone Number: (802) 828-5720

III. Asset Requested: [ ] Other assets in the case. (Attach list).
Property Description: 2001 Ford F250 Super Duty Pickup Truck
Request Type: [ ] Item [X] Cash / Proceeds 70%

IV. Specific Intended Law Enforcement Use:

- [ ] Salaries [X] Purchase of Equipment [ ] Other (Please Explain):
[ ] Purchase of Vehicles [ ] Place Into Official Use (If other than Cash)

V. Contributions (If any answer to A thru E is yes, provide details in Part VI)

Yes No

- A. Did your agency originate the information leading to the seizure? [X] [ ]
B. Were any other assets seized under state law? [ ] [X]
C. Were extraordinary expenses incurred? [ ] [X]
D. Did your agency supply any unique or indispensable assistance? [ ] [X]
E. Are there any assets located in foreign countries associated with this case? [ ] [X]
F. How many hours were expended? 40 hours



VI. Additional space for detailed answers (Include Part to which answer(s) apply)

THE SUSPECT WAS STOPPED FOR SPEEDING. DRUGS  
WERE FOUND IN THE VEHICLE.  
THE VEHICLE AND CASH WERE SEIZED.

(If more space is required, use a separate sheet of paper and attach.)

Yes  No

VII. Certifications:

A. The requestor certifies that the above information is true and accurate, that the property transferred will be used for the law enforcement purpose stated, and that all monies received pursuant to this request will be deposited and accounted for consistent with applicable state laws, regulations and orders. The requestor agrees to report on the actual use of equitably transferred property upon request. The requestor agrees to pay fees and expenses necessary to effect transfer of title no later than the time of transfer. The requestor understands that if it is unable to pay the necessary fees and expenses at the time of transfer, the asset will be sold and the maximum percent of net sale proceeds will be awarded in lieu of the asset.

[Signature] - DIRECTOR  
Signature / Title

4-28-06  
Date

B. As legal counsel, I have reviewed this Application for Transfer of Federally Forfeited Property and I certify that the contact person identified in Part II has the authority to accept forfeited property and is the official to whom transfer documents and/or money should be delivered.

[Signature] AA6  
Signature / Title

5/30/06  
Date

Address: 120 State St  
Montpelier VT 05603-0001  
Telephone Number: (802) 828 - 2156