

## **MEMORANDUM**

**TO:** Claire Powell, City Manager

**FROM:** Brook Rollins, Police Chief

**DATE:** January 7, 2026

**SUBJECT:** **Approval of a Local Agreement Between the County of Dallas and the City of Lewisville for Sharing of Proceeds of the Sale of Contraband Seized or Forfeited Under Chapter 59 and Article 18.18 of the Texas Code of Criminal Procedure and for the City Manager, or Her Designee, to Execute the Agreement.**

### **BACKGROUND**

The Lewisville Police Department routinely seizes contraband during criminal investigations. When property is forfeited under Chapter 59 of the Texas Code of Criminal Procedure, the resulting proceeds may be used for law enforcement purposes. State law requires a local agreement with the prosecuting District Attorney to process Chapter 59 forfeiture cases. The statute requires the District Attorney to initiate the agreement, and the terms are established by the District Attorney's Office.

The Dallas County District Attorney's Office represents the State of Texas in forfeiture cases arising in Dallas County. Assets and proceeds from those cases are shared between the Police Department and the District Attorney's Office as outlined in the agreement. This item represents a refresh of the City's existing agreement with Dallas County.

### **ANALYSIS**

The agreement addresses forfeitures involving currency and personal property, including stocks, bonds, securities, cryptocurrencies, jewelry, precious metals, coins, negotiable instruments, and similar items of value. These items are sold, and proceeds are allocated between the Lewisville Police Department (65%) and the Dallas County District Attorney's Office (35%). The structure and rates are consistent with prior Dallas County agreements and align with federal forfeiture practices.

For context, Chapter 59 forfeiture agreements vary by county. Denton County's agreement allows the Police Department to retain 80% of forfeited currency, compared to 65% under the Dallas County agreement. Beyond these percentage differences, Dallas County's overall structure is more costly to the Police Department than Denton County's agreement. Because of these differences, the Police Department files Chapter 59 cases in Denton County whenever legally permissible. When jurisdiction requires filing in Dallas County, the Department must proceed under the Dallas County agreement. As a result, the Department files very few Chapter 59 cases in Dallas County.

Approval of this agreement is required to allow the City to process Chapter 59 forfeiture cases when Dallas County jurisdiction applies.

### **CITY STAFF'S RECOMMENDATION**

That the City Council approve the agreement and authorize the City Manager, or her designee, to execute the agreement as set forth in the caption above.