



North Carolina Department of Public Safety

Prevent. Protect. Prepare.

Beverly Eaves Perdue, Governor

Reuben F. Young, Secretary

May 31, 2012

The Honorable Phil Berger
President Pro-Tempore
North Carolina Senate
Legislative Building, Room 2008
Raleigh, NC 27601-2808

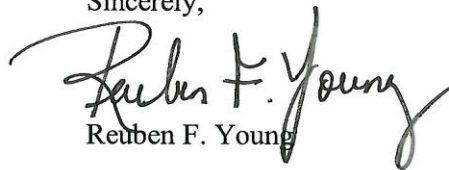
The Honorable Thom Tillis
Speaker of the House
North Carolina House of Representatives
State Legislative Building, Room 2304
Raleigh, NC 27601-1096

Dear Speaker Tillis and Senator Berger:

The Alcohol Law Enforcement Section of the Department of Public Safety is a participant in the Equitable Sharing of Federally Forfeited Property Program with the United States Department of Justice and the U.S. Department of Treasury. As a result of participation in this program and the support of the Joint Legislative Commission on Governmental Operations, the Section has been able to provide valuable equipment and support to its members in the pursuit of its mission. The items included in this request are needed to enhance officer and public safety, to provide more efficient communications, to provide protection from the elements, and to enhance the ability of the Section's agents to secure evidence of crimes.

Pursuant to Section 16.1(a) of the Appropriations Act of 2011, this correspondence reports the Alcohol Law Enforcement Section's intent to use \$371,105.60 in Federal Asset Forfeiture funds to support the law enforcement and public safety purchases listed below. As of May 21, 2012, the balance of the Federal Asset Forfeiture Funds held by the Section, not already approved for expenditure or encumbered, is \$1,812,470.09. If this request is approved, the new balance of this account will be \$1,441,364.49. Should you have any questions about any of these purchases, please contact my office at (919) 733-2126.

Sincerely,



Reuben F. Young

RFY:brc

cc: John Ledford, Director, ALE
Mr. Mikael R. Gross, Chief Operating Officer, DPS
Mr. Bennie Aiken, Chief Deputy Secretary for Administration, DPS
Mr. Marvin Mervin, Controller, DPS

MAILING ADDRESS:
4201 Mail Service Center
Raleigh, NC 27699-4201
Telephone: (919) 733-2126



OFFICE LOCATION:
512 N. Salisbury Street
Raleigh, NC 27604-1159
Fax: (919) 715-8477

ITEM REQUESTED	AMOUNT
<p>Mobile Phone Communications: As law enforcement officers, ALE agents perform a vast variety of duties including surveillance and inspections at ABC and Lottery outlets, assisting local police and sheriff's departments with enforcement activities, serving search warrants, and enforcement of criminal laws at large events and other venues throughout the State. Mobile phone communication with other government entities and supervisory personnel is essential due to the large geographic area of responsibility and varying law enforcement duties. Frequently agents are utilizing their personal smart phones to aid in this communication. The FBI Law Enforcement Bulletin, dated October 2011, states: <i>"when people use technology, particularly in the forms of e-mail and text messages, to communicate, those messages usually feature a conversational tone. E-mails and texts often take the place of the spoken word and may lack the formality and professionalism of official communications. These electronic communications are stored and retrievable and, if Brady, Giglio, or Jencks material, they also are discoverable."</i> [Case law requiring LEO's to disclose texts, e-mails, and numbers called to and from.] In order to maintain data, control information, and preserve the integrity of investigative cases, the ALE Section would use these funds to purchase 112 smart phones for sworn personnel, mobile phone accessories, and state service plans for three years.</p>	<p>\$324,800.00</p>
<p>Rain Gear: ALE agents perform law enforcement duties in all weather conditions. In inclement weather, agents need rain gear to afford themselves protection during enforcement and investigatory situations. The Section would use these funds to purchase 120 rain jackets and rain pants.</p>	<p>\$29,997.60</p>
<p>Heavy-Duty Inclement Weather Gear: ALE agents perform law enforcement duties in all weather conditions. These duties still have to be performed during the winter months when the outside temperatures can be severe and when precipitation is falling or on the ground. The Section would utilize the funds to purchase 120 heavy-duty, water-resistant winter coats.</p>	<p>\$16,308.00</p>
<p>Total:</p>	<p>\$371,105.60</p>