

## Ashleigh Hudson

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**From:** David Moskowitz  
**Sent:** Monday, October 08, 2018 3:58 PM  
**To:** TJ Redefer; Scott Koenig  
**Cc:** Ashleigh Hudson; ftownsend@delawarelaw.com  
**Subject:** Additional Agenda Item For October Town Meeting  
**Attachments:** LESOCompliancePolicy\_DMGP.pdf

Hi TJ,

Gary and I worked on producing the attached LESO program compliance and policy guidelines to be discussed at the next town meeting. Please have Fred or a referred lawyer do a legal review of the attached document prior to the October 20, 2018 meeting. Additionally I believe a legal review was ordered by the Commissioners on some pending LESO legal questions such as security for items, how funds are classified for items sold, and export requirements on sales.

Could you put the following for the agenda item:

"Discuss with public input and potentially vote on the attached improved LESO program compliance policy and guidelines."

Best Regards,

David Moskowitz, CFA, CPA, SPHR

Commissioner

Town of Dewey Beach

## **LESO Program Compliance Policy & Guidelines**

The Town Commissioners of Dewey Beach support the Law Enforcement Support Office Program commonly referred to as the "LESO Program" or the "1033 Program". This document establishes the compliance policy and guidelines for employees involved with the program. All terms and conditions identified in the State Plan of Operation must be maintained. The following actions will be undertaken each year by the Police Chief, Town Manager, and staff associated with the program.

### **Process and Training:**

- The LESO program shall be reviewed annually and subject to approval by the Commissioners.
  - The Chief of Police will forward the most recent version of the State Plan of Operation to the Town Manager and Commissioners when it is received.
  - The Town Manager will review the document and obtain legal review if the Town Manager supports continued participation in the LESO program under the terms specified in the document.
  - The Town Manager shall initial the plan's cover sheet, indicating the Town Manager's support and that legal review has been completed, and will recommend the document to the Commissioners for their review and possible approval.
  - The Commissioners will discuss the document in a public meeting and vote on authorizing the Police Chief to sign the document.
  - Upon written approval from the Commissioners, the Chief of Police, if still in agreement, will execute the relevant documents and return them to the State Coordinator.
- The Chief of Police and Town Manager will inform and train their staff with respect to rules, procedures, and regulations of the program.

### **Inventory:**

- The Dewey Beach Police Department (DBPD) will maintain an accurate inventory of all items received from the program. The inventory will include, at a minimum
  - Item Name and Description
  - NSN, Property number, DEMIL Code, DEMIL IC, other uniquely identifying information
  - Date Requested
  - Individual Requesting
  - Reason for Request
  - Ship Date
  - Current Location (or noted if Disposed of)
  - Current Status (for example- currently used on patrol, part of inventory for disaster response, awaiting repair, unusable, cannibalized for use in other equipment, etc.)
  - Acquisition Value
  - If Disposed of, price obtained and buyer information
- This inventory will be maintained for all items by DBPD, and a complete updated inventory will be provided to the Town Manager and posted publicly on a quarterly basis.
- A complete current inventory will be provided to the Town's Auditor for audits and financial statement preparations.

**Requesting New Items:**

- If DBPD finds items or equipment in the available LESO inventory that would be useful to the DBPD, the Chief or his assigned staff will confer with the Town Manager prior to requesting the item or equipment and will provide the following information:
  - Intended use for the item or equipment
  - Means for acquiring the item or equipment, including any cost associated with transportation to town, staff time required
  - Where item or equipment will be stored
  - Additional requirements for use, e.g., towing or hauling, contract operator for equipment, maintenance needs

**Disposing of Items/Accounting:**

- All items and equipment to be disposed of will be disposed of in a manner authorized by the Town Manager and in accordance with the program guidelines and State and/or local laws.
- The Police Chief will review all planned sales/disposals of items with the Town Manager prior to executing any sale/disposal.
- Funds from the disposal of property will be deposited to the DBPD restricted account or other appropriate town account as required by State or local law. With the Town Manager's approval, these funds may be used to purchase necessary DBPD equipment or supplies. Use of these funds to support DBPD operations provided for in the Town's operating budget will require that that the police department operating budget be reduced by the amount of funds used.

Town Manager

Police Chief

Mayor (upon passage by a majority of commissioners at a public vote):

## Scott Koenig

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**From:** Fred Townsend <ftownsend@delawarelaw.com>  
**Sent:** Friday, October 12, 2018 8:54 AM  
**To:** Scott Koenig  
**Cc:** TJ Redefer  
**Subject:** Re: Requested Legal Review - LESO components

Receipt acknowledged

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**From:** Scott Koenig <townmanager@townofdeweybeach.com>  
**Sent:** Thursday, October 11, 2018 4:29:03 PM  
**To:** Fred Townsend  
**Cc:** TJ Redefer  
**Subject:** Requested Legal Review - LESO components

Good Afternoon Fred:

Commissioner Persinger had requested a legal review related to the State Operations Plan for LESO. Here is the bullet form of his request.

- Status of legal review of provisions in the LESO State Plan of Operations related to disposition and use of funds from sale of LESO acquired equipment and export control restrictions related to sale of LESO acquired equipment (approved at September 14 meeting)

This issue is on the agenda for Saturday, October 20, 2018.

Best Regards,

*Scott D. Koenig, P.E.*

Town Manager  
Town of Dewey Beach  
105 Rodney Avenue | Dewey Beach | Delaware | 19971  
Office: (302) 227-6363

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