



**State of Rhode Island and Providence Plantations**

**DEPARTMENT OF ATTORNEY GENERAL**

150 South Main Street • Providence, RI 02903

(401) 274-4400 - TDD (401) 453-0410

*Peter F. Kilnartin, Attorney General*

August 4, 2014

Mr. James Vincent President  
NAACP Providence Branch  
PO Box 5767  
Providence, Rhode Island 02903

Dear Mr. Vincent:

Thank you for your letter dated July 27, 2014, in which you request \$9 million of "Google" forfeiture dollars. In fact, recognizing that it seemed familiar, I re-read another letter I had received from OIC and noted that the body of it was exactly the same as your letter. Also, I have seen the press reports in which you call for these dollars to be dedicated to community programs.

There are many misconceptions about how "Google" forfeiture funds may be used. Having researched the use of these funds, I trust you are aware that these dollars remain with the United States Department of Justice (USDOJ) until a specific allocation is requested by the appropriate law enforcement agency, and approved by the USDOJ. There are guidelines and protocols imposed by the USDOJ which severely limit their authorized use, not the least of which is that the use of funds to pay for personnel salaries is forbidden.

More relevant to your request, however, is that on July 30, 2014, USDOJ changed the guidelines and declared that there is a new cap for Community-based Programs. Law enforcement agencies in receipt of forfeiture dollars "may use up to a total of \$25,000 annually to support such programs." This is a significant change from previous regulations. In effect, your request is totally inconsistent with the federal guidelines and therefore has to be respectfully denied before it is even considered.

The above being said, I have plainly stated in the past that these funds are a once in a generation opportunity and provide the Attorney General with the means to do long overdue and necessary upgrades that taxpayers could not afford to allocate in the state budget. As such, after having professional evaluations performed, we have begun the process of upgrading infrastructure, technology and other needs that are core to the mission of this office.

My first duty as Attorney General is to provide for the needs of the office and the one million citizens of Rhode Island for whom it serves, ensuring equal justice for all. This is no different than the Rhode Island State Police, East Providence police, North Providence police, and National Guard allocation of forfeiture dollars being utilized for upgrades that those agencies could not afford in previous years due to budget constraints. I am in the process of providing this office with the long-overdue upgrades needed to more

Mr. James Vincent

Page -2-

efficiently and better adhere to our mission of service to the state as well as upgrading our physical plants in Washington County, Kent County, and Newport County.

Rest assured that I am utilizing these funds in a fiscally conservative way to not only relieve taxpayers of fiscal burdens, but also doing so in a sustainable manner. This, in turn, will hopefully enable the General Assembly to fund other worthy programs.

Sincerely,

A handwritten signature in cursive script, reading "Peter F. Kilmartin".

Peter F. Kilmartin  
Attorney General