

**THE BOARD OF COMMISSIONERS OF WABASH COUNTY, INDIANA**

**GENERAL ORDINANCE NO. 2019-85-05**

**AN ORDINANCE CREATING THE WABASH COUNTY  
PROSECUTING ATTORNEY'S FORFEITURE AND LAW ENFORCEMENT FUND**

Under I.C. 34-24-1, et. seq., and I.C. 34-24-2, et. seq., property used in violation of certain criminal statutes may be seized by law enforcement agencies.

Under I.C. 34-24-1-3 and I.C. 34-24-2-2, the prosecuting attorney may cause an action for forfeiture of the property used in violation of certain criminal statutes seized by law enforcement agencies to be brought by filing a complaint in the jurisdiction where the seizure occurred.

Under I.C. 34-24-1-4 and I.C. 34-24-2-2, if the court enters judgment in favor of the state, the court shall order distribution of the seized property.

With regard to the distribution of money or proceeds from the sale of seized property, under I.C. 34-24-1-4(d), one of the alternatives available to the court is to order such money or proceeds distributed to a fund which may, at the discretion of the prosecuting attorney, be used (a) to offset expenses incurred in connection with the investigation and prosecution of the action culminating in the forfeiture of the seized property, or (b) for the support of the drug task force.

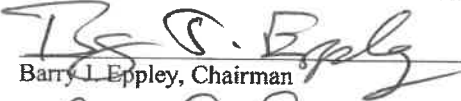
It is appropriate to create a fund to receive such money or proceeds.

**IT IS THEREFORE ORDAINED:**

1. There is now created the Wabash County Prosecuting Attorney's Forfeiture and Law Enforcement Fund ("Fund").
2. Money or proceeds from the sale of seized property that are distributed to the Fund may be used by the prosecutor, at the prosecutor's discretion, as permitted by Indiana law.

Adopted this 15 day of July, 2019.

**BOARD OF COMMISSIONERS OF WABASH COUNTY**

  
Barry J. Eppley, Chairman

  
Jeff D. Dawes

  
Brian K. Haupert

ATTEST:

  
Marcie Shepherd, Wabash County Auditor