
From: David Friedlein <david.friedlein@hidalgo.org>
Sent: Friday, December 08, 2017 8:42 AM
To: Emilia Uriegas; Pedro L Ramirez
Subject: Fwd: B12 Equipment Purchase

----- Forwarded Message -----

From: "Victor Garza" <victor.garza@da.co.hidalgo.tx.us>
To: "David Friedlein" <david.friedlein@hidalgo.org>, "Roy Quintanilha" <roy.quintanilha@hidalgo.org>, "steve herrera" <steve.herrera@hidalgo.org>
Cc: "Chief Mario Lopez" <mario.lopez@hidalgo.org>, "Josephine Ramirez" <josephine.ramirez@da.co.hidalgo.tx.us>
Sent: Tuesday, December 5, 2017 1:25:36 PM
Subject: B12 Equipment Purchase

Lt. Friedlein,

With regard to the expenditure of commissary proceeds, our office has previously advised that, so long as the equipment purchased will provide for the well-being, health and safety of the inmates and the facility as required by law, it is a permissive purchase under 351.0415 of the Texas Local Government Code. Moreover, Section 351.0415 gives the sheriff "exclusive control" of commissary funds. See Tex. Att'y Gen. Op. JC-0122 at 4 (1999).

Additionally, the sheriff has the sole power to decide what items to purchase from commissary proceeds (within the statutory parameters, see Tex. Loc. Gov't Code Ann. § 351.0415(c)). Therefore, it is within the Sheriff's authority to determine how to best use those funds within the confines of the aforementioned law.

Should you have any additional questions or concerns please contact our office.

Respectfully,

Victor M. Garza

Assistant District Attorney

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Respectfully,

Lieutenant David Friedlein - Administration Division

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