

FORFEITURE REFORM

What is civil asset forfeiture?

Definition: Civil asset forfeiture allows law enforcement agencies to seize cash, land, vehicles and other property they suspect is involved in illegal activity.

Why does forfeiture exist?

Forfeiture was created to weaken large-scale criminal enterprises by diverting their resources. Today, aided by deeply flawed federal and state laws, many police departments use forfeiture to benefit their bottom lines, otherwise known as “policing for profit.”

What can we do?

Reform forfeiture to end “policing for profit” and to ensure it does not disproportionately affect the most vulnerable people.

Why is forfeiture harmful?

- Forfeiture disproportionately affects highly policed, low-income communities.
- Forfeiture encourages law enforcement agencies to “police for profit”.
- The system is confusing and lacks due process protections.

What is “policing for profit”?

Forfeiture is big business for law enforcement agencies. In allowing agencies to keep some or all of what they seize, civil forfeiture gives law enforcement incentives to police for profit.

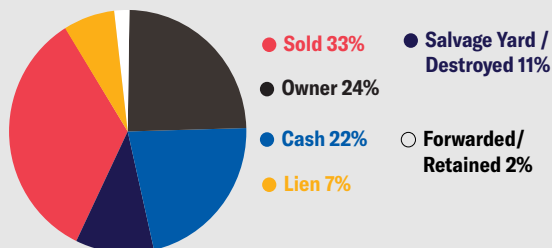
In 2018, Minnesota’s net proceeds from civil asset forfeiture totaled **\$8,290,623**.

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What is the forfeiture process ?

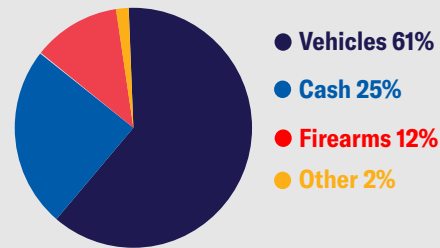
1. Law enforcement seizes the property.
2. If the person is charged, they go through criminal court proceedings. Regardless of whether the person is charged or not, they must file a lawsuit in civil court within 60 days to eventually get their property back – even if they are innocent. That means hiring another lawyer to handle the civil suit.
3. If the person is convicted, then their property is forfeited and they lose it. If the person is found not guilty or never charged, they only get their stuff back if they filed that initial civil suit in the 60-day window. If they did not file, their property is automatically forfeited.
4. People often lose their property to forfeiture because they can't afford another lawyer, can't meet the 60-day timeframe, or the property isn't worth as much as a lawyer will cost. Losing a \$2,000 car to forfeiture is disastrous for anyone just getting by, and can lead to job loss, among other things.

What happens to the property?



*Data from 2018. "Asset Forfeiture in Minnesota" by the Minnesota State Auditor

What types of property are seized?



*Data from 2018. "Asset Forfeiture in Minnesota" by the Minnesota State Auditor

Contact Julia Decker, policy director, at jdecker@aclu-mn.org or 952-240-6528 for more information about the ACLU-MN's work.