

POLICING —for— PROFIT

The Abuse of Civil Asset Forfeiture

4th Edition

SEIZED

By Lisa Knepper, Jason Tiezzi,
Matthew P. West, Ph.D., Elyse Pohl,
and Mindy Menjou

With contributions from
David Warren, Ph.D., and
Jorge E. Portillo, Ph.D.

March 2026

 **INSTITUTE
for JUSTICE**

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Table of Contents

Executive Summary.....	4
Introduction	7
Grading Civil Forfeiture Laws	10
Civil Forfeiture and Due Process	18
Scope of Forfeiture	46
Sidebar: Forfeiture Transparency and Accountability: A Nationwide Necessity	52
Equitable Sharing	56
Sidebar: Beyond Taxes: The IRS and Civil Forfeiture	65
Forfeiture and Crime.....	68
Conclusion and Recommendations	74
State Profiles	77
Appendix A: State Law Grading Methods	184
Appendix B: Civil Forfeiture Law Citations.....	188
Endnotes	207
About the Authors	222
About the Contributors	223
Acknowledgments	224

Executive Summary

When police seize property for civil forfeiture—cash, cars, even homes—the Constitution promises owners a prompt and meaningful opportunity to be heard before a neutral judge. The U.S. Supreme Court recently reaffirmed this basic guarantee. Yet as this fourth edition of *Policing for Profit* shows, timely judicial review is the exception, not the rule, and in many cases, there is no hearing at all. In effect, civil forfeiture has sidelined the judiciary as the protector of Americans’ due process and property rights.

Those concerns compound long-standing problems documented in earlier editions. Most state and federal forfeiture laws allow police and prosecutors to take and permanently keep property without ever proving the owner committed a crime—and then spend the proceeds themselves, thus earning a D+ or worse in our grading rubric. Only four states have abolished civil forfeiture in favor of criminal forfeiture, and just two states also eliminated law enforcement’s financial stake, earning them an A. On top of this, few states meaningfully restrict agencies from using the controversial federal “equitable sharing” program to generate additional proceeds from property forfeited under lax federal laws.

Forfeiture remains big business. In 2023 alone, 45 states collected nearly \$300 million, on top of \$4.5 billion at the federal level. Since 2000, forfeiture has generated at least \$82 billion nationwide, including more than \$10 billion forfeited federally and returned to state and local agencies through equitable sharing. And these figures are likely undercounts, as data remain limited.

Forfeiture Without a Judge

Most forfeitures never reach a courtroom, available data show. For example, in a large sample of Indiana cases, just 4% were decided by a judge. Instead, forfeiture typically happens by default: The government keeps seized property without a judge deciding, after hearing from both the owner and the government, that the forfeiture was legally justified—even under civil forfeiture’s minimal standards.

New analyses help explain why. Government notices, when provided at all, are often confusing and opaque. Very few owners who contest forfeiture have legal representation—just 6% in Arizona and 7% in Oregon—likely because it is prohibitively expensive. A straightforward state-court forfeiture case costs an estimated \$3,300, nearly twice the median cash forfeiture of \$1,678 across 24 states.

To even reach a judge, owners must navigate convoluted procedures that may require filing one, two, or three legal documents under deadlines often measured in weeks (while the government typically has more generous deadlines or none at all). These procedural hurdles can effectively screen owners’ cases out of the judicial process altogether, as a single misstep almost guarantees forfeiture by default.

A Long Road to Court

Even owners who successfully reach a judge typically wait months. Adding together statutory deadlines, the median forfeiture process takes more than six months on paper just to reach a courtroom. Only about half of civil forfeiture laws specify a procedure that might allow owners a quicker pretrial hearing, and these are often limited.

In practice, cases frequently take far longer. In Virginia, for example, half of successful challenges lasted more than nine months, and a quarter stretched beyond 16 months. Losing access to cash or a vehicle for months can cause severe hardship, especially for people already struggling financially, and creates strong pressure to settle—even when the owner did nothing wrong. More than 86% of contested cases in the Indiana sample ended with owners settling, usually getting back at least half the value of the property and giving up the rest in return for not pressing their case in court.

Little Evidence of Crime-Fighting Benefits

As in prior editions, this report finds little evidence that civil forfeiture meaningfully improves public safety. Most forfeitures involve modest sums of cash, not the proceeds of major criminal enterprises. In states with usable data, nearly half of forfeitures occur without anyone—let alone the owner—being convicted of a crime. And available data suggest many forfeitures stem from opportunistic seizures rather than deliberate investigations aimed at rooting out criminal activity. Previous research likewise finds that forfeiture does little to reduce crime, enhance police effectiveness, or curb drug use.

At Odds With Fundamental Rights

Scholars and advocates have long warned that civil forfeiture's low burden of proof and financial incentives encourage the pursuit of property over justice. This edition of *Policing for Profit* adds a new and troubling dimension: Meaningful judicial oversight—the core safeguard against government abuse—is often absent. That absence magnifies the risk to innocent owners while offering little or no benefit to public safety.

Courts are increasingly recognizing what the evidence shows: Civil forfeiture is fundamentally at odds with due process and property rights. The remedy is clear. If the government seeks to take a person's property, it should be required to prove that person's guilt through ordinary criminal procedures—and without a financial interest in the outcome.





Introduction

Cristal Starling dreamed of trading her food cart for a food truck. The hard-working small-business owner from Rochester, New York, has had custody of her grandnephew since he was a baby. The youngster has significant medical needs, and Cristal hoped a food truck would allow her to earn more money for their little family. So Cristal saved. Eventually, she was sitting on a nest egg of more than \$8,000. Cristal's American Dream seemed within reach.

Until, that is, the Rochester Police Department and the U.S. Drug Enforcement Administration joined forces to dash it.

One October morning in 2020, local police simultaneously raided Cristal's apartment and a residence supposedly linked to Cristal's then-boyfriend. They did this because they believed the man, who was staying with Cristal, was a drug dealer. Police found narcotics at the other residence, but at Cristal's apartment they found nothing illegal. They did find Cristal's savings, however.

Police arrested Cristal's now-ex and seized Cristal's \$8,040, claiming it was her ex's drug proceeds. They then turned the cash over to the DEA, which notified Cristal that it intended to keep her savings permanently.

Without an attorney, Cristal filed a claim with the DEA, thereby preventing the automatic forfeiture of her savings and forcing the agency to file a case in court. But then she fell into a trap. She didn't realize she had to file a second claim to actually get a judicial hearing. After she

missed the deadline, the DEA asked the court for a default judgment in its favor—even though it knew Cristal's ex had been acquitted of the alleged drug offenses that supposedly justified the money's seizure. Sadly, the court obliged.¹

Cristal's dream had become a nightmare thanks to a process known as civil forfeiture—and Cristal, an Institute for Justice client, is not alone. In most states and at the federal level, police and prosecutors

can seize people's cash and other property with merely probable cause to believe it is related to criminal activity and then move to permanently keep—that is, forfeit—it without ever having to prove the owner, or anyone, committed a crime.

Civil forfeiture is an *in rem* proceeding rather than an *in personam* one—a proceeding against a *thing* rather than a *person*. In other words, prosecutors file a case against property as though the property itself did something wrong. This legal fiction of “guilty property” leads to odd case names like *United States of America v. \$8,040 United States Currency*, the original name of the case against Cristal's savings. More importantly, it means that to try to get their property back, owners must intervene in a lawsuit against their property.

Civil forfeiture is also a *civil* proceeding. As such, the rules are generally much less stringent than in criminal court. The standard of proof for finding property “guilty” is usually lower—often much lower—than that required to criminally convict a person, and there is typically no right to an attorney. And because civil forfeiture is

With civil forfeiture, prosecutors file a case against property as though the property itself did something wrong. No person may ever be convicted, charged, or even arrested in connection with an alleged crime that gave rise to the seizure.

a proceeding against property, no person may ever be convicted, charged, or even arrested in connection with an alleged crime that gave rise to the seizure.

Civil forfeiture stands in contrast to *criminal* forfeiture, which takes place in criminal court and requires prosecutors to prove a person is guilty of a crime beyond a reasonable doubt and then, in the same proceeding, prove the person's property is connected to that crime.

Making matters worse, most states and the federal government give law enforcement—police and prosecutors—a large financial stake in forfeiture, allowing them to keep and spend some or all of the proceeds, often with little oversight. For instance, the Rochester PD stood to collect up to 80% of Cristal's money, its bounty for seizing and handing the cash off to the DEA, with the remainder going to a federal forfeiture fund.

Given how financially rewarding and procedurally easy civil forfeiture is for law enforcement, it should come as no surprise that it is big business: Every year, billions of dollars in cash, cars, and other property are seized and forfeited at the local, state, and federal levels. Yet this is a relatively recent development.

Civil forfeiture has a long history, but it did not become the juggernaut that it is today until the federal government made it a weapon in the war on drugs. Indeed, the birth of civil forfeiture as we now know it can be traced to the federal Comprehensive Crime Control Act of 1984.² To promote drug enforcement, the CCCA created the modern financial incentive, allowing federal law enforcement agencies to keep 100% of forfeiture proceeds. It also created the federal "equitable sharing" program, which allows state and local agencies to partner with federal agencies to forfeit property under permissive federal laws and receive a cut of the proceeds—sometimes more than they would be entitled to under state law. (This is the program the Rochester PD used to transfer Cristal's savings to the DEA.) Thus, the CCCA also gave state and local agencies

a financial incentive to pursue forfeiture. In addition, the federal government encouraged states to create similar financial incentives under their own laws, which most of them did.³

In the intervening years, federal and state laws have expanded the reach of civil forfeiture. Although civil forfeiture remains most closely associated with drug crimes, there are now hundreds of distinct statutes authorizing forfeiture under federal law, many of which have nothing to do with drugs.⁴ States also authorize forfeiture for a wide variety of offenses.⁵

By contrast, during the Founding Era—and for much of the country's history—civil forfeiture was largely reserved for piracy, customs, and revenue cases. Moreover, one of the primary historical justifications for civil forfeiture was the inability to exercise jurisdiction over the owners of ships involved in piracy or customs violations. Since distant owners of foreign ships could not be prosecuted, seizing their property was considered the only option for addressing an offense.⁶ Such cases bear little resemblance to many, and perhaps most, contemporary forfeiture cases. They certainly bear little resemblance to Cristal's case.

During the Founding Era, civil forfeiture was also limited in other, even more striking, ways: Although the law allowed for the forfeiture of "guilty property" belonging to innocent people, recent research shows the executive branch very frequently returned seized property to owners who could plausibly plead innocence or ignorance, suggesting early civil forfeiture was, in practice, "constrained by a deep belief in the impropriety of taking property from those who lacked real culpability."⁷ And at least one scholar has pointed out that the early Supreme Court was "attentive to the concerns of innocent owners whose property might be forfeited because of others' criminal conduct."⁸

The incongruity between what civil forfeiture started as and what it is today has attracted the notice of the U.S. Supreme Court. In a concurring opinion joined by Justice Clarence Thomas in the

2024 case *Culley v. Marshall*, Justice Neil Gorsuch asked: “Why does a Nation so jealous of its liberties tolerate expansive new civil forfeiture practices that have ‘led to egregious and well-chronicled abuses’?”⁹

In common with the prior three editions, this fourth edition of *Policing for Profit* grades the civil forfeiture laws of the 50 states, the District of Columbia, and the federal government on core components that provide a sense of the threat these laws pose to property and due process rights. Unfortunately,

these grades reveal that in most of the country, civil forfeiture remains both highly lucrative and extremely easy for law enforcement. Thirty-five states and the federal government receive an overall grade of D+ or below. Since the last edition of this

report was published in 2020, only one state—Maine—has dramatically improved its forfeiture laws. It did so by abolishing civil forfeiture and strengthening innocent owner protections. Furthermore, the pace of forfeiture reform has slowed compared to the prior five-year period.

For the first time, this edition also offers a comprehensive look at what happens after property gets seized but *before* a civil forfeiture case gets to court. This matters because there is a question not just of *when* a case gets to court but also of *whether* it gets to court at all: For a case to be heard by a judge, an owner usually needs to contest the forfeiture—a process that is, as Cristal found, rife with pitfalls. And even when there is a hearing, it may be a long time coming, often leaving owners without their property for months, if not years.

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For all 50 states, the District of Columbia, and the federal government, this edition details what must happen for an owner to get their day in court, whether the onus is on the owner to get the ball rolling, and how long it takes for a case to get in front of a judge. This new material provides greater insight into, as Justices Gorsuch and Thomas put it, “whether, and to what extent, contemporary civil forfeiture practices can be squared with the Constitution’s promise of due process.”¹⁰

In addition, this edition draws on the largest

collection of forfeiture data yet assembled to provide an up-to-date look at the immense size and scope of forfeiture at the state and federal levels, including equitable sharing.

This edition also marshals those data, along with other research, to critically assess whether all this

forfeiture is fighting crime or living up to other policy justifications. On balance, it finds evidence justifying forfeiture to be lacking, suggesting civil forfeiture violates property and due process rights for no good reason.

Finally, and perhaps most importantly, *Policing for Profit* offers solutions, showing how legislatures and courts can curtail civil forfeiture, protecting the property and due process rights of all Americans, without impeding law enforcement or putting the public at risk.

Grading Civil Forfeiture Laws

Policing for Profit grades the civil forfeiture laws of all 50 states, the District of Columbia, and the federal government based on three key elements with substantial implications for property and due process rights. These elements are (1) how much forfeiture laws reward law enforcement for pursuing forfeiture; (2) whether they put the burden on third-party owners to prove their innocence to recover property; and (3) how high their standard of proof is to show that property is connected to a crime.

These three elements reflect fundamental problems with civil forfeiture that, together, can make it financially rewarding and procedurally easy for law enforcement to forfeit property, even from innocent people. Indeed, research has linked these elements with law enforcement behavior, finding forfeiture activity is influenced by both financial return and procedural ease.¹¹

States sometimes have multiple forfeiture statutes covering different types of crimes. Where this is the case, this report assigns grades based on laws for controlled-substances forfeitures, as these have been the most common forfeitures historically. Appendix A, starting on page 184, provides greater detail on grading methods, and Appendix B, starting on page 188, provides citations, including many concerning forfeitures for non-drug offenses.

Financial Incentive

The first fundamental problem with civil forfeiture laws graded by this report is that they often allow the same law enforcement agencies that seize property and the prosecutor's offices that forfeit it to keep and spend some, or even all, of the proceeds. This financial incentive, which is also present in criminal forfeiture laws, is problematic for at least two interrelated reasons: It (1) infringes on legislatures' power of the purse and (2) encourages the pursuit of property for the sake of revenue.

First, separation of powers requires that legislatures—from city councils and county commissions to statehouses to Congress—decide how the government spends money. Yet funds obtained through forfeiture are often discretionary for agencies, giving them wide berth to spend as they please. This self-funding, where agencies can acquire and spend funds outside the normal legislative appropriations process, subverts the legislature's power of the purse.

This problem might sound theoretical, but it is not. Law enforcement agencies frequently use forfeiture proceeds to buy things legislatures did not contemplate—or perhaps did contemplate but rejected, whether because of budget shortfalls or active disapproval. When asked how his department

spends forfeiture funds, a Missouri police chief put it memorably:

We just usually base it on something that would be nice to have that we can't get in the budget, for instance. We try not to use it for things that we need to depend on because we need to have those purchased. It's kind of like pennies from heaven—it gets you a toy or something that you need is the way that we typically look at it to be perfectly honest.¹²

Similarly, a Massachusetts district attorney admitted law enforcement “are very dependent on this drug forfeiture money to buy those extras that they can't get allocated within a state or a municipal budget.”¹³

The problem goes beyond stories of outlandish forfeiture fund spending that make headlines from time to time: a fancy coffee maker, muscle cars, luxury travel, a face-painting clown, or an ice cream truck.¹⁴

For example, forfeiture funds have been linked to police militarization, as police departments across the country use these funds to purchase military-grade vehicles, weapons, and other equipment.¹⁵ To name two, the Douglasville Police Department in Georgia and the Linn County Sheriff's Office in Iowa used hundreds of thousands of dollars in forfeiture funds to purchase BearCat armored vehicles.¹⁶

Second, in giving law enforcement agencies the ability to self-fund, the financial incentive makes it tempting for agencies to see forfeiture as a moneymaker and act accordingly. That is, the financial incentive creates a conflict of interest that may induce agencies to pursue financial gain over public safety or justice.

Research validates the concern. For example, two studies by economist Brian Kelly of Seattle University, one from 2019 and one from 2021, found evidence that when local budgets are tight, law enforcement agencies may ramp up forfeiture activity.¹⁷ More recently, a 2024 study found that when local governments provide greater subsidies for the construction of sports facilities, squeezing local budgets, agencies increase their forfeiture activity.¹⁸

Courts, both state and federal, are beginning to recognize these problems. In 2018, a federal court found that Albuquerque, New Mexico's vehicle forfeiture program gave local police and prosecutors an unconstitutional institutional incentive to seize and forfeit vehicles. The court noted that there was a “realistic possibility” that police and prosecutors' “judgment w[ould] be distorted by the prospect of institutional gain—the more revenues they raise[d], the more revenues they c[ould] spend.”¹⁹ It quashed the program on this and other grounds.

Similarly, in a 2021 forfeiture case, a Washington state appeals court declared, “We scrutinize the constitutionality of civil asset forfeitures more closely

because individual law enforcement agencies, and the state government in general, stand to benefit by millions of dollars each year from forfeiture.”²⁰

Two federal circuit courts have echoed these concerns. In *Cristal Starling’s* case, the Second Circuit observed, “All this is driven by incentive: The authorities can pocket what they can seize by forfeit.”²¹ And in another *Institute for Justice* case, a Sixth Circuit judge lambasted Wayne County, Michigan’s vehicle forfeiture program, through which the county seized thousands of vehicles and charged owners fees to avoid forfeiture and get them back. Of the program, the judge asked: “Does this sound like a legitimate way of cleaning up Wayne County? Or does it sound like a money-making scheme that preys on those least able to fight it? To ask the question is to answer it.”²²

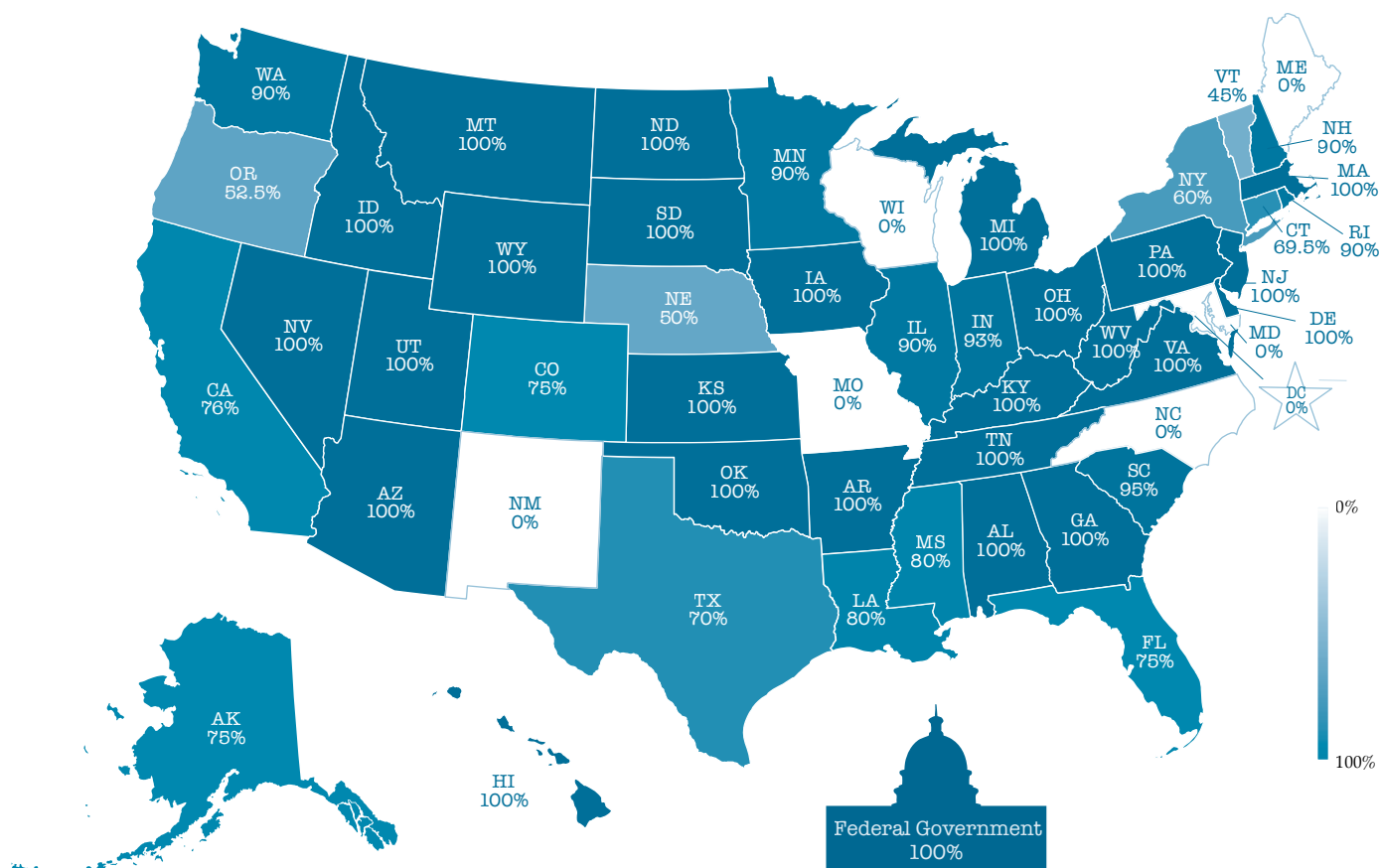
Five sitting U.S. Supreme Court justices have also voiced discomfort with the financial incentive baked into modern civil forfeiture. Justice Gorsuch, in his concurrence in *Culley* joined by Justice Thomas, noted that “law enforcement agencies have become increasingly dependent on the money they raise from civil forfeitures” and exhibited concern about the effects of the incentive on agencies’

behavior.²³ And Justice Sonia Sotomayor in her dissent, joined by Justices Elena Kagan and Ketanji Brown Jackson, lamented that forfeiture’s financial incentives “not only encourage counties to create labyrinthine processes for retrieving property in the hopes that innocent owners will abandon attempts at recovery, they also influence which laws police enforce, how they enforce them, and who they enforce them against.”²⁴

Unfortunately, most states and the federal government give law enforcement, both police and prosecutors, a large financial incentive to seize and forfeit property, whether civilly or criminally. See Figure 1. In 32 states and at the federal level, between 90% and 100% of proceeds go to funds controlled by law enforcement. Another 12 states award between 45% and 80% to law enforcement. The remainder must be sent to neutral (i.e., non-law enforcement) funds.

Only six states—Maine, Maryland, Missouri, New Mexico, North Carolina, and Wisconsin—and the District of Columbia bar law enforcement from receiving forfeiture proceeds, instead directing 100% of proceeds to neutral funds.

Figure 1: Financial incentives in civil forfeiture laws



Innocent Owner Protections

The second core problem with civil forfeiture laws graded by this report is that they often turn the burden of proof on its head by forcing third-party owners to prove their own innocence to get seized property back. In other words, if a person's property is seized because *someone else* used it to commit a crime, the innocent owner is often required to prove they neither knew about nor should have known about the criminal use of their property.

The problem of innocent owners is real and not uncommon. The U.S. Supreme Court dealt with it in the infamous 1996 case *Bennis v. Michigan*, which involved a classic third-party innocent owner: a woman whose family car was seized for forfeiture when Detroit police caught her husband in the vehicle with a prostitute. The woman, Tina Bennis, contested the forfeiture on the ground that she did not know about her husband's extracurricular activities and should not be punished because of them. Sadly, the Supreme Court ruled against her, finding that the Constitution's Due Process Clause did not forbid taking property from blameless people because of other people's crimes and that states did not have to provide an innocent owner defense.²⁵

In response to this and other manifest injustices, Congress passed the Civil Asset Forfeiture Reform Act in 2000. Among other modest reforms, CAFRA created the federal innocent owner defense.²⁶ Most states also now provide an innocent owner defense under their own laws.

To be sure, an innocent owner defense is better than no innocent owner defense. However, it is hardly a guarantee that innocent owners will get their property back. To avail themselves of the defense, innocent owners first must get to court—a daunting proposition, as we detail in “Civil Forfeiture and Due Process” starting on page 18. If they do get to court, in most states and at the federal level, they will find that the government does not have to prove they knew or should have known their property would be used in a crime. Instead, they will bear the almost impossible burden of proving the reverse.

This is essentially what happened to IJ client Arlene Harjo.



In 2016, Arlene's car was seized by Albuquerque police because her son allegedly drove it while intoxicated. To have a chance at getting her car back, Arlene was required to pay a \$50 fee to request an administrative hearing within 10 days of the seizure. Before the hearing, the city offered to return the car if Arlene paid thousands of dollars and agreed to have it immobilized via a wheel clamp for 18 months.

After rejecting this offer, Arlene received an administrative hearing before the city's chief hearing officer, whose job it was to determine whether there was probable cause for vehicle seizures and, in cases like Arlene's, whether third-party owners could prove their innocence before the city filed a forfeiture complaint in court. The officer ruled against Arlene because her son had previous DWI convictions, even though the convictions were years in the past and he had borrowed her car dozens of times without incident. Arlene's trust in her son was “misplaced,” the officer told her.

Arlene is far from the only innocent owner whose vehicle got caught in Albuquerque's dragnet.

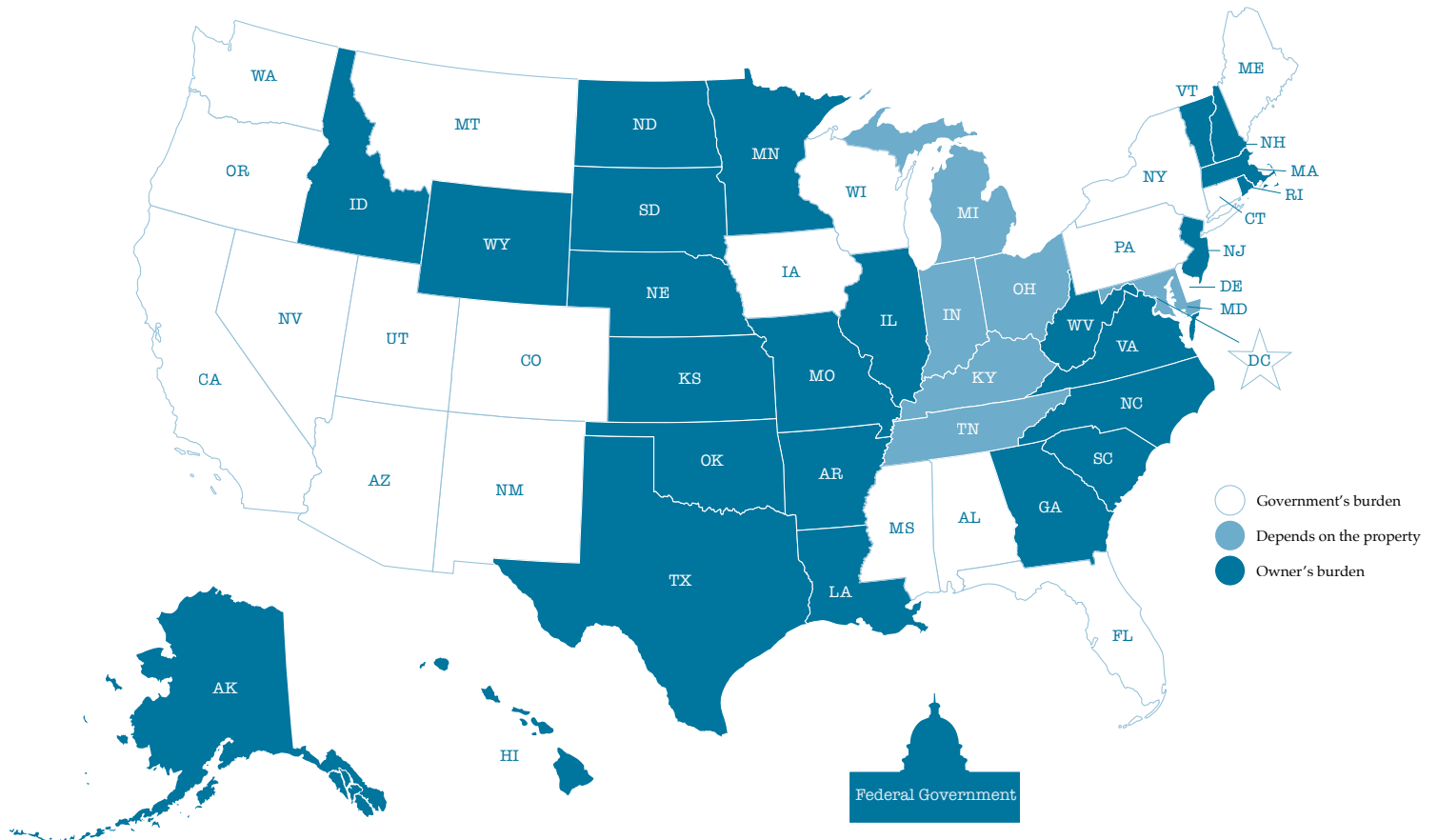
For years, the city operated a vehicle forfeiture program, netting thousands of vehicles (and, by auctioning them off or ransoming them back to their owners, converting those vehicles into millions of dollars).²⁷ By the city's own reckoning, almost half belonged to third-party owners.²⁸ The city even kept the program going after New Mexico abolished civil forfeiture in 2015.²⁹ Finally, in 2018, after Arlene and IJ sued Albuquerque over the vehicle forfeiture program, a federal court struck it down as unconstitutional both because it created an unconstitutional incentive to seize and forfeit, as noted above, and because it put the burden of proof on owners like Arlene instead of the government.³⁰



Arlene Harjo

Unfortunately, most states and the federal government persist in providing poor protections for innocent owners. See Figure 2. Twenty-five states and the federal government put the burden on third-party owners to prove their innocence to get their property back. Another six states also put the burden on owners, but not for all types of property. The remaining 19 states and the District of Columbia put the burden of proof on the government.

Figure 2: Innocent owner burdens in civil forfeiture laws

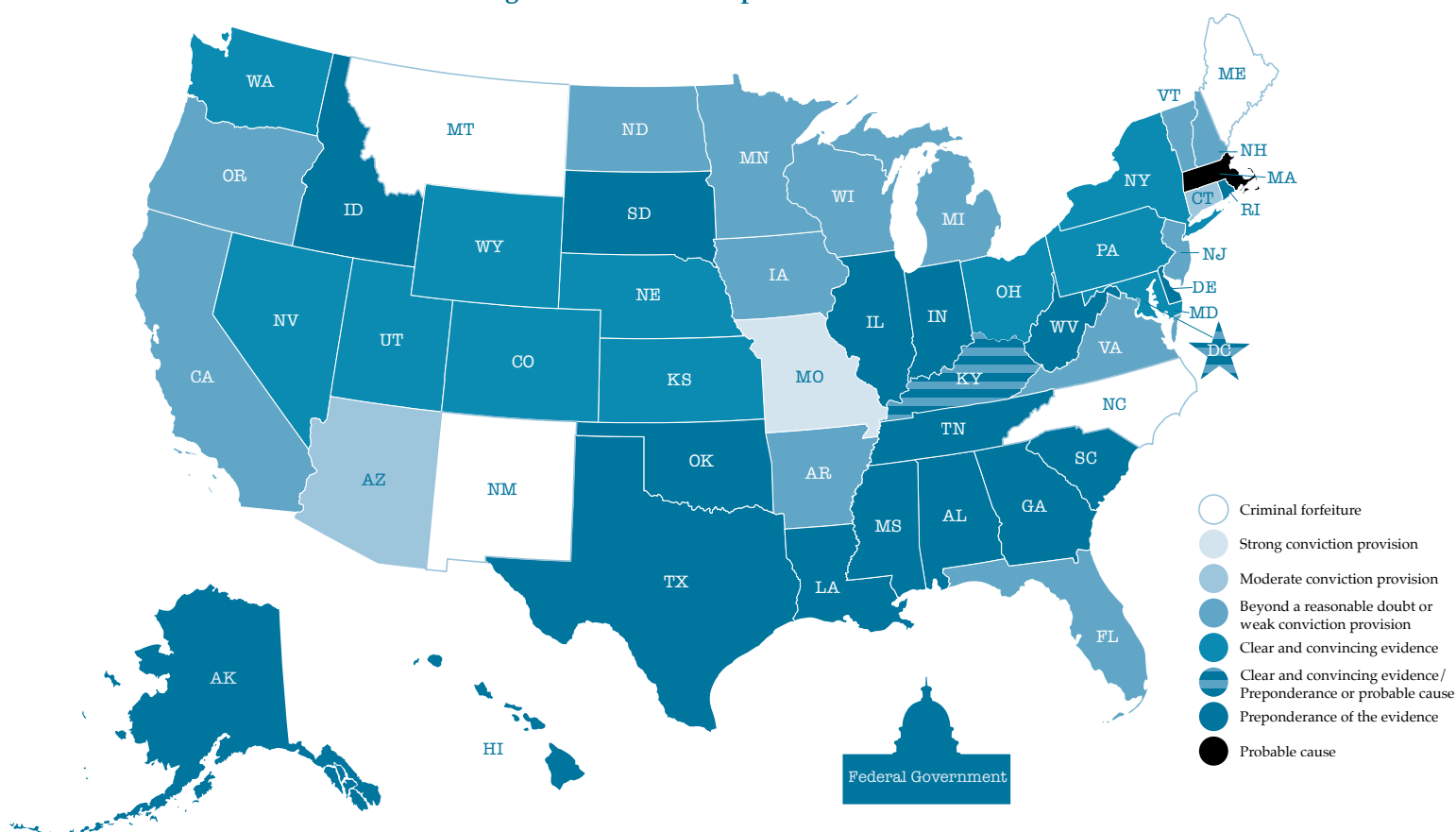


Standard of Proof

The third fundamental problem with civil forfeiture laws graded by this report is the frequently low standard of proof required to tie property to an alleged crime in order to forfeit it. Even when a case makes it to court, the standard needed to forfeit property civilly is generally less than the proof beyond a reasonable doubt needed to prove a person guilty of a crime and impose criminal penalties.

Low standards of proof stack the deck in favor of the government and against property owners, making it likely that people, including entirely innocent people, will lose property unjustly. Unfortunately, many states and the federal government have very low standards of proof for civil forfeiture. See Figure 3.

Figure 3: Standards of proof for civil forfeiture



The most common standard, the law in 17 states and at the federal level, is a preponderance of the evidence. To meet this standard, the government need only show that property is more likely than not connected to a crime. Preponderance of the evidence is often thought of as a 51% standard because the evidence need tilt only slightly in the government's favor for it to prevail.

Massachusetts sets an even lower standard, mere probable cause. This is the same low standard that police need to make an arrest, obtain a search warrant, or, indeed, seize property in the first place.

For at least some types of property, 12 states and the District of Columbia set a standard of clear and convincing evidence. Although a meaningfully higher standard than probable cause or preponderance, clear and convincing evidence falls short of proof beyond a reasonable doubt.

Some states have recognized the problem with low standards of proof and tried to remedy it by adopting higher standards. One, Florida, requires proof beyond a reasonable doubt for civil forfeiture. However, the process remains a civil one focused on the property's guilt, adjudicated in civil court, not a criminal one focused on a person's guilt in criminal court.

Meanwhile, 15 states have provisions purporting to require a conviction in criminal court before property can be forfeited in civil court. But in fact, most of these "requirements" are riddled with loopholes.

First, conviction provisions often apply only if owners timely and correctly file a claim, which they must do without the benefit of an attorney if they cannot afford one or if the low value of property makes hiring an attorney uneconomical. If owners fail to do so, the government can usually forfeit their property without a conviction. In addition, several conviction provisions apply only to certain types of property. As a result of loopholes like these, many forfeitures still happen without accompanying convictions. As detailed later, among four states with conviction provisions and usable data on convictions, only 54% of forfeitures occur with convictions. Moreover, most provisions are met so long as any person, not necessarily the property's owner, is convicted. This means the government can convict someone else in criminal court and still forfeit an owner's property in civil court.

At bottom, the problem is that, with or without conviction provisions, civil forfeiture remains *civil* forfeiture, a system in which property is pursued in civil court and owners may or may not be pursued in criminal court on a related offense. In contrast to this two-track system, criminal forfeiture is a one-track system where everything happens in criminal court. As such, property owners enjoy far greater due process protections, greatly reducing the risk that people will lose property unjustly.

Today, three states have only criminal forfeiture: Maine, Montana, and New Mexico. In addition, North Carolina has only criminal forfeiture in most cases, though prosecutors can pursue civil forfeiture in racketeering cases, where the standard of proof is preponderance of the evidence. These states receive highest marks for standard of proof.

The prior edition of *Policing for Profit* counted Montana as having a conviction provision rather than criminal forfeiture. Upon closer inspection of the state's forfeiture statute, we revised our interpretation. The prior edition also mistakenly included Nebraska as a state that had only criminal forfeiture based on a reform that inadvertently contained a major loophole allowing most civil forfeitures to continue.³¹

Recent Reforms and Overall Grades

Since the third edition of *Policing for Profit*, published in 2020, by far the most sweeping forfeiture reform has been Maine's. In 2021, the state abolished civil forfeiture. It also strengthened innocent owner protections in criminal forfeiture cases, shifting the burden to the government.³²

Three other states raised the standard of proof to forfeit property. Arizona enacted a conviction provision, while Kansas and Washington state raised the standard of proof from preponderance of the evidence to clear and convincing.³³ Arizona and Washington, along with Alabama and Delaware, also improved innocent owner protections.³⁴

No state reduced or repealed the financial incentive.

Some states also, or instead, enacted reforms that improve due process, though they are not of the type graded in this report. For example, among the states with graded reforms:

- Maine established prompt post-seizure hearings and barred law enforcement from transferring seized property to the federal government for forfeiture "unless in conjunction with a federal criminal case."³⁵
- Arizona eliminated nonjudicial "uncontested forfeitures," banned on-the-spot waivers used to pressure people into abandoning seized property, and established prompt post-seizure hearings.³⁶
- Washington extended owners' deadline to file a claim from 45 days to 60 days.³⁷
- Alabama prohibited seizures of currency less than \$250 and vehicles worth less than \$5,000; allowed innocent owners to request an expedited hearing; required police to show probable cause within seven business days of a seizure; and prohibited law enforcement from engaging in one type of federal equitable sharing—adoptions—unless the seized property includes more than \$10,000 in currency.³⁸
- And Delaware required a criminal charge for forfeiture, prohibited seizing or forfeiting currency less than \$500, and created a right to attorney fees for owners.³⁹

The most common reforms not graded by this report, enacted by 11 states, addressed transparency. Most notably, New Jersey adopted IJ's model reporting legislation, giving it one of the best forfeiture transparency laws in the country.⁴⁰ (See "Forfeiture Transparency and Accountability: A Nationwide Necessity" starting on page 52.)

This is progress. However, the pace of reform has notably slowed compared to the five-year period between the second and third editions of this report. States and the federal government enacted 47 forfeiture reform bills from 2015 to 2020, as documented in the third edition, but less than half that number since then. What has not changed is that, in both time periods, relatively few reforms have tackled the central problems with civil forfeiture laws that we grade in this report.

As a result, most states continue to grade poorly. Table 1 and Figure 4 show each state's overall civil forfeiture law grade as of 2025, and Appendix A explains how we combine each grading element into overall grades. Thirty-five states and the federal government receive a D+ or below, reflecting large financial

incentives, low standards of proof, and poor protections for innocent owners. Massachusetts earns the country's only F.

Only two states earn an A overall: Maine and New Mexico. These states abolished civil forfeiture; the government bears the burden of proving a third-party innocent owner knew about the illegal use of their property to forfeit it in criminal court; and they give police and prosecutors no financial incentive to pursue criminal forfeiture.

A few other states receive an A- (Wisconsin) or B+ (Maryland, Missouri, North Carolina, and the District of Columbia) because they have no financial incentive but could improve their standard of proof or innocent owner protections.

Figure 4: Civil forfeiture law grades

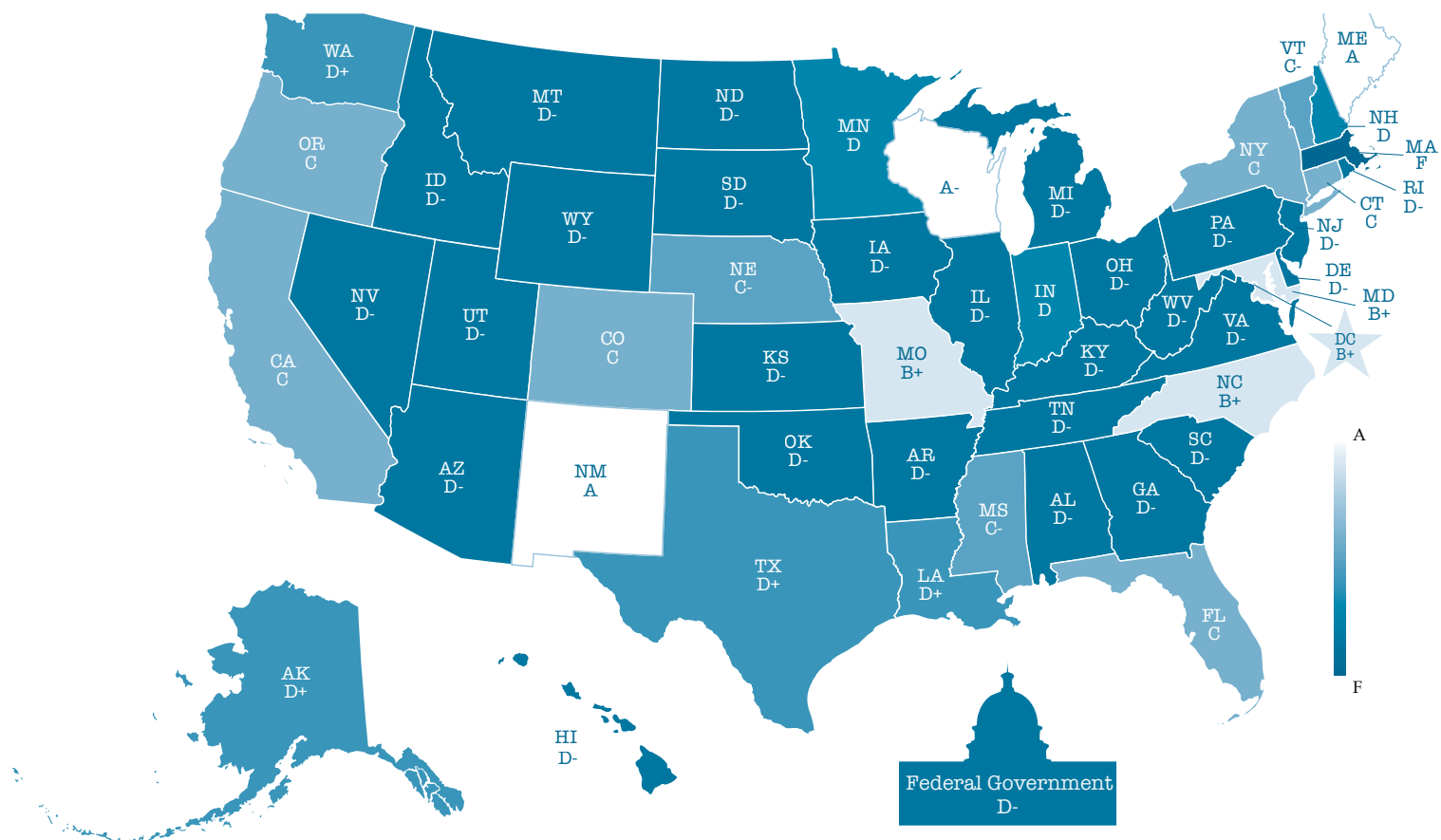


Table 1: Civil forfeiture law grades ranked

State	Grade	State	Grade
Maine	A	South Carolina	D-
New Mexico	A	Arizona	D-
Wisconsin	A-	Iowa	D-
North Carolina	B+	Nevada	D-
District of Columbia	B+	Pennsylvania	D-
Maryland	B+	Utah	D-
Missouri	B+	Michigan	D-
Connecticut	C	Alabama	D-
California	C	Delaware	D-
Florida	C	Ohio	D-
Oregon	C	Kentucky	D-
Colorado	C	Arkansas	D-
New York	C	New Jersey	D-
Mississippi	C-	North Dakota	D-
Vermont	C-	Virginia	D-
Nebraska	C-	Kansas	D-
Alaska	D+	Tennessee	D-
Louisiana	D+	Wyoming	D-
Texas	D+	Georgia	D-
Washington	D+	Hawaii	D-
Minnesota	D	Idaho	D-
New Hampshire	D	Oklahoma	D-
Indiana	D	South Dakota	D-
Montana	D-	West Virginia	D-
Illinois	D-	Federal Government	D-
Rhode Island	D-	Massachusetts	F

Note: States are ranked by grade point average on a 4.0 scale. See Appendix A for details of how the grades were created.

Civil Forfeiture and Due Process

Our civil forfeiture law grades describe the later stages of the forfeiture process: the legal burdens of proof borne by the government or property owners when—and if—a forfeiture case comes before a judge, as well as who benefits from the proceeds after a forfeiture concludes. New in this edition, we document the civil forfeiture procedures leading up to a hearing.

These procedures have profound implications for due process and property rights guaranteed by the Constitution. In his *Culley* concurrence joined by Justice Thomas, Justice Gorsuch observed:

As originally understood, this promise [of the Fifth and Fourteenth Amendment due process clauses] usually meant that a government seeking to deprive an individual of her property could do so only *after* a trial before a jury in which it (not the individual) bore the burden of proof. So how is it that, in civil forfeiture, the government may confiscate property first and provide process later?⁴¹

Our analysis of civil forfeiture procedures defined by statute, along with available data, suggests the justices have it partially correct. The government may “provide process later” in some cases, but for many if not most property owners caught up in civil forfeiture, process—in the form of a hearing before a neutral adjudicator—is not provided at all.

As this section describes, most civil forfeiture laws make the right to a judicial hearing contingent upon an owner first running a procedural gauntlet, during which they will face both legal and practical obstacles. As a result, relatively few forfeitures will, in fact, be contested before a judge: just 4% in Indiana, according to a 2025 Institute for Justice study that examined a randomly drawn sample of 415 state forfeiture cases over five years. Among sampled cases resulting in forfeiture of at least some property, three out of four were decided by default.⁴² Put simply, most property seized is likely to be forfeited—and much of it without any meaningful judicial review.

For those who do make it through the gauntlet, process often comes not just “later” but much later. Legal deadlines prescribed by statute add up to months or years—when they are prescribed at all—before a hearing or trial may happen. Data describing the length of forfeiture cases tell a similar story. During this time, the government usually has possession of the property, potentially creating significant hardship for those deprived of needed cash or cars and putting enormous pressure on them to settle, regardless of their guilt or innocence.

How We Documented Civil Forfeiture Processes From Seizure to Hearing

For the first time, this edition of *Policing for Profit* documents the major procedural steps and deadlines from the moment of a seizure up to a forfeiture hearing for all state and federal civil forfeiture laws, including both federal customs law and the federal Civil Asset Forfeiture Reform Act of 2000, which governs all non-customs federal forfeitures. The section “Civil Forfeiture and Due Process” describes our findings, but readers can find flow charts describing each process in greater detail in the State Profiles and statute citations in Appendix B starting on pages 77 and 188, respectively.

To compile our legal data, we primarily examined civil forfeiture statutes supplemented where necessary with applicable rules of civil procedure. These are the rules that govern any case in civil court, including contract disputes and personal injury lawsuits. While some civil forfeiture laws specifically dictate key steps in civil forfeiture litigation, as well as deadlines owners and the government must meet, most laws are silent on some aspects and instead either expressly or implicitly rely on the rules of civil procedure to determine each side’s obligations. In effect, civil forfeiture laws operate within the rules that govern other civil cases, and we draw on those rules accordingly, most often when determining the government’s deadlines to serve owners with legal complaints and the rules governing default judgments.⁴³ In addition, most of our discussion focuses on states with civil forfeiture, excluding those with only criminal forfeiture (i.e., Maine, Montana, New Mexico, and North Carolina).

By relying on statutes, we describe only the minimum requirements set by state legislatures and Congress. In practice, law enforcement agencies or prosecutor’s offices may go above and beyond—or they may fall short. Moreover, courts may impose additional constraints on the government or grant owners leniency, either as a matter of case law or in individual instances.⁴⁴ Our analyses do not capture such variations from statutory requirements.

As with our grades, in states with multiple civil forfeiture statutes, we analyze those applying to controlled substances. And where forfeiture procedures differ by the type of property at issue or by property value, we document those applying to the most common properties forfeited, for which procedural requirements are typically more lax. In

practical terms, this means we record requirements for personal property, such as cash and cars, and not those for real property (i.e., homes and other real estate). As our findings below show, real property is rarely forfeited. When it is, the rules, where different, are usually stricter. Similarly, we record requirements for property below dollar-value thresholds, such as \$5,000, \$20,000, or \$50,000.⁴⁵ As described below, the typical forfeiture is a relatively small amount of cash. Meanwhile, where requirements differ by value, the rules for more valuable property tend to be more stringent.

Under any given civil forfeiture statute, multiple paths from seizure to a forfeiture hearing are possible. To simplify our analysis and to explore important due process concerns, we examined how these laws apply under specified circumstances. Most notably, we limit our analysis to forfeitures that start with a warrantless seizure, both because data presented below suggest many if not most forfeitures begin this way and because warrantless seizures pose a higher risk of erroneous deprivation. In addition, while civil forfeiture can be accompanied by criminal prosecution, we do not document that path unless mandated by statute.⁴⁶ Similarly, in states where civil forfeiture can be pursued either *in rem* or *in personam*, we document the *in rem* path. Finally, we do not attempt to comprehensively document all litigation avenues made possible by the rules of civil (or criminal) procedure, such as discovery or motions to dismiss. Instead, we focus on the steps mandated for each party by civil forfeiture statutes, looking to the rules of civil procedure only to fill in gaps.

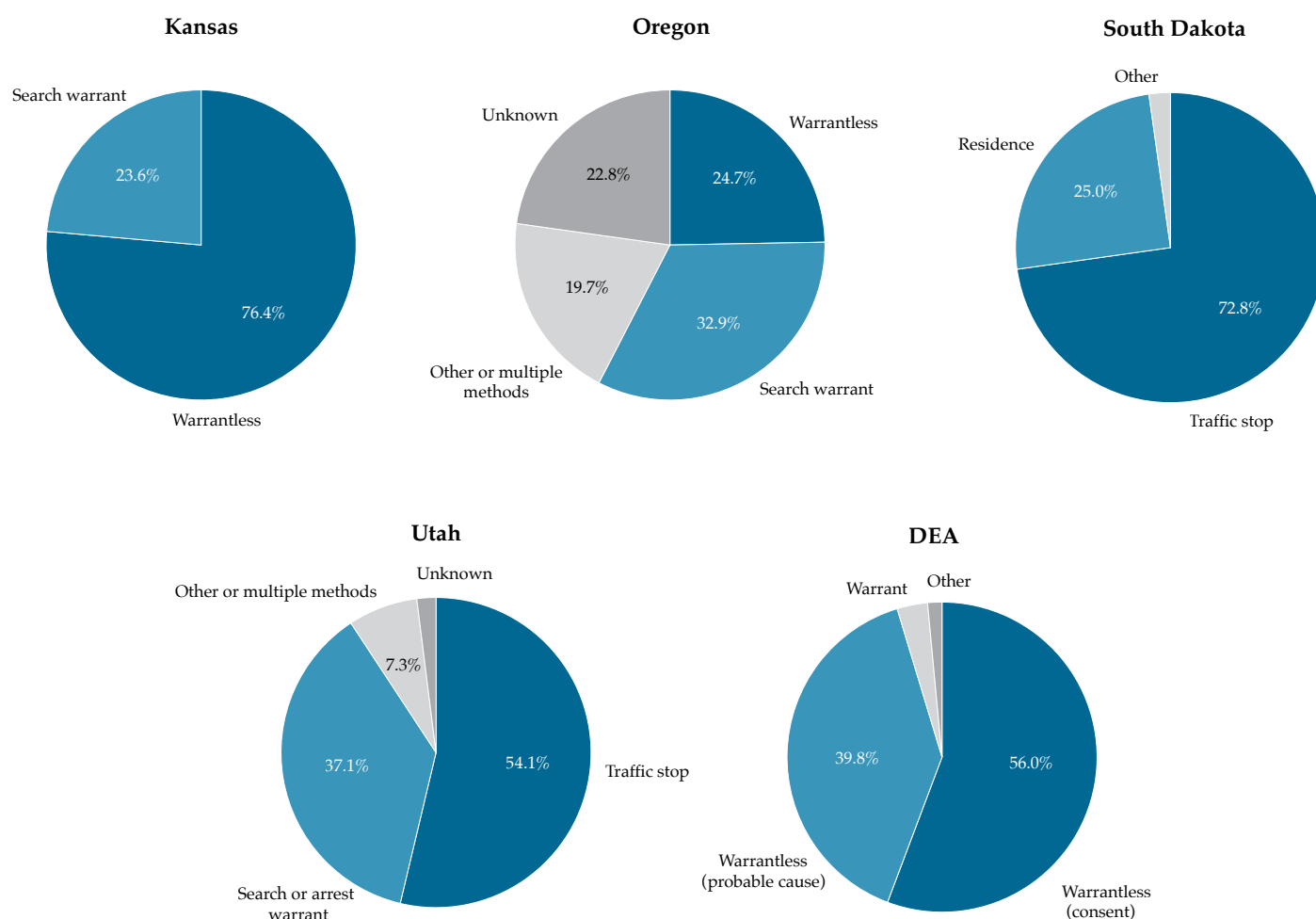
We took other steps to simplify the presentation of often complex statutes and to ease comparisons across disparate procedures. For example, when recording how notice is provided to potential claimants, we focused on the rules for personal notice, not notice by publication. Civil forfeiture laws typically require both or allow notice by publication as an alternative if notice cannot be served personally. We also use standardized language to describe steps that are functionally similar but whose names differ by jurisdiction. In California, for example, the government files a “petition” for forfeiture, and in the District of Columbia, the government’s filing is called a “libel.” Both function as a “complaint” does elsewhere, and so we categorize them accordingly.

Forfeiture Often Begins With Seizure, Usually Without a Warrant

When law enforcement officers seize personal property for forfeiture, they can first get a judge's approval in the form of a seizure warrant. Or they can take advantage of exceptions found in nearly all civil forfeiture laws that permit warrantless seizures if officers claim probable cause to believe the property is forfeitable.⁴⁷ Available data suggest this is how most seizures happen—without prior authorization from a neutral arbiter.

At the state level, warrantless seizures appear to be common. So too are seizures resulting from roadside stops, which are unlikely to result from a warrant. As Figure 5 shows, warrantless or roadside seizures predominate in three of four states with sufficient data: 76% in Kansas, 73% in South Dakota, and 54% in Utah.⁴⁸ Only in Oregon were warrantless seizures reportedly a minority, at 25%, but more than a third of seizures in the state's data were missing a seizure method or involved multiple methods.⁴⁹

Figure 5: Warrantless and roadside seizures, four states and DEA
From available data, warrantless and roadside seizures were common



Note: DEA data are from a sample of 3,535 currency seizures at airports from 2014–2020; Oregon and Utah data are from 2019–2023; Kansas data are from July 2019–2023; and South Dakota data are from 2022–2023.

Warrantless seizures have also been common at the federal level. Among a sample of 3,535 currency seizures conducted at airports by the Drug Enforcement Administration between 2014 and 2020, only 3% were seized with a warrant. Seizures that the DEA categorized as “warrantless/probable cause” seizures made up 40%, while 56% resulted from warrantless “consent searches.”⁵⁰ As we discuss later, these seizures were part of a DEA search-and-seizure program at airports that was dismantled in January 2025 after the Department of Justice’s Office of the Inspector General repeatedly raised concerns about its effectiveness, lack of internal controls, and threats to civil rights.⁵¹

Failure Points on the Path to a Civil Forfeiture Hearing

Once property has been seized, the government has it, and the onus is on its owner to take action to win it back. While state processes vary a great deal, there are generally one, two, or three major steps an owner must take to contest a forfeiture and reach a full hearing before a judge: filing a claim, filing a response to the government called an “answer,” and possibly additional steps created by administrative forfeiture proceedings. (As discussed below, some states allow owners to request pretrial hearings that may enable them to recover seized property, usually temporarily while the case is pending.) Only once owners have completed these steps will a hearing or trial be set, though other procedural steps not described here, such as discovery, may come first. Statutes typically give owners short deadlines by which to complete these steps, with little room for error.

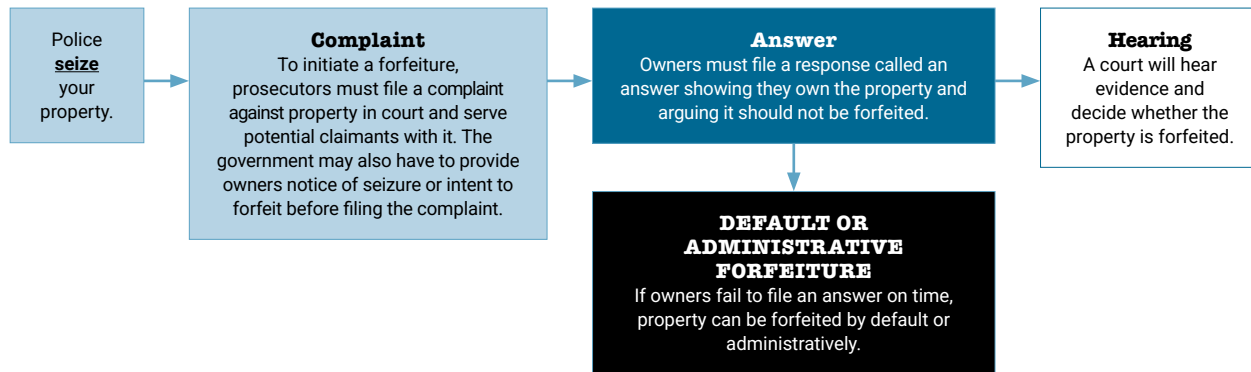
Most civil forfeiture processes fall into one of two types, as illustrated by Figure 6: those that start with the government filing a complaint and those that start with owners making a claim. In 29 states, the government must take the first step toward forfeiture by filing a complaint in court, laying out its argument for why the property ought to be forfeited. (Uniquely, Florida also requires the government to pay a \$1,000 filing fee and a \$1,500 bond, payable to the owner if they prevail.⁵²) Usually, the owner must respond to the government’s complaint by filing an answer.

Once property has been seized, the government has it, and the onus is on its owner to take action to win it back.

Figure 6: Two paths to a civil forfeiture hearing

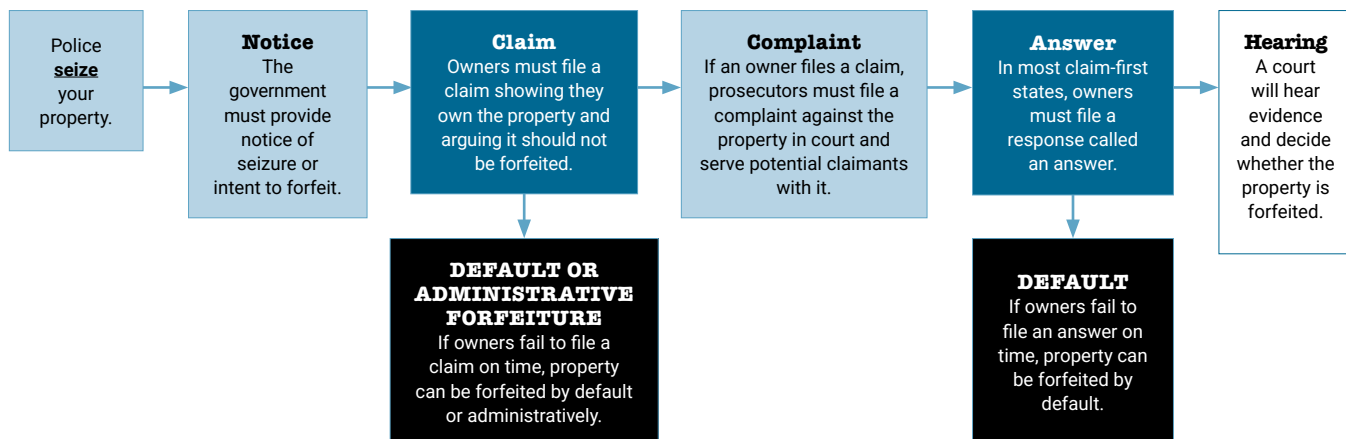
These charts show two types of paths to a civil forfeiture hearing after personal property is seized without a warrant: those that start with a government complaint and those that start with a claim by an owner. Most civil forfeiture laws fit one of these types, though all vary considerably in their details, including deadlines, whether owners can request pretrial hearings, and whether a criminal conviction is required. The State Profiles provide flow charts specific to each state and federal civil forfeiture statute.

Typical steps in complaint-first civil forfeiture processes



Complaint-first processes apply in 29 states: Alabama, Alaska, Arkansas, Colorado, Connecticut, Florida, Idaho, Indiana, Kentucky, Maryland, Massachusetts, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Jersey,* New York, North Dakota, Oklahoma, Pennsylvania, South Carolina, South Dakota, Texas, Utah, Vermont, Virginia, Wisconsin, and Wyoming. In Ohio, whether a claim or complaint comes first depends on the circumstances.

Typical steps in claim-first civil forfeiture processes



Claim-first processes apply to CAFRA* and customs* civil forfeitures and in the District of Columbia* and 16 states: Arizona, California,* Delaware, Georgia,* Hawaii,* Illinois,* Iowa,* Kansas, Louisiana, Michigan,* Minnesota,* Oregon, Rhode Island,* Tennessee, Washington,* and West Virginia.* Administrative procedures add steps to federal proceedings and those in Tennessee and Washington state; these are specified in the State Profiles. In Ohio, whether a claim or complaint comes first depends on the circumstances.

*If an owner fails to file a claim or answer, the government can forfeit administratively.

By contrast, in 16 states and the District of Columbia, as well as under CAFRA and customs law, owners must take the first step toward a civil forfeiture hearing by filing a claim with a court, a prosecutor, or the seizing agency. Only if owners make a claim properly and on time will the government have to file a complaint in civil court. Most often, owners must then respond with an answer. In these states, owners face two steps: a claim and an answer. (In two claim-first states, owners must pay a bond when making a claim. Hawaii's bond is 10% of the property's value or \$2,500, whichever is greater, and Rhode Island's is 10% or \$250, whichever is greater.⁵³ The bond goes toward the government's litigation costs should claimants lose.)

Property owners face still more steps to reach a courtroom under federal law, thanks to administrative forfeiture procedures. Federal law enforcement agencies such as the Drug Enforcement Administration, the Federal Bureau of Investigation, and Customs and Border Protection, can forfeit property administratively without judicial involvement.⁵⁴ This means the agency can determine on its own whether to forfeit the property, based on whether it believes "the facts supporting the administrative forfeiture satisfy the burden of probable cause."⁵⁵ For owners to exit this process and pursue a court hearing, they must file a claim with the agency. This converts the administrative forfeiture into a judicial one, requiring the government to file a complaint in court.

As a result, when federal agencies pursue administrative forfeiture, owners must file two claims and an answer: one claim with the agency, a second claim following the government's complaint in court, and then an answer following their claim. (For customs seizures, owners must also pay a bond worth 10% of the property's value or \$5,000, whichever is lower, to file the first claim.⁵⁶)

The administrative path is the one most federal forfeitures follow. Indeed, the DOJ's Asset Forfeiture Policy Manual declares that property eligible for administrative forfeiture should be pursued administratively, and data indicate this guidance is followed.⁵⁷ As we report below, from 2000 to 2023, administrative forfeitures made up 71% of DOJ forfeitures that resulted in revenue for the government.⁵⁸

And from 2000 to 2016, 96% of the Department of the Treasury's forfeitures, which include those by CBP under customs law, were administrative.⁵⁹

Administrative forfeiture procedures in Tennessee and Washington state also set up additional hurdles on the path to a judicial hearing. In these states, filing a claim does not initiate a judicial proceeding, but rather an administrative one. In Tennessee, the claim will be heard by an administrative law judge. Only after an administrative ruling can owners appeal to a state court.⁶⁰ In Washington, claims will be heard by the chief law enforcement officer of the agency that seized the property or their designee—unless owners also file an additional request to have their case heard by a court.⁶¹ Agency decisions can be appealed to a state court.⁶²

As at the federal level, it appears the administrative path dominates in Washington state. In a 2024 report, the state auditor reviewed a non-random sample of 40 forfeiture cases and found that 39 were decided by the seizing agency. In 23 of the 39 cases, owners made a claim and lost. Four other cases resulted in a settlement. And the rest of the 39 were forfeited by default.⁶³

Regardless of whether owners must file a claim, an answer, or both, civil forfeiture laws generally give them little time to do so—and often far less time than the government is granted to file a complaint, as shown in Figure 7. While some states require prosecutors to move quickly, many others allow prosecutors 60 days or more to file a complaint, and they can often request extensions. A number of other states do not specify deadlines.

Owners' deadlines tend to be shorter, and few civil forfeiture laws explicitly allow owners to seek additional time. Under customs law, owners have just 20 days from the day they receive notice to file the first claim. CAFRA allows 35 days. Michigan and Oregon also impose short deadlines of 20 and 21 days. Most commonly, states give owners 30 days to file a claim, though a few allow 60 or even 90 days, as in the District of Columbia. Deadlines to answer a complaint are similarly short: just 15 days in Louisiana and 20 or 21 days in another 13 states and the District of Columbia and under federal law. Again, the most common deadline is 30 days, with only a handful of states giving owners 45 days to respond.

Figure 7: Owner and government deadlines in civil forfeiture cases

State	Owner Deadlines (in days)	Government Deadlines (in days)	State	Owner Deadlines (in days)	Government Deadlines (in days)
Alabama	→ 30	→ 42	Nebraska	→ 30	➤ 10
Alaska	→ 30	➤ 20	Nevada	→ 20	→ 120
Arizona	→ 60 → 30	→ 60	New Hampshire	→ 30	→ 60
Arkansas	→ 45	→ 65	New Jersey	→ 35	→ 90
California	→ 30	→ 30	New York	→ 20	➤ 10
Colorado	→ 63 ^a	→ 63	North Dakota	→ 20	Not specified ^b
Connecticut	Claim/answer not required	→ 90	Ohio ^d	→ 28	Depends ^d
Delaware	→ 45	Not required	Oklahoma	→ 45	Not specified ^b
D.C.	→ 90 → 21	→ 60	Oregon	→ 21 → 30	➤ 15
Florida	→ 20	→ 45	Pennsylvania	→ 30	Not specified ^b
Georgia	→ 30 → 30	→ 30	Rhode Island	→ 30 → 30	Not specified ^b
Hawaii	→ 30	→ 45	South Carolina	→ 30	Not specified ^b
Idaho	→ 21	→ 30	South Dakota	→ 30	→ 60
Illinois	→ 45 → 45	→ 28	Tennessee	→ 30	Not required
Indiana	→ 20	→ 90	Texas	→ 20	→ 30
Iowa	→ 30 → 20	→ 90	Utah	→ 30	→ 75
Kansas	→ 60 → 21	→ 90	Vermont	→ 60	➤ 14
Kentucky	→ 20	Not specified ^b	Virginia	→ 30	→ 90
Louisiana	→ 30 ➤ 15	→ 90	Washington	→ 60	Not required
Maryland	→ 30	→ 90	West Virginia	→ 30 → 30	→ 90
Massachusetts	→ 20	Not specified ^b	Wisconsin	→ 20	→ 30
Michigan	→ 20	Not specified ^b	Wyoming	→ 20	→ 120
Minnesota	→ 60	Not required	CAFRA ^e	→ 35 → 30 → 21	→ 90
Mississippi	→ 30	→ 30	Customs ^e	→ 20 → 35 → 21	Not specified ^b
Missouri	Not specified ^c	➤ 14			

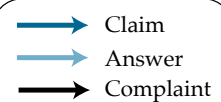
^a Answer deadline is before or at first appearance in civil court, which occurs between 35 and 63 days after the forfeiture notice.

^b The only applicable deadline is the statute of limitations.

^c At any time, you can file a claim intervening in the forfeiture case against your property.

^d Owners can file a claim, though there is no firm deadline. The complaint deadline depends on the circumstances.

^e Federal forfeiture procedures first require owners to file a claim seeking judicial review (top arrow) and then require a second claim in civil court contesting the forfeiture (middle arrow).



Prosecutors and courts are not necessarily forgiving of owners who make good-faith efforts to contest a forfeiture but miss deadlines, as Cristal Starling learned. Even after being informed that her ex-boyfriend had been acquitted of the crime that prompted the seizure of her cash, federal prosecutors insisted her money be forfeited because her second claim was filed late. The district court agreed and granted a default judgment. Only with *pro bono* legal help from IJ was Cristal able to appeal to the Second Circuit and have the default judgment overturned.⁶⁴ In ruling for Cristal, the appellate court noted that prosecutors too had made a timing mistake, observing dryly, “It does not appear that the government holds itself to the scrupulous punctuality that it demands of a *pro se* litigant.”⁶⁵

The Second Circuit’s observation applies equally well to the district attorney in Augusta, Georgia, where Beverly Miller tried to fight for the return of a beloved truck belonging to her and her recently deceased husband.⁶⁶ Her truck landed in law enforcement hands after she lent it to her son, who in turn lent it to another person. When that person disappeared without returning the truck, Beverly and her son filed a report with the police. It turned out the borrower had been arrested on drug charges and the truck seized. Instead of returning it to Beverly, the prosecutor filed for forfeiture and sent her an undated notice. In response, Beverly submitted a

handwritten claim explaining she owned the truck and had no connection to any crime, attaching her vehicle registration and the police report as proof.

Despite Beverly’s claim, the prosecutor moved ahead with a formal complaint against the truck, triggering a requirement that Beverly answer within 30 days. Mistakenly believing her claim was sufficient, Beverly did not file an answer, but she did respond to a notice of trial by appearing in court at the date and time listed. The courtroom was empty, as was a second courtroom to which she was directed by a bailiff. Staff in the district attorney’s office could not help. Finally, a court clerk surmised the trial must have been rescheduled and suggested Beverly await a new notice. After waiting months for a new notice that never came, Beverly hired an attorney, who discovered that, in fact, the court had entered a default judgment against her truck—two days after Beverly had tried to appear in court.

With her attorney’s help, Beverly achieved a small measure of vindication by winning a motion to vacate the default judgment and being declared an innocent owner.⁶⁷ But by then the truck had been sold.⁶⁸ The proceeds were later distributed to the district attorney and the seizing agency.⁶⁹

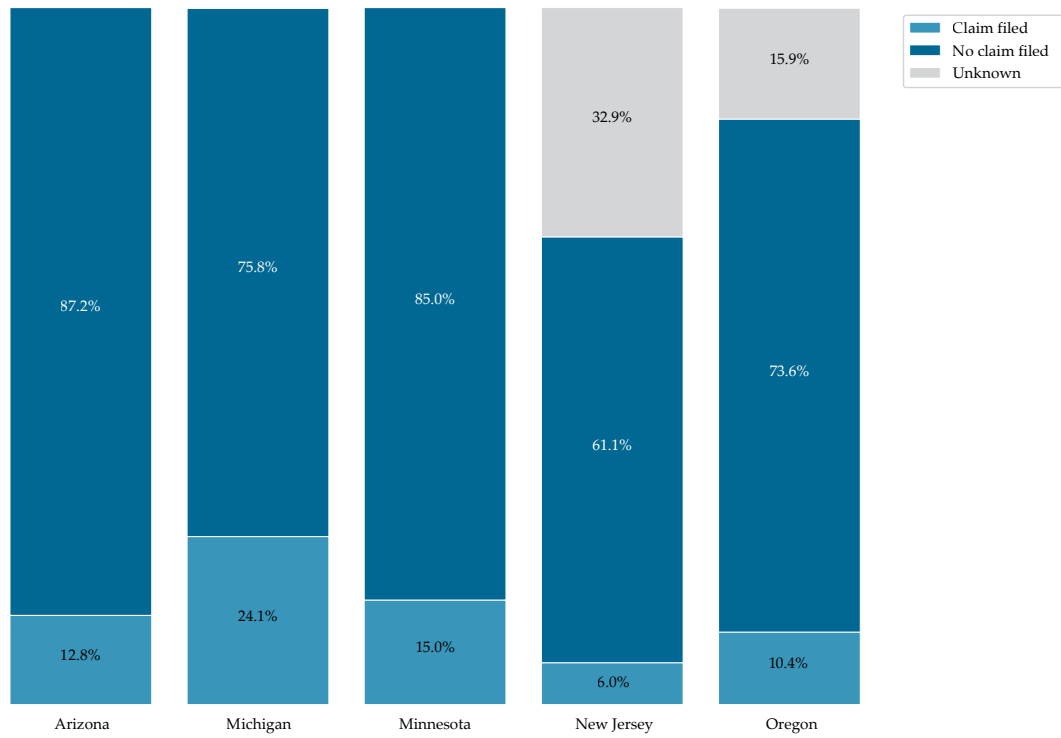


Cristal Starling

Most Owners Fail to Reach a Hearing

Cristal and Beverly are far from the only owners tripped up by requirements for filing a claim or an answer on time. While few states collect reliable information about how often property owners contest forfeitures, available data indicate most owners do not. As Figure 8 illustrates, across five states with data, the percentages of contested seizures or forfeitures range from just 10% in Oregon to 24% in Michigan. Just 6% of New Jersey owners filed an answer in response to the government’s complaint (though our data cover a limited time period). IJ’s Indiana study found that just 34% percent of cases indicated an owner contested the forfeiture—a figure that, unlike the others, includes settlements.⁷⁰

Figure 8: Claim rates, five states
In states with data, most forfeitures were unchallenged

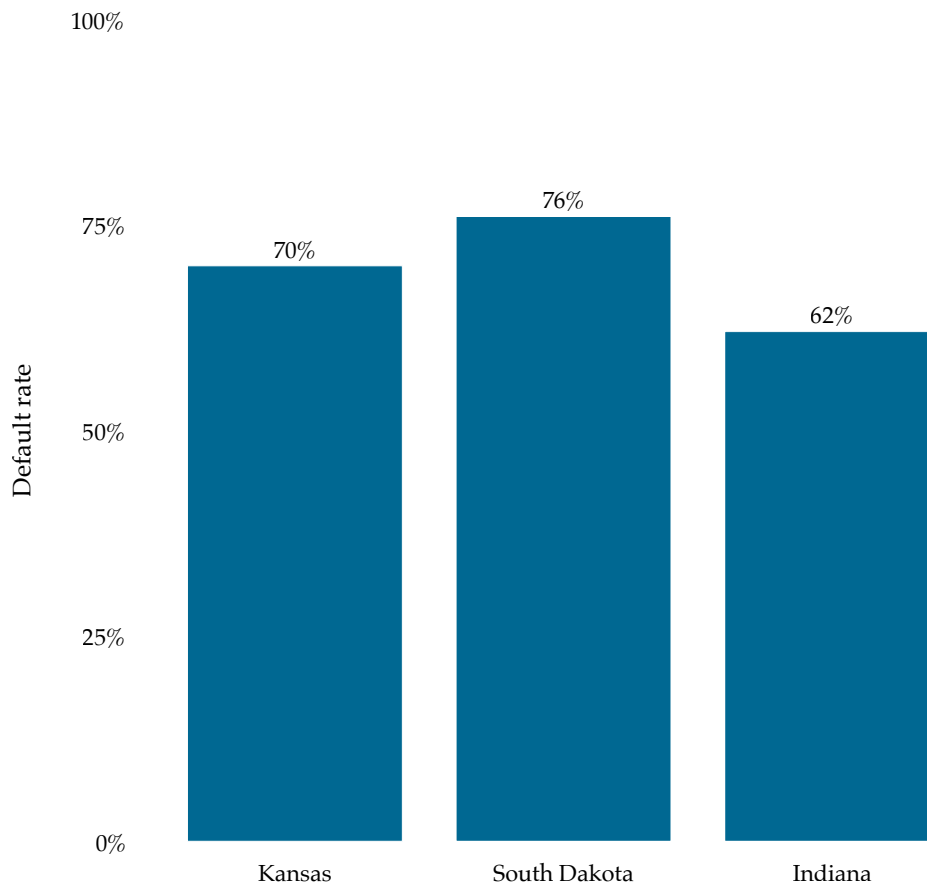


Note: Arizona’s rate is based on the percentage of cases with claims, while the other four states’ rates are based on the percentage of properties with claims. Rates for Minnesota and Oregon are calculated from all properties seized, including successful claims where owners won property back. Rates for Arizona, Michigan, and New Jersey are calculated only from forfeitures and are thus missing successful claims, likely undercounting the true claim rate. Minnesota’s data are from 2023 only and indicate whether forfeiture was contested. New Jersey’s data are from April 2022 through 2023. All other state data are from 2019–2023.

The few states with data on forfeitures by default back up our finding that most forfeitures are uncontested. As Figure 9 shows, default rates are above 70% in both Kansas and South Dakota and above 60% in IJ’s Indiana sample. Similarly, a 2023 study of 16 California counties over seven years compared claims filed in court to seizures reported to the state and found that “an average of 75% of currency seizures initiated never find their way into a courthouse.”⁷¹

Figure 9: Default rates, three states

In states with data, most seizures resulted in default forfeiture



Note: Kansas data are from 2019–2023; South Dakota data are from 2020–2023; and Indiana data are from a random sample of cases from 2019–2023.

As noted, the picture is similar at the federal level, where the vast majority of forfeitures happen administratively—that is, without judicial involvement.

Why Owners Might Fail to Contest

Why might people facing the permanent loss of cash, cars, or other property fail to fight forfeiture? The reason suggested by police and prosecutors is that they know they have no legitimate claim to the property. As a police chief in Washington wrote in response to the state auditor's report, "People sometimes do not contest the forfeiture because they know the seized items were not theirs or agree they were ill-gotten."⁷²

Without criminal proceedings, however, we cannot know whether owners of seized property were guilty of any particular crime and any money truly ill-gotten. More to the point, there are other reasons why people fail to fight that have nothing to do with guilt or innocence. Among them are insufficient or confusing notice, costs that outstrip the value of the property, inability to afford counsel and the difficulty of navigating civil proceedings without it, and residing far from the jurisdiction where the property was seized.

Notice may be insufficient, confusing, or both

On paper, civil forfeiture laws generally require seizing agencies, prosecutors, or both to provide owners (usually including potential owners identified through records searches) with some kind of notice their property has been seized and may be forfeited. These statutory requirements vary widely—as does their implementation. In practice, notice may not be timely, or it may not reach owners at all. When notices do reach owners, they often lack essential information, while being full of complicated and unfamiliar legal terminology.

One key problem is delay. Some states require prompt notice: as few as five days after the seizure in Connecticut, Florida, and Tennessee; seven days in New Hampshire; and 10 days in District of Columbia, giving owners an opportunity to move quickly to oppose forfeiture.⁷³ But other states set notice deadlines of 60 days or more, or they specify no deadline at all. CAFRA requires notice within 60 days for federal forfeitures but extends that to up to 90 days if the property was initially seized by a state or local agency and later turned over to the federal government for forfeiture.⁷⁴ There is no notice deadline for customs seizures.

Such lengthy delays, even if permitted by law, leave owners in the dark about what happened to their property, why it was seized, and what action they can take to get it back. They also extend the time people are deprived of their property without an opportunity to be heard in court. And, as already described, once notice is finally received, owners often have little time to respond.⁷⁵

Another problem with notice is delivery. For five years, a private attorney in Indiana acting as a forfeiture prosecutor—working in return for a percentage of proceeds from successfully forfeited property—simply



failed to send the notices required by state law.⁷⁶ In Washington, the state auditor identified instances when notices were sent to the wrong address, as well as notices with missing or incomplete addresses, making it unlikely they were ever delivered.⁷⁷ A Massachusetts district attorney combined the problems of delay and delivery, waiting four years before providing notice to the owner of seized cash and a phone—and then only doing so by running ads in small type in the local newspaper informing the owner and 100 others in unrelated cases that they had 20 days to respond in civil court.⁷⁸

A deeper problem is that, when provided, forfeiture notices often fail to tell owners what they or their property are alleged to have done wrong, making it difficult, if not impossible, to know how to marshal facts and arguments to support a case to win their property back.

A clear and common example is the forms used for years by federal agencies such as the FBI. Figure 10 shows the notice the FBI provided Linda Martin when it unconstitutionally searched and seized the contents of hundreds of safe-deposit boxes, including hers, maintained by the company U.S. Private Vaults in Beverly Hills, California.⁷⁹ After the FBI seized the \$40,200 Linda was saving for a house, it sent her this "Notice of Seizure of Property and Initiation of Administrative Forfeiture Proceedings," and other box owners received similar forms.

Figure 10: Notice of seizure received by Linda Martin, first page

 **U.S. Department of Justice**
Federal Bureau of Investigation
Washington, DC 20535

Ms. Linda Martin aka Linda Wilder
[REDACTED]

NOTICE OF SEIZURE OF PROPERTY AND INITIATION OF ADMINISTRATIVE FORFEITURE PROCEEDINGS

SEIZED PROPERTY IDENTIFYING INFORMATION

Notice Date: June 10, 2021	Asset ID Number: [REDACTED]
Notice Letter ID: [REDACTED] (use ID when searching for assets during online filing)	
Description of Seized Property: \$40,200.00 U.S. Currency from U.S. Private Vault Box #1810	
Seizure Date and Location: The asset(s) referenced in this notice letter were seized on March 22, 2021 by the FBI at Beverly Hills, California.	
Forfeiture Authority: The forfeiture of this property has been initiated pursuant to 18 USC 981(a)(1)(C) and the following additional federal laws: 19 U.S.C. §§ 1602-1619, 18 U.S.C. § 983 and 28 C.F.R. Parts 8 and 9.	

I. **THE GOVERNMENT MAY CONSIDER GRANTING PETITIONS FOR REMISSION OR MITIGATION, WHICH PARDONS ALL OR PART OF THE PROPERTY FROM THE FORFEITURE.**

TO REQUEST A PARDON OF THE PROPERTY YOU MUST FILE A PETITION FOR REMISSION OR MITIGATION

A. **What to File:** You may file both a claim (see section II below) and a Petition for Remission or Mitigation (Petition). If you file only a petition and no one else files a claim, your petition will be decided by the seizing agency.

B. **To File a Petition:** A petition should be filed online or by mailing it via the U.S. Postal Service or a Commercial Delivery Service to the Federal Bureau of Investigation (FBI), Attn: Forfeiture Paralegal Specialist, 11000 Wilshire Blvd. Suite 1700, FOB, Los Angeles, CA 90024. It must be received no later than 11:59 PM EST thirty (30) days of your receipt of this Notice. See 28 C.F.R. Parts 8 and 9.

C. **Requirements for Petition:** The petition must include a description of your interest in the property supported by documentation and any facts you believe justify the return of the property and be **signed under oath**, subject to the penalty of perjury or meet the requirements of an unsworn statement under penalty of perjury. See 28 U.S.C. § 1746.

D. **Petition Forms:** A petition need not be made in any particular form but a standard petition form and the link to file the petition online are available at <https://www.forfeiture.gov/FilingPetition.htm>. If you wish to file a petition online for the assets referenced in the asset list of this letter, please use the Notice Letter ID referenced above.

E. **Supporting Evidence:** Although not required, you may submit supporting evidence (for example, title paperwork or bank records showing your interest in the seized property) to substantiate your petition.

F. **No Attorney Required:** You do not need an attorney to file a petition. You may, however, hire an attorney to represent you in filing a petition.

G. **Petition Granting Authority:** The ruling official in administrative forfeiture cases is the Unit Chief, Legal Forfeiture Unit, Office of the General Counsel. The ruling official in judicial forfeiture cases is the Chief, Money Laundering and Asset Recovery Section, Criminal Division, Department of Justice. See 28 C.F.R. § 9.1.

H. **Regulations for Petition:** The Regulations governing the petition process are set forth in 28 C.F.R. Part 9, and are available at www.forfeiture.gov.

I. **Penalties for Filing False or Frivolous Petitions:** A petition containing false information may subject the petitioner to criminal prosecution under 18 U.S.C. § 1001 and 18 U.S.C. § 1621.

These notices fail to tell people like Linda the factual basis for the seizure of their property or the specific law under which the government intends to forfeit it. They merely state the date, the seizing agency, and the city where the property was seized. There is no specific information describing what, in the FBI's view, made the property eligible to be seized, let alone forfeited forever. The "Forfeiture Authority" section cites a federal law that itself lists 35 distinct other sections of federal law that might justify the forfeiture. Even if Linda had looked up all 35 sections of the law, she would have been left guessing whether the FBI believed her money was connected to forgery, smuggling, computer fraud, or any number of other crimes—and if so, why. For these reasons, a federal district court in a different case resulting from the same FBI raid found that these "anemic" notices violate the Fifth Amendment's right to due process.⁸⁰

Content-free notices are not unique to federal forfeitures. Officers in Indianapolis regularly visit the FedEx hub located there and seize the contents of parcels they deem suspicious. Often, their searches turn up cash, but no narcotics or other contraband. Nonetheless, Marion County prosecutors usually move to forfeit the currency. When they do, they merely allege the money was used, intended to be used, or constituted proceeds of a criminal violation of Indiana law—without saying which statute they believe was violated. Nor do they specify any facts that might support their allegation. Much as in the FBI notices, prosecutors regularly use rote language to claim the right to forfeit cash, not only at the FedEx hub but also elsewhere.⁸¹

In yet another problem, forfeiture notices—even as they lack crucial information—can be so full of complicated legal language that they leave owners at a loss as to how to press for their rights. Again, a prime example is the federal notice given to Linda Martin and countless others. These notices give owners two options—aside from doing nothing and losing their property administratively. The first is called a "Petition for Remission," a term unlikely to be familiar to most people without a law degree (and many people with one). It must be filed within 30 days. And though the notice does not clearly say so, selecting this option means the owner concedes the property can be forfeited but seeks a "pardon" at the government's mercy. The second option is filing a claim, as Cristal Starling did, within 35 days, which enables the owner to exit the administrative forfeiture process and take the first step toward a judicial hearing.

Faced with just 30 days to act and with no information about what she did wrong, Linda filed a petition, thinking

it the better option. By the language of the notice, it appeared a petition might result in the "return of" her savings, while a claim would merely be forwarded "to the U.S. Attorney's Office for further proceedings."⁸² In making this choice, she did not understand she was putting the decision solely in the FBI's hands and effectively admitting her property's guilt.

Linda is far from alone. In 2023, a federal judge in Indiana described similar notices provided by the DEA as "abstruse" and lamented that he had no choice but to reject an attempted claim by an owner whose attorney had mistakenly chosen the petition route, believing it would be "easier and cheaper."⁸³ The judge himself found the DEA's notice bewildering, writing, "while I now understand the distinction between the two options (after reading the relevant statutes and doing some research), I must admit that at first glance it was unclear to me how the two options differed."⁸⁴ And he offered a list of a dozen cases in which owners, many of them represented by counsel, confused the two options.⁸⁵

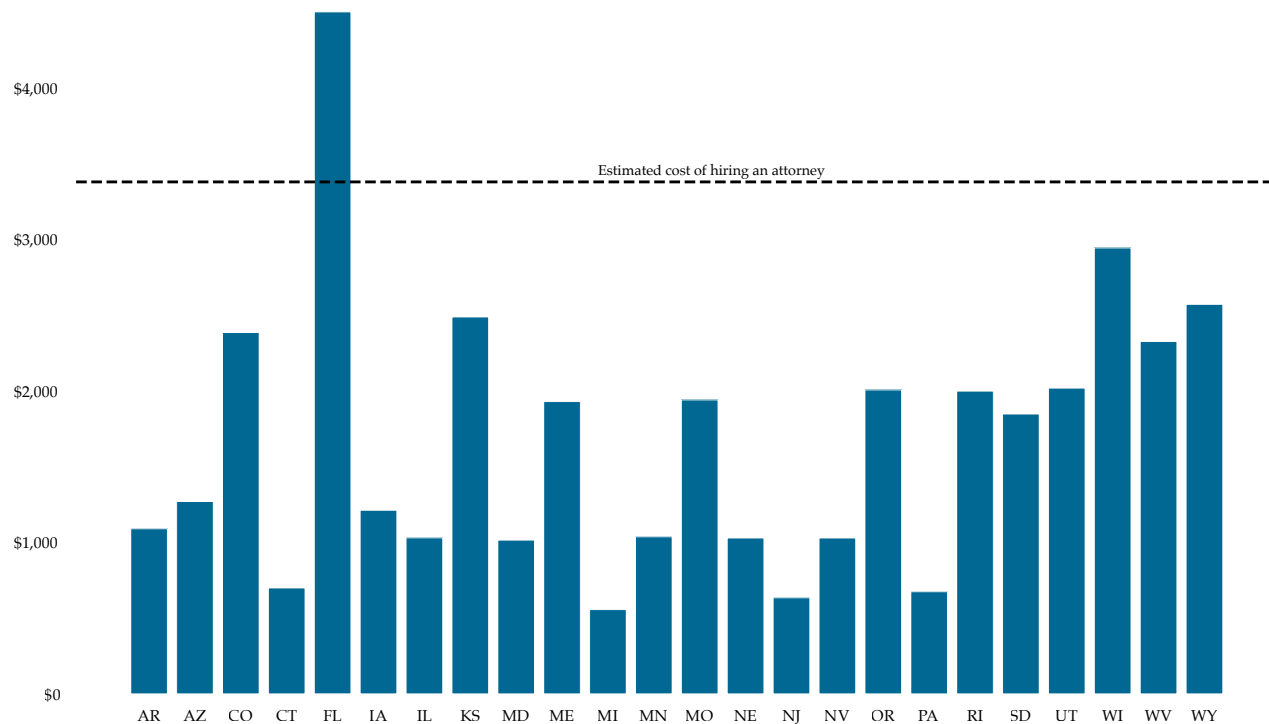
State notices can also be "abstruse," incomplete, or even incorrect. The Washington state auditor conducted a readability analysis of several agency notices and observed most were written several grade levels above what the general public might understand, pointing especially to unfamiliar legal terminology that went unexplained, including that "'forfeit/forfeiture' means the agency could keep the property."⁸⁶ The state audit also observed that none of the notices it reviewed informed owners of two crucial rights: the right to transfer their case out of an administrative proceeding and into a court and the right to be reimbursed for attorney fees should they win.⁸⁷ Similarly, an audit in King County, where Seattle is located, found the standard notice used by the sheriff's office "dense and inaccurate" in explaining owners' rights.⁸⁸

Fighting forfeiture may not make economic sense

Taking the government to court will take time and likely money, and owners may conclude it is not worth it, especially for lower-value properties. And in fact, cash seizures, especially under state law, tend to be quite small—and data consistently indicate owners are less likely to fight for smaller sums.

Figure 11 shows the median currency forfeiture for 24 states with available data from 2019 to 2023. Across the states, the average is just \$1,678. Put differently, on average in these states, half of currency forfeitures are worth less than \$1,678. For amounts this small, navigating a complicated and unfamiliar legal process is unlikely to be worth the effort.

Figure 11: Median currency forfeiture values, 24 states
In nearly all states with data, half of currency forfeitures were worth less than the cost of hiring an attorney

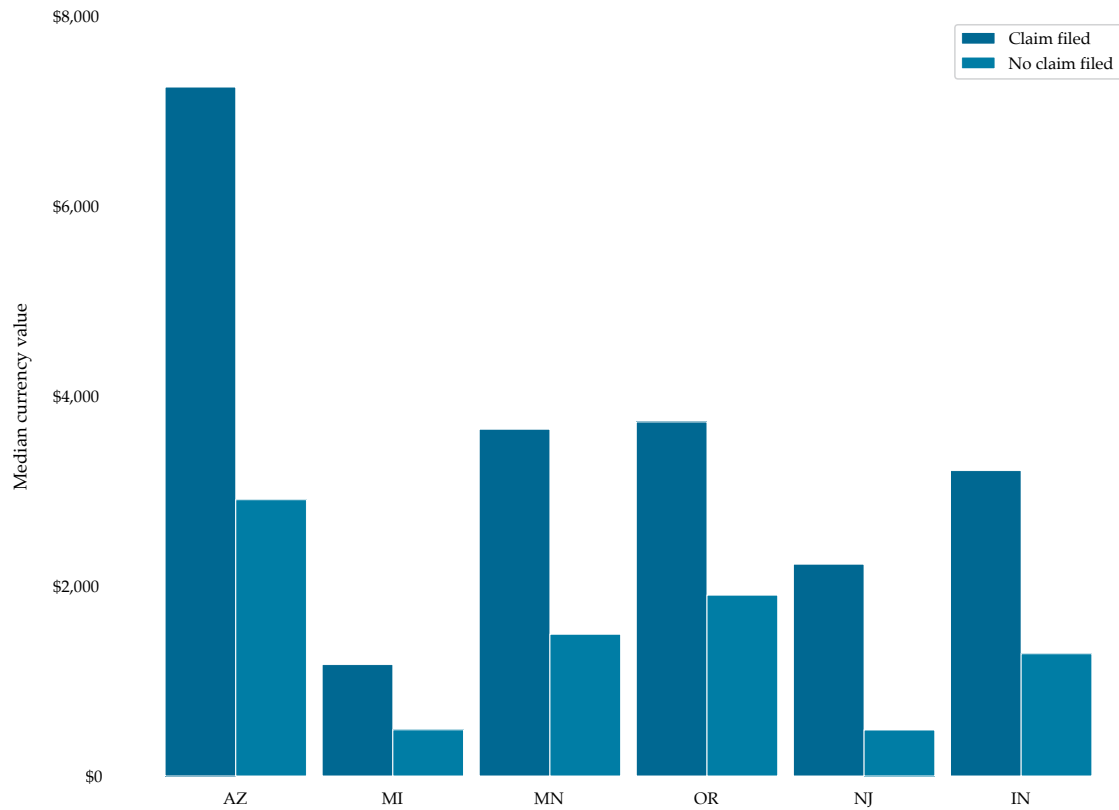


Note: Arizona and Iowa medians are per case; medians for all other states are per asset; Kansas data are from July 2019–2023; South Dakota and West Virginia data are from 2020–2023; New Jersey data are from April 2022–2023; and Arizona data are from 2019–June 2023. Data for all other states are from 2019–2023.

And, in fact, in IJ’s sample of Indiana cases, owners are more likely to contest when more is at stake. The median cash seizure in contested cases was \$3,264—more than twice the median value of \$1,263 in uncontested cases, suggesting owners of smaller sums often made the rational calculation to walk away.⁸⁹

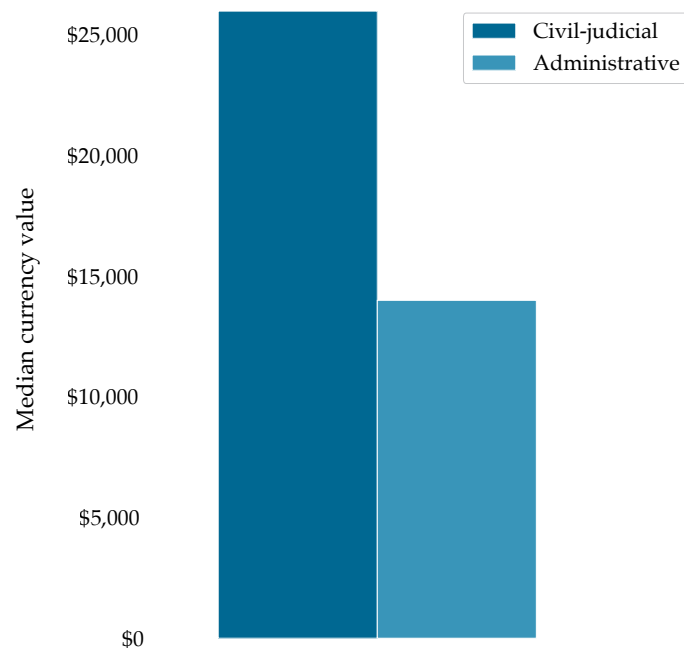
A similar pattern holds in five other states for which we have data, as shown in Figure 12. The median value of cases with a claim or an answer is consistently larger than the median value of uncontested cases. The same is true at the federal level, where the median value of currency forfeited administratively from 2019 to 2023 was \$13,980, while the median value of currency forfeited through civil-judicial procedures was \$25,945 (see Figure 13).

Figure 12: Median values of currency forfeitures with and without claims, six states
Among states with data, owners were more likely to file claims when larger sums were at stake



Note: Indiana data are from a random sample of cases and represent the median currency seizure value. New Jersey data are from April 2022–2023, while Minnesota data are from 2023. Data for other states are from 2019–2023.

Figure 13: Median values of DOJ currency forfeitures, civil-judicial vs. administrative, 2019–2023
The median value of currency forfeitures decided in civil court was almost double that of forfeitures decided administratively, meaning no claim was filed



Legal representation may not be economically viable, and successfully contesting forfeiture may be difficult without it

Even if owners would like to fight back, the small sums involved in most cash forfeitures mean it often will not be worthwhile to hire an attorney—assuming attorneys could be persuaded to take on such small cases. At an estimated \$3,300 for a straightforward state forfeiture case, the cost of attorney representation will outstrip the value of many forfeitures or simply not make economic sense.⁹⁰

The story of Brian Moore Jr. illustrates the economic pitfalls of fighting for the return of seized property. In March 2021, Brian, a former U.S. Army member who had been honorably discharged, was on his way to Los Angeles to film a music video in pursuit of a new career in rap music. To pay for the video's production, he was carrying \$8,500 in cash, recently withdrawn from an account containing proceeds from the sale of a car left to him by his late grandfather. At the Atlanta airport, DEA agents stopped him, searched his bag, and seized his cash for forfeiture.⁹¹

Unlike many others, Brian fought back. He hired an attorney who helped him file claims, respond to lengthy and intrusive government discovery demands for information and documentation, and file court papers arguing both that the DEA agents had violated the Fourth Amendment and that the undisputed facts showed the \$8,500 was not connected to any illegal activity. Fortunately for Brian, faced with these arguments, the government folded before a scheduled court hearing, agreeing to return the money.⁹²

Brian won his \$8,500 back. But the total cost in attorney fees for even a truncated case where the government gave up was almost twice the value of his cash: \$15,200.⁹³

Most people cannot afford to spend \$15,200 to win back \$8,500. For this exact reason, CAFRA and a few state laws entitle owners who win their property back to be reimbursed for attorney fees by the government.⁹⁴ The idea is to make it financially viable for owners to contest forfeitures and for attorneys to take on owners' cases. For example, under Brian's agreement with his lawyers, he owed them roughly \$2,800, while they expected to recover the remainder of their fee from the government under CAFRA's attorney fee provision.⁹⁵

The federal government, however, has a history of opposing attorney fees, even when owners prevail, so CAFRA's promise of being made whole is an uncertain one.⁹⁶ In Brian's case, though the government at first did not oppose fees (it merely contested the amount), the district court denied fees anyway.⁹⁷ It appealed that ruling—*pro bono*—before the 11th Circuit, where the government took the position that Brian was not entitled to fees.⁹⁸ In August 2025, the appellate court ruled Brian



Brian Moore Jr.

had substantially prevailed and was owed fees, though it declined to rule more broadly that owners automatically prevail when the case against their property is dropped.⁹⁹

Even worse than fighting to deny owners attorney fees, some states put owners on the hook for the *government's* investigative and litigation expenses, including attorney fees, should they make a claim and lose.¹⁰⁰

Given the low sums usually at stake and the high and uncertain costs of attorney representation, it is no surprise that owners frequently decide not to contest—or try going it alone and contesting without an attorney.

Data from Arizona and Oregon indicate just 6% and 7% of contested forfeiture actions involved owners represented by attorneys, and cases with attorneys typically involved larger sums. In both states, the median value of currency in contested cases without an attorney was less than the estimated \$3,300 cost of hiring an attorney, while in cases with an attorney it was \$24,521 (Arizona) and \$5,283 (Oregon). In the study of 16 California counties over seven years, an average of just 14% of claimants had attorneys, while court watchers in Cook County, Illinois, observed only 28% of claimants did.¹⁰¹ Publicly available federal data do not indicate how often owners have lawyers, but data IJ obtained about Internal Revenue Service forfeitures indicate most do not: At most 15% of seized assets in the data are associated with an attorney (see “Beyond Taxes: The IRS and Civil Forfeiture” starting on page 65).

Without legal representation, successfully running the procedural gauntlet to a judicial hearing, let alone securing the return of seized property, will be difficult for many owners. Cristal Starling's efforts would have been for naught but for *pro bono* help on appeal.¹⁰² Beverly Miller did not achieve even the limited success of a moral victory until she hired an attorney. Without legal help, Linda Martin unknowingly gave up her right to contest the forfeiture of her savings—though, as the federal judge in Indiana observed, multiple attorneys have made precisely the same mistake.

Though the procedures and paperwork required for civil litigation may be familiar to many lawyers, ordinary people are unlikely to know how to do things like properly file an answer in court, enter an appearance, or respond to queries from the government called “interrogatories.” Even something as seemingly simple as filing an “executed and sworn” claim can stop owners in their tracks. An earlier IJ study of DOJ data found that more than 20% of claims made for seized property between 1997 and 2015 were deemed “deficient” by the government, and by far the most common reason, accounting for 68% of deficient claims, was that the claim “was not executed and sworn to by the claimant.”¹⁰³

The Cook County court watchers observed 230 civil forfeiture cases and repeatedly saw claimants without lawyers who were confused by even the basics of the court process, such as “knowing their case number, properly filling out paperwork, and completing a Hardship Motion” to seek temporary return of their property. They often did not know they could request fee waivers, let alone how to do so.¹⁰⁴ More fundamentally, claimants often had no idea why they were in court in the first place: “More often, property owners would come in not knowing why they were in court if someone else committed the crime, why they could not get their property back if their criminal case was already settled, or why their property was seized at all.”¹⁰⁵

Owners may live far away from the jurisdiction where their property was seized

Challenges like finding or affording a lawyer, navigating the process without one, or even simply showing up in court will be heightened for owners whose property was seized somewhere they do not live. And this problem is not uncommon. More than 78% of seizures on interstate highways in Kansas—and more than a fifth of all seizures in the state—were from out-of-state residents. Unsurprisingly, nearly 80% of those ended in a default judgment of forfeiture.

People whose property was seized at the FedEx hub in Indianapolis faced the same problem. In just two years, the Marion County Prosecutor's Office sued to forfeit currency that happened to pass through Indiana from one non-Indiana state to another at least 130 times.¹⁰⁶ Each of these owners was forced to litigate in a jurisdiction hundreds or thousands of miles away or permanently lose their money.

In Seward County, Nebraska, nearly all civil forfeitures initiated on I-80 began with a stop of an out-of-state driver, according to a news investigation.¹⁰⁷ Similar examples abound: A Minnesota man carrying cash intended to pay for his mother's funeral had it seized at a traffic stop in Wisconsin.¹⁰⁸ New Mexico businessmen had their money seized as they passed through Oklahoma.¹⁰⁹

Similar to highway stops of out-of-state drivers, airport seizures often result in owners being forced to litigate far from home: Kermit Warren's cash was seized and pursued for forfeiture in Ohio, but he lives in New Orleans.¹¹⁰ Jerry Johnson of Charlotte, North Carolina, had his cash seized at the Phoenix airport.¹¹¹ Rebecca Brown lives in the Boston area, but her family's money was seized at the Pittsburgh airport. Stacy Esposito (formerly Jones-Nasr) had her money seized at the Wilmington International Airport in North Carolina on her way home to Tampa, Florida. Matt Berger lives in San Diego, but agents seized his money in Charlotte.¹¹²



Kermit Warren



Jerry Johnson



Rebecca Brown



Stacy Esposito

Failure Means Forfeiture

From inadequate notice to the cost of hiring counsel, there are any number of reasons rightful owners who have done nothing wrong may stumble on the path to a civil forfeiture hearing. Regardless, the consequences of failure remain the same. Not only does failure mean losing the opportunity to be heard by a judge at trial, but it also means almost certain forfeiture.

More than that, failure means the *effective* standard of proof for forfeiture is not the standard at trial, such as preponderance of the evidence or clear and convincing evidence, as indicated in our civil forfeiture law grades. Instead, it is an agency's assertion of probable cause for the seizure. And under most civil forfeiture laws, not even this assertion will be reviewed by a court.

As Table 2 shows, only 19 states with civil forfeiture demand the government demonstrate probable cause to a court regardless of whether an owner contests the forfeiture. Usually, the government must do so by seeking a court order affirming probable cause for a warrantless seizure after the fact, but a few states' statutes explicitly require the government to make a showing of probable cause when seeking a default order after the owner fails to contest.¹¹³ In two states with strong or moderate conviction provisions, Connecticut and Missouri, court involvement is required as part of the criminal process.

Under the laws of the other 27 states with civil forfeiture and the District of Columbia, as well as under federal law, not even this modest level of judicial review is required before property is permanently forfeited.

The most extreme of these are laws that permit or even require the seizing agency or prosecutors to forfeit seized property administratively—that is, without any court involvement—if an owner fails to contest. As described above, this is how federal administrative forfeiture procedures work: The agency that seized property decides whether forfeiting it is justified. Rarely do federal agencies decide their own seizures were unjustified and return property to owners. They did so in fewer than 8% of administrative forfeiture cases according to Northwestern University law professor Stephanie Holmes Didwania's analysis of DOJ data covering 1998 to 2019.¹¹⁴

The story is similar in the District of Columbia and 10 states with administrative forfeiture. If owners fail to file a claim (or, in New Jersey, an answer), forfeiture is typically automatic. In California and Rhode Island, prosecutors "shall prepare a written declaration of forfeiture."¹¹⁵ In Georgia, the property is forfeited "by operation of law," while in Washington state, "the property seized shall be deemed forfeited."¹¹⁶ Under New Jersey law, if no answer is filed, "the property seized shall be disposed of."¹¹⁷

Under these administrative forfeiture provisions, unless a warrant is obtained prior to seizure, probable cause for both the initial seizure and the ultimate forfeiture is determined by the government alone.

In the remaining 17 states, judicial involvement is required, but it is generally limited to entering an order of default judgment after the government shows notice was provided and the deadline for a claim or answer has passed.¹¹⁸ These civil forfeiture laws do not demand courts conduct any substantive review of the government's case for seizing or forfeiting the property.¹¹⁹

Table 2: Civil forfeiture without judicial review
If no claim or answer is filed, will courts review the government's evidence for probable cause?

Yes. Judicial review is required after a seizure, for a default order, or as part of criminal procedure. (19 states)	Alabama, Alaska, Arizona, Colorado, Connecticut, Delaware, Florida, Illinois, Indiana, Kansas, Louisiana, Mississippi, Missouri, New Hampshire, Oklahoma, Pennsylvania, Tennessee, Vermont, Wyoming
No. The government forfeits administratively. (10 states, D.C., federal law)	California, District of Columbia, Georgia, Hawaii, Iowa, Michigan, Minnesota, New Jersey, Rhode Island, Washington, West Virginia, federal law (both CAFRA and customs)
No. Prosecutors can seek a default judgment for failure to claim or answer, but the court is not required to review the basis for forfeiture. (17 states)	Arkansas, Idaho, Kentucky, Maryland, Massachusetts, Nebraska, Nevada, New York, North Dakota, Ohio, Oregon, South Carolina, South Dakota, Texas, Utah, Virginia, Wisconsin

When the government serves as its own judge *and* has a financial interest in the outcome, the risk of erroneously depriving people of their property will be high. In contrast to the 8% rate of returns among federal administrative forfeitures, Professor Didwania found that nearly 37% of civil-judicial forfeitures resulted in property being returned to an owner. This high return rate when forfeitures are presided over by a neutral judge, she observed, “is consistent with claims that the government uses a ‘seize-first, ask questions later’ approach to forfeiture.”¹²⁰

Numerous examples underscore the need for meaningful, independent review. At Indianapolis’ FedEx hub, officers deemed packages suspicious simply because shipping boxes were new or taped on all seams; no signature was required; or the destination was California. If a dog later alerted on the package, allowing police to obtain a warrant to open it, cash would be seized even if no contraband was found.¹²¹ The DEA considered last-minute flights to major U.S. cities a reason to stop and possibly search air travelers.¹²² Highway seizures have been justified by supposed indicators of criminal activity including common behaviors like seeming nervous when stopped by law enforcement, having a “large amount of fast food wrappers in the vehicle,” and a “six pack of Red Bull energy drinks.”¹²³

**From inadequate notice to the cost of hiring counsel,
there are any number of reasons rightful owners
who have done nothing wrong may stumble
on the path to a civil forfeiture hearing.
Regardless, failure means almost certain forfeiture.**

The Wait for a Civil Forfeiture Hearing Can Be Months or Years

The Supreme Court in *Culley* affirmed that “the Constitution requires a timely forfeiture hearing” when the government seeks to deprive a person of their personal property.¹²⁴ As we have shown, most owners will not get a hearing at all. For those who do, they may wait months or years before they have an opportunity to make their case and win their property back. Most statutes do not require the government to move quickly, and often, the government does not. Owners have few avenues to speed up the process. As a result, they face lengthy deprivations and intense pressure to settle.

Stephanie Wilson, a single mother and nursing student in Detroit, spent nearly two years fighting for her car after it was seized by police in June 2019.¹²⁵ It was the second time local police seized a car from her under the state’s Controlled Substances Act, and both times they seized it moments after she picked up her son’s father, who was battling addiction, to give him a ride to his mother’s house. No arrests were made and no contraband was found.¹²⁶

Under Michigan law, Stephanie had 20 days to contest the seizures. She tried to do so the day after her first car was seized, but the Wayne County Prosecutor’s Office had a rule that claims could not be filed until three days after the seizure, so county staff refused to speak to her. Stephanie tried again four days later, only to be told her paperwork could not be found. She tried again two weeks later and this time was told the deadline had passed.¹²⁷

After purchasing another car with her tax refund and having that one seized, Stephanie contested the seizure on time. But, as Figure 7 shows on page 24, while owners in Michigan must act quickly or give up all rights to their seized property, prosecutors face no deadline to initiate forfeiture proceedings by filing a complaint. Wayne County prosecutors finally did so four months after the seizure, but Stephanie was still no closer to a hearing. Instead, by the time she joined a class action lawsuit brought by IJ against the county’s seizure and forfeiture practices in February 2020, more than seven months after the seizure, prosecutors had demanded she attend four pretrial conferences—all without a judge present. No hearing had been scheduled, and she still did not have her car.¹²⁸

Like Michigan, six other states and federal customs law do not set a deadline for when prosecutors must initiate a forfeiture action.¹²⁹ In one of those states,

The Supreme Court in *Culley* affirmed that “the Constitution requires a timely forfeiture hearing” when the government seeks to deprive a person of their personal property. Yet most owners will not get a hearing at all. For those who do, they may wait months or years.

Massachusetts, Berkshire County prosecutors waited nearly five years before filing a complaint against Malinda Harris’ car—and then took another 10 months to notify her. In that time, Malinda had no legal avenue to contest the seizure as an innocent owner and get her car back. The county only relented and returned her car after the Goldwater Institute, representing Malinda *pro bono*, threatened to sue.¹³⁰

As Figure 7 shows, an additional 11 states give prosecutors generous deadlines of 90 days or more, with two states—Nevada and Wyoming—permitting 120 days. CAFRA’s deadline is 90 days from when an owner makes a claim. Extensions can add to the wait: Arkansas prosecutors must file within 65 days but can have up to 120 with an extension. Alabama’s deadline of 42 days from the seizure can be more than doubled by extensions to 97 days. The rules of civil procedure typically also provide lengthy—or unspecified—deadlines before prosecutors must *serve* complaints on owners, potentially lengthening the time before owners can contest and reach a hearing, as Malinda Harris experienced.

Also like Michigan, most states do not set a deadline for the hearing itself. Only 16 states’ civil forfeiture laws prescribe a timeframe for hearings or trials.¹³¹ Nebraska requires a hearing within 90 days of the seizure, while statutes more typically set a deadline of 60 or 90 days from the government’s complaint, the owner’s answer, or, if applicable, a conviction.¹³² The practical result is that in many states, unless prosecutors, owners, and courts all voluntarily move quickly, owners may wait months or years before reaching a courtroom.

To provide a rough approximation, Table 3 adds the deadlines prescribed by civil forfeiture laws and rules of civil procedure, while also noting where deadlines are unspecified. In half the states, the known deadlines, not counting extensions, add up to at least 188 days—over six months—but most processes leave at least one deadline unspecified.¹³³

Table 3: Deadlines toward civil forfeiture hearings, totaled

State	Specified deadlines, totaled	Unspecified deadlines
Alabama	192 days (247 days with complaint filing extension)	Hearing
Alaska	50 days	Hearing
Arizona	390 days	
Arkansas	230 days (285 with complaint filing extension)	Complaint service extension Hearing
California	150 days	Notice Hearing
Colorado	175 days	Petition for forfeiture extension Order to show cause Hearing extension
Connecticut	104 days	Complaint service
Delaware	315 days	
District of Columbia	241 days	Complaint filing extension Complaint service extension Hearing
Florida	185 days	Hearing
Georgia	125 days	Notice Hearing extension
Hawaii	150 days	Hearing
Idaho	233 days	Hearing
Illinois	350 days	Hearing extension
Indiana	170 days	Hearing
Iowa	360 days	Hearing extension
Kansas	291 days (321 days with complaint service extension)	Hearing
Kentucky	41 days	Complaint filing Complaint service Hearing
Louisiana	360 days	Hearing extension
Maine	Criminal forfeiture only	
Maryland	170 days (125 days for vehicles)	Hearing
Massachusetts	30 days	Complaint filing Hearing
Michigan	111 days (385 days with complaint service extension)	Notice Complaint filing Hearing
Minnesota	210 days (300 days with notice extension)	
Mississippi	210 days	
Missouri	Civil forfeiture occurs only after a conviction	
Montana	Criminal forfeiture only	
Nebraska	90 days	
Nevada	260 days	Complaint service extension Hearing
New Hampshire	150 days	Complaint service Hearing*

State	Specified deadlines, totaled	Unspecified deadlines
New Jersey	245 days	Hearing
New Mexico	Criminal forfeiture only	
New York	80 days (140 days with complaint service extension)	Attachment order Hearing
North Carolina	Criminal forfeiture only	
North Dakota	20 days	Complaint filing Complaint service Hearing
Ohio	298 days	Hearing
Oklahoma	225 days	Complaint filing Hearing
Oregon	81 days	Complaint service Hearing
Pennsylvania	60 days	Seizure order Complaint filing Hearing
Rhode Island	240 days	Complaint filing Hearing extension
South Carolina	30 days	Complaint filing Complaint service Hearing
South Dakota	270 days	Complaint service
Tennessee	72 days	Probable cause determination (if you were present at the seizure) Notice of forfeiture warrant Administrative hearing
Texas	50 days	Complaint service Hearing
Utah	135 days (186 days with complaint filing and service extensions)	Hearing
Vermont	210 days (240 days with complaint service extension)	Seizure order
Virginia	485 days	Hearing
Washington	120 days	Hearing
West Virginia	240 days	Notice Hearing
Wisconsin	200 days	
Wyoming	230 days	Hearing
CAFRA	326 days (356 days with notice extension from an agency official; additionally, the court can grant multiple 60-day extensions)	Complaint filing extension Hearing
Customs	166 days	Notice Complaint filing Hearing

*New Hampshire gives a deadline for the hearing, but it is unclear. We therefore count it as unspecified.

Of course, these figures cannot account for the realities of civil litigation. Prosecutors or owners may move more quickly. On the other hand, pretrial motions, discovery, court scheduling, or other ordinary litigation delays may slow things down. Especially in states with conviction provisions, civil proceedings may be stayed during a related criminal case, if there is one. Since these provisions often require only that someone—not necessarily the owner—be convicted or plead guilty, innocent owner claimants may have to wait even longer for a chance to win their property back. An additional caveat with Table 3: Civil forfeiture processes vary a great deal across jurisdictions, making comparisons difficult. Still, this simple summing of deadlines suggests property owners in most jurisdictions will not reach a hearing quickly.

And relatively few civil forfeiture statutes allow owners to reach a courtroom faster by requesting an adversarial pretrial hearing. As Table 4 shows, the civil forfeiture laws of just 16 states and the District of Columbia specify a procedure for such pretrial hearings, while another six allow for speedier challenges without explicitly mentioning a hearing.¹³⁴ Most are probable cause hearings where the government must show it has probable cause to believe the property is forfeitable in order to hold on to it while the forfeiture case continues. (Unlike the probable cause orders some states require after warrantless seizures, owners can participate in these probable cause hearings, but they only happen on request.) If the government cannot meet that burden, the court can order property released to the owner, possibly with conditions such as a bond or a directive to keep the property within the court's jurisdiction.¹³⁵ In others, which we call preliminary hearings, owners can secure release by showing they are likely to prevail at trial (or, in some cases, if the property is not needed for evidence or the owner needs it for legal fees).¹³⁶ In Illinois, owners can request a pretrial hearing to raise an innocent owner defense.

Under these statutes, if owners know they can ask for a pretrial hearing and they know how to do so, they can get before a judge more quickly, usually within a month or two. But in several states, they must act fast—within 10, 15, or 30 days of seizure or notice—or lose the opportunity.



Table 4: Adversarial pretrial hearings in civil forfeiture laws^a

State	Hearing type	Owners' deadline to request ^b	Hearing timing ^c
Alabama (innocent owners only)	Probable cause	Any time	60 days
Arizona	Preliminary	60 days	30 days
District of Columbia	Probable cause	Any time before complaint	10 or 15 days depending on the property
Florida	Probable cause	15 days	10 days
Georgia	Probable cause	30 days	35 days
Hawaii ^d	Probable cause	15 days	30 days
Idaho	Probable cause	Any time	Not specified
Illinois	Innocent owner	After filing an answer	Not specified
Iowa	Probable cause	10 days	35 days
Kansas	Probable cause	Any time	Not specified
Louisiana	Probable cause	10 days	35 days
New York	Preliminary	Any time	Not specified
Ohio	Preliminary	Any time	21 days if you request the hearing before charges are filed; otherwise, not specified
Oregon	Probable cause and preliminary	15 days	Not specified for probable cause; 15 days for preliminary
Pennsylvania	Preliminary	Any time	30 days
Tennessee	Probable cause	Such hearing is required if you were not present at the seizure or there was no arrest	45 days
Wisconsin	Preliminary	Any time	40 days

^a Six states' civil forfeiture laws mention motions or petitions owners can file to seek the release of the property without specifying a procedure for a hearing. Alaska allows owners to file a petition for release. California allows non-defendants to file a motion for return and defendants to challenge probable cause for the seizure. In Connecticut, owners can challenge the validity of the seizure as part of the criminal process. Nebraska permits innocent owners of record to petition the court for return of their property. In Nevada, owners can file a "claim for delivery," but only if the government has not filed a complaint within 60 days; it does not appear that the claim will be ruled on separately, but rather it expedites the litigation by requiring the government to respond. New Hampshire permits innocent owners to petition for the return of seized property.

^b Request timing generally runs from seizure or notice.

^c Hearing timing typically runs from the owner's request, but in the District of Columbia, owners ask the government to release the property, and the government requests a hearing if it objects. In Georgia, Iowa, and Louisiana, the hearing is held 30 days after a court issues an order to "show cause" to the government and after five days' notice to the government. In Hawaii, it is held after a court issues a show cause order to the government with 30 days' notice of the hearing. In Wisconsin, it is held within 40 days of the seizure.

^d In Hawaii, an owner's request for a probable cause hearing will be set aside if prosecutors file a forfeiture complaint before the hearing takes place.

Civil forfeiture laws in seven states and the District of Columbia, and at the federal level under CAFRA, allow owners to seek the release of their property pending trial if doing without it causes hardship. (See Table 5.) Usually, owners must show they need the seized property for necessities or employment; they may also need to show it will not be disposed of or used for criminal activity; and they may be required to post a bond or agree to other conditions. Most of these provisions allow for a hearing, though hearings are not mandated for Pennsylvania or federal hardship petitions. In the District of Columbia and Idaho, hardship requests follow the same procedure as a probable cause hearing.

Table 5: Hardship hearings and petitions in civil forfeiture laws

State	Request deadline	Hearing timing*
District of Columbia	Any time before complaint	10 or 15 days depending on the property
Idaho	Any time	Not specified
Illinois (vehicles only)	28 days from seizure order	Not specified
Indiana (registered owners of vehicles or real property only)	Any time	Not specified
New York	Any time	Not specified
Ohio	30 days from seizure	Court has 10 days to rule for vehicles; 21 days for other property
Pennsylvania	Any time	No hearing specified
Utah	Any time after notice	14 days; court has 20 days from the hearing to rule
CAFRA	Any time if property is not returned within 15 days of your request to the agency	No hearing specified; court has 30 days to rule

*Hearing timing typically runs from the owner's request, but in the District of Columbia, owners ask the government to release the property, and the government requests a hearing if it objects.

In 12 states, owners can pay a bond to secure their property's temporary return. (See Table 6.) Usually, the bond is set at fair market value (or the equivalent), but in Alabama and Tennessee, it is twice that. While this can provide relief for some, it may not be within the financial reach of many owners.

Table 6: Bond provisions in civil forfeiture laws

State	Bond provision*
Alabama (vehicles only)	Twice fair market value
Arizona	Fair market value
Iowa	Fair market value
Kansas	Fair market value
Maryland	Appraised value
Minnesota	Retail value or, for vehicles, surrender title
Missouri	Value of property
New Jersey (non-defendants only)	Fair market value
Tennessee	Twice retail value
Texas	Appraised value
Utah	Fair market value
Virginia	Fair cash value

*Here we report the language used in statute.

Pretrial hearings, hardship release, and bond provisions may alleviate the burdens of being without needed cars or cash for at least some property owners, but taking advantage of them will require know-how and come with costs in terms of time and money. And 17 states offer none of these options for securing the temporary return of seized property. As a result, in much of the country, owners awaiting a civil forfeiture hearing are likely to be deprived of the property for months or years before they get their day in court.

No states make data available describing the length of time from seizure to a forfeiture hearing, but data describing how long it took owners to get at least some portion of their property back, whether through litigation or settlement, suggest owners can be deprived for a long time. As Table 7 shows, in half of Virginia cases where property was returned, it took longer than nine months. The slowest quarter took more than 16 months. Similarly, the median return in Wyoming took more than eight months, while the slowest quarter took almost a year.

Table 7: Median and 75th percentile days to return, with percentage of properties returned, four states

State	Median days to return	75th percentile days to return	Percent of properties returned
Florida	15	48	19.8%
Kansas	29	156	17.2%
Virginia	288	497	24.6%
Wyoming	252	343	10.6%

Returns in Florida and Kansas happened more quickly, possibly because both states provide pretrial hearings. In Florida, another likely factor is the \$1,000 filing fee and \$1,500 bond the government must pay when filing a complaint, mentioned above. The complaint and payments are due 45 days from the seizure. Prosecutors thus have an incentive to decide before the deadline whether to pursue forfeiture, return property, or reach a settlement with owners. And in fact, about a third of Florida's returns of currency are settlements, and more than half occur within 45 days.

Overall, however, our analysis of civil forfeiture deadlines and the limited data available suggest that in many jurisdictions, property owners with the wherewithal to contest forfeiture are likely to be deprived of their property for a long time before reaching a hearing. These lengthy deprivations cause hardship for owners, particularly those who are already disadvantaged—and who tend to be targets of civil forfeiture. Lengthy deprivations also create enormous pressure to settle or pay other fees, regardless of owners' guilt or innocence.

Hardship for the already disadvantaged

Being deprived of a car or cash for even a few months would cause significant hardship for many, if not most, Americans, and particularly those of modest means. Unfortunately, research suggests forfeiture often preys on precisely those who can least afford it—the poor and racial and ethnic minorities.

Courts have repeatedly recognized the importance of cars in the everyday lives of Americans. In Stephanie Wilson’s challenge to Wayne County’s vehicle forfeiture program, the Sixth Circuit observed, “a personal vehicle used for transportation is almost as precious as a home.”¹³⁷ The court cited other federal circuits declaring that cars are often a person’s “most valuable possession”; they provide “access to jobs, schools, and recreation as well as to the daily necessities of life”; and being without one’s primary mode of transportation “can result in missed doctor’s appointments, missed school, and perhaps most significant of all, loss of employment.”¹³⁸

Research on the impact of driver’s license suspensions supports federal courts’ concern that being without access to a car can have dramatic negative effects. More than three-quarters of Americans drive to work, and losing the ability to drive often leads to job loss.¹³⁹ A New Jersey survey found that 42% of respondents lost their jobs after their driver’s license was suspended, while in a survey of participants in a Phoenix program to help people regain driving privileges, nearly a third did.¹⁴⁰ Researchers estimate license suspensions in Texas cost \$5 billion in lost earnings annually.¹⁴¹

Being suddenly deprived of much-needed cash can also present significant hardship, particularly for poorer Americans. About a quarter of Americans, and more than a third of black and Hispanic people, report having difficulty making ends meet.¹⁴² People struggling

to make ends meet are likely to also struggle with a financial shock like the sudden seizure of cash, even in fairly small sums. Economists measure “financial fragility” as difficulty coming up with \$2,000 in a month, and roughly a quarter of all Americans and a third or more of black and Hispanic people report they could not or probably could not cope with such a shock.¹⁴³ The financially fragile are less likely to have savings to draw upon and are more likely to turn to family or friends, sell possessions, or work more to cover a sudden financial loss—if they are able to.¹⁴⁴

Research suggests those least capable of coping with the loss of a vehicle or cash are disproportionately likely to fall victim to forfeiture. Several studies show that law enforcement in areas with larger populations of racial and ethnic minorities conduct more forfeitures and bring in more forfeiture revenue.¹⁴⁵ For example, one study found that a 10 percentage point increase in the black population was associated with a 38% increase in forfeiture revenue per capita.¹⁴⁶ Other investigations have found that seizures and forfeitures are disproportionately concentrated in low-income—and often predominately minority—communities.¹⁴⁷ One possible reason lower-income people and minorities are more likely to be victims of forfeiture is that they are more likely to be stopped and searched by police, despite those searches being *less* likely to turn up contraband. In a study of over 60 million traffic stops across 20 states, for instance, black and Hispanic drivers were twice as likely to be searched in general and twice as likely to be subjected to a consent search.¹⁴⁸ Another possible reason lower-income people and minorities are more likely to be victims of forfeiture is that they are more likely to be “unbanked” and therefore to be carrying cash that can be seized.¹⁴⁹

Being deprived of a car or cash for even a few months would cause significant hardship for many, if not most, Americans, and particularly those of modest means.

Pressure to settle

Once the government has possession of someone's personal property, be it cash or a car, it has the upper hand. As we have described, owners must take action, and potentially costly action—hiring an attorney, taking time off work, and so on—to win it back. In most jurisdictions, prosecutors can drag out the forfeiture process, and owners have few avenues to more quickly assert their rights. And if owners do manage to get before a neutral arbiter, the government usually must meet a low standard of proof—or the owner may bear the burden of proving their own innocence.

Combined, these factors place enormous pressure on property owners to settle with the government, giving up a portion of their property's value as the least-worst outcome. And because forfeiture proceeds typically benefit seizing agencies and prosecutors, they have strong incentives to persuade owners to settle—or even to coerce the payment of fees or other concessions.

This is what federal prosecutors tried to do when Cristal Starling informed them her ex-boyfriend had been acquitted. Instead of simply returning her \$8,040, the government offered to settle and split the money in half—even while knowing it was not connected to any crime.¹⁵⁰ Presumably, they expected she would rather secure half than try to fight them. Cristal refused, and with *pro bono* legal help, won her money back. But few others will be able to do the same.

IJ's study of Indiana forfeiture cases clearly illustrates the problem. When owners contested forfeiture, the most common outcome—by far—was not their case reaching a judge. It was settlement. More than 86% of contested cases ended with a settlement, and in most of them, the government agreed to give back at least half the value of the property, usually cash.¹⁵¹

It is not clear how such settlements serve justice. If the government believed an owner was truly guilty, it would be returning property to a criminal. And if owners did nothing wrong, they would have been punished for no reason. The government's financial incentives and the pressures civil forfeiture places on owners suggest the latter is the more common result.

The government can also use the threat of criminal penalties to persuade owners to relinquish property. Michigan data show that one in 10 forfeitures involved a person cooperating with law enforcement to avoid criminal charges. No other state reports such data, but data from California and Minnesota show nearly all convictions associated with forfeitures—99% and 100%—are in fact plea deals, raising the concern that owners are giving up property in return for reduced charges.¹⁵² Similarly, a news investigation found that 75% of state civil forfeiture cases in Seward County, Nebraska, resulted from owners signing on-the-spot waivers when stopped on a highway. Officers would present motorists with the

Once the government has possession of someone's personal property, be it cash or a car, it has the upper hand. Owners must take action, and potentially costly action, to win it back.

choice of signing the waiver, thereby giving up all rights to cash they were carrying, or risking being prosecuted for a felony.¹⁵³

Settlement, plea deals, and roadside waivers are not the only ways the government can leverage civil forfeiture to generate revenue. Wayne County, Michigan, where Stephanie Wilson's car was seized, offers a case study in how prosecutors can use the threat of drawn-out civil forfeiture proceedings to extract money from property owners. Under the county's vehicle seizure program, owners had to pay a "redemption" fee, plus fees for towing and storage, to get their cars back. The redemption fee was \$900 for the first seizure, \$1,800 for the second, and \$2,700 for the third. While a car was in the county's possession, storage fees accrued daily.¹⁵⁴

When Stephanie contested the second seizure of her car, prosecutors repeatedly pressured her to instead pay the \$1,800 redemption fee, plus towing and storage fees, to recover her vehicle, warning her that a hearing could be months away.¹⁵⁵ This was the purpose of the multiple pretrial conferences she was made to attend without a judge present. When Stephanie told prosecutors she could not afford the redemption fee, they offered to waive other fees if she could return with a "reasonable amount of money."¹⁵⁶

From 2018 to 2023, Wayne County collected at least \$3 million in such fees from vehicle seizures.¹⁵⁷ On a far smaller scale, the police chief of Chanute, Kansas, explained to a reporter that he has a policy to "charge a consistent \$700 for administrative and storage fees in lieu of proceeding through a civil asset forfeiture action to return vehicles to their owners."¹⁵⁸

As with settlements, it is not clear how such "redemption" or "administrative" fees that immediately return cars to their owners serve justice, though they obviously generate revenue. As a judge on the Sixth Circuit observed:

Wayne County claims that it seizes cars to fight crime (and holds on to them for months for the same reason). But the County is happy to return those very cars as soon as it gets paid. That practice proves the County's scheme is simply a money-making venture—one most often used to extort money from those who can least afford it.¹⁵⁹

Scope of Forfeiture

The size and scope of forfeiture make the problem impossible to dismiss. Our data show forfeiture is widespread across all levels of government, bringing in billions of dollars in revenue every year. Our data also provide insights into how police and prosecutors approach forfeiture, showing that currency is the most common property type forfeited and that governments will typically pursue property via civil proceedings that make forfeiture easier for them, as opposed to criminal ones that provide greater protection to property owners. And despite the voluminous data we collected, in many jurisdictions, data availability and quality remain limited, hindering transparency and accountability.

Since 2000, at least \$82 billion worth of property has been forfeited by governments nationwide, with \$57 billion collected by the federal government and almost \$25 billion collected by state and local governments.

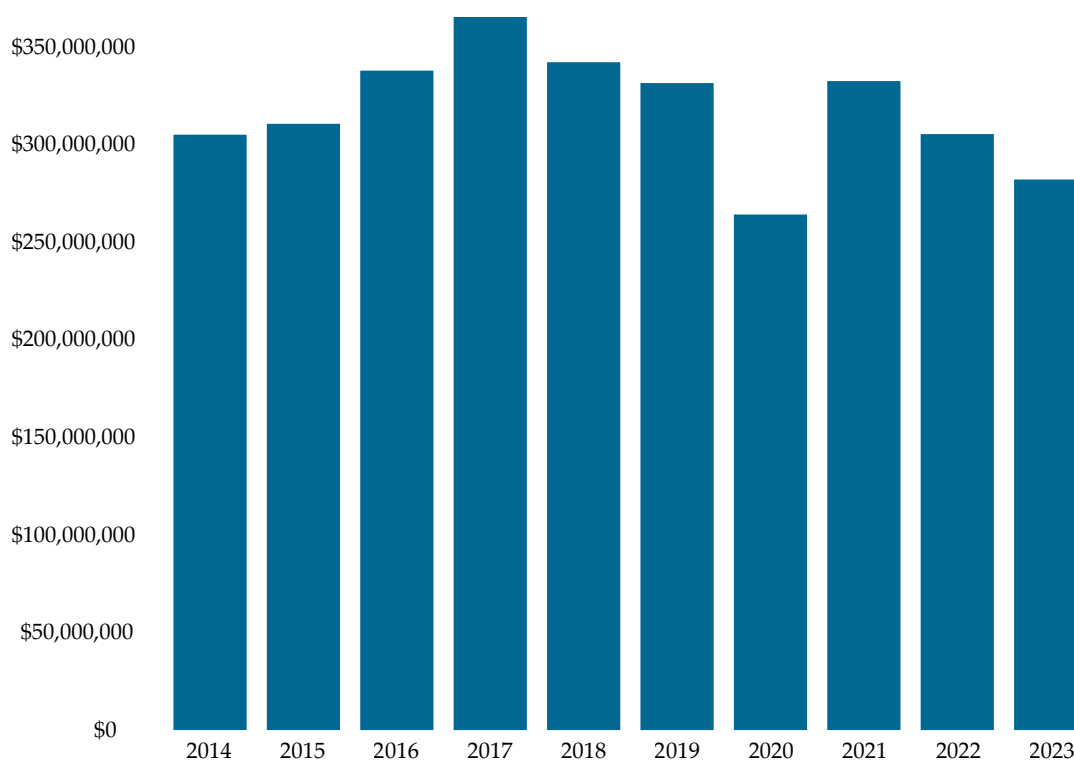
How Much Is Forfeited?

Since 2000, at least \$82 billion worth of property has been forfeited by governments nationwide, with \$57 billion collected by the federal government and almost \$25 billion collected by state and local governments.¹⁶⁰ That is a lot of cash, cars, homes, and other property, and yet it actually understates the scope of forfeiture. Indeed, the \$25 billion figure should be considered a very conservative estimate of the scope of state and local forfeiture for several reasons.

First, a considerable portion of state data is missing: We tracked revenue data for all 50 states and the District of Columbia over 24 years, which corresponds to 1,224 datapoints—and over one-third are missing or unknown. Second, even when states do report, their data are often incomplete, either because agencies or jurisdictions failed to report or because reported data are inaccurate. Third, some states only assign value to currency, so their revenue figures miss any non-cash properties like cars.¹⁶¹ And fourth, many states do not track forfeited property and instead report only deposits to their forfeiture funds—after costs are deducted—so figures do not reflect the full value of property taken from owners.

As Figure 14 illustrates, forfeiture under state laws has been fairly steady over the past decade, with the value of property forfeited in 34 states consistently around \$300 million to \$350 million per year.¹⁶²

Figure 14: State forfeiture revenue, 34 states, 2014–2023



Note: Totals exclude four outlier forfeitures, one each from 2014, 2015, 2018, and 2019. See text for details.

In 2023, the most recent year with data for a large number of states, 45 states and the District of Columbia forfeited a combined total of just under \$300 million worth of property, though their individual takes varied widely.¹⁶³ Not surprisingly, more populous states tend to have more forfeiture revenue. The top five in 2023 were California, Texas, Florida, New York, and New Jersey, which combined accounted for nearly half of all state forfeiture revenue. After controlling for population, however, the top five states in per capita forfeiture revenue are Rhode Island, Oklahoma, New Jersey, Tennessee, and Massachusetts.¹⁶⁴ Notably, these five states all earn overall law grades of D- or below.

Meanwhile, at the federal level, the Department of Justice and Department of the Treasury together forfeited

\$4.5 billion worth of property in 2023, which is an increase over previous years (see Figure 15). This increase was mostly the result of two large cases that generated a combined \$1.87 billion.¹⁶⁵ In addition, the combined net assets available in the departments' forfeiture funds have gradually increased from \$766 million in 2000 to over \$5 billion in 2023 (see Figure 16). The funds' net assets are not a direct measure of the federal government's forfeiture activity, but they do provide a general indication of the vitality of the federal government's forfeiture programs over time. The growth in these funds means that both the DOJ and Treasury are consistently taking in more forfeiture revenue than they spend.¹⁶⁶

Figure 15: Federal forfeiture revenue, 2000–2023

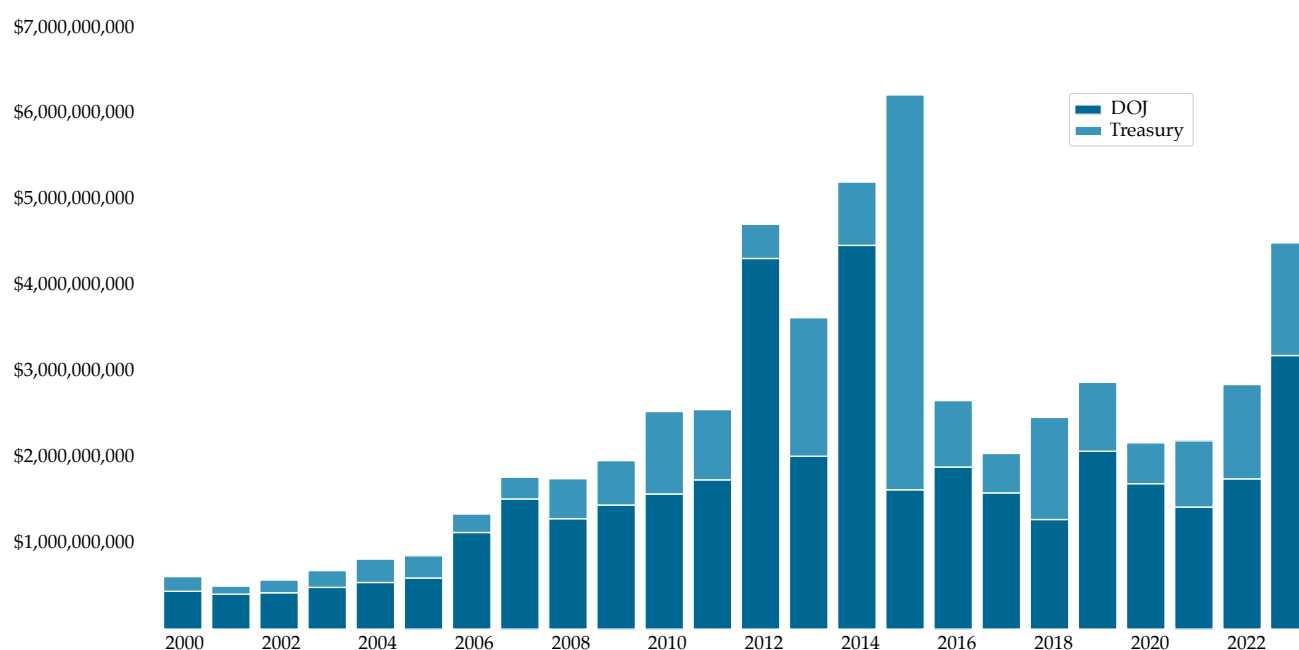
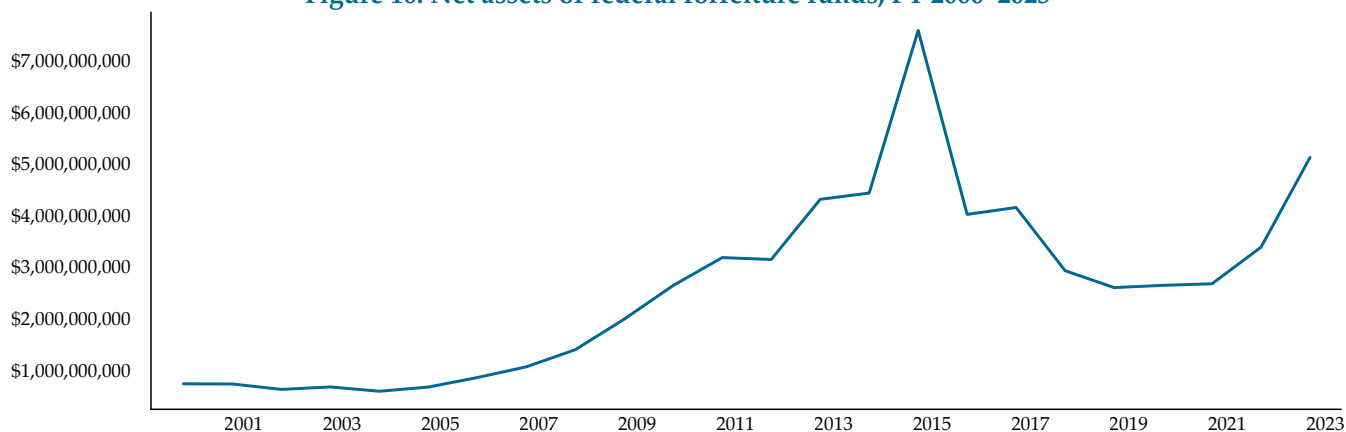


Figure 16: Net assets of federal forfeiture funds, FY 2000–2023



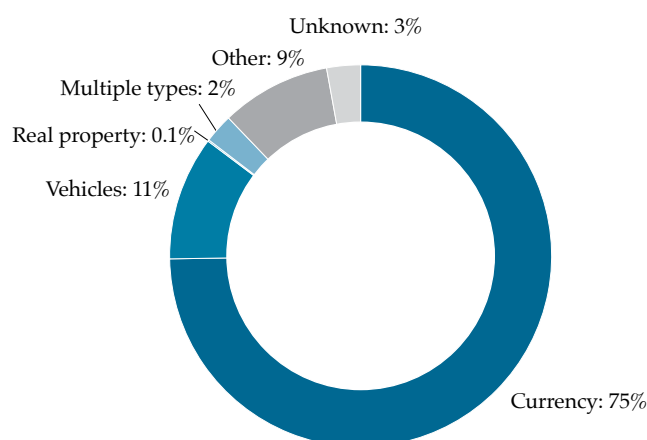
Note: The 2015 spike is from a large forfeiture in a fraud case that was processed but not disbursed by fiscal year end.

What Is Forfeited?

The data are unequivocal: When it comes to forfeiture, currency reigns supreme. From 2019 to 2023, currency accounted for an average of 75% of properties forfeited across 23 states that record such information (see Figure 17). In all but one of these states, currency is the most common asset type forfeited. The lone exception is Minnesota, where 57% of properties forfeited were vehicles compared to only 31% that were currency, the result of heavy use of forfeiture for driving while impaired.

Figure 17: Types of forfeited property, 22 states and D.C., 2019–2023

In jurisdictions with data, currency was the most frequently forfeited type of property

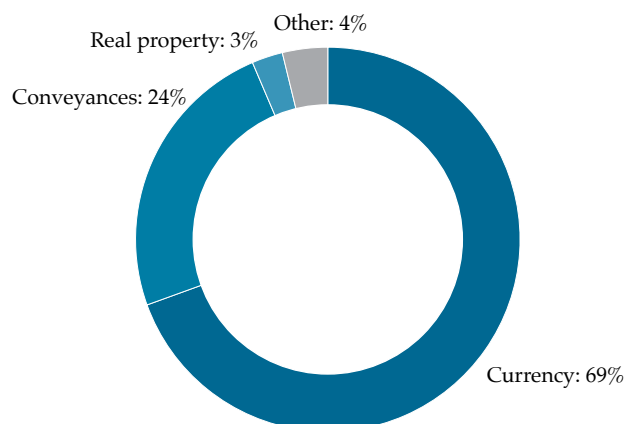


Note: The 22 states are Arizona, Colorado, Connecticut, Illinois, Iowa, Kansas, Maryland, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Jersey, Oregon, Pennsylvania, Rhode Island, South Dakota, Utah, Virginia, West Virginia, Wisconsin, and Wyoming.

At first glance, federal data from the DOJ tell a somewhat different story, as weapons are the most forfeited type of property.¹⁶⁷ However, the federal government is required to destroy weapons, ammunition, and contraband, meaning it derives no revenue from these forfeitures. Among properties that generated revenue, the story looks more familiar: Currency forfeitures dominate at 69%, while conveyances (i.e., vehicles) are a distant second at 24% (see Figure 18).

Figure 18: Types of forfeited property, DOJ revenue-generating forfeitures, 2000–2023

Currency was the most frequently forfeited type of property



Why does currency dominate? As is often the case with forfeiture, incentives likely play a large role.

First, currency is easy and efficient to forfeit. There is no need for storage, appraisal, or auction, and because currency is already liquid, agencies can quickly use it once forfeited. The government's preference for cash is revealed in the DOJ's Asset Forfeiture Policy Manual, where it sets minimum property value thresholds for pursuing forfeiture. While the DOJ can seek forfeiture of currency worth as little as \$1,000, there is a \$10,000 minimum value for vehicles and a \$30,000 minimum threshold for real property.¹⁶⁸

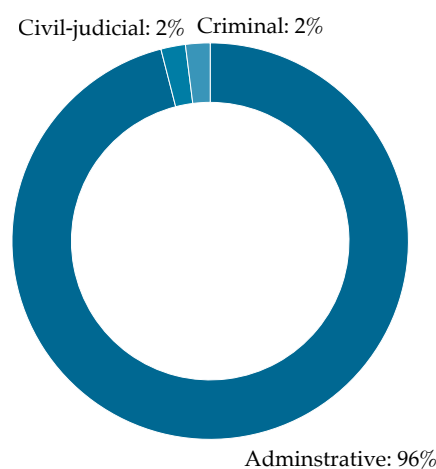
Second, currency is less likely to be contested than vehicles, likely because of the importance of cars in everyday American life and because ownership is easier to establish. As a result, the government is more likely to receive forfeiture proceeds when it seizes cash. Averaging available data from five states, owners file claims contesting only 12% of currency seizures compared to 28% of vehicle seizures.¹⁶⁹ Such differences in claim rates may help explain why, among three states with data, 84% of seized currency is forfeited compared to 55% of seized vehicles.¹⁷⁰

How Is It Forfeited?

In most states and at the federal level, governments can pursue forfeiture under either civil or criminal forfeiture statutes. While the financial incentives are generally the same, civil forfeiture procedures typically offer the government an easier path via a lower standard of proof and other procedural advantages. It should therefore be no surprise that civil proceedings dominate across all levels of government.

At the federal level, civil proceedings dramatically outpace criminal ones. For the Treasury, data from 2000 to 2016—the most recent year with data available—show that just 2% of forfeitures were processed criminally, while 96% were processed through administrative forfeiture. (See Figure 19.) For the DOJ, only 18% of forfeitures from 2000 to 2023 were criminal, while 75% were administrative and 6% were civil-judicial. However, the percentage of criminal forfeitures has steadily risen over time, peaking at 51% in 2023.¹⁷¹

Figure 19: Most Treasury forfeitures were processed administratively, 2000–2016



Much of that increase can be attributed to destructive forfeitures, properties like weapons and ammunition that are destroyed and do not generate revenue. Among revenue-generating forfeitures, the growth in criminal forfeitures has been far more limited, with the percentage remaining around 25% since 2016. (See Figure 20.) Civil forfeiture procedures—and particularly administrative forfeiture procedures—continue to dominate DOJ forfeitures that result in proceeds. Overall, from 2000 to 2023, 71% of revenue forfeitures were administrative, while another 12% were civil-judicial. Just 17% were criminal. (See Figure 21.)

While the financial incentives in civil and criminal forfeiture are generally the same, civil procedures typically offer the government an easier path via a lower standard of proof and other procedural advantages. It should therefore be no surprise that civil proceedings dominate across all levels of government.

Figure 20: Among revenue-generating DOJ forfeitures, the percentage processed criminally has remained steady since 2016

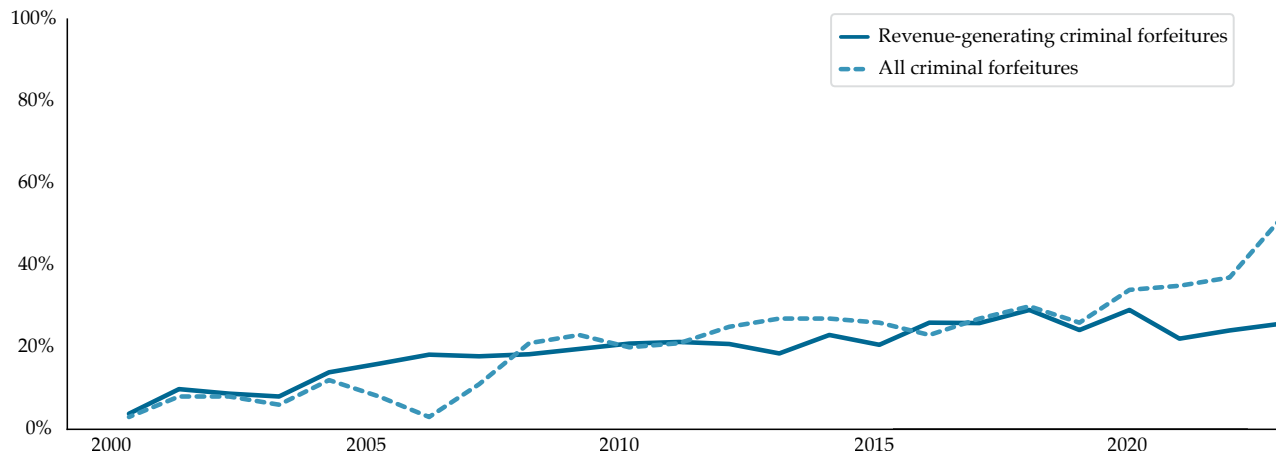
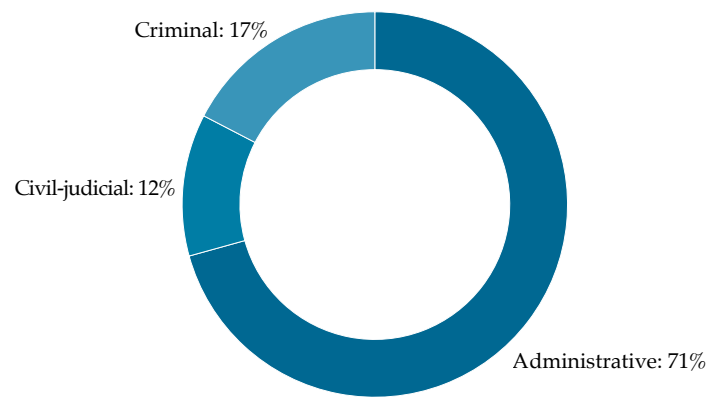
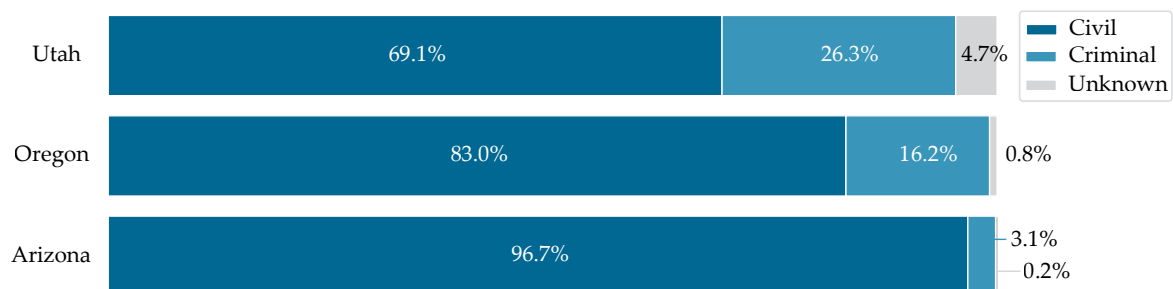


Figure 21: Most DOJ revenue-generating forfeitures were processed administratively, 2000–2023



At the state level, data regarding the proceeding type are sparse, as only three states—Arizona, Oregon, and Utah—consistently record this information.¹⁷² Across these three states an average of 83% of forfeitures came from civil proceedings, with 15% from criminal and 2% unknown. (See Figure 22.)

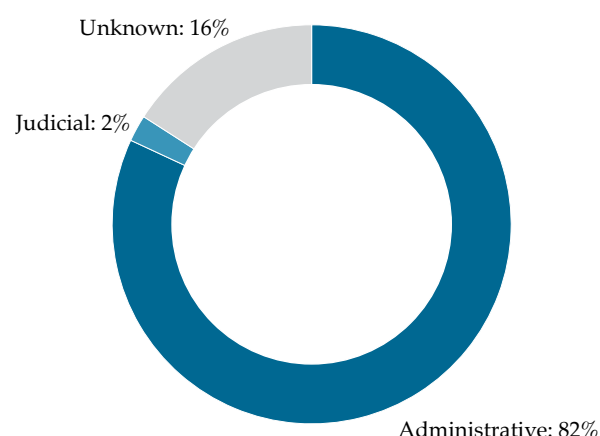
Figure 22: Across three states with data, most forfeitures were civil, not criminal



Note: Data are from 2019–2023.

In addition, Minnesota tracks whether forfeitures are initially pursued using administrative or judicial proceedings. As shown in Figure 23, only 2% of forfeitures in Minnesota were initially pursued as judicial, compared to 82% that were initially pursued as administrative. (The remaining 16% are unknown.)

Figure 23: Most of Minnesota’s forfeitures were administrative, 2019–2023



Problems With Forfeiture Data

The forfeiture data collected for this report show forfeiture is extensive, cash-centric, and typically conducted through civil, not criminal, forfeiture procedures. Still, forfeiture reporting remains remarkably weak. At the federal level, while the DOJ regularly posts its forfeiture database, called the Consolidated Asset Tracking System, online, annual audits have identified “significant” deficiencies, and CATS appears to suffer from significant reporting lags.¹⁷³ The Treasury is even less transparent. It does not make its database available online—the Institute for Justice secured a one-time release of data through 2016 by filing a freedom-of-information lawsuit—and instead publishes reports providing only topline numbers with little detail.

At the state level, forfeiture reporting is particularly weak, as data are often incomplete, inaccurate, or internally inconsistent. (See also “Forfeiture Transparency and Accountability: A Nationwide Necessity” starting on page 52.) Georgia provides a striking example of incomplete reporting: A recent review found that, between 2016 and 2018, 130 required reports were missing altogether and 30% were incomplete in some way—despite a state law imposing penalties for failure to report.¹⁷⁴ Our data are also rife with examples of incomplete reporting. In California, about a quarter of district attorney’s offices do not report their data annually.¹⁷⁵ In other states, certain data are simply missing: For example, for 84% of properties in Nebraska

and 49% in New Jersey, no proceeding type is recorded. And in still other states, such as Maryland, Missouri, and West Virginia, only seizures are reported annually, making it impossible to know how many properties were ultimately forfeited.¹⁷⁶

Data that are reported often contain inaccuracies, likely due to poor record keeping. IJ’s study of Indiana forfeiture cases found that roughly 30% of forfeiture cases from 2016 to 2021 were not reported at all, and among a random sample of reported cases, about two-thirds contained at least one reporting error.¹⁷⁷ An audit of Washington’s King County Sheriff’s Office discovered most forfeiture records were maintained in paper folders and electronic records were often incomplete, making it impossible to know how many assets were seized, let alone their value or other important details.¹⁷⁸

Finally, reported data are often inconsistent, as jurisdictions or agencies fill in state forms in different ways. In Florida, for example, agencies frequently entered the same information—the amount of cash secured via settlement—in entirely different fields, requiring extensive manual cleanup to make the data useful. At other times, agencies answer the same question differently, as in Missouri where some agencies filled in a field for the type of criminal charges associated with a forfeiture by listing the charges, while some reported yes or no, others provided a date, and still others left it blank.

Nearly every state’s forfeiture data suffer from at least one of these problems, and this is a key reason important questions like whether owners filed claims or whether forfeitures were civil or criminal are answerable for only a handful of states. It also suggests forfeiture’s scope is larger, potentially substantially larger, than we report here.

Forfeiture Transparency and Accountability: A Nationwide Necessity

IJ's *Forfeiture Transparency & Accountability* report cards grade each state, the District of Columbia, the Department of Justice, and the Department of the Treasury on six key elements of forfeiture transparency and accountability. Few states earn high marks across the board: Only Arizona receives all As and Bs. At the other end of the spectrum, Alaska, Montana, and North Carolina receive all Fs—reflecting a complete lack of transparency. Many other states receive mostly Ds and Fs. The following tables summarize how states perform on each element.

Tracking Seized Property

Tracking key details about seized property, as well as related forfeiture and criminal cases, allows officials to responsibly manage property and properly evaluate forfeiture programs.

Grade	Number of Details Tracked	States and Federal Departments	State/Dept. Counts
A+	20	Arizona	1
A	18–19	New Jersey	1
A-	17	Kansas, Vermont, DOJ	3
B+	16	Colorado, Nevada	2
B	14–15	Alabama, Minnesota, North Dakota, Oregon	4
B-	13	Michigan, South Dakota, Virginia	3
C+	12	Idaho, Utah	2
C	8–11	Connecticut, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Maryland, Missouri, Nebraska, New York, Pennsylvania, Tennessee, West Virginia, Wyoming, Treasury	17
C-	7	Arkansas, Washington	2
D+	6	Mississippi, Oklahoma	2
D	4–5	California, District of Columbia, Massachusetts, New Hampshire, Ohio, Rhode Island, South Carolina, Texas	8
D-	3	Kentucky, Maine, New Mexico, Wisconsin	4
F	0–2	Alaska, Louisiana, Montana, North Carolina	4

Accounting for Forfeiture Fund Spending

Specifying the purpose of forfeiture fund expenditures promotes legislative oversight and responsible management of public funds.

Grade	Number of Spending Categories Tracked	States and Federal Departments	State/Dept. Counts
A	9–10	Arizona, Colorado, Delaware, Florida, Georgia, Iowa, Minnesota, Oregon, South Dakota, Texas, Utah, Wisconsin, Wyoming	13
B	7–8	Kansas, Massachusetts, Oklahoma, Pennsylvania, West Virginia	5
C	4–6	Illinois, New Jersey, Ohio, Tennessee, Virginia, DOJ, Treasury	7
D	2–3	Nevada	1
F	0–1	Alabama, Alaska, Arkansas, California, Connecticut, Hawaii, Idaho, Indiana, Kentucky, Louisiana, Maine, Michigan, Mississippi, Montana, Nebraska, New Hampshire, New York, North Dakota, Rhode Island, South Carolina, Vermont, Washington	22
N/A	Agencies not permitted to spend forfeiture revenue	District of Columbia, Maryland, Missouri, New Mexico, North Carolina	5

Statewide Forfeiture Reports

Statewide (or department-wide) forfeiture reports make it easier to evaluate forfeiture programs. The best reports provide (1) agency-by-agency data about (2) both seizures and forfeiture fund spending, (3) are compiled annually, and (4) are submitted to the legislature.

Grade	Number of Criteria Met	States and Federal Departments	State/Dept. Counts
A	4	Arizona, Colorado, Illinois, Kansas, Maryland, Massachusetts, Minnesota, Missouri, New Hampshire, New Jersey, Oregon, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, West Virginia, DOJ	18
B	3	Alabama, Arkansas, California, Delaware, District of Columbia, Florida, Hawaii, Michigan, Nebraska, Nevada, New Mexico, New York, North Dakota, Rhode Island, Wyoming, Treasury	16
C	2	Connecticut, Indiana, Kentucky, Oklahoma	4
D	1	Texas	1
F	0	Alaska, Georgia, Idaho, Iowa, Louisiana, Maine, Mississippi, Montana, North Carolina, Ohio, South Carolina, Vermont, Washington, Wisconsin	14

Accessibility of Forfeiture Records

Laws requiring that forfeiture reports and other records be published online make forfeiture information easily accessible to legislators and the public.

Grade		States and Federal Departments	State/Dept. Counts
A	Required by law to be published online	Alabama, Colorado, Delaware, District of Columbia, Georgia, Illinois, Kansas, Maine, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, South Dakota, Tennessee, Texas, Utah, West Virginia, DOJ, Treasury	25
B	Published online, although not required to be	Arizona, California, Florida, Hawaii, Indiana, Iowa, Nebraska, New York, Oregon, Pennsylvania, Virginia, Wisconsin	12
C	Designated by law as public records subject to freedom-of-information requests	Arkansas, Massachusetts, Ohio, South Carolina	4
D	Known to exist, but not explicitly designated as public records	Connecticut, Idaho, Kentucky, Louisiana, Oklahoma, Rhode Island, Vermont, Washington, Wyoming	9
F	No known records	Alaska, Montana, North Carolina	3

Penalties for Failure to File a Report

Strict penalties for failure to file required forfeiture reports and to do so on time are more likely to induce agency compliance.

Grade		States and Federal Departments	State/Dept. Counts
A	Forfeiture funds withheld until report filed and agency fined for late filing	Georgia, Kentucky	2
B	Forfeiture funds withheld until report filed	Arizona, Arkansas,* Delaware, Kansas,* Mississippi, New Jersey*	6
C	Agency fined or forced to pay for audit	Colorado,* Florida,* Missouri, Texas*	4
D	Agency identified in statewide report for failure to file	California, Illinois, Maryland,* Michigan,* Nevada,* Pennsylvania, Utah, West Virginia*	8
F	None	Alabama, District of Columbia., Hawaii, Idaho, Indiana,* Iowa, Louisiana, Massachusetts, Minnesota, Nebraska,* New Hampshire, New Mexico,* New York, North Dakota, Oklahoma, Oregon, Rhode Island, South Dakota, Tennessee, Vermont, Virginia,* Washington, Wisconsin, Wyoming, DOJ,* Treasury*	26
Incomplete	No reporting requirements to enforce	Alaska, Connecticut, Maine, Montana, North Carolina, Ohio, South Carolina	7

*Agencies must file even when they have nothing to report. Such “null” reports enable oversight bodies to identify agencies that are failing to comply.

Financial Audits of Forfeiture Accounts

Regular independent audits ensure greater integrity in accounting for forfeiture revenue and spending.

Grade		States and Federal Departments	State/Dept. Counts
A	Annual or biennial independent audit	Arizona, Arkansas, Colorado, Illinois, New Jersey, Pennsylvania, South Carolina, Tennessee, Texas, DOJ, Treasury	11
B	Annual or biennial internal audit	Michigan	1
C	Subject to independent audit at government oversight body's discretion	California, Georgia, New York, Virginia, West Virginia	5
D	Subject to internal audit at government oversight body's discretion	Louisiana	1
F	None	Alabama, Alaska, Connecticut, Delaware, Florida, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maine, Massachusetts, Minnesota, Mississippi, Montana, Nebraska, Nevada, New Hampshire, North Dakota, Ohio, Oklahoma, Oregon, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, Wyoming	30
N/A	All forfeiture proceeds directed to a general fund	District of Columbia, Maryland, Missouri, New Mexico, North Carolina	5

See [ij.org/TransparencyReportCards](https://www.ij.org/TransparencyReportCards) for the full report cards and grading methods.

**Only Arizona receives all As and Bs.
At the other end of the spectrum, Alaska, Montana,
and North Carolina receive all Fs—reflecting
a complete lack of transparency.**

Equitable Sharing

While there are many reasons that forfeiture has grown into a billion-dollar enterprise, one of them is undoubtedly the federal equitable sharing program. Equitable sharing allows state and local law enforcement agencies to partner with federal agencies to forfeit property under federal law and receive a share of the proceeds. One of the program's primary stated goals is "to promote and enhance cooperation among" federal, state, and local law enforcement agencies.¹⁷⁹ However, equitable sharing also gives state and local agencies the opportunity to supplement their state forfeiture haul while letting the federal government do all the work after the seizure—and, indeed, the opportunity to pursue forfeitures that would be more difficult (if not impossible) or less lucrative under state law.

An Attractive Prospect for State and Local Law Enforcement

The attraction of equitable sharing for state and local agencies is both financial and procedural. On the financial side, equitable sharing provides state and local agencies up to 80% of the proceeds from a forfeiture, reserving at least 20% for the federal government. Per federal guidelines, shared proceeds are for the agencies' benefit, not the general public's, and they must add to the agencies' available resources.¹⁸⁰ This is true even if state law limits or prohibits agencies' ability to profit from state forfeiture revenues. Simply put, the financial incentive for participating agencies is central to the equitable sharing program.

Procedurally, equitable sharing brings federal law and resources to bear, making it more likely seized properties will be forfeited. Not only are federal forfeiture laws some of the worst in the country for property owners, but they also permit administrative forfeiture without court involvement. And with equitable sharing, should owners initiate litigation, federal prosecutors do any heavy lifting.

These features make equitable sharing an attractive proposition for law enforcement agencies, particularly in states that make forfeiture less lucrative or more difficult. Research supports the concern that agencies use equitable sharing both to bypass less permissive state laws and to generate revenue. Multiple studies have shown that agencies in states with more restrictive forfeiture laws engage in more equitable sharing.¹⁸¹ Another study found that equitable sharing payments correspond to fiscal stress, suggesting the program's financial incentive is a significant motivator for law enforcement.¹⁸²

The case of Institute for Justice client Stephen Lara illustrates how equitable sharing can be used to circumvent state law. While on a road trip to visit his daughters in February 2021, the Marine veteran was stopped by the Nevada Highway Patrol, allegedly for coming up behind a tanker truck "a little bit too close."¹⁸³ During the stop, Stephen consented to a search of his vehicle and volunteered that his life savings were in a backpack in the trunk. No drugs, guns, or other contraband were found, and Stephen had bank withdrawal receipts proving the money was his. Nevertheless, officers seized his money.¹⁸⁴

Instead of trying to forfeit Stephen's money under state law, the officers turned it over to the federal government for equitable sharing, even though federal law enforcement was not involved in the stop.¹⁸⁵ It is likely they did this because federal forfeiture offers myriad advantages over Nevada law. For example, state law limits agencies' financial incentive by requiring them to send 70% of forfeiture funds above \$100,000 remaining in their accounts at fiscal year end to the state's school fund. By contrast, equitable sharing has no such limits.¹⁸⁶ State law requires clear and convincing evidence, a steeper requirement than the federal preponderance standard.¹⁸⁷ And Nevada requires that property be returned immediately if a person is acquitted of the criminal allegations that gave rise to the seizure, whereas federal law does not.¹⁸⁸

With so many advantages, it is easy to see why law enforcement agencies often prefer equitable sharing, resulting in its widespread use across the country.

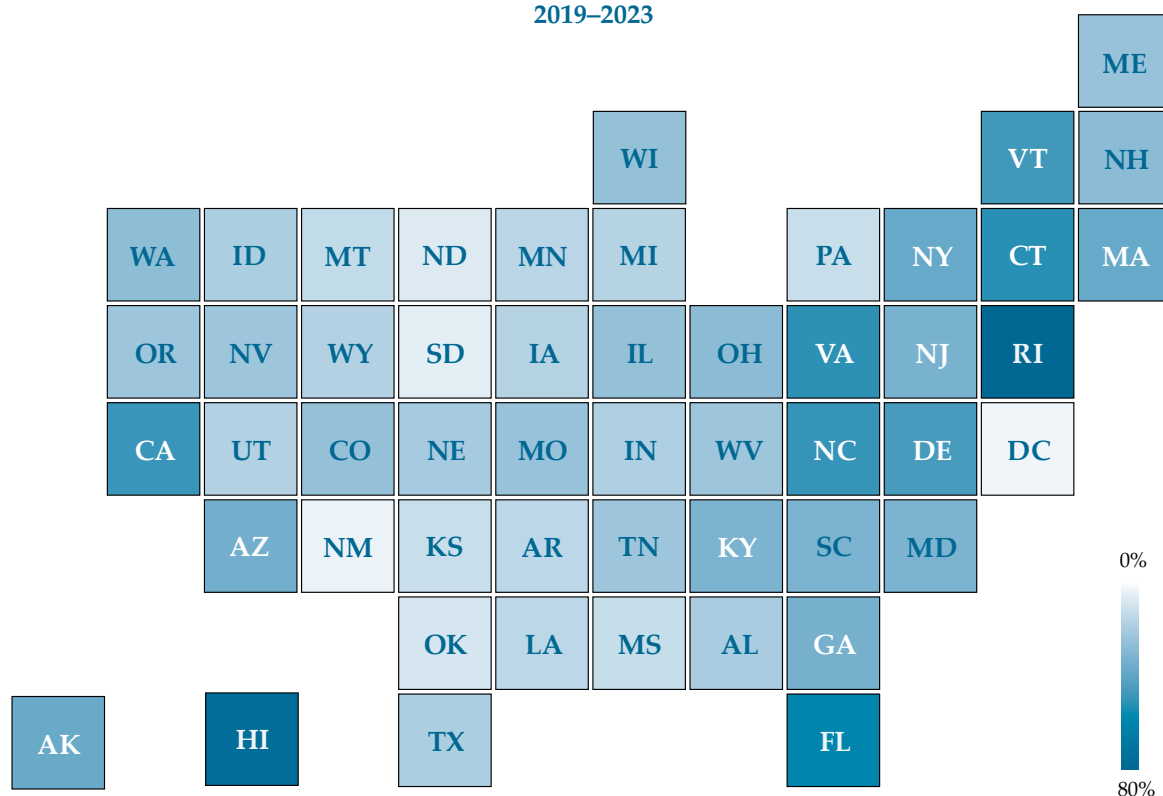


A Large and Lucrative Program

Thanks to strong financial incentives and lenient federal forfeiture law, equitable sharing is both widespread and lucrative for state and local law enforcement agencies. Equitable sharing has a foothold in every part of the country, with participating agencies ranging from the tiny North Slope Police Department in rural Alaska to the New York City Police Department. On average, about a third of state and local law enforcement agencies in the United States—over 5,000 agencies—were certified to participate in the program each year from 2019 to 2023.¹⁸⁹

There is substantial variation in agency participation by state, however.¹⁹⁰ On one end of the spectrum, almost 80% of agencies in Rhode Island and 65% of agencies in Florida were certified for equitable sharing.¹⁹¹ On the other end, South Dakota averaged less than 10% agency participation, while New Mexico and District of Columbia agencies are functionally banned from equitable sharing by state law, as described below, and thus do not participate.¹⁹² (See Figure 24.)

Figure 24: Average percent of agencies participating in equitable sharing by state, 2019–2023



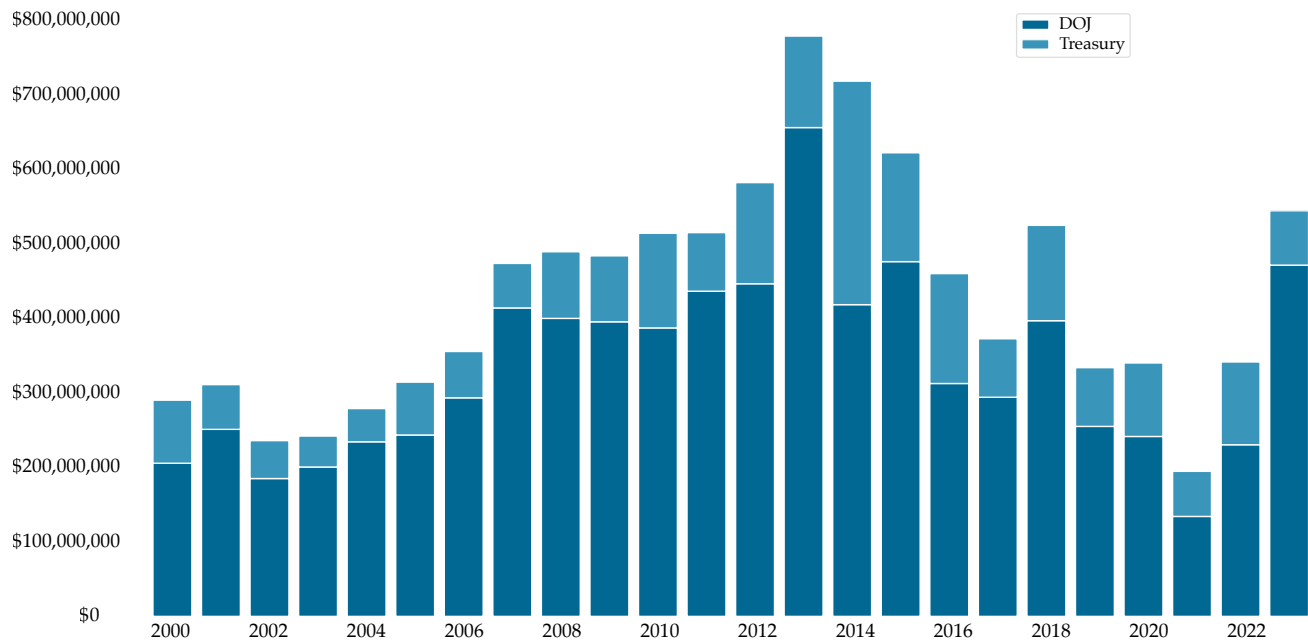
Not only is participation in equitable sharing widespread, but the volume of forfeiture proceeds shared is substantial. Since 2000, over \$10 billion of federal forfeiture revenue has found its way to state and local agencies through equitable sharing. This means that of the \$57 billion the federal government has forfeited since 2000, including purely federal forfeitures and those in conjunction with state and local agencies, nearly a fifth has been passed to states and localities.

Of the \$10 billion shared with state and local governments, 77% comes from the Assets Forfeiture Fund, which collects proceeds from forfeitures carried out by Department of Justice agencies including the Federal Bureau of Investigation, Drug Enforcement Administration, and Bureau of Alcohol, Tobacco, Firearms and Explosives. The remaining 23% comes from the Treasury Forfeiture Fund, the receipt account for non-tax forfeitures conducted by Department of the Treasury agencies such as the Internal

Revenue Service and Financial Crimes Enforcement Network and Department of Homeland Security agencies such as Customs and Border Protection, Immigration and Customs Enforcement, and the Secret Service.¹⁹³

Both the DOJ and Treasury saw increases in sharing in the early to mid-2010s but have since seen declines, notwithstanding a 2023 resurgence of DOJ revenue. (See Figure 25.) Interestingly, the 2023 DOJ increase appeared broad based, with 40 states seeing increases in DOJ sharing from 2022 to 2023 and five states (New York, Virginia, California, West Virginia, and Kentucky) seeing increases of at least \$10 million.

Figure 25: Equitable sharing payments to states, 2000–2023



The overwhelming majority of assets forfeited through equitable sharing are forfeited without judicial oversight: Between 2000 and 2023, about 79% were forfeited administratively. This means property owners did not even get the full measure of process available under federal forfeiture law, meager though it is.

As with agency participation, there is substantial variation in equitable sharing revenues by state. Not surprisingly, the equitable sharing totals are strongly correlated with population, as the top four states in equitable sharing revenue from 2019 to 2023—New York, California, Texas, and Florida—are also the four most populous states.

After controlling for population, however, Rhode Island has the highest per capita rate of equitable sharing revenue at \$23 per resident. This is nearly double the rate of the next closest state, Nebraska. Rhode Island appears to be a particularly active state for forfeiture, as it also ranks first in the percentage of agencies participating in equitable sharing and in the per capita amount forfeited under state law.

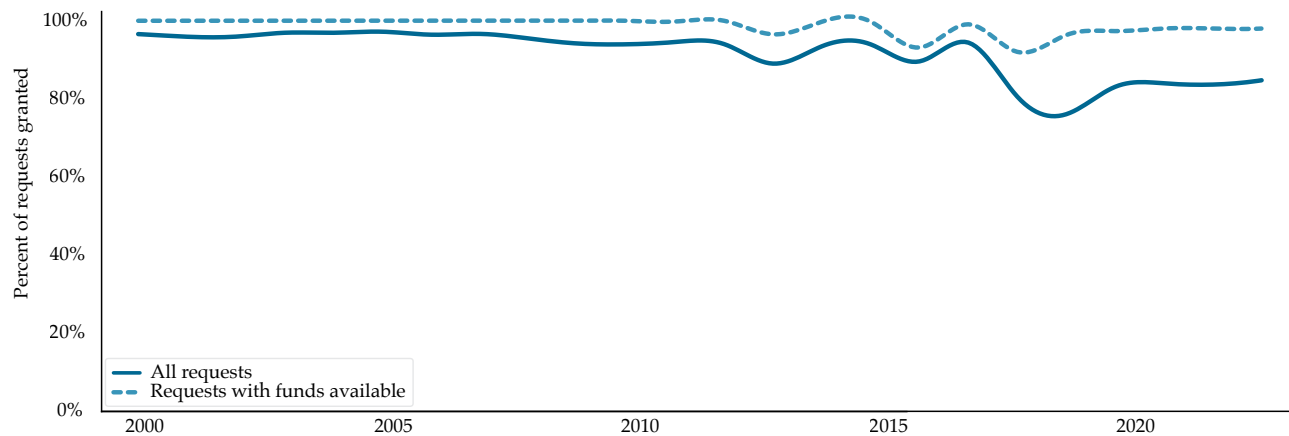
Meanwhile, South Dakota, which also had the lowest rate of agency participation, ranks at the bottom for per capita equitable sharing revenue, receiving less than a dollar per resident from 2019 to 2023. And by 2023, New Mexico and the District of Columbia had virtually no equitable sharing revenue.¹⁹⁴

Participating Agencies Generally Get Their Way

Agency participation and revenue vary, but one thing does not: When it comes to equitable sharing, state and local agencies largely get their way. When agencies submit requests for sharing, those requests are typically granted; when agencies request a specific percentage of an asset's value, that share is generally approved; and when proceeds are shared, state and local agencies generally receive a majority. In short, for state and local agencies, equitable sharing's financial promise is usually realized. This likely encourages agencies' continued participation in the program.

The most obvious way in which agencies get their way is by having their equitable sharing requests granted. Using data from the DOJ's Consolidated Asset Tracking System, we found that from 2000 to 2023, the DOJ granted 92% of agency requests for equitable sharing. But even this understates how often agencies' requests were granted. When requests were denied, it was almost always because there was no money available to be shared. This can occur when other agencies have already claimed all available proceeds or when the expenses associated with an asset exceed its value. Among requests where money was available to be shared, the DOJ granted 99%. While grant rates have been slightly lower in recent years, they remain high: In 2023, the DOJ granted 85% of all requests and 98% of requests when funds were available. (See Figure 26.)

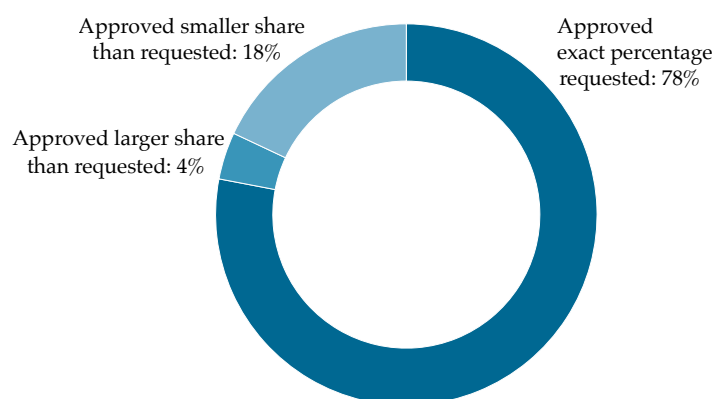
Figure 26: When funds were available, equitable sharing requests were almost always granted



Not only does the DOJ almost always grant agencies' requests, but it also usually approves the percentage shares agencies request. To assess how often agencies' requested percentages were approved, we used data from a form that required agencies to specify the percentage of an asset's value they were requesting, up to the maximum allowable 80%. While a new form without the percentage requested field was introduced in 2014, some agencies continued to use the old form for years, including a handful that were still using it in 2023.¹⁹⁵ That said, the vast majority of old forms with the percentage requested field were submitted in 2016 or earlier.¹⁹⁶

These forms show the DOJ typically approved the percentages agencies requested.¹⁹⁷ For 78% of requests, the DOJ approved exactly the share agencies requested, while for another 4% of requests, it approved a larger share. Only 18% of requests were not approved in full.¹⁹⁸ (See Figure 27.) But even then, the approved share was often in the ballpark: About half were within 10 percentage points of what agencies asked for.¹⁹⁹

Figure 27: Equitable sharing requests were usually approved in full



Our data also show that when proceeds are shared, state and local agencies combine to receive a majority. From 2000 to 2023, all state and local agencies combined received 65% of available proceeds on average, leaving 35% for the federal government. The percentage has declined slightly over the past decade, falling from a peak of 70% in 2010 to 59% in 2023, a drop that appears related to a federal policy reform restricting a certain type of equitable sharing forfeitures, which we turn to next.²⁰⁰

Evaluating Efforts to Reform Equitable Sharing

In the past decade, both the federal government and several states have implemented reforms aimed at curbing equitable sharing. With the passage of time, we have enough data to evaluate the effectiveness of most of these measures. Notwithstanding some successes, the data paint a mixed picture.

Federal reform

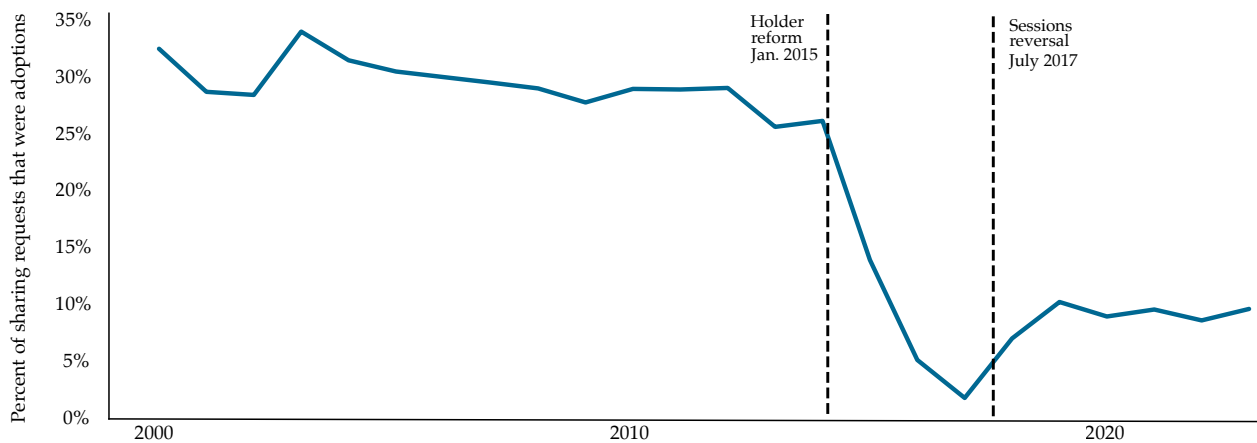
On the federal side, the most important reform has been a 2015 executive order issued by former Attorney General Eric Holder affecting one of the two main types of equitable sharing: adoptions. Adoptions occur when a state or local agency seizes property with no federal involvement and turns the property over to the federal government to forfeit under federal law. The state or local agency then receives up to 80% of the forfeiture proceeds. An adoption was how the NHP tried to forfeit Stephen Lara's savings.²⁰¹

Adoptions are in contrast to joint investigations, the other main type of equitable sharing. By far the most common type, joint investigations are, as the name suggests, collaborative efforts between federal and state or local agencies that result in forfeiture. Agencies receive a share of the proceeds proportional to their contribution to the investigation, with at least 20% going to the federal government.

The so-called Holder reform focused squarely on adoptions, banning the DOJ from adopting seized property from state or local agencies with an exception for items related to public safety.²⁰² The Treasury quickly followed suit.²⁰³ The result of these reforms was that the percentage of adoptions plunged, from 26% of all forfeitures in 2014 to only 5% in 2016, the first full year after the change. (See Figure 28.)

Although the Holder reform has since been officially reversed, it has had staying power. In 2017, Holder's successor as attorney general, Jeff Sessions, issued a new executive order reinstating adoptions at the DOJ with some restrictions, and the Treasury again immediately did the same.²⁰⁴ Following this about-face, the percentage of adoptions rose some, but it never rebounded to 2014 levels. Instead, it has remained constant at around 10% of equitable sharing forfeitures since 2019.²⁰⁵

Figure 28: Adoptions plunged following the Holder reform and never fully rebounded after the Sessions reversal



In addition to a simple analysis of the raw percentages, we conducted a more sophisticated regression analysis to evaluate the impact of the Holder reform on equitable sharing. Through this analysis, we found that the reform resulted in a statistically significant drop in the number of shared assets immediately following its implementation. In other words, equitable sharing as a whole decreased as a result of the Holder reform. Furthermore, the decline in the number of shared assets continued long after the reform’s initial implementation, suggesting the change has had lasting effects despite Sessions’ reversal of it. These findings are consistent with those from a recent study finding that the Holder reform reduced the number of both administrative forfeitures and forfeitures that generated revenue.²⁰⁶ For further details about our findings and methodology for this analysis, see Appendix C, available online at <https://ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/>.

State reforms

At the state level, reforms have been aimed at restricting state and local law enforcement agencies’ ability to participate in and receive funds through equitable sharing. Often, the motivation has been to restrict agencies’ ability to benefit from forfeitures in a way that would be disallowed under state law.

This concern was recently voiced by a Nevada court in Stephen Lara’s case. After the federal government received Stephen’s savings from the NHP, it held the money in limbo for seven months, missing its own statutory deadlines for moving forward with the forfeiture. Fed up, Stephen sued the DEA with IJ’s help.²⁰⁷ The very next day, the agency announced it would return Stephen’s money.²⁰⁸

Stephen and IJ also sued Nevada to stop law enforcement agencies in the state from using equitable sharing to sidestep state-law protections for property owners. In January 2025, a state trial court ruled that Nevada law enforcement agencies cannot engage in adoptive forfeitures “until and unless they achieve full compliance with Nevada’s statutory requirements.”²⁰⁹ In other words, agencies are not allowed to skirt “unfavorable” state law using adoptions.²¹⁰

Thus far, 11 states and the District of Columbia have attempted to curb equitable sharing through legislative reforms in one or more of the following ways: establishing a minimum threshold for either transferring funds to the federal government or receiving equitable sharing funds; requiring a criminal charge or conviction;

banning adoptions; or sending equitable sharing proceeds to the general fund.²¹¹ Exceptions are frequent, however. Table 8 provides more detail on the reforms, including major exceptions and effective dates.

Table 8: Equitable sharing reforms, 11 states and D.C.

Minimum threshold reforms	
Arizona July 2017	Prohibits transferring property worth up to \$75,000 to a federal agency unless there is federal involvement in the seizure (e.g., through a task force) or only a violation of federal law is alleged; also bans adoptions.
California January 2017	Prohibits sharing of all tangible property and cash of \$40,000 or less under drug laws unless (i) there is an associated state or federal criminal conviction; or (ii) the defendant is charged and fails to appear as required due to death, flight, or other circumstances; also bans adoptions under drug laws.
Colorado August 2017	Prohibits sharing unless the assets are worth more than \$50,000 and there is an associated criminal case.
Maryland October 2016	Prohibits transferring cash under \$50,000 and other seized property to a federal agency unless (i) there is an associated federal criminal case; (ii) the owner consents to the forfeiture; or (iii) a federal seizure warrant is used to take custody of the asset.
Nebraska July 2016	Prohibits transferring property of \$25,000 or less to a federal agency unless (i) the property is seized by a federal agent; or (ii) there is an associated federal prosecution.
Ohio April 2017	Prohibits transferring property under \$100,000 to a federal agency unless the property is being referred for federal criminal forfeiture proceedings.
Criminal reforms	
Maine* October 2023	Prohibits property of any value from being shared unless it is part of a federal criminal case.
Wisconsin April 2018	Agencies may only accept sharing proceeds if there is an associated criminal conviction unless the defendant died, fled, was deported, or was granted immunity in exchange for testimony or the property is unclaimed after nine months.
Reforms exclusive to adoptions	
Alabama January 2022	Bans adoptions unless property includes cash over \$10,000.
Pennsylvania July 2017	Bans adoptions.
Reforms directing proceeds to general fund	
District of Columbia October 2018	Requires that proceeds from sharing go to the District's general fund; also bans adoptions.
New Mexico July 2015	Requires that proceeds from sharing go to the state's general fund; also prohibits transferring property to a federal agency if doing so would circumvent state protections for property owners and prohibits transferring property valued at \$50,000 and under to a federal agency subject to exceptions.

*Repealed and replaced a 2021 reform prohibiting transferring property to a federal agency unless it includes currency of over \$100,000.

Of these reforms, the most effective have unequivocally been New Mexico's and the District of Columbia's. Since the federal government requires that shared revenue directly benefit the participating agency, their reforms sending all equitable sharing proceeds to the general fund effectively banned agencies from participating in the program.

For two other states, Alabama and Maine, it is too soon to tell whether their reforms will make a difference, as they were enacted in 2022 and 2023.

To assess the impact of the other eight states' reforms, we built regression models comparing each state's pre- and post-reform equitable sharing data to data for a control group of 40 states with no reforms.²¹² Through the regressions, which cover the period 2000 to 2021, we controlled for state-specific variables that might affect equitable sharing, such as the unemployment rate, the crime rate, the population, and the number of sworn law enforcement officers. Importantly, we also accounted for the Holder reform to isolate the effects of state reforms. For a full breakdown of the methodology we used for these regressions, see Appendix C online.

Overall, we found the reforms' effectiveness to be a mixed bag. In Pennsylvania and Wisconsin—the only two states we evaluated whose reforms did not involve setting a minimum threshold—we observed no immediate reduction in the number of shared assets compared to the control group following those states' reforms. In fact, the number of shared assets in Pennsylvania actually increased immediately after its reform. In the long term, the state's reform, an adoption ban, had no effect, likely because of the Holder reform banning most adoptions. And while Wisconsin's law had no immediate effect on the number of shared assets, the longer-term trend in Wisconsin was an *increase* in shared assets relative to non-reform states following its institution of a criminal conviction requirement. This is likely because of

an exception for assets without claims, effectively exempting administrative forfeitures. Indeed, in the years after Wisconsin's reform, an average of nearly 84% of shared assets were forfeited administratively.

Among the six reform states with minimum threshold reforms, Colorado's appears to have had the broadest impact.

Following the reform, Colorado saw an immediate drop and a declining trend in the number of shared assets relative to the control group. Moreover, the composition of shared assets immediately changed to include fewer assets below the reform threshold, and the trend away from lower-value assets continued in the years

following the reform. Similarly, California experienced an immediate, if less substantial, reduction and a declining trend in assets shared, combined with an immediate decrease in shared assets below the threshold.

Maryland's reform also had a modest beneficial effect, with both immediate and longer-term reductions in the number of shared assets compared to the control group following its reform. In addition, there was an immediate shift toward higher-value assets, as the percentage of below-threshold shared assets immediately dropped following the reform.

The other three states with threshold reforms—Arizona, Nebraska, and Ohio—saw mixed effects. While all three saw immediate reductions in the amount of sharing relative to the control group, they also all showed an increased long-term trend in sharing. In addition, while all three states saw an immediate shift away from below-threshold assets, Arizona and Nebraska saw the percentage of lower-value assets rebound close to pre-reform levels in the years that followed. (For a summary of the findings for each state, see Figure 29. For more detailed results, see Appendix C online.)

Among state equitable sharing reforms, the most effective have unequivocally been New Mexico's and the District of Columbia's. Since the federal government requires that shared revenue directly benefit the participating agency, their reforms sending all equitable sharing proceeds to the general fund effectively banned agencies from participating in the program.

Figure 29: Impact of equitable sharing reforms on number of shared assets, eight states

State	Immediate change		Long-term trend	
	All assets	Low-value assets	All assets	Low-value assets
Arizona	↓	↓	↑	↑
California	↓	↓	↓	—
Colorado	↓	↓	↓	↓
Maryland	↓	↓	↓	—
Nebraska	↓	↓	↑	↑
Ohio	↓	↓	↑	—
Pennsylvania	↑	*	—	*
Wisconsin	—	*	↑	*

 Statistically significant increase
 Statistically significant decrease
 No statistically significant change
 Not evaluated (no threshold reform)

Moreover, in all six states, assets below the reform thresholds were still consistently shared: In the post-reform period, the states collectively shared 4,415 assets with values below their respective thresholds. Concerningly, 87% of below-threshold assets were forfeited administratively on average across the six states.

While available data are somewhat lacking, it appears that the exceptions built into the threshold reforms blunted their impact. Four states—Arizona, Maryland, Nebraska, and Ohio—permit the sharing of below-threshold assets if there is federal involvement in the seizure or, in Ohio’s case, the property was referred for federal criminal forfeiture proceedings. We cannot directly determine whether there was federal involvement that would have triggered these exceptions, but we can use the seizure method as a proxy.

On average across the four states, 33% of below-threshold assets shared after the reform were seized pursuant to a federal warrant, denoting clear federal involvement. Meanwhile, only 9% were seized via a

state warrant, with the remaining 58% having unknown federal involvement. Thus, at least a third of below-threshold assets seized in these states—but probably many more—would be exempted from the thresholds based on federal involvement.²¹³

In addition, the total number of warrants (state, federal, or unspecified) spiked from an average of 28% pre-reform to 56% post-reform. This finding, in conjunction with the lack of significant change in the number of shared assets overall, suggests that agencies changed their behavior following the reforms to continue sharing assets under the thresholds.

In short, despite recent reforms, equitable sharing continues to give state and local agencies an incentive to pursue property, potentially bypassing state forfeiture restrictions and certainly bypassing democratic accountability for spending. And New Mexico and the District of Columbia aside, agencies in most states continue to take advantage, reaping hundreds of millions of dollars—usually without any judicial sign-off.

Beyond Taxes: The IRS and Civil Forfeiture

The Internal Revenue Service maintains a database of its non-tax forfeiture activity, which is typically focused on white-collar financial crimes such as money laundering and reporting violations. This database—called the Asset Forfeiture Tracking and Retrieval System—is similar to the Department of Justice’s Consolidated Asset Tracking System. Unlike CATS, however, AFTRAK is not publicly available. In 2015, the Institute for Justice requested a copy under the Freedom of Information Act. For seven years, the IRS fought disclosure of the database, providing it in 2022 only after IJ sued and won before the U.S. Court of Appeals for the District of Columbia Circuit.ⁱ

We used AFTRAK to conduct the first comprehensive analysis of IRS forfeitures, focusing on property forfeited from 2010 through 2019.ⁱⁱ Our analysis shows that IRS forfeitures have much in common with those of other agencies, both federal and state, while also exhibiting a few key differences. It also provides new insights into the IRS’ questionable forfeiture practices related to structuring, a financial reporting violation.

The first commonality is that the IRS has not been shy about using forfeiture. From 2010 through 2019, the IRS forfeited more than 18,000 properties worth over \$8 billion. Typically, the IRS forfeited several hundred million dollars per year. The lone exception was 2015, with more than \$4.3 billion, largely due to a single forfeiture of \$3.8 billion.

Second, like many other agencies, the IRS has done a lot of equitable sharing, a federal program that allows state and local agencies to partner with federal agencies on forfeitures and get a share of the proceeds. Roughly 49% of the IRS’ forfeited assets had at least one sharing request from another agency. The overwhelming majority of these requests (88%) came from state and local agencies, with the remainder coming from federal agencies.

Third, attorney representation was uncommon, and most seizures resulted in forfeitures. The data are not entirely clear, but even under the most generous reading,



In the early to mid-2010s, the IRS aggressively pursued forfeitures based on alleged structuring.

only 15% of assets were in any way associated with an attorney.ⁱⁱⁱ Accordingly, it should not be surprising that the IRS forfeited far more property than it returned. Of all properties disposed of from 2010 through 2019, 73% were forfeited in full, while only 13% were returned in full.^{iv}

Fourth, using forfeited assets to compensate crime victims appears rare. Such restitution was requested for just 13% of forfeited assets. Although the data do not reliably indicate how often such requests were granted, we can say IRS forfeitures did not commonly result in restitution.

Despite these similarities, the IRS’ forfeiture practices differ from those of other agencies in a few meaningful

ⁱ The IRS first tried to charge IJ \$750,000 to review all data in the database, only to later argue—unbelievably—that AFTRAK was not a database. Wimer, A. (2022, May 2). *Seven-year FOIA battle ends with IRS handing over records* [Press Release]. Institute for Justice. <https://ij.org/press-release/seven-year-foia-battle-ends-with-irs-handing-over-records/>. See also *Inst. for Just. v. IRS*, 941 F.3d 567 (D.C. Cir. 2019).

ⁱⁱ Data before 2010 appear incomplete, while data after early 2020 were not provided to IJ.

ⁱⁱⁱ AFTRAK does not indicate whether an attorney was involved in contesting a forfeiture. Instead, it indicates only whether an attorney was associated with an asset’s owner or another related party. It is therefore likely that some attorneys associated with an owner or other party did not assist in contesting all related properties.

^{iv} Of the remaining assets, 4% were forfeited in part, while 10% had a disposition status of “other.”



Mitch, Richard, and Jeff Hirsch

Caught in the crosshairs were individuals and particularly small-business owners with legitimate reasons for regularly making smaller deposits.

ways. First, the alleged crimes underlying seizures were far more likely to be white collar than related to drugs. Over 70% of forfeited properties were associated with alleged money laundering, and another 16% were related to structuring.

Second, while almost two-thirds of forfeited properties were currency, this “currency” was generally bank accounts and securities, not loose cash. Over 70% of forfeited currency assets were a financial account, financial instrument, or marketable security. The IRS also forfeited far more homes and other real estate than most other agencies. For other agencies, such “real property” is typically only a tiny sliver of forfeited property, if any. However, roughly 6% of all IRS forfeitures were real property.

Third, the IRS employed more criminal forfeiture than is typical. Even still, criminal proceedings did not constitute a majority. About 42% of assets were forfeited criminally versus 48% that were forfeited civilly. (The remaining 10% involved both civil and criminal processes.) Among civil forfeitures, judicial proceedings were slightly more common than administrative ones.

The AFTRAK data also shine new light onto the IRS’ questionable forfeiture practices related to structuring, which IJ documented in a 2015 report.^v Structuring is when bank deposits and withdrawals are purposefully kept under \$10,000 to avoid reporting requirements intended to identify possible money laundering.

In the early to mid-2010s, the IRS aggressively pursued forfeitures based on alleged structuring. Caught in the crosshairs were individuals and particularly small-business owners with legitimate reasons for regularly making smaller deposits. Two such small-business owners were IJ clients Carole Hinders and Jeff Hirsch. Carole frequently deposited smaller sums because she ran a cash-only Mexican restaurant in Arnolds Park, Iowa.^{vi} Similarly, Jeff Hirsch and his brothers routinely made smaller deposits because customers of their Long

^v Carpenter, D. M., & Salzman, L. (2015). *Seize first, question later: The IRS and civil forfeiture*. Institute for Justice. <https://ij.org/report/seize-first-question-later/>

^{vi} Dewan, S. (2014, October 25). Law lets I.R.S. seize accounts on suspicion, no crime required. *The New York Times*. <https://www.nytimes.com/2014/10/26/us/law-lets-irs-seize-accounts-on-suspicion-no-crime-required.html>

Island, New York, business supplying candy, snacks, and other sundries to convenience stores often paid in cash.^{vii}

Without charging Carole or the Hirsches with any crimes, the IRS seized their bank accounts for alleged structuring, leaving them struggling to pay their bills and keep their businesses afloat.

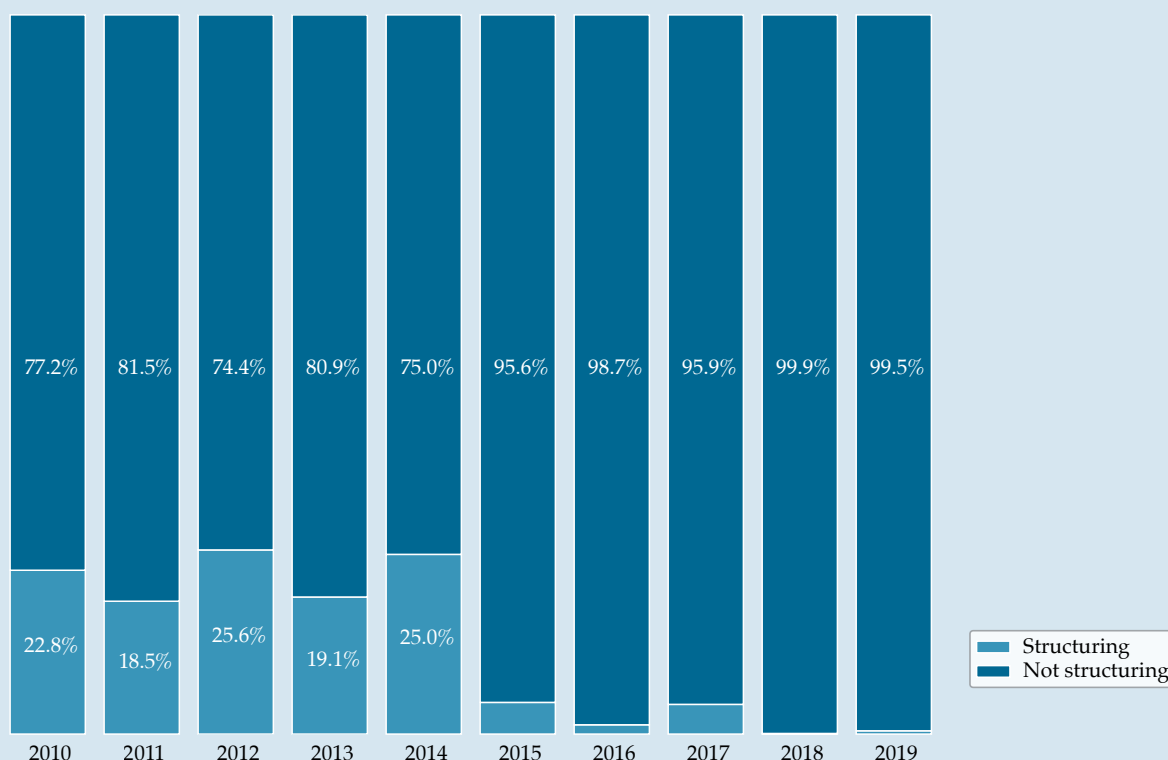
Cases like these led to widespread criticism of the IRS, culminating in a prominent *New York Times* article exposing the IRS' practices related to structuring.^{viii} In 2014, the IRS yielded to the public outcry and announced it was changing its internal policies to focus (with rare exceptions) on structuring cases where the money is believed to have been obtained illegally.

As the dust settled, it became clear that small-business owners like Carole and Jeff—both of whom eventually got their money back—were far from exceptions. IJ spearheaded an effort to have property owners who had money seized for alleged structuring file petitions for remission. That effort resulted in the IRS

voluntarily returning over \$9.9 million to 174 property owners.^{ix} And a 2017 IRS internal audit found that among a random sample of investigations where assets were seized primarily for structuring, 91% involved legally sourced funds.^x In other words, the vast majority of property owners who had their lives upended had done nothing wrong other than potentially run afoul of a reporting requirement.

Fortunately, Congress passed a law in 2019 codifying the IRS' policy change, ensuring it cannot be reversed on a whim.^{xi} And in other good news, our data show that since the policy change, seizures for structuring have plummeted from a peak of over 25% of seizures in 2012 to half a percent in 2019 (see Figure). Nevertheless, that the IRS was ever able to destroy businesses and lives—and reap millions of dollars in revenue—on the mere suspicion of a reporting violation speaks to the deeply flawed nature of civil forfeiture.

Figure: Following the 2014 policy change, IRS seizures for structuring plummeted



^{vii} Wilson, J. J. (2014, October 27). *Feds seize Long Island family business' entire bank account* [Press release]. <https://ij.org/press-release/long-island-forfeiture-release-10-27-2014/>. See also Dewan, 2014.

^{viii} Dewan, 2014.

^{ix} *Internal Revenue Service and U.S. Department of Justice Efforts to Return Taxpayers' Seized Funds*, 115th Cong. 2 (2018) (statement of Don Fort, Chief, Criminal Investigation, Internal Revenue Service), <https://docs.house.gov/meetings/WM/WM06/20180620/108436/HHRG-115-WM06-Wstate-FortD-20180620.pdf>

^x Treasury Inspector General for Tax Administration. (2017). *Criminal investigation enforced structuring laws primarily against legal source funds and compromised the rights of some individuals and businesses*. <https://www.tigta.gov/sites/default/files/auditreports/2017reports/201730025fr.pdf>

^{xi} Taxpayer First Act, Pub. L. No. 116-25, 133 Stat. 981 (2019).

Forfeiture and Crime

To hear proponents tell it, civil forfeiture is an essential tool for fighting crime and promoting public safety.²¹⁴ Civil forfeiture, they argue, hampers criminal enterprises by taking the profit out of crime. Better still, it improves public safety by funneling resources taken from criminals into fighting more crime, funding community programs like drug education, and compensating victims.

However, the data we have gathered, as well as a growing body of empirical research, suggest forfeiture, in fact, does little to fight crime or improve public safety. For starters, there is little evidence most forfeitures target criminals, let alone large criminal organizations. Research also fails to show that forfeiture reduces crime, improves police effectiveness, or reduces illicit drug use. Instead, forfeiture appears to be used to generate revenue, which may improperly influence how laws are enforced. Contrary to proponents' claims, few forfeiture dollars find their way to community programs or crime victims. And given the potential for abuse, forfeiture risks eroding public trust in law enforcement.

There Is Little Evidence Forfeiture Targets Criminals

Despite frequent claims that forfeiture takes money from criminals, there is little evidence this is the case. Police and prosecutors in most jurisdictions do not report—and might not even collect—the data necessary to substantiate such claims. And the data that are available cast doubt on their veracity.

Very little of the forfeiture data we collected and analyzed for this report consistently and accurately

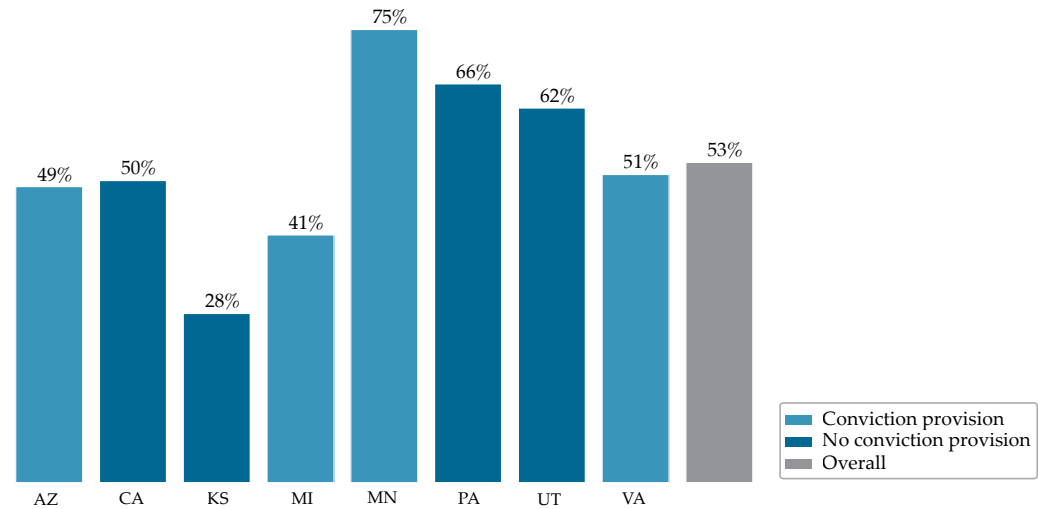
included information necessary to show whether forfeitures were, in fact, tied to criminal convictions, prosecutions, charges, or arrests. The data often lack key details about related criminal cases, such as the types of charges, the outcomes of charges, or even whether there *were* charges. Instead, data are usually focused on accounting for funds generated through forfeiture activity. Even among the few states that do track and report information about any related criminal proceedings, this information often has gaps. For example, most of those states do not clearly and consistently report what charge or charges a defendant was convicted of.

What data we do have suggest most forfeitures are not targeting criminals. First, and as reported above, most forfeitures are not criminal but civil. It is far more common for the government to take the forfeiture path that does not demand even an allegation of a specific crime against a specific person, let alone against the property's owner. This in itself calls into question whether forfeiture is targeting true criminals.

Second, the limited data we have show many forfeitures happen without convictions. In the eight states for which we have consistent data, an average of 53% of forfeitures were associated with a conviction—though not necessarily a conviction of the owner, as none of these states report *who* was convicted.²¹⁵ (See Figure 30.) Even more striking, four of these states have “conviction requirements,” though, as noted elsewhere in this report, these provisions are often full of exceptions. Among the four conviction provision states, only 54% of forfeitures occurred with an accompanying conviction.²¹⁶ In short, even among states that purport to require convictions, nearly half of forfeitures on average occurred without anyone being convicted of a crime.

**Traveling out of state with cash,
whether by automobile, train, or plane, is not a crime.
Yet this mundane behavior is used to justify forfeiture,
even in the absence of contraband or arrests.**

Figure 30: Percent of forfeitures associated with a conviction, eight states
On average across states with data, only about half of forfeitures were associated with a conviction



Note: Kansas data are from July 2019–2023, while Minnesota data are from 2023. Data for other states are from 2019–2023.

An earlier IJ study surveyed Philadelphia forfeiture victims, providing more granular data. Among respondents who lost their property to forfeiture, only a quarter were ever convicted of a crime.²¹⁷

Third, our data show the typical forfeiture is a small amount of cash—not the stuff of major busts. The most common type of forfeited property is currency, and the median amount of currency forfeited under state law is just \$1,678. In Connecticut, Michigan, New Jersey, and Pennsylvania, the median is less than \$1,000.²¹⁸ Even if all the people who had small amounts of money taken from them really were criminals, there is no evidence such low-dollar forfeitures actually disrupt drug cartels or other large criminal organizations.²¹⁹

Finally, our data suggest forfeitures frequently stem from opportunistic seizures—not purposeful investigations into crime. Many forfeitures began as warrantless seizures during traffic stops,

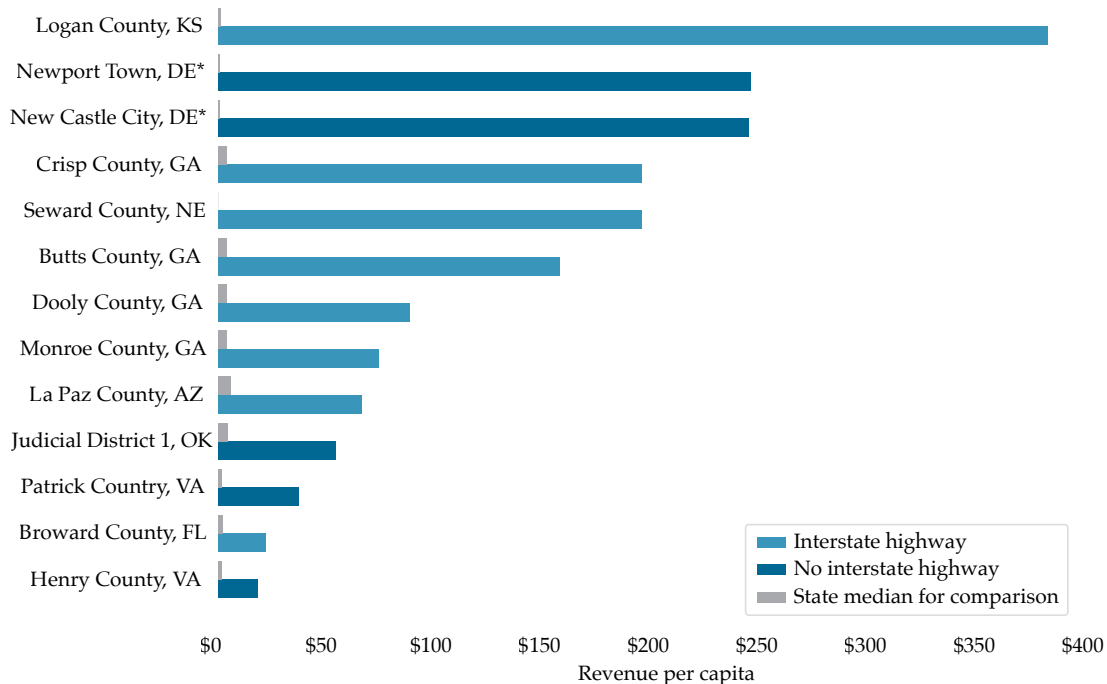
often on interstate highways and often involving out-of-state residents. Traveling out of state with cash, whether by automobile, train, or plane, is not a crime.²²⁰ Nor is it a factor that strongly predicts criminality.²²¹ Yet this mundane behavior is used to justify forfeiture, even in the absence of contraband or arrests.

The Drug Enforcement Administration itself has implicitly recognized that such activity rarely nets criminals. In January 2025, the agency quietly shut down an airport search-and-seizure program that had victimized multiple IJ clients and repeatedly come under scrutiny from the Department of Justice’s Office of the Inspector General for racial profiling, poor oversight, and general ineffectiveness.²²² The DEA said that, from 2022 to 2024, the program led to just 57 arrests—and \$22 million in seized cash. By contrast, investigations specifically targeting criminal networks yielded thousands of arrests.²²³

Such broad, opportunistic sweeps that may turn up cash but no criminals are not uncommon. As two of the fathers of modern federal civil forfeiture, who came to rue their creation, lamented, “Today, the old speed traps have all too often been replaced by forfeiture traps, where local police stop cars and seize cash and property to pay for local law enforcement efforts.”²²⁴

The data we gathered for this report provide telling examples. Among 13 local jurisdictions we identified with forfeiture revenue grossly disproportionate to their populations, eight have an interstate highway running through them, while another two are adjacent to a major interstate highway exchange.²²⁵ (See Figure 31.)

Figure 31: Thirteen counties with forfeiture revenues disproportionate to their populations, 2019-2023



*These two counties are adjacent to a major interstate highway exchange.

Sparsely populated, low-crime Logan County, Kansas, perhaps best illustrates how localities can exploit proximity to an interstate highway to generate forfeiture revenue.²²⁶ A one-mile section of I-70 runs through the northeast corner of the county, which has a population under 3,000. From 2019 to 2023, the sheriff’s office reported forfeiting over a million dollars, \$382 per resident.²²⁷ All but one of its 28 forfeitures stemmed from seizures made during warrantless searches of out-of-state residents along that tiny stretch of highway.²²⁸

The Logan County Sheriff’s Office is not the only Kansas law enforcement agency that may be targeting out-of-state drivers on interstate highways and taking their property. For example, over the same five years, more than 80% of Kansas Highway Patrol forfeitures involved out-of-state residents, and 99% involved property seized without a warrant. These findings align with claims in a case currently before the 10th Circuit. In that case, five out-of-state residents allege KHP systematically stops drivers passing through Kansas and uses coercive practices to obtain consent to search their vehicles.²²⁹ In the state as a whole, our data show most seizures stem from roadside stops, with nearly a third of those stops occurring on an interstate. In addition, most property seized on interstate highways is from out-of-state residents, and most of their cases end in default.

Law enforcement agencies in other states also engage in apparently opportunistic seizures. In Nebraska, for instance, a 2023 news investigation alleged the Seward County Sheriff's Office targets out-of-state drivers on I-80 and pressures them into waiving their property rights.²³⁰ And, indeed, our data show the sheriff's office forfeited nearly \$3.5 million, \$195 per resident, from 2019 to 2023. There again, all but one of the forfeitures started as a seizure on I-80.²³¹ Moreover, in nearly 40%, the owners' only "crime" was having cash sheriff's deputies deemed suspicious.

Another example comes from South Carolina, where the Spartanburg County Sheriff's Office annually conducted a weeklong crackdown on I-85 called "Operation Rolling Thunder."²³² During the 2022 installment, the sheriff's office and assisting agencies searched 144 vehicles and seized nearly a million dollars. After having multiple freedom-of-information requests denied, IJ filed a lawsuit to obtain records on those searches. Those records showed (1) agencies targeted out-of-state drivers for minor traffic infractions like driving in the left lane without actively passing another vehicle, (2) large amounts of cash were *always* seized if present, and (3) officers pressured drivers to sign a form waiving their property rights. Not only that, but most of the searches turned up nothing illegal.²³³

Research Finds Forfeiture Does Not Reduce Crime, Improve Policing, or Reduce Illicit Drug Use

Our data are not unique in casting doubt on the claimed benefits of civil forfeiture. Empirical research also suggests forfeiture is unrelated to crime—as well as to police effectiveness and illicit drug use.

Most recently, a peer-reviewed study by IJ authors revealed forfeiture had no effect on crime or police effectiveness in New Mexico.²³⁴ The study examined crime rates, arrest rates, and the number of sworn law enforcement officers before and after New Mexico abolished civil forfeiture and the financial incentive in criminal forfeiture in 2015. Notwithstanding forfeiture proponents' predictions that the reforms would lead to more crime as police were less able to combat it, the study found no meaningful changes compared to control states.²³⁵

Similarly, several studies have failed to find a meaningful link between forfeiture revenue and crime-fighting—this despite claims "civil asset forfeiture takes the material support of the criminals and instead makes it the material support of law enforcement."²³⁶ In the most recent of these, Seattle University economist Brian Kelly and Taylor de Laveaga of the Defender Association of Philadelphia examined whether revenue from the federal equitable sharing program was associated with

arrest rates for violent and property crimes, a common measure of police effectiveness, and found no meaningful relationship.²³⁷ That result matched those of two earlier studies by Kelly, one using state and local forfeiture revenue and the other using equitable sharing revenue.²³⁸

The results of some studies suggest forfeiture may *reduce* police effectiveness. For example, one study examined the financial incentive's role in police effectiveness using a composite measure of arrest rates and crime rates.²³⁹ The results suggest police are less effective where laws allow them to retain more forfeiture proceeds.²⁴⁰

And the two earlier Kelly studies also found no evidence forfeiture reduces illicit drug use, the ultimate goal of drug enforcement and thus drug forfeitures. One found no relationship between state and local forfeiture revenue and illicit drug use, while the other found similar results for equitable sharing revenue.²⁴¹

Instead of Fighting Crime, Research Suggests Forfeiture Is Used to Generate Revenue

Even as research shows forfeiture is not the essential crime-fighting tool proponents make it out to be, research suggests it *is* an important revenue-generating tool, particularly when economic conditions or other factors put pressure on law enforcement budgets. Research also suggests the ability to use civil forfeiture to self-fund may alter law enforcement behavior or, as Justice Sotomayor put it, forfeiture's financial incentive may "influence which laws police enforce, how they enforce them, and who they enforce them against."²⁴²

In fact, several studies have found a robust relationship between forfeiture revenue and fiscal stress. The two Kelly studies finding that forfeiture revenue was not related to police effectiveness or illicit drug use also found that forfeiture revenue *was* related to unemployment, a common proxy for economic health.²⁴³ Specifically, a 1 percentage point increase in unemployment was associated with a statistically significant 9% to 12% increase in forfeiture activity as measured by proceeds. Likewise, another study found that forfeiture activity increases when governments provide larger subsidies for building sports facilities, leaving less money for other priorities.²⁴⁴ Notably, each of these studies accounted for the possibility that agencies brought in more forfeiture revenue because they were fighting more crime. For example, the two Kelly studies found that a larger number of reported crimes was associated with *less* forfeiture revenue, though the relationship was not statistically significant.

These findings also align with those from research linking forfeiture activity to how easy and lucrative

laws make forfeiture for law enforcement. As discussed above, multiple studies have shown state and local law enforcement pursue equitable sharing to circumvent state laws that constrain forfeiture activity or make it less rewarding.²⁴⁵ Other studies have shown that seizing more property helps increase law enforcement agencies' discretionary budgets and that many agencies depend on forfeiture revenue.²⁴⁶

Critics have long warned that the ability to use forfeiture to self-fund may change law enforcement behavior. And, indeed, research supports this concern. In one study, the ratio of drug arrests relative to total arrests was higher in jurisdictions that permitted agencies to retain forfeiture proceeds.²⁴⁷ In another, drug arrests of black and Hispanic people—and accompanying seizures of non-drug property, like cash—increased where agencies had a larger financial stake in forfeiture and when they faced a budget deficit.²⁴⁸ And in IJ's survey of Philadelphia forfeiture victims, many respondents reported having small amounts of cash seized from them, often for alleged minor drug offenses and often in minority and lower-income communities.²⁴⁹ Taken together, these and other findings discussed above—such as the finding that the financial incentive may reduce police effectiveness—raise the concern that law enforcement agencies might prioritize activities like low-level drug enforcement that generate revenue to the neglect of broader public safety objectives.

Related, the financial incentive also encourages enforcement activities that target cash instead of contraband. In a classic study, a researcher served as a confidential informant for drug enforcement agents for a year, observing how decisions were often shaped by potential financial rewards. For example, the researcher brought two potential cases to an undercover agent: a full-time drug dealer with prior convictions who would sell the researcher a large volume of marijuana and a factory worker without a criminal record who wanted to buy a relatively small volume of marijuana to sell to people in his social circle. The agent chose to pursue the factory worker because selling drugs to him would immediately result in cash. Not only that, but he also owned a truck that could be seized.²⁵⁰

In another example, two Tennessee drug task forces funded by forfeiture revenue fought a turf war over which one got to patrol the westbound lanes of I-40 outside Nashville.²⁵¹ Both wanted to patrol those lanes on the assumption that drugs tend to go from west to east and drug proceeds from east to west.

Forfeiture Is Rarely Used to Support Community Programs or Compensate Crime Victims

Contrary to proponents' claims, forfeiture revenue does not play a significant role in supporting community programs or compensating crime victims. In the prior edition of *Policing for Profit*, IJ examined expenditures from 15 states with available data and found that no more than 12% of forfeiture proceeds went to community programs and no more than 2% went to victim compensation.²⁵² More recently, another study using federal forfeiture data found evidence to suggest that forfeiture overall has little to do with victim restitution—because most forfeitures are tied to underlying crimes with no obvious or identifiable victims. Specifically, the study found that the plurality of seized assets were alleged to be connected to drug crimes, and less than 1% of seized assets led to victim restitution.²⁵³ Forfeiture revenue typically only went to support victims in major fraud cases.²⁵⁴

Perversely, forfeiture can be used to rob victims of restitution. In a particularly egregious case, North Carolina police seized nearly \$70,000 from a man who sexually abused a child. According to the victim, who is now an adult, law enforcement suggested the money, which her abuser purportedly won in the lottery, would be available so that she could file a lawsuit and receive it. Yet when the victim sought restitution, there was none to be found because police had transferred the money to the federal government for equitable sharing. And they had done so based not on the sexual abuse charges but on minor drug crimes for which the man was not even charged: During their investigation into the abuse, police had found suspected marijuana and drug paraphernalia. The federal government subsequently forfeited the funds and gave most of the proceeds to the seizing police department. In defense of these actions, the official who approved the transfer said, "We did not treat this any differently than we do any other seizure where there is a basis for transfer to federal jurisdiction. I believe that all of the boxes were checked and that this was above board."²⁵⁵

Civil Forfeiture's Abuses Risk Eroding Public Trust in Law Enforcement

An additional problem with civil forfeiture is that it may contribute to negative perceptions of law enforcement and thereby hinder crime fighting. Although researchers and others have speculated about this problem, there is no research directly on point.²⁵⁶ However, some evidence is suggestive. In IJ's survey of Philadelphia forfeiture victims, respondents overwhelmingly described negative experiences with law enforcement.²⁵⁷ For example, they reported disrespectful behavior, from verbal abuse to violent intimidation. Overall, they described forfeiture as frustrating, corrupt, and unfair.

Other victims of forfeiture have described their civil forfeiture experiences in similar ways. For instance, Dewonna Goodridge nearly lost her truck to civil forfeiture after her son was stopped by Kansas police while driving it. Although one of the officers claimed to have found marijuana crumbs in the center console, no evidence was collected, and no charges were filed. Moreover, the officers knew the truck belonged to an entirely innocent third party—Dewonna. Nevertheless,

an officer told her, "My supervisor told me to seize the truck so you're not going to get it back." It is little wonder that Dewonna described her experience in terms similar to those of Philadelphia forfeiture victims: "I just didn't think it was fair because I worked really hard to get this vehicle. They knew when they ran the plates that everything came back to me, and I just couldn't understand." ²⁵⁸

Ella Bromell fought the seizure and forfeiture of her home in Conway, South Carolina, after police tried to punish her because drug dealers were trespassing on her property—despite her attempts to keep them away.²⁵⁹ The experience made her want to avoid any interaction with police: "I just don't feel like being with them or being by them or [having] anything to do with them."²⁶⁰

These observations echo research showing that, in general, people tend to see legal processes as unfair when they have limited input, the rules are confusing and opaque, the decisions do not seem impartial and based on facts, and their needs and concerns are ignored.²⁶¹ And when people see law enforcement behavior as unfair, they are less willing to do the things that law enforcement needs to actually fight crime such as call or provide information to the police or serve as a witness at trial.²⁶²

Research also suggests the ability to use civil forfeiture to self-fund may alter law enforcement behavior or, as Justice Sotomayor put it, forfeiture's financial incentive may "influence which laws police enforce, how they enforce them, and who they enforce them against."

Conclusion and Recommendations

Civil forfeiture's most fundamental characteristic is that it is *civil*. This may seem obvious, but it is a fact often overlooked by those who argue it is an essential tool to thwart *criminals*. It is also a fact of critical importance to understanding how civil forfeiture poses a grave threat to due process and property rights.

As a civil proceeding, civil forfeiture does not require the government to allege, let alone prove, a specific person committed a specific crime to deprive people of cash, cars, or other property. Neither the Nevada Highway Patrol nor the Drug Enforcement Administration could point to any drug transactions in which it believed Stephen Lara participated. The FBI could not so much as name the crime it believed Linda Martin or the other safe-deposit box holders committed. Even the acquittal of Cristal Starling's ex-boyfriend did not end the attempted forfeiture of her savings. In each case, the government merely had to claim the cash was somehow tainted and then hope its owners did not have the wherewithal to navigate the legal labyrinth and ultimately prevail in civil litigation to win it back.

Data suggest many, if not most, people will not. The ins and outs of civil proceedings may be familiar to lawyers, but they are unlikely to be familiar to anyone else, especially the lower-income Americans most likely to be swept up in it.

And unlike criminal prosecutions, civil forfeiture proceedings lack essential protections to prevent the innocent from being wrongfully punished: There is no right to counsel. Failure to appear or respond results in either automatic forfeiture or default judgment with, at most, limited judicial involvement. Most often, the government need not quickly establish probable cause before a neutral arbiter. And if and when the government does make its case for forfeiture in a court of law, it faces a lower standard of proof—or even enjoys the benefit of an innocent owner bearing the burden of proving their innocence. The few who successfully run this gauntlet are likely to have been without their cash, cars, or other property for months, if not years. Throughout, the risk of wrongfully depriving the innocent of their property is high, especially when police and prosecutors have a financial stake in the outcome.

Cristal Starling



Historically, civil forfeiture's departure from due process guarantees was often justified because criminals lay beyond the government's jurisdiction, while their property did not. But, as Justices Gorsuch and Thomas asked in *Culley*, "How does any of that [history] support the use of civil forfeiture in so many cases today, where the government *can* secure personal jurisdiction over the wrongdoer? And where seizing his property is *not* the only adequate means for addressing his offense?"²⁶³

Indeed, while data suggest a troublingly large share of forfeitures are not accompanied by convictions, many are. Even if convictions are not all of owners, these data make clear that states can and often do "secure personal jurisdiction over the wrongdoer" and that seizing property is not their only means for addressing the offense.

In modern times, when the government pursues civil forfeiture, it often is not for lack of jurisdiction but rather for lack of evidence to sustain an arrest or charges. Examples of law enforcement seizing property without an arrest or charges abound. In addition to those already mentioned—Stephen Lara, Linda Martin and the hundreds of other owners of safe-deposit boxes raided by the FBI, Stephanie Wilson, owners of FedEx parcels that passed through Indianapolis, Brian Moore Jr., Kermit Warren, Jerry Johnson, Rebecca Brown, Stacy Esposito, Matt Berger, Carole Hinders, and Jeff Hirsch and his brothers—the list includes Nang Thai and Weichuan Liu, Clifford Skinner, Nazier McFadden, He Song Dong, Rustem Kazazi, Anthonia Nwaorie, Melisa Bell (formerly Ingram), Gerardo Serrano, Phil Parhamovich, Miladis Salgado, Lyndon McLellan, and likely many others.²⁶⁴

Increasingly, federal and state courts alike are coming to recognize the fundamental due process problems posed by civil forfeiture—and even holding the government to account for problems such as having improper financial incentives, unfairly burdening innocent owners, evading state forfeiture law through federal equitable sharing, creating unreasonable delays, and refusing to pay attorney fees. To protect due process rights, this trend should continue.

Lawmakers, too, can curb civil forfeiture. First and foremost, they should eliminate the financial incentive

behind forfeiture, both civil and criminal, to ensure laws are enforced without improper motives. They should provide prompt post-seizure hearings that enable owners to quickly challenge the government's basis for seizing and holding on to property, creating a check on warrantless seizures and helping to prevent lengthy deprivations. If retaining civil forfeiture, lawmakers should raise the standard of proof and require the government to prove an innocent owner deserves to be deprived of their property. They should be wary of the half measures of so-called conviction requirements that often fail to require a conviction, such as when no one files a claim, or that can be satisfied when someone other than the property's owner is convicted. Lawmakers should close the equitable sharing loophole to prohibit law enforcement from engaging in and benefiting from forfeitures that would be disallowed under state law. And they should insist on full transparency, with clear, accurate reporting on forfeiture activity and expenditures.

Better still, lawmakers should eliminate civil forfeiture, as New Mexico and Maine have done. Instead of treating property as guilty and owners' rights as secondary, those states' reforms require forfeiture to be initiated as part of a criminal action against a defendant, ensuring the government has good reason to think that a specific crime was committed by a specific person and that the seized property is linked to that crime. Third-party owners whose property may be caught up can quickly seek a pretrial hearing to assert their rights. And any proceeds go to the states' general funds instead of police and prosecutors' budgets.

More simply, if the government is going to forfeit a person's property, it should have to prove that person is guilty of a crime through ordinary criminal procedures, with the rights normally afforded the accused, and without a financial interest in the outcome.

As New Mexico's experience shows, and as data and research suggest, even this strongest of reforms can bring forfeiture in line with traditional due process guarantees without putting public safety at risk.

The background of the page is a dense, overlapping collage of US one-dollar bills. The bills are oriented in various directions, creating a complex, textured pattern. The color is a uniform blue, giving it a monochromatic appearance. The text "State Profiles" is centered over this background.

State Profiles

Alabama earns a D- for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2021 (SB 210): Codified standard of proof; shifted burden of proof from innocent owners to government for all property; imposed modest new limits on participation in federal equitable sharing; strengthened transparency requirements; prohibited seizures of currency less than \$250 and vehicles worth less than \$5,000; allowed innocent owners to request an expedited hearing; required police to show probable cause within seven business days of seizure.
- 2025 (SB 123): Modestly strengthened transparency requirements.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Alabama Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$59,117,097	\$4,189,000	\$63,306,097
2011	Unknown	\$4,608,034	\$950,000	\$5,558,034
2012	Unknown	\$8,429,272	\$216,000	\$8,645,272
2013	Unknown	\$1,880,420	\$252,000	\$2,132,420
2014	Unknown	\$5,095,019	\$993,000	\$6,088,019
2015	Unknown	\$3,091,009	\$1,876,000	\$4,967,009
2016	Unknown	\$2,338,392	\$724,000	\$3,062,392
2017	Unknown	\$1,980,089	\$490,000	\$2,470,089
2018	Unknown	\$4,951,811	\$253,000	\$5,204,811
2019	\$2,410,185	\$2,034,629	\$753,000	\$5,197,814
2020	\$3,474,427	\$1,026,042	\$2,148,000	\$6,648,469
2021	\$4,331,175	\$2,040,870	\$374,000	\$6,746,045
2022	\$2,050,502	\$1,194,221	\$111,000	\$3,355,723
2023	\$4,688,582	\$1,700,751	\$132,000	\$6,521,333
Totals	\$16,954,871	\$99,487,656	\$13,461,000	\$129,903,527

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$129 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since 2000, Alabama agencies have generated nearly \$113 million in equitable sharing proceeds. And on average from 2019 to 2023, 104 Alabama agencies, or an estimated 27% of all law enforcement agencies in the state, were certified for the program. In January 2022, the state banned one kind of equitable sharing—adoptions—unless the seized property includes cash over \$10,000. It is too soon to know whether the reform will have an effect.

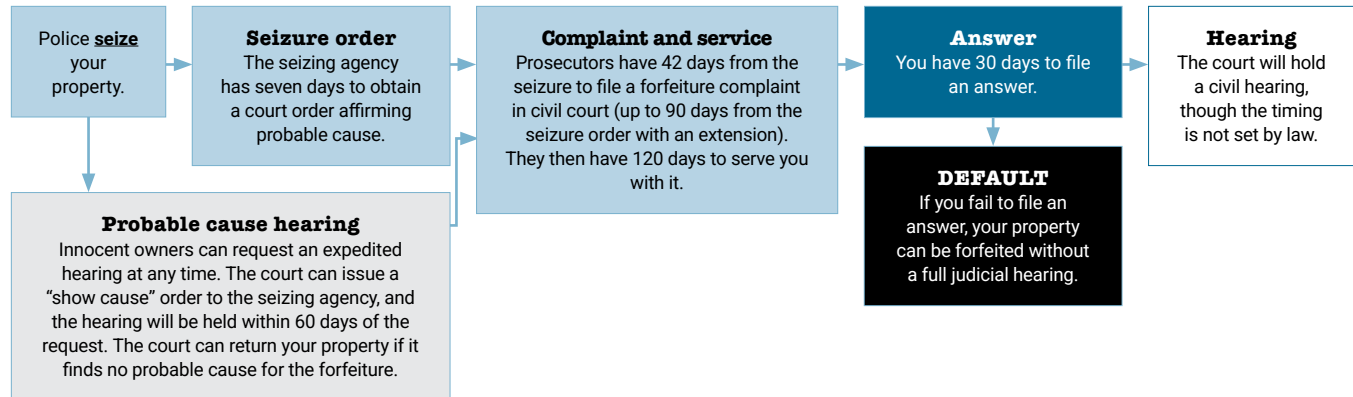
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	B	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Alabama?*

Under Alabama law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 192 days, but the wait may be longer as the deadline for filing the complaint can be extended and there is no deadline for the hearing itself. While you wait, the government has your property, but innocent owners can try to get it back by requesting a probable cause hearing and vehicle owners can try to get their vehicle back while the case continues by posting a bond equal to double its fair market value.



For research methods and limitations, see page 19.

*Cash amounts of \$250 or less and vehicles worth \$5,000 or less are exempt from seizure and forfeiture.

Forfeitures Under Alabama Law: Key Facts

Median Value

UNKNOWN

Alabama does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Alabama does not report the types of property forfeited.

Proceeding Types

UNKNOWN

Alabama does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports were downloaded from the Alabama Law Enforcement Agency's website. Revenues represent the value of currency forfeited in a fiscal year and do not include the value of other property forfeited, making them underestimates. Based on when statewide reporting was initiated, 2019 revenues likely do not cover the entire fiscal year. No statewide records were available prior to 2019. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Alaska earns a D+ for its civil forfeiture laws

- Low bar to forfeit: Once the government seizes property, the owner must prove by preponderance of the evidence that it is not connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: In general, up to 75% of forfeiture proceeds go to law enforcement; 100% in cases of nonmonetary property worth \$5,000 or less.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Alaska Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$9,181,211	\$829,000	\$10,010,211
2011	Unknown	\$842,849	\$4,000	\$846,849
2012	Unknown	\$1,359,455	\$141,000	\$1,500,455
2013	Unknown	\$461,063	\$2,572,000	\$3,033,063
2014	Unknown	\$775,878	\$186,000	\$961,878
2015	Unknown	\$853,645	\$0	\$853,645
2016	Unknown	\$577,225	\$0	\$577,225
2017	Unknown	\$233,542	\$6,000	\$239,542
2018	Unknown	\$325,080	\$37,000	\$362,080
2019	Unknown	\$997,851	\$92,000	\$1,089,851
2020	Unknown	\$459,012	\$2,000	\$461,012
2021	Unknown	\$280,682	\$0	\$280,682
2022	Unknown	\$52,533	\$0	\$52,533
2023	Unknown	\$845,653	\$0	\$845,653
Totals	Unknown	\$17,245,679	\$3,869,000	\$21,114,679

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$21 million
in federal forfeiture revenue

2000–2023

Federal Equitable Sharing

Alaska does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Alaska agencies have generated more than \$21 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 20 Alaska agencies, or an estimated 45% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

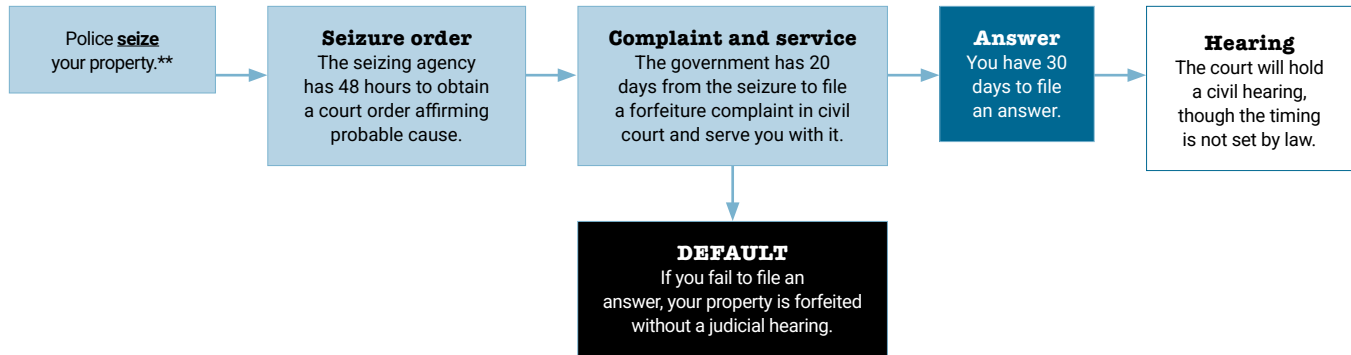
Tracking Seized Property	F	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	Inc.†
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	F	Financial Audits of Forfeiture Accounts	F

†No reporting requirements to enforce.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Alaska?*

Under Alaska law, the government's and owners' deadlines leading to a judicial hearing add up to 50 days, but the wait may be longer as there is no deadline for the hearing itself. While you wait, the government has your property, but you can try to get it back while the case continues by petitioning the court.



*This process applies to property worth \$500 or more.

**At any time after seizure, you can petition the court to release your property. The court can require you to post a bond of twice the property's value.

For research methods and limitations, see page 19.

Forfeitures Under Alaska Law: Key Facts

Median Value

UNKNOWN

Alaska does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Alaska does not report the types of property forfeited.

Proceeding Types

UNKNOWN

Alaska does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies are not required to report on their forfeitures, resulting in zero transparency into forfeiture activity in the state.

Data Notes

No statewide records are available. Agencies are not required to report forfeiture activity. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Arizona earns a D- for its civil forfeiture laws

- Higher bar to forfeit: Moderate conviction provision requires conviction of the owner, but not if forfeiture is uncontested. Once the conviction provision is satisfied, prosecutors must show that the property is subject to forfeiture by clear and convincing evidence.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2021 (HB 2810): Created moderate conviction provision; shifted burden of proof from innocent owners to government; strengthened transparency requirements; eliminated non-judicial “uncontested forfeitures”; established prompt post-seizure hearings; and banned waivers used to pressure people into abandoning seized property.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Arizona Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$247,776,918	\$48,171,679	\$19,093,000	\$315,041,597
2011	\$42,683,282	\$10,752,998	\$667,000	\$54,103,280
2012	\$43,035,740	\$4,121,802	\$2,454,000	\$49,611,542
2013	\$41,791,870	\$5,403,803	\$1,017,000	\$48,212,673
2014	\$36,281,210	\$3,360,894	\$1,163,000	\$40,805,104
2015	\$37,583,124	\$3,636,810	\$1,838,000	\$43,057,934
2016	\$20,383,757	\$1,855,317	\$1,332,000	\$23,571,074
2017	\$22,013,701	\$1,168,904	\$240,000	\$23,422,605
2018	\$14,762,916	\$3,638,606	\$622,000	\$19,023,522
2019	\$23,936,669	\$2,142,819	\$698,000	\$26,777,488
2020	\$19,976,825	\$595,284	\$451,000	\$21,023,109
2021	\$25,310,979	\$1,280,787	\$1,841,000	\$28,432,766
2022	\$20,843,254	\$1,468,075	\$1,500,000	\$23,811,329
2023	\$9,694,918	\$2,069,338	\$369,000	\$12,133,256
Totals	\$606,075,163	\$89,667,116	\$33,285,000	\$729,027,279

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

**At least
\$729 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since July 2017, Arizona has prohibited transferring property worth up to \$75,000 to a federal agency for equitable sharing unless there is federal involvement in the seizure or only a violation of federal law is alleged. IJ’s analysis (see page 64) found that, relative to non-reform states, the reform resulted in immediate reductions in the sharing of below-threshold assets and assets overall. However, below-threshold sharing and sharing overall increased in the long run. From 2018 to 2023, Arizona law enforcement agencies generated nearly \$17 million in equitable sharing proceeds. And on average from 2019 to 2023, 53 Arizona agencies, or an estimated 42% of all law enforcement agencies in the state, were certified for the program.

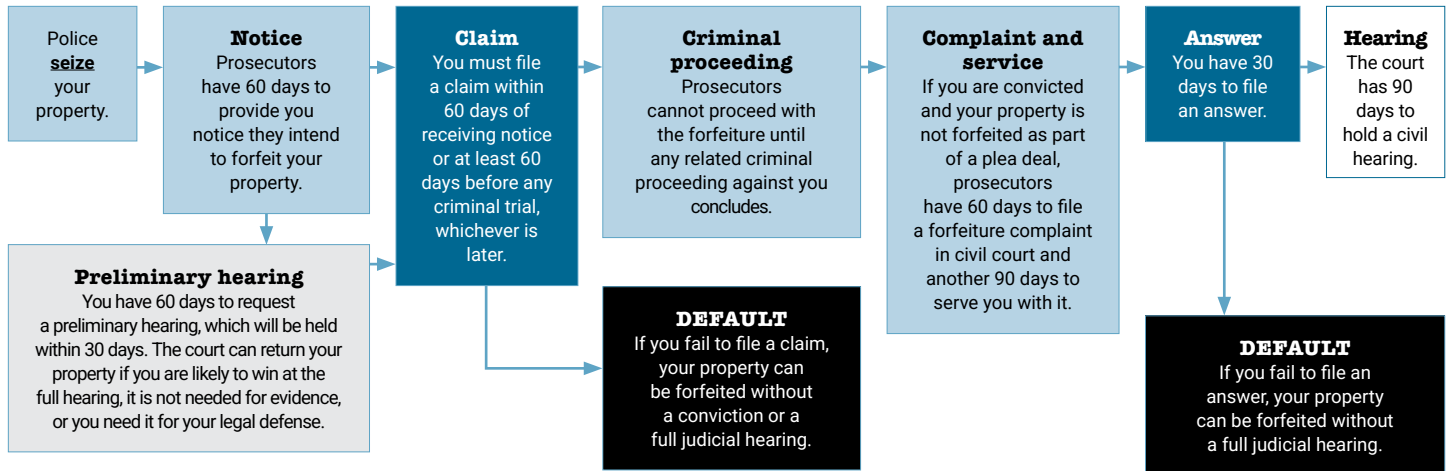
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	A+	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	B
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	A

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Arizona?

Under Arizona law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 390 days, but any criminal proceedings may add to the wait. While you wait, the government has your property, but you can try to get it back while the case continues by requesting a preliminary hearing or by posting a bond equal to the property's fair market value.



For research methods and limitations, see page 19.

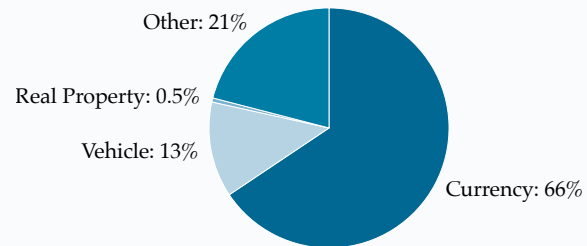
Forfeitures Under Arizona Law: Key Facts

Median Value



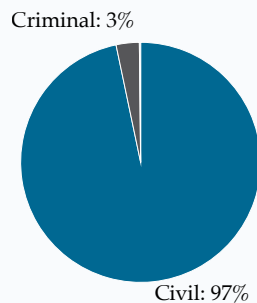
From 2019 through June 2023, half of Arizona's currency forfeitures were less than \$1,271.

Property Types



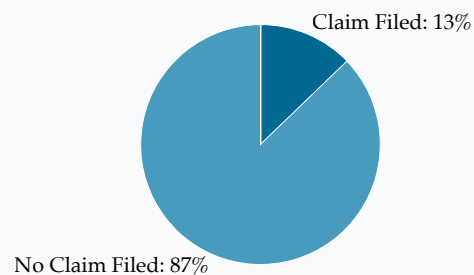
From 2019 through June 2023, nearly two-thirds of Arizona's forfeitures were currency.

Proceeding Types



From 2019 through June 2023, nearly all of Arizona's forfeitures were processed under civil, not criminal, forfeiture law.

Claims



From 2019 to June 2023, only 13% of Arizona's forfeitures were contested via a claim.

Data Notes

Forfeiture records were obtained from the Arizona Criminal Justice Commission via download from its website and public records requests. Revenues for 2000–2023 are from statewide reports with agency-level data and represent the value of forfeited currency and property sold in a fiscal year, with revenues for 2018–2019 also including the value of property retained or destroyed. Median, property type, and proceeding type figures are based on calendar year and derived from statewide reports with property-level data. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. See Appendix C, available online at [ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/](https://www.ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/), for details of the equitable sharing reform analysis. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Arkansas earns a D- for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It does not require conviction of the owner, only of the “person from whom the property was seized,” and the court can waive the provision if the person does not contest the forfeiture or has agreed to help investigators in exchange for immunity. Once the conviction provision is satisfied, property must be linked to the crime by preponderance of the evidence if the person contesting the forfeiture was arrested; clear and convincing if the person contesting is a third party.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement (up to a maximum of \$250,000 from a single forfeiture, 80% to police and prosecutors, and 20% to the Crime Lab Equipment Fund; any amount above \$250,000 goes to the Special State Assets Forfeiture Fund, a non-law enforcement fund).

Recent Reforms

- 2021 (SB 560): Raised standard of proof for forfeiting property from third-party claimants after conviction provision is satisfied.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Arkansas Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$18,989,034	\$1,498,000	\$20,487,034
2011	Unknown	\$2,819,593	\$484,000	\$3,303,593
2012	Unknown	\$2,980,660	\$532,000	\$3,512,660
2013	Unknown	\$1,521,767	\$640,000	\$2,161,767
2014	Unknown	\$3,977,058	\$343,000	\$4,320,058
2015	Unknown	\$3,347,213	\$150,000	\$3,497,213
2016	Unknown	\$3,147,826	\$100,000	\$3,247,826
2017	Unknown	\$2,266,743	\$336,000	\$2,602,743
2018	Unknown	\$2,813,297	\$127,000	\$2,940,297
2019	\$1,567,333	\$1,065,385	\$567,000	\$3,199,718
2020	\$936,196	\$741,597	\$227,000	\$1,904,793
2021	\$2,690,182	\$1,027,485	\$1,729,000	\$5,446,667
2022	\$1,052,402	\$997,016	\$124,000	\$2,173,418
2023	\$477,888	\$1,160,675	\$231,000	\$1,869,563
Totals	\$6,724,001	\$46,855,349	\$7,088,000	\$60,667,350

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$60 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Arkansas does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Arkansas agencies have generated nearly \$54 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 72 Arkansas agencies, or an estimated 21% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

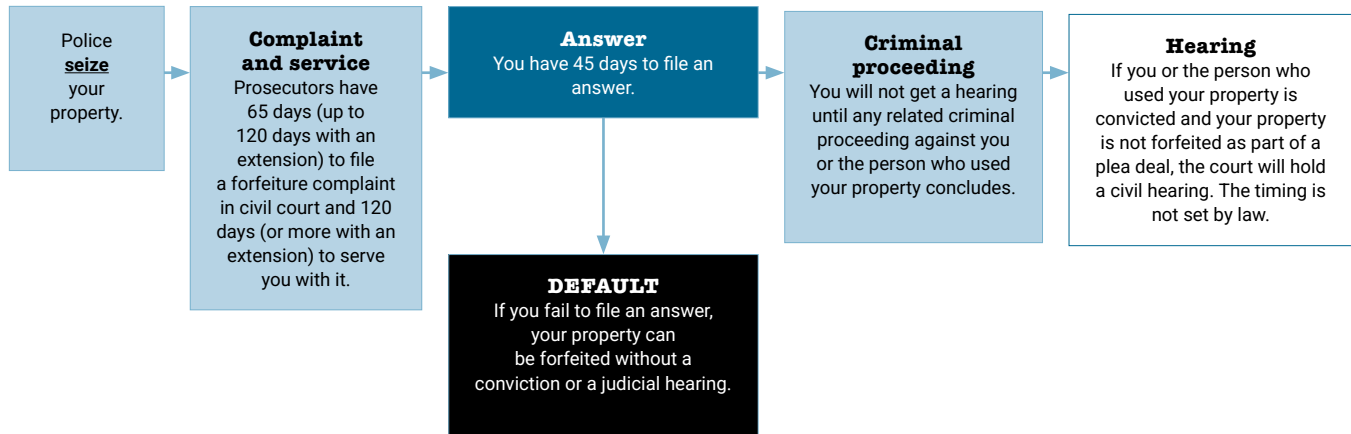
Tracking Seized Property	C-	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	B*
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	C	Financial Audits of Forfeiture Accounts	A

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Arkansas?

Under Arkansas law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 230 days, but there is no deadline for the hearing itself; possible extensions and any criminal proceedings may also add to the wait. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

Forfeitures Under Arkansas Law: Key Facts

Median Value

\$1,091

From 2019 to 2023, half of Arkansas' currency forfeitures were worth less than \$1,091 per case.

Property Types

UNKNOWN

Arkansas property type data were not used for this report.

Proceeding Types

UNKNOWN

Arkansas does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies effectively report only limited information about currency seizures, and they often fail to report what happens to seized currency.

Data Notes

Forfeiture case data are from the state Asset Seizure Tracking System and were obtained via public records requests. All figures are based on the calendar year in which property was seized. Revenues represent the value of currency forfeited and property bought back by owners. Property not bought back is not consistently valued and thus not included in our totals, making them underestimates. Data for earlier years reported in the third edition of *Policing for Profit* represented seizure (not forfeiture) values and are not included here. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

California earns a C for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It applies only if an owner contests forfeiture, putting the burden on owners to engage in a costly legal battle and making it easy for the government to forfeit without a conviction. It does not require conviction of the owner, only of “a defendant,” and does not apply to cash over \$40,000. Once there is a conviction, property must be linked to the crime beyond a reasonable doubt. The standard for cash over \$40,000 is clear and convincing evidence if contested. For uncontested forfeitures, the government need only present a “prima facie case” that property is subject to forfeiture—a very low standard akin to probable cause.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 76% of forfeiture proceeds go to law enforcement (65% to police, 10% to prosecutors, and 1% to a fund controlled by the prosecutors’ trade association).

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	California Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$218,496,398	\$440,760,411	\$67,555,000	\$726,811,809
2011	\$17,958,201	\$78,895,461	\$10,561,000	\$107,414,662
2012	\$15,046,570	\$82,987,480	\$17,264,000	\$115,298,050
2013	\$28,130,455	\$85,544,380	\$12,347,000	\$126,021,835
2014	\$29,148,436	\$77,400,978	\$12,216,000	\$118,765,414
2015	\$29,171,690	\$86,111,035	\$13,848,000	\$129,130,725
2016	\$37,915,514	\$77,612,180	\$10,915,000	\$126,442,694
2017	\$33,699,286	\$48,670,360	\$8,295,000	\$90,664,646
2018	\$30,438,026	\$55,219,133	\$53,366,000	\$139,023,159
2019	\$33,789,157	\$41,295,148	\$10,023,000	\$85,107,305
2020	\$34,669,275	\$40,471,586	\$5,171,000	\$80,311,861
2021	\$31,093,421	\$13,012,984	\$7,790,000	\$51,896,405
2022	\$32,769,141	\$27,353,877	\$10,453,000	\$70,576,018
2023	\$43,380,970	\$55,932,470	\$12,359,000	\$111,672,440
Totals	\$615,706,540	\$1,211,267,483	\$252,163,000	\$2,079,137,023

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$2 billion
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since January 2017, California has prohibited equitable sharing of all tangible property and cash of \$40,000 or less under drug laws unless there is an associated criminal conviction or the defendant is charged and fails to appear in court. IJ’s analysis (see page 64) found that, relative to non-reform states, the reform resulted in immediate reductions in the sharing of below-threshold assets and assets overall, as well as a long-term reduction in sharing overall. However, there was no effect on the sharing of below-threshold assets in the long run. From 2018 to 2023, California law enforcement agencies generated more than \$332 million in equitable sharing proceeds. And on average from 2019 to 2023, 288 California agencies, or an estimated 56% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	D
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	C

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in California?*

Under California law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 150 days, but the wait may be longer as there are no deadlines for providing notice or for the hearing itself. While you wait, the government has your property, but you can try to get it back by filing a motion with the court.



*For property worth \$25,000 or less, prosecutors can pursue either judicial or administrative forfeiture. Here, we describe the administrative forfeiture process.

**Innocent owners can file a motion seeking the property's return. Defendants in any related criminal proceeding can ask the court to return the property based on a lack of probable cause for the forfeiture.

***For vehicles, criminal proceedings may delay a civil forfeiture hearing as a conviction is required if a claim is made.

For research methods and limitations, see page 19.

Forfeitures Under California Law: Key Facts

Median Value

UNKNOWN

California does not report information necessary to calculate median forfeiture value.

Property Types

UNKNOWN

California does not report the types of property forfeited.

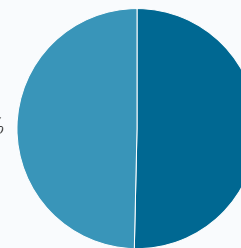
Proceeding Types

UNKNOWN

California does not report whether forfeitures are processed under civil or criminal forfeiture law.

Convictions

No Conviction: 50%



Conviction: 50%

From 2019 to 2023, only half of California's forfeitures were accompanied by a criminal conviction, likely owing to the state's weak conviction provision.

Data Notes

Agency forfeiture reports for 2019–2023 were obtained via public records requests to the state attorney general. Revenues represent the value of property forfeited in a calendar year. Because not all agencies submitted reports to the AG, revenues are likely underestimated. Revenues for earlier years are from statewide reports downloaded from the AG's website and represent net forfeiture revenues in a calendar year. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. See Appendix C, available online at [ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/](https://www.justice.gov/ijl/section-4/appendix-c-equitable-sharing-methods/), for details of the equitable sharing reform analysis. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Colorado earns a C for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 75% of forfeiture proceeds go to law enforcement (50% to law enforcement directly and 25% to a law enforcement community services fund that funnels proceeds back to law enforcement; the remaining 25% goes to drug rehabilitation programs).

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2023 (HB 23-1086): Modestly strengthened transparency requirements.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Colorado Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$10,898,121	\$35,422,662	\$1,755,000	\$48,075,783
2011	\$739,151	\$3,220,174	\$261,000	\$4,220,325
2012	\$533,111	\$5,773,624	\$643,000	\$6,949,735
2013	\$628,239	\$3,817,589	\$1,885,000	\$6,330,828
2014	\$491,773	\$3,974,765	\$228,000	\$4,694,538
2015	\$390,766	\$5,066,151	\$1,746,000	\$7,202,917
2016	\$577,292	\$3,110,770	\$303,000	\$3,991,062
2017	\$798,118	\$7,018,719	\$316,000	\$8,132,837
2018	\$343,450	\$4,402,065	\$877,000	\$5,622,515
2019	\$1,657,322	\$1,287,556	\$40,000	\$2,984,878
2020	\$741,764	\$3,562,176	\$217,000	\$4,520,940
2021	\$2,126,725	\$2,504,743	\$711,000	\$5,342,468
2022	\$5,196,718	\$2,431,519	\$1,579,000	\$9,207,237
2023	\$1,818,948	\$2,492,979	\$52,000	\$4,363,927
Totals	\$26,941,498	\$84,085,492	\$10,613,000	\$121,639,990

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$121 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since August 2017, Colorado has prohibited equitable sharing unless the assets are worth more than \$50,000 and there is an associated criminal case. IJ's analysis (see page 64) found that, relative to non-reform states, the reform resulted in both immediate and long-term reductions in the sharing of below-threshold assets and assets overall. However, below-threshold assets were still consistently shared in the long run. From 2018 to 2023, Colorado law enforcement agencies generated more than \$20 million in equitable sharing proceeds. And on average from 2019 to 2023, 76 Colorado agencies, or an estimated 34% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

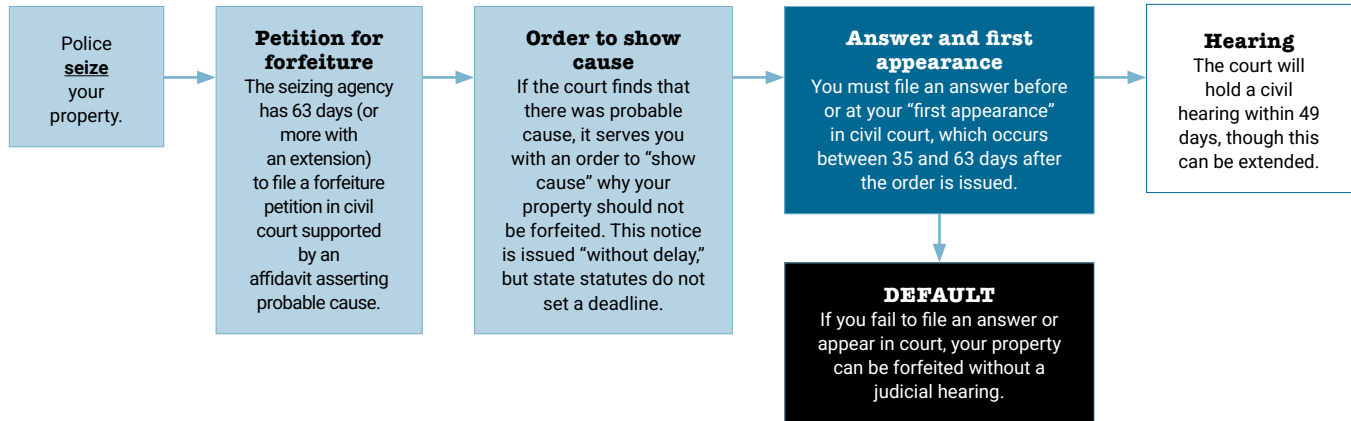
Tracking Seized Property	B+	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	C*
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	A

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Colorado?

Under Colorado law, the government's, owners', and court deadlines leading to a judicial hearing add up to 175 days, but there is no deadline for the show cause order and possible extensions may add to the wait. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

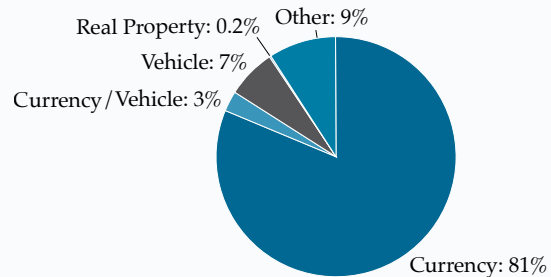
Forfeitures Under Colorado Law: Key Facts

Median Value

\$2,387

From 2019 to 2023, half of Colorado's currency forfeitures were worth less than \$2,387.

Property Types



From 2019 to 2023, more than 80% of Colorado's forfeitures were of currency.

Proceeding Types

UNKNOWN

Colorado does not report whether forfeitures are processed under civil or criminal forfeiture law.

Median Time to Forfeiture

9 months

From 2019 to 2023, half of Colorado's forfeitures took more than nine months, while one-quarter took more than 15 months.

Data Notes

Statewide, property-level forfeiture data for 2017–2023 were downloaded from the Department of Local Affairs' website. Data for earlier years were obtained via public records requests to the Colorado Department of Local Affairs. All figures are in calendar years. Revenues for 2019–2023 were calculated using the value of forfeited currency and property reported in a year, while those for earlier years were calculated using the proceeds agencies reported in a year. Legislation expanded the definition of a reporting agency in 2019, requiring about 20 more agencies to report. This likely accounts for some of the increase in revenues since 2019. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. See Appendix C, available online at [ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/](https://www.ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/), for details of the equitable sharing reform analysis. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Connecticut earns a C for its civil forfeiture laws

- Higher bar to forfeit: Moderate conviction provision applies in drug, identity theft, and sex-trafficking cases, even if forfeiture is uncontested. It does not require conviction of the owner, only that a “person” be convicted. For other crimes, the owner must be convicted. Once the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: In drug cases, 69.5% of forfeiture proceeds go to law enforcement (59.5% to police and 10% to prosecutors); none in all other cases.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Connecticut Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$19,243,986	\$18,331,748	\$1,569,000	\$39,144,734
2011	\$2,772,132	\$1,871,218	\$29,000	\$4,672,350
2012	\$2,274,903	\$2,643,752	\$67,000	\$4,985,655
2013	\$1,614,838	\$1,455,367	\$158,000	\$3,228,205
2014	\$1,801,784	\$8,823,913	\$440,000	\$11,065,697
2015	\$2,211,093	\$2,471,987	\$460,000	\$5,143,080
2016	\$2,516,709	\$766,241	\$354,000	\$3,636,950
2017	\$1,255,813	\$2,970,310	\$311,000	\$4,537,123
2018	\$1,508,503	\$2,739,730	\$1,113,000	\$5,361,233
2019	\$1,335,843	\$3,865,363	\$837,000	\$6,038,206
2020	\$938,408	\$1,633,399	\$822,000	\$3,393,807
2021	\$730,085	\$340,480	\$246,000	\$1,316,565
2022	\$1,007,231	\$3,102,531	\$594,000	\$4,703,762
2023	\$831,730	\$1,480,788	\$188,000	\$2,500,518
Totals	\$40,043,058	\$52,496,827	\$7,188,000	\$99,727,885

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$99 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Connecticut does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Connecticut agencies have generated nearly \$60 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 76 Connecticut agencies, or an estimated 59% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

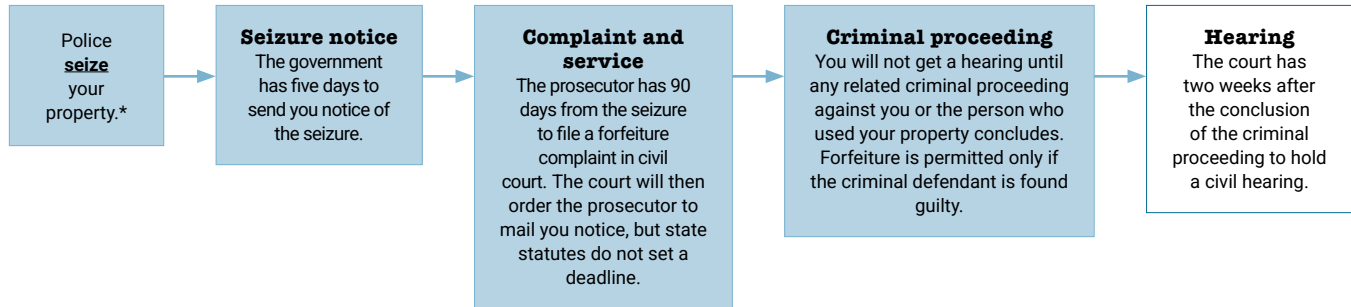
Tracking Seized Property	C	Statewide Forfeiture Reports	C	Penalties for Failure to File a Report	Inc.†
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	F

†No reporting requirements to enforce.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Connecticut?

Under Connecticut law, prosecutors' and courts' deadlines leading to a judicial hearing add up to 104 days, but there is no deadline for providing notice of the complaint and any criminal proceedings may add to the wait. While you wait, the government has your property, but you can try to get it back by challenging the seizure.



For research methods and limitations, see page 19.

*Under the forfeiture statute, property can be seized only with an arrest or a search warrant. You can file a motion to try to get your property back because the seizure was invalid.

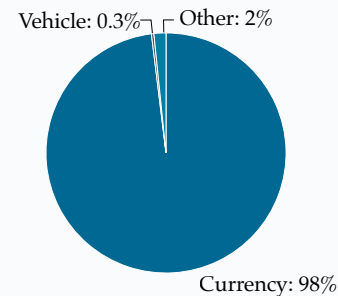
Forfeitures Under Connecticut Law: Key Facts

Median Value



From 2019 to 2023, half of Connecticut's currency forfeitures were worth less than \$700.

Property Types



From 2019 to 2023, nearly all of Connecticut's forfeitures were solely of currency.

Proceeding Types

UNKNOWN

Connecticut does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies effectively report only limited information about currency forfeitures, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports with property-level data were obtained via public records requests to the chief state's attorney and the Division of Criminal Justice. Revenues represent the value of forfeited currency and property sold in a calendar year. Because proceeds are not reported for most sold property, revenues are underestimated. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Delaware earns a D- for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime. Forfeiture is not permitted unless a person is charged with a crime, but no conviction is required.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2024 (HB 280): Required a criminal charge for forfeiture; shifted burden of proof from innocent owners to government; strengthened transparency requirements; prohibited seizing or forfeiting currency less than \$500; created right to attorney fees for owners.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Delaware Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$5,511,585	\$490,000	\$6,001,585
2011	Unknown	\$1,129,733	\$315,000	\$1,444,733
2012	Unknown	\$1,113,015	\$84,000	\$1,197,015
2013	Unknown	\$500,724	\$365,000	\$865,724
2014	Unknown	\$2,573,778	\$12,000	\$2,585,778
2015	Unknown	\$331,134	\$101,000	\$432,134
2016	Unknown	\$1,200,737	\$26,000	\$1,226,737
2017	\$1,575,401	\$349,045	\$66,000	\$1,990,446
2018	\$1,376,901	\$1,310,269	\$0	\$2,687,170
2019	\$1,147,873	\$412,246	\$11,000	\$1,571,119
2020	\$1,219,509	\$201,929	\$131,000	\$1,552,438
2021	\$1,197,380	\$12,764	\$143,000	\$1,353,144
2022	\$1,285,690	\$338,884	\$116,000	\$1,740,574
2023	\$1,591,050	\$272,476	\$28,000	\$1,891,526
Totals	\$9,393,804	\$15,258,319	\$1,888,000	\$26,540,123

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

**At least
\$26 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Delaware does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Delaware agencies have generated more than \$17 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 22 Delaware agencies, or an estimated 55% of all law enforcement agencies in the state, were certified for the program.

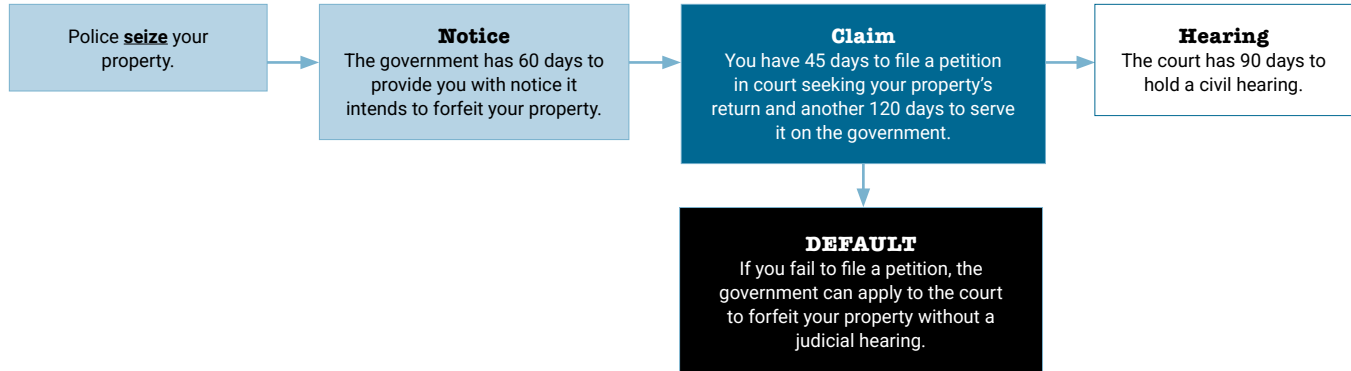
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	B
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Delaware?*

Under Delaware law, the government's, owners', and court deadlines leading to a judicial hearing add up to 315 days. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

*Under a 2024 reform, currency less than \$500 cannot be forfeited and "property may not be seized or forfeited . . . unless a criminal offense is charged."

Forfeitures Under Delaware Law: Key Facts

Median Value

UNKNOWN

Delaware does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

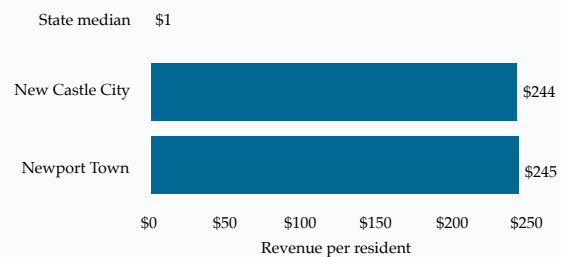
Delaware does not report the types of property forfeited.

Proceeding Types

UNKNOWN

Delaware does not report whether forfeitures are processed under civil or criminal forfeiture law.

Outlier Cities



From 2019 to 2023, two small cities in Delaware—Newport and New Castle— forfeited over \$244 per resident.

Data Notes

Reports of fiscal-year forfeiture deposits to the Special Law Enforcement Assistance Fund were obtained via public records requests to the Delaware Department of Justice. Deposits represent the value of forfeited currency and property sold. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

District of Columbia earns a B+ for its civil forfeiture laws

- Somewhat higher bar to forfeit some property: For motor vehicles, real property, and currency up to \$1,000, prosecutors' standard is clear and convincing evidence. A very weak conviction provision requires conviction of the owner when a person's primary residence is at stake. For all other property, the standard is preponderance of the evidence.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- No profit incentive: All forfeiture proceeds go to the general fund.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

District and Federal Forfeiture Proceeds, 2000–2023

Year	District of Columbia Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$1,894,278	\$6,802,793	\$1,718,000	\$10,415,071
2011	\$1,271,889	\$531,940	\$63,000	\$1,866,829
2012	\$1,648,599	\$866,809	\$83,000	\$2,598,408
2013	Unknown	\$357,847	\$11,000	\$368,847
2014	Unknown	\$771,427	\$21,000	\$792,427
2015	\$15,787	\$385,950	\$2,000	\$403,737
2016	\$23,518	\$189,247	\$34,000	\$246,765
2017	\$700	\$673,004	\$77,000	\$750,704
2018	\$25,996	\$774,868	\$8,000	\$808,864
2019	\$90,011	\$0	\$0	\$90,011
2020	\$123,837	\$0	\$10,000	\$133,837
2021	\$70,726	\$0	\$3,000	\$73,726
2022	\$126,977	\$0	\$0	\$126,977
2023	\$156,221	\$0	\$0	\$156,221
Totals	\$5,448,539	\$11,353,885	\$2,030,000	\$18,832,424

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$18 million
in District and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since October 2018, the District of Columbia has directed all equitable sharing proceeds to the general fund, effectively disqualifying District agencies from participating.

Forfeiture Transparency and Accountability Report Card

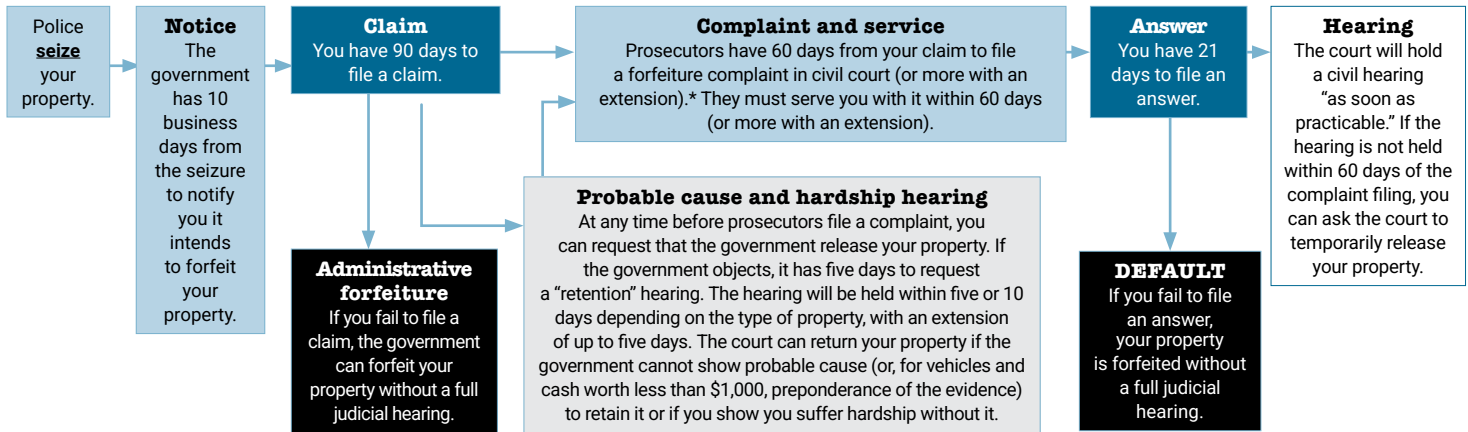
Tracking Seized Property	D	Aggregate Forfeiture Reports	B	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	N/A†	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	N/A†

†These grades are not applicable as the District of Columbia does not permit law enforcement agencies to spend forfeiture revenue.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in the District of Columbia?

Under District of Columbia law, the government's and owners' deadlines leading to a judicial hearing add up to 241 days, but there is no deadline for the hearing itself and possible extensions may add to the wait. While you wait, the government has your property, but you can try to get it back while the case continues by requesting a hearing.



For research methods and limitations, see page 19.

*Prosecutors have 90 days to file a complaint if you are in possession of the property.

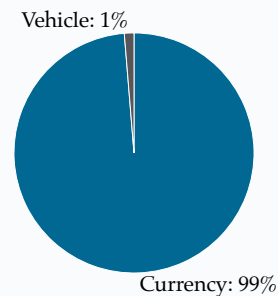
Forfeitures Under District of Columbia Law: Key Facts

Median Value

UNKNOWN

The District of Columbia does not report property-level data necessary to calculate median forfeiture value.

Property Types



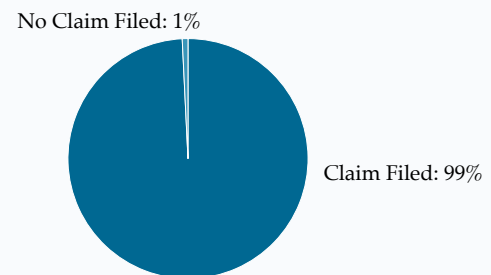
From 2019 to 2023, nearly all of the District of Columbia's forfeitures were of currency.

Proceeding Types

UNKNOWN

The District of Columbia does not report whether forfeitures are processed under civil or criminal forfeiture law.

Claims



From 2019 to 2023, nearly all of the District of Columbia's forfeitures were contested via a claim, which may be explained in part by strong notice requirements and limited use of forfeiture.

Data Notes

District-wide data for 2019–2023 were downloaded from the websites of the D.C. attorney general and Metropolitan Police Department. Data for earlier years were obtained via download from the D.C. Council's Legislative Information Management System website and public records requests to the MPD. Revenues represent the value of forfeited currency and proceeds of forfeited property sold in a year. Figures for 2015–2023 are based on fiscal year, while those for 2010–2012 are based on calendar year. MPD did not provide records in response to a request for records for 2013–2014. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the District or cover the same 12-month period as the federal data.

Florida earns a C for its civil forfeiture laws

- Higher bar to forfeit: Prosecutors must prove beyond a reasonable doubt that property is connected to a crime.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: Up to 75% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Florida Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$110,390,287	\$277,025,508	\$86,569,000	\$473,984,795
2011	\$195,744	\$37,430,257	\$5,114,000	\$42,740,001
2012	\$1,485,135	\$52,064,672	\$8,369,000	\$61,918,807
2013	\$1,435,659	\$22,665,566	\$4,878,000	\$28,979,225
2014	\$3,563,601	\$17,045,912	\$19,828,000	\$40,437,513
2015	Unknown	\$17,127,331	\$11,619,000	\$28,746,331
2016	Unknown	\$16,894,650	\$6,084,000	\$22,978,650
2017	\$28,955,458	\$14,905,901	\$3,174,000	\$47,035,359
2018	\$246,170,285	\$14,875,107	\$4,947,000	\$265,992,392
2019	\$22,717,726	\$15,150,002	\$10,736,000	\$48,603,728
2020	\$23,481,627	\$13,517,288	\$4,322,000	\$41,320,915
2021	\$27,017,783	\$9,768,928	\$1,531,000	\$38,317,711
2022	\$24,787,088	\$12,994,381	\$7,569,000	\$45,350,469
2023	\$26,933,959	\$16,604,357	\$15,086,000	\$58,624,316
Totals	\$517,134,352	\$538,069,860	\$189,826,000	\$1,245,030,212

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$1.2 billion
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Florida does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Florida agencies have generated nearly \$728 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 235 Florida agencies, or an estimated 65% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

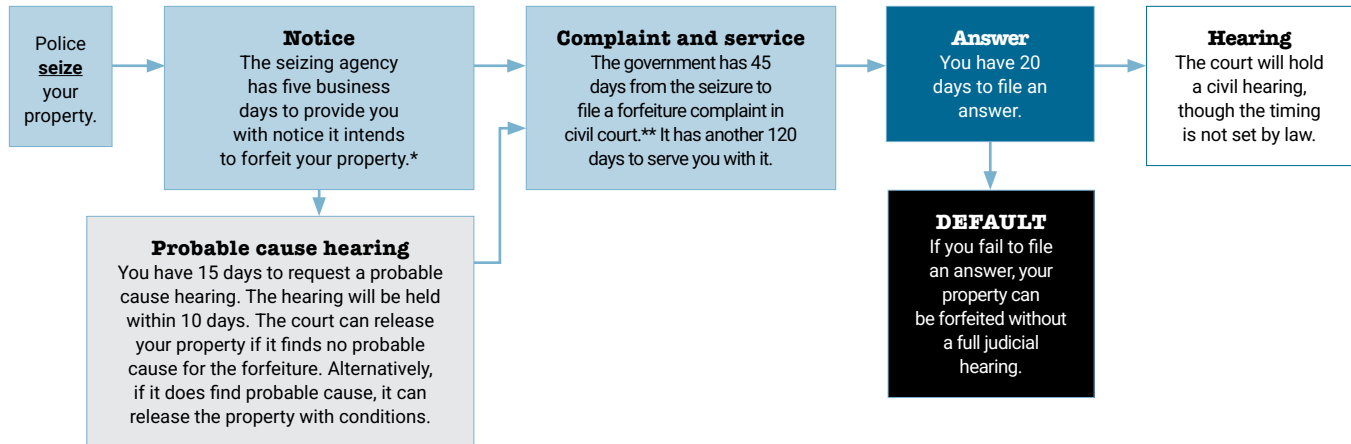
Tracking Seized Property	C	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	C*
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	F

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Florida?

Under Florida law, the government's and owners' deadlines leading to a judicial hearing add up to 185 days, but the wait may be longer as there is no deadline for the hearing itself. While you wait, the government has your property, but if you act quickly, you can try to get it back by requesting a probable cause hearing.



For research methods and limitations, see page 19.

*The seizing agency has 10 business days from the seizure to obtain a court order affirming probable cause.

**Along with the complaint, the government must pay a \$1,000 filing fee and post a \$1,500 bond.

Forfeitures Under Florida Law: Key Facts

Median Value

\$4,505

From 2019 to 2023, half of Florida's currency forfeitures were less than \$4,505. Florida's filing fee and bond requirement for law enforcement make forfeitures under \$2,500 riskier, likely encouraging a focus on higher-value property.

Property Types

UNKNOWN

Florida property type data were not used for this report.

Settlements



From 2019 to 2023, more than one-third of Florida's currency seizures were disposed of via a negotiated settlement.

Median Time to Return



From 2019 to 2023, the median time for seized currency to be returned was 15 days, likely owing to Florida's post-seizure probable cause hearings. This is considerably faster than in comparable states.

Data Notes

Forfeiture records were obtained via public records requests to the Florida Department of Law Enforcement. All figures are in fiscal years. Revenues are from statewide reports and represent funds deposited in a year as a result of forfeiture actions or proceeds of forfeited property sold. Revenues for 2009–2018 include transfers between agencies, and those from 2009–2014 are only for FDLE, not agencies statewide; FDLE did not include provide records for 2015–2016. Median figure was calculated using the values of currency forfeited in a year, which were derived from agency records with property-level data. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Georgia earns a D- for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property, and innocent owner claims are barred in cases involving a jointly owned vehicle.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Georgia Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$184,366,614	\$33,299,000	\$217,665,614
2011	Unknown	\$29,865,958	\$2,683,000	\$32,548,958
2012	Unknown	\$18,779,461	\$5,279,000	\$24,058,461
2013	Unknown	\$11,825,329	\$2,754,000	\$14,579,329
2014	Unknown	\$22,736,427	\$4,140,000	\$26,876,427
2015	\$7,453,819	\$16,504,155	\$2,923,000	\$26,880,974
2016	\$15,574,036	\$9,516,257	\$1,600,000	\$26,690,293
2017	\$15,494,962	\$7,816,731	\$4,590,000	\$27,901,693
2018	\$12,511,887	\$14,561,053	\$2,657,000	\$29,729,940
2019	\$24,409,493	\$11,703,818	\$1,085,000	\$37,198,311
2020	\$18,743,056	\$6,858,240	\$1,997,000	\$27,598,296
2021	\$18,019,918	\$5,717,710	\$436,000	\$24,173,628
2022	\$14,754,401	\$6,939,941	\$939,000	\$22,633,342
2023	\$11,238,251	\$5,639,143	\$1,439,000	\$18,316,394
Totals	\$138,199,823	\$352,830,837	\$65,821,000	\$556,851,660

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$556 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Georgia does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Georgia agencies have generated nearly \$419 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 239 Georgia agencies, or an estimated 41% of all law enforcement agencies in the state, were certified for the program.

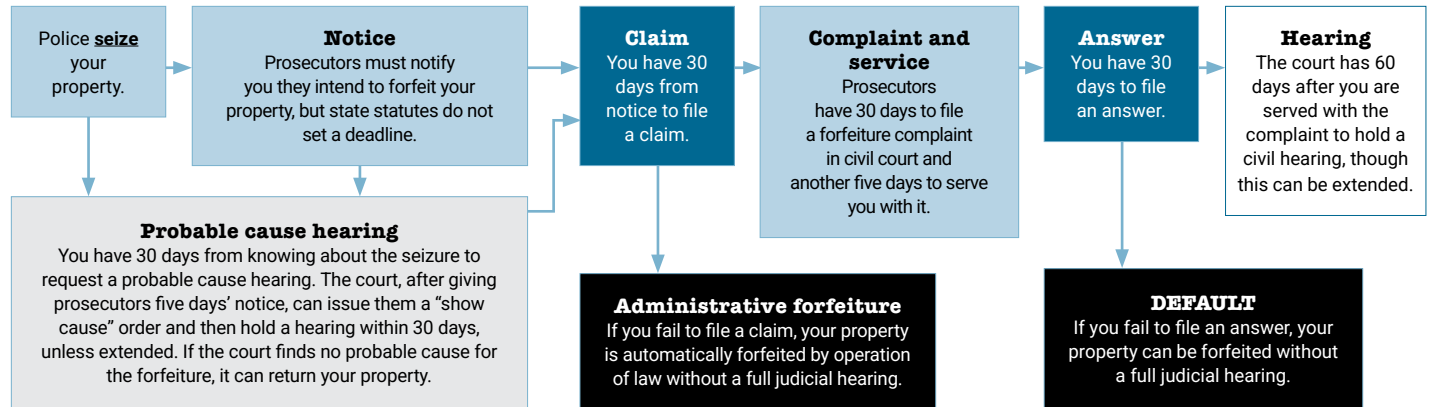
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	A
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	C

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Georgia?*

Under Georgia law, prosecutors', owners', and courts' deadlines leading to a judicial hearing add up to 125 days, but the wait may be longer as there is no deadline for providing notice and the deadline for the hearing can be extended. While you wait, the government has your property, but you can try to get it back by requesting a probable cause hearing.



For research methods and limitations, see page 19.

*This process is only for property worth \$25,000 or less. Property worth more requires more limited notice, may not require you to file a claim, and requires prosecutors to file a complaint within 60 days.

Forfeitures Under Georgia Law: Key Facts

Median Value

UNKNOWN

Georgia does not report information necessary to calculate median forfeiture value.

Property Types

UNKNOWN

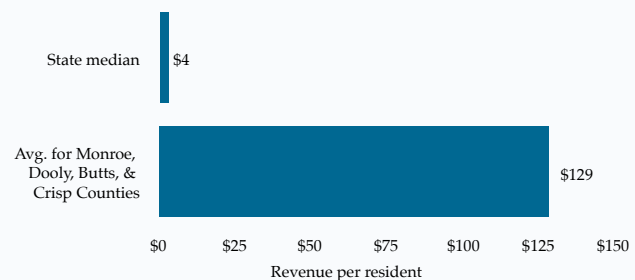
Georgia property type data were not used for this report.

Proceeding Types

UNKNOWN

Georgia does not report whether forfeitures are processed under civil or criminal forfeiture law.

Outlier Counties



From 2019 to 2023, four tiny rural Georgia counties along I-75—Butts, Crisp, Dooly, and Monroe—each forfeited at least 19 times as much per resident as the typical county.

Data Notes

Agency forfeiture reports with property-level data were obtained via public records requests to the Prosecuting Attorneys' Council of Georgia. All figures are in calendar years. Revenues for 2019–2023 represent the value of forfeited currency and property retained or destroyed as well as proceeds of forfeited property sold. Earlier years use a slightly different methodology that may result in differences over time. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Hawaii earns a D- for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement (up to a maximum of \$3 million per year, 25% to police, 25% to prosecutors, and 50% to the attorney general for law enforcement projects).

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Hawaii Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$14,054,067	\$18,814,362	\$1,879,000	\$34,747,429
2011	\$661,619	\$515,903	\$237,000	\$1,414,522
2012	\$535,811	\$590,432	\$12,000	\$1,138,243
2013	\$868,376	\$870,766	\$92,000	\$1,831,142
2014	\$807,366	\$1,086,796	\$37,000	\$1,931,162
2015	\$1,420,388	\$1,714,754	\$24,000	\$3,159,142
2016	\$700,863	\$505,825	\$174,000	\$1,380,688
2017	\$470,561	\$1,957,524	\$130,000	\$2,558,085
2018	\$639,641	\$203,629	\$30,000	\$873,270
2019	\$874,308	\$60,507	\$58,000	\$992,815
2020	\$828,609	\$366,541	\$122,000	\$1,317,150
2021	\$372,263	\$67,135	\$219,000	\$658,398
2022	\$317,827	\$0	\$908,000	\$1,225,827
2023	\$226,429	\$412,778	\$218,000	\$857,207
Totals	\$22,778,128	\$27,166,952	\$4,140,000	\$54,085,080

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$54 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Hawaii does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Hawaii agencies have generated more than \$31 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, six Hawaii agencies, or an estimated three-quarters of all law enforcement agencies in the state, were certified for the program.

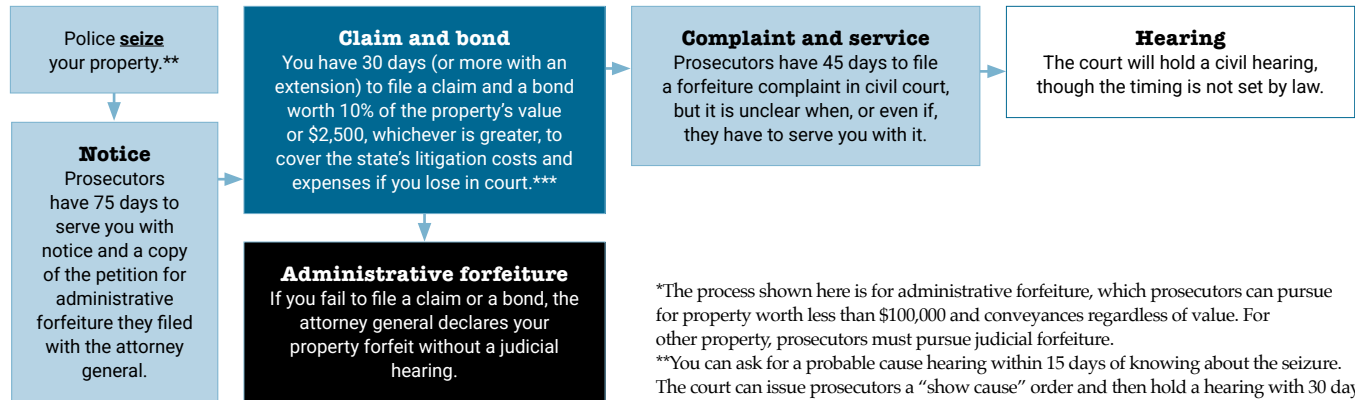
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Hawaii?*

Under Hawaii law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 150 days, but the wait may be longer as there is no deadline for the hearing itself. While you wait, the government has your property, and you have only one very limited option for trying to get it back.



*The process shown here is for administrative forfeiture, which prosecutors can pursue for property worth less than \$100,000 and conveyances regardless of value. For other property, prosecutors must pursue judicial forfeiture.

**You can ask for a probable cause hearing within 15 days of knowing about the seizure. The court can issue prosecutors a "show cause" order and then hold a hearing with 30 days' notice to them. However, this will be set aside if prosecutors file a petition for forfeiture before the hearing takes place.

***Within 30 days of receiving notice, you can instead file a petition for remission or mitigation with the attorney general. If you do, you give up the right to a judicial hearing.

For research methods and limitations, see page 19.

Forfeitures Under Hawaii Law: Key Facts

Median Value

UNKNOWN

Hawaii does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Hawaii does not report counts of the types of property forfeited.

Proceeding Types

UNKNOWN

Hawaii does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports were downloaded from the state attorney general's website. Revenues represent the value of currency and property forfeited in a fiscal year. Due to a temporary pause in auctions of forfeited property, 2023 revenues are likely underestimated. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Idaho earns a D- for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Idaho Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$3,846,976	\$1,575,000	\$5,421,976
2011	Unknown	\$211,315	\$563,000	\$774,315
2012	Unknown	\$531,842	\$152,000	\$683,842
2013	Unknown	\$777,955	\$229,000	\$1,006,955
2014	Unknown	\$799,491	\$131,000	\$930,491
2015	Unknown	\$522,218	\$67,000	\$589,218
2016	Unknown	\$574,090	\$304,000	\$878,090
2017	Unknown	\$130,645	\$139,000	\$269,645
2018	\$227,375	\$409,982	\$81,000	\$718,357
2019	Unknown	\$1,372,757	\$1,000	\$1,373,757
2020	Unknown	\$437,474	\$0	\$437,474
2021	Unknown	\$101,178	\$9,000	\$110,178
2022	Unknown	\$53,382	\$0	\$53,382
2023	Unknown	\$572,802	\$0	\$572,802
Totals	\$227,375	\$10,342,107	\$3,251,000	\$13,820,482

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$13 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Idaho does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Idaho agencies have generated nearly \$14 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 27 Idaho agencies, or an estimated 26% of all law enforcement agencies in the state, were certified for the program.

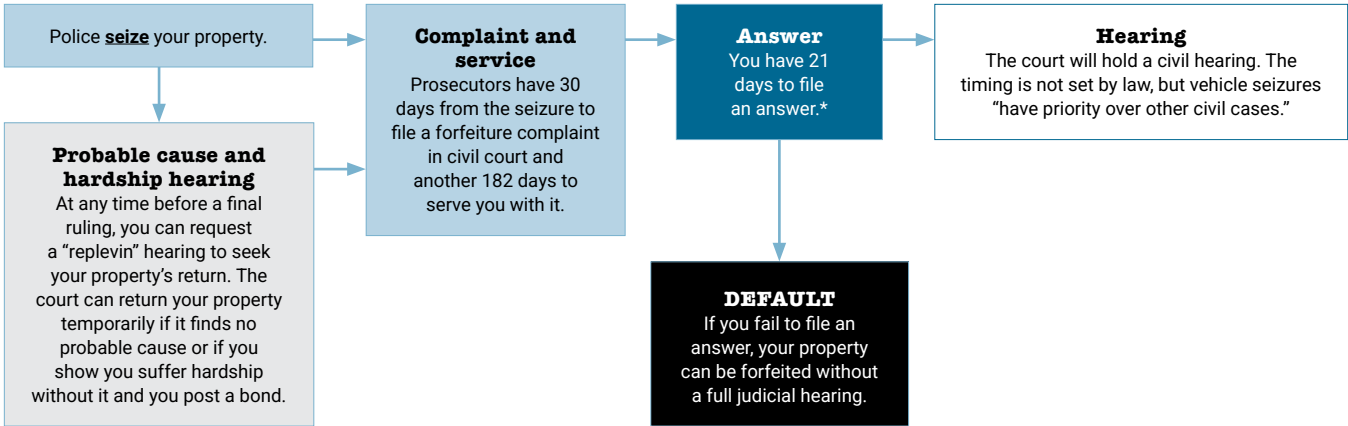
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C+	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Idaho?

Under Idaho law, prosecutors’ and owners’ deadlines leading to a judicial hearing add up to 233 days, but the wait may be longer as there is no deadline for the hearing itself. While you wait, the government has your property, but you can try to get it back while the case continues by requesting a hearing.



For research methods and limitations, see page 19.

*You have only 20 days if the property is a vehicle.

Forfeitures Under Idaho Law: Key Facts

Median Value UNKNOWN Idaho does not report property-level data necessary to calculate median forfeiture value.	Property Types UNKNOWN Idaho does not report the types of property forfeited.
Proceeding Types UNKNOWN Idaho does not report whether forfeitures are processed under civil or criminal forfeiture law.	Additional Findings UNKNOWN Agencies effectively do not report on their forfeitures, resulting in limited transparency into forfeiture activity in the state.

Data Notes

No statewide forfeiture records are available. Records from 2018 were obtained via public records requests to county prosecuting attorneys. Revenues represent the value of property forfeited in that year. Because the prosecuting attorneys for 10 of Idaho’s 44 counties did not respond to our requests, 2018 revenues are likely underestimated. Equitable sharing data are from DOJ’s and Treasury’s annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Illinois earns a D- for its civil forfeiture laws

- Low bar to forfeit in most cases: In general, prosecutors' standard is preponderance of the evidence. If a related criminal case results in acquittal or non-indictment, the standard is clear and convincing evidence. Forfeiture is not permitted for currency under \$500 in drug cases and under \$100 in all other cases.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property at pretrial hearings.
- Large profit incentive: 90% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Illinois Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$250,725,375	\$123,325,066	\$33,952,000	\$408,002,441
2011	\$32,834,479	\$16,586,155	\$2,406,000	\$51,826,634
2012	\$64,657,826	\$25,793,168	\$3,245,000	\$93,695,994
2013	\$54,373,537	\$20,912,725	\$1,537,000	\$76,823,262
2014	\$55,050,790	\$16,143,203	\$5,128,000	\$76,321,993
2015	\$55,166,423	\$19,364,854	\$3,772,000	\$78,303,277
2016	\$48,407,550	\$12,584,194	\$2,174,000	\$63,165,744
2017	\$39,221,031	\$20,288,523	\$5,268,000	\$64,777,554
2018	\$38,125,066	\$21,498,057	\$6,864,000	\$66,487,123
2019	\$19,822,464	\$16,047,774	\$7,408,000	\$43,278,238
2020	\$16,917,519	\$8,469,048	\$5,367,000	\$30,753,567
2021	\$65,882,193	\$5,257,987	\$6,201,000	\$77,341,180
2022	\$17,683,366	\$12,303,609	\$5,989,000	\$35,975,975
2023	\$16,218,702	\$20,800,913	\$3,347,000	\$40,366,615
Totals	\$775,086,321	\$339,375,276	\$92,658,000	\$1,207,119,597

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation.
See www.ij.org/report/policing-for-profit for the full table.

At least
\$1.2 billion
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Illinois does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Illinois agencies have generated more than \$432 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 267 Illinois agencies, or an estimated one-third of all law enforcement agencies in the state, were certified for the program.

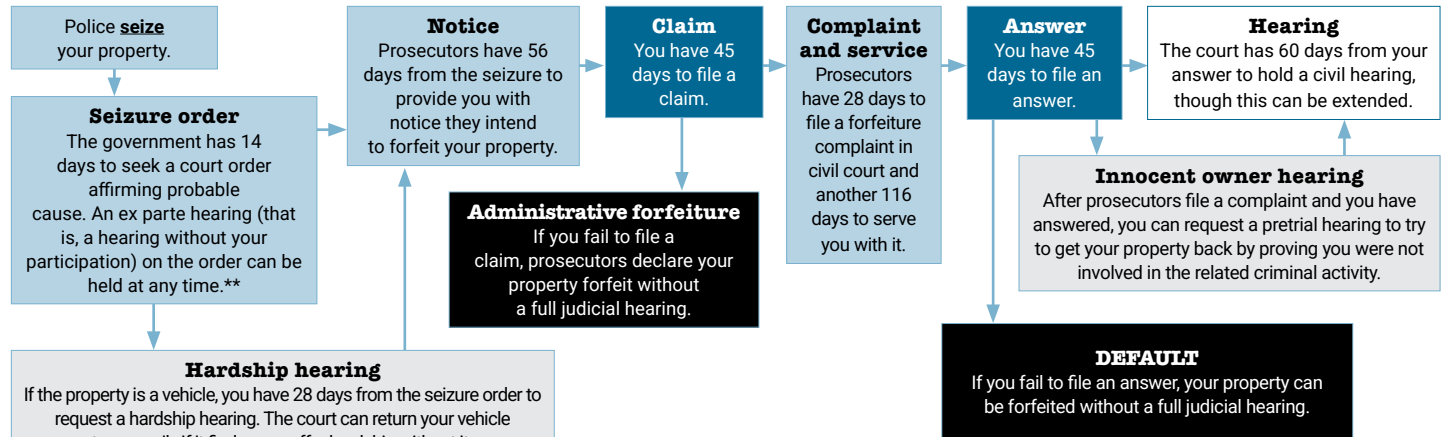
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	D
Accounting for Forfeiture Fund Spending	C	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	A

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Illinois?*

Under Illinois law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 350 days, but the wait may be longer as the deadline for the hearing can be extended. While you wait, the government has your property, but innocent owners can try to get it back by requesting a pretrial hearing, and vehicle owners can try to get their vehicle back while the case continues by requesting a hardship hearing.



For research methods and limitations, see page 19.

*This process is only for property worth \$150,000 or less.

**This hearing can be held in conjunction with pretrial proceedings in a related criminal matter.

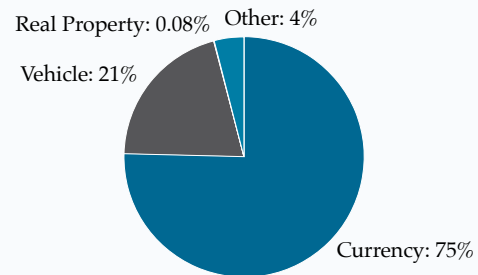
Forfeitures Under Illinois Law: Key Facts

Median Value



From 2019 to 2023, half of Illinois' currency forfeitures were worth less than \$1,031.

Property Types



From 2019 to 2023, more than three-quarters of Illinois' forfeitures were of currency.

Proceeding Types

UNKNOWN

Illinois does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies report only limited information about seized and forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports with property-level data were obtained via public records requests to the Illinois State Police. Revenues for 2019–2023 represent the value of forfeited property based on the fiscal year in which it was seized, while those for 2010–2018 represent the value of property forfeited in a fiscal year. Earlier years are based on calendar year and use a slightly different methodology that may result in small differences over time. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Indiana earns a D for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Limited protections for the innocent: Generally, third-party owners must prove their own innocence to recover seized property, but the government bears the burden in cases involving vehicles or recording equipment allegedly used in a sex crime.
- Large profit incentive: Up to 93% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Indiana Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$31,363,273	\$5,288,000	\$36,651,273
2011	Unknown	\$5,063,633	\$334,000	\$5,397,633
2012	Unknown	\$10,872,414	\$1,327,000	\$12,199,414
2013	Unknown	\$3,666,595	\$135,000	\$3,801,595
2014	Unknown	\$6,614,721	\$2,536,000	\$9,150,721
2015	Unknown	\$5,230,729	\$971,000	\$6,201,729
2016	\$1,826,151	\$6,129,044	\$2,815,000	\$10,770,195
2017	\$3,276,702	\$7,055,310	\$847,000	\$11,179,012
2018	\$6,111,734	\$3,488,936	\$1,931,000	\$11,531,670
2019	\$3,314,596	\$3,340,203	\$942,000	\$7,596,799
2020	\$3,025,300	\$4,280,229	\$5,776,000	\$13,081,529
2021	\$5,766,694	\$2,423,156	\$1,828,000	\$10,017,850
2022	\$4,913,201	\$6,081,967	\$948,000	\$11,943,168
2023	\$5,508,298	\$6,662,005	\$478,000	\$12,648,303
Totals	\$33,742,676	\$102,272,215	\$26,156,000	\$162,170,891

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$162 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Indiana does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Indiana agencies have generated more than \$128 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, 115 Indiana agencies, or an estimated 26% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

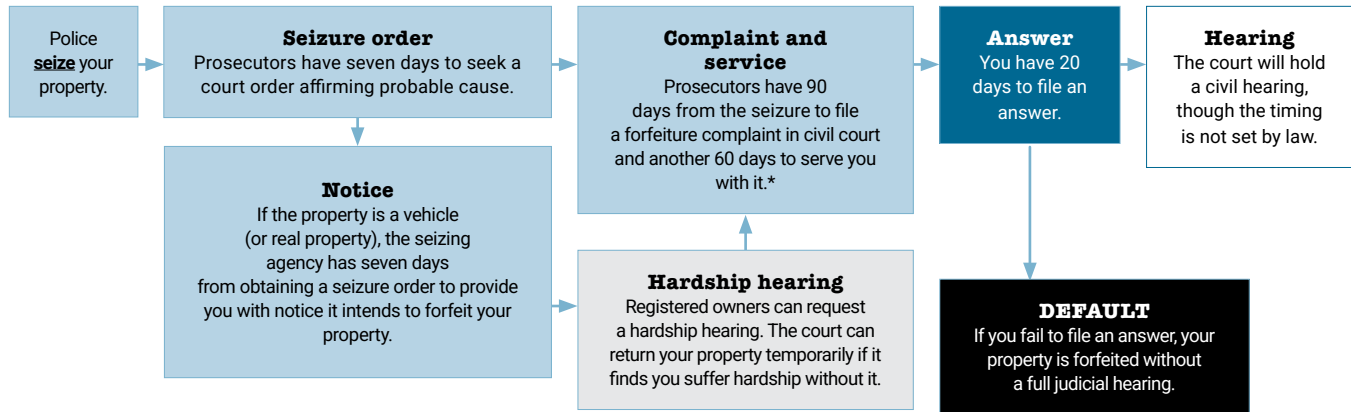
Tracking Seized Property	C	Statewide Forfeiture Reports	C	Penalties for Failure to File a Report	F*
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	F

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Indiana?

Under Indiana law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 170 days, unless you make a written demand to expedite the process. However, there is no deadline for the hearing itself. While you wait, the government has your property, and only registered owners of vehicles (or real property) can request a hardship hearing to try to get their property back while the case continues.



For research methods and limitations, see page 19.

*If you make a written demand for the return of your property, prosecutors have 21 days from the demand to file the complaint.

Forfeitures Under Indiana Law: Key Facts

Median Value

UNKNOWN

Indiana does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Indiana property type data were not used for this report.

Proceeding Types

UNKNOWN

Indiana does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Many of Indiana's forfeiture cases are not officially reported, and the data from those that are officially reported are frequently unreliable.

Data Notes

Forfeiture case data were obtained via public records requests to the Indiana Prosecuting Attorneys Council. Revenues represent the value of forfeited currency and proceeds of forfeited property sold for all cases with final dispositions in a fiscal year. Based on a separate analysis, there appear to be substantial deficiencies in Indiana's reported forfeiture data. For further details, see Warren, D. (2025). Bad data: How Indiana's flawed forfeiture reporting misinforms Hoosiers. Institute for Justice. <https://ij.org/report/bad-data/>. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Iowa earns a D- for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It applies only if an owner contests forfeiture, putting the burden on owners to engage in a costly legal battle and making it easy for the government to forfeit without conviction. It does not require conviction of the owner, only of any person, and does not apply to property valued above \$5,000. Once the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Iowa Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$25,081,341	\$28,083,702	\$527,000	\$53,692,043
2011	\$5,425,344	\$4,101,795	\$232,000	\$9,759,139
2012	\$3,247,836	\$1,834,790	\$1,220,000	\$6,302,626
2013	\$3,318,503	\$2,481,399	\$543,000	\$6,342,902
2014	\$4,276,751	\$1,529,016	\$782,000	\$6,587,767
2015	\$4,046,701	\$1,870,722	\$86,000	\$6,003,423
2016	\$3,134,819	\$413,565	\$128,000	\$3,676,384
2017	\$2,078,084	\$463,866	\$51,000	\$2,592,950
2018	\$1,814,946	\$1,024,532	\$17,000	\$2,856,478
2019	\$1,938,666	\$846,601	\$73,000	\$2,858,267
2020	\$1,370,103	\$580,893	\$7,000	\$1,957,996
2021	\$1,519,558	\$415,381	\$42,000	\$1,976,939
2022	\$2,405,117	\$1,134,599	\$10,000	\$3,549,716
2023	\$1,575,159	\$1,393,442	\$23,000	\$2,991,601
Totals	\$61,232,928	\$46,174,303	\$3,741,000	\$111,148,231

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation.
See www.ij.org/report/policing-for-profit for the full table.

**At least
\$111 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Iowa does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Iowa agencies have generated nearly \$50 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 93 Iowa agencies, or an estimated 24% of all law enforcement agencies in the state, were certified for the program.

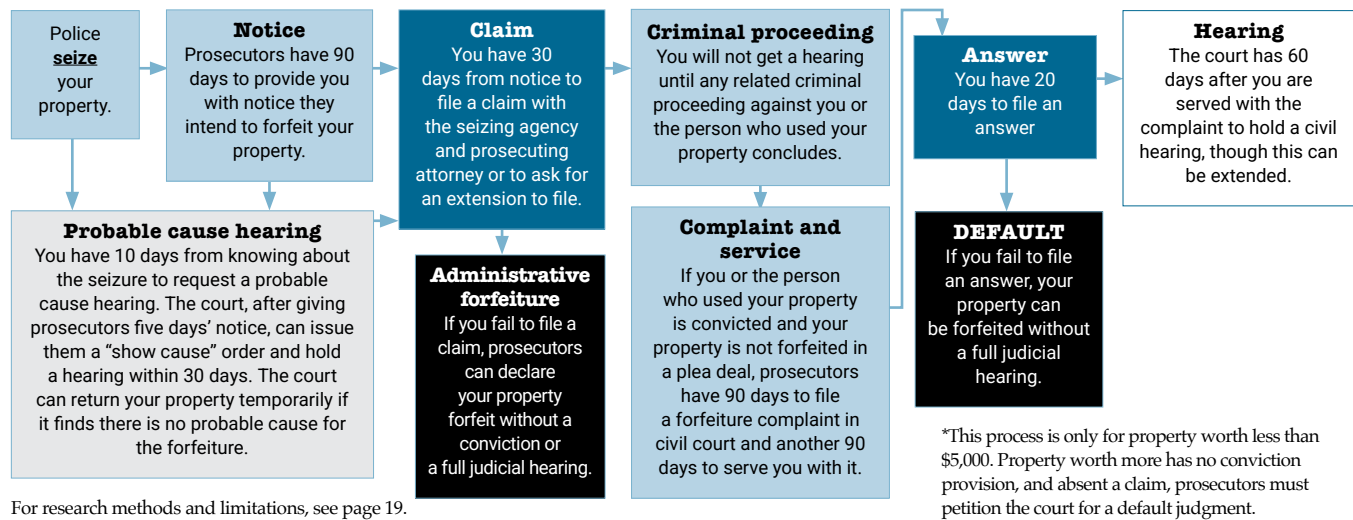
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Iowa?*

Under Iowa law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 360 days, but the deadline for the hearing can be extended and any criminal proceedings may add to the wait. While you wait, the government has your property, but if you act quickly, you can try to get it back while the case continues by requesting a probable cause hearing or by posting a bond equal to the property's fair market value.



For research methods and limitations, see page 19.

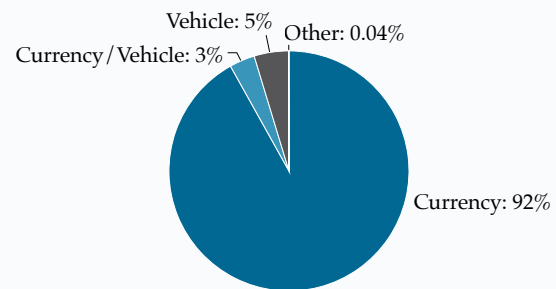
Forfeitures Under Iowa Law: Key Facts

Median Value



From 2019 to 2023, half of Iowa's currency forfeitures were worth less than \$1,213 per case.

Property Types



From 2019 to 2023, more than 90% of Iowa's forfeitures were solely of currency.

Proceeding Types

UNKNOWN

Iowa does not report whether forfeitures are processed under civil or criminal forfeiture law.

Data Notes

Forfeiture case data for 2019–2023 were downloaded from the state's data portal. Data for earlier years were obtained via public records requests to the state attorney general and download from the state's data portal. Revenues for 2019–2023 represent the value of currency and real property forfeited in a fiscal year, while those for earlier years use a very similar methodology. Vehicles are not consistently valued and thus not included in our totals, making them underestimates. Data for 2019 reported in the third edition of *Policing for Profit* have been updated to reflect additional forfeitures added to the state's data portal. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Kansas earns a D- for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2024 (SB 458): Raised standard of proof.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Kansas Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$31,868,312	\$592,000	\$32,460,312
2011	Unknown	\$6,620,392	\$88,000	\$6,708,392
2012	Unknown	\$9,285,114	\$357,000	\$9,642,114
2013	Unknown	\$5,041,781	\$375,000	\$5,416,781
2014	Unknown	\$2,664,544	\$243,000	\$2,907,544
2015	Unknown	\$4,781,945	\$150,000	\$4,931,945
2016	Unknown	\$3,612,914	\$345,000	\$3,957,914
2017	Unknown	\$1,978,999	\$7,000	\$1,985,999
2018	Unknown	\$4,762,906	\$52,000	\$4,814,906
2019	\$1,895,641	\$3,697,252	\$2,046,000	\$7,638,893
2020	\$2,872,153	\$3,029,713	\$755,000	\$6,656,866
2021	\$4,383,701	\$645,324	\$6,000	\$5,035,025
2022	\$3,380,300	\$1,752,225	\$1,629,000	\$6,761,525
2023	\$2,198,802	\$4,318,775	\$342,000	\$6,859,577
Totals	\$14,730,597	\$84,060,196	\$6,987,000	\$105,777,793

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$105 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Kansas does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Kansas agencies have generated more than \$91 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 61 Kansas agencies, or an estimated 18% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

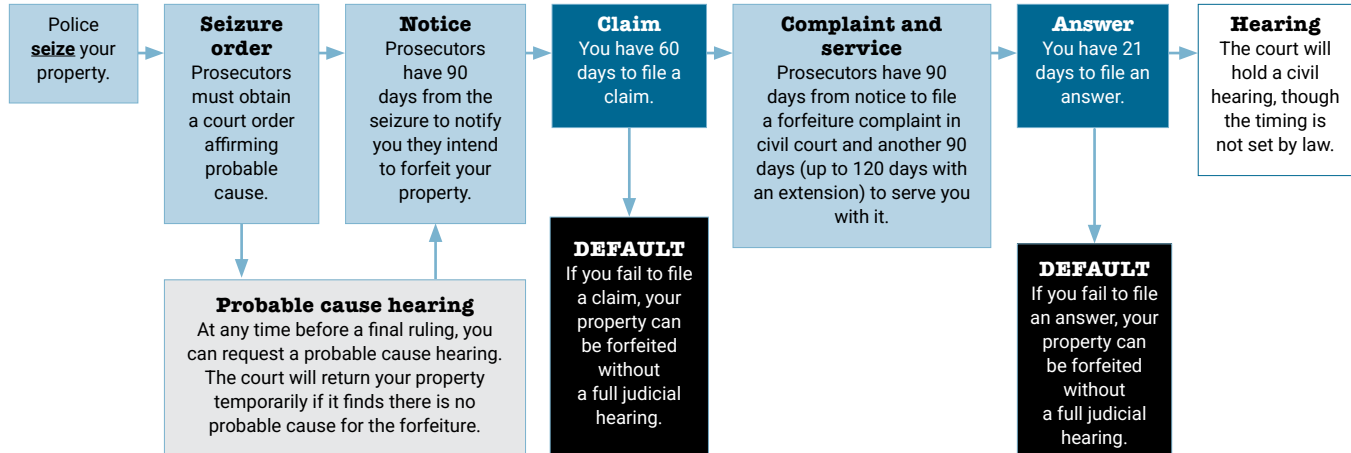
Tracking Seized Property	A-	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	B*
Accounting for Forfeiture Fund Spending	B	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Kansas?

Under Kansas law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 291 days, but the wait may be longer as the deadline for serving the complaint can be extended and there is no deadline for the hearing itself. While you wait, the government has your property, but you can try to get it back while the case continues by requesting a probable cause hearing or by posting a bond equal to the property's fair market value.



For research methods and limitations, see page 19.

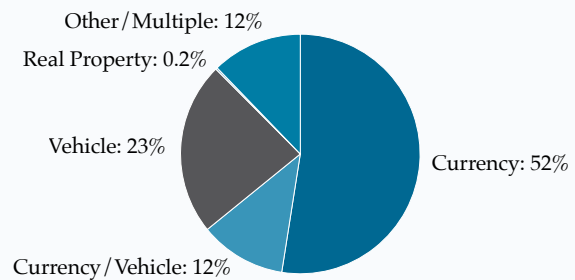
Forfeitures Under Kansas Law: Key Facts

Median Value



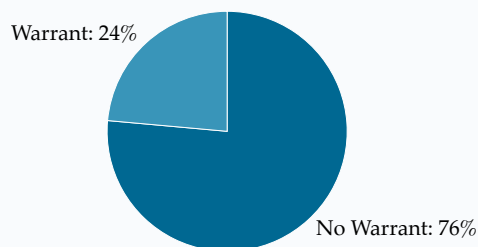
From July 2019 through 2023, half of Kansas' currency forfeitures were worth less than \$2,490 per case.

Property Types



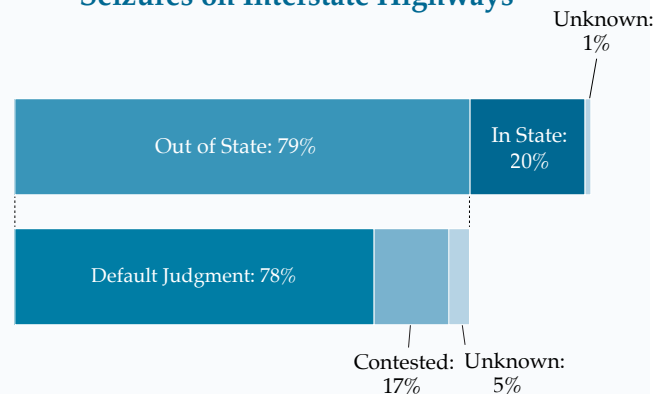
From July 2019 through 2023, more than half of Kansas' forfeitures were solely of currency.

Seizure Authority



From July 2019 to 2023, more than three-quarters of Kansas' forfeitures were seized without a warrant.

Seizures on Interstate Highways



From July 2019 to 2023, more than 79% of Kansas' seizures along interstates were from out-of-state residents, with 78% being forfeited by default.

Data Notes

Forfeiture case data were downloaded from the Kansas Bureau of Investigation's website. Revenues generally represent the value of forfeited currency and property with final dispositions in a calendar year. Data for 2019 reported in the third edition of *Policing for Profit* have been updated to reflect additional forfeitures added to the state's dataset and include only six months of complete data (July–December). Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Kentucky earns a D- for its civil forfeiture laws

- Low bar to forfeit most property: In general, prosecutors' standard is akin to probable cause ("slight evidence of traceability" to a crime), and the owner must prove by clear and convincing evidence that property is not connected to a crime. For real property, prosecutors' standard is clear and convincing evidence.
- Limited protections for the innocent: Third-party owners must prove their own innocence to recover seized property unless real property is at stake.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement (85% to the seizing agencies and 15% to the Office of the Attorney General or the Prosecutors Advisory Council).

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Kentucky Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$5,753,390	\$47,819,132	\$4,816,000	\$58,388,522
2011	\$2,039,800	\$8,126,673	\$439,000	\$10,605,473
2012	\$2,038,917	\$5,125,641	\$846,000	\$8,010,558
2013	\$2,270,303	\$6,280,647	\$308,000	\$8,858,950
2014	\$3,217,098	\$5,154,616	\$1,728,000	\$10,099,714
2015	\$3,197,487	\$5,965,162	\$1,335,000	\$10,497,649
2016	\$4,915,588	\$4,390,196	\$1,814,000	\$11,119,784
2017	\$3,204,986	\$4,599,718	\$346,000	\$8,150,704
2018	\$5,512,007	\$9,484,449	\$980,000	\$15,976,456
2019	\$9,320,083	\$7,980,996	\$935,000	\$18,236,079
2020	\$5,216,360	\$3,589,987	\$449,000	\$9,255,347
2021	\$5,903,075	\$3,100,916	\$326,000	\$9,329,991
2022	\$7,225,670	\$5,683,136	\$333,000	\$13,241,806
2023	\$5,556,246	\$18,327,608	\$1,657,000	\$25,540,854
Totals	\$65,371,010	\$135,628,877	\$16,312,000	\$217,311,887

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$217 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Kentucky does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Kentucky agencies have generated nearly \$152 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, 136 Kentucky agencies, or an estimated 40% of all law enforcement agencies in the state, were certified for the program.

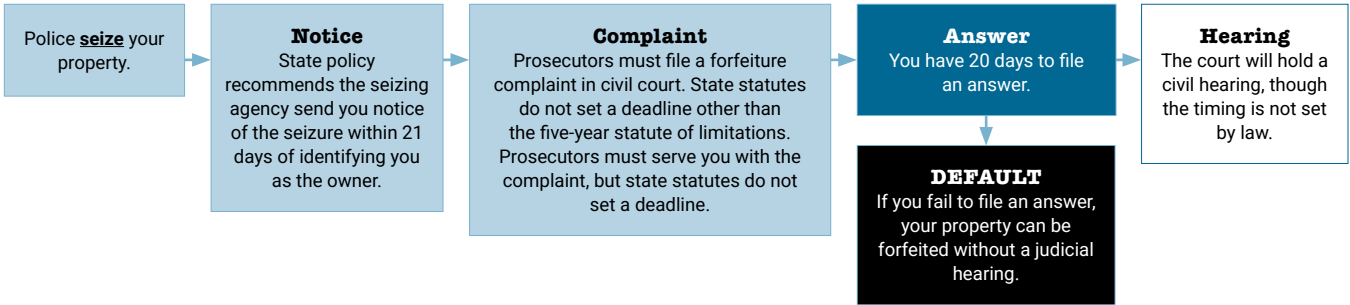
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D-	Statewide Forfeiture Reports	C	Penalties for Failure to File a Report	A
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Kentucky?

Under Kentucky law, prosecutors’ and owners’ deadlines leading to a judicial hearing add up to 41 days, but the wait may be longer as deadlines are not specified for filing or serving the complaint or for the hearing itself. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

Forfeitures Under Kentucky Law: Key Facts

Median Value	Property Types
UNKNOWN Kentucky property-level data necessary to calculate median forfeiture value were not used for this report.	UNKNOWN Kentucky property type data were not used for this report.
Proceeding Types	Additional Findings
UNKNOWN Kentucky does not report whether forfeitures are processed under civil or criminal forfeiture law.	UNKNOWN Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports were obtained via public records requests to the state Office of Drug Control Policy. Revenues represent the value of forfeited property awarded to law enforcement agencies in a fiscal year. Increased agency compliance with reporting requirements likely accounts for the increase in revenues over time, although a number of agencies still failed to report in the most recent data. Equitable sharing data are from DOJ’s and Treasury’s annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Louisiana earns a D+ for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 80% of forfeiture proceeds go to law enforcement (60% to the seizing agencies and 20% to the prosecuting district attorneys' offices; the remaining 20% goes to the state's criminal court fund).

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Louisiana Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$67,611,226	\$23,937,128	\$8,702,000	\$100,250,354
2011	\$7,902,238	\$6,664,987	\$331,000	\$14,898,225
2012	\$8,396,655	\$4,935,726	\$188,000	\$13,520,381
2013	\$8,356,682	\$1,919,675	\$522,000	\$10,798,357
2014	\$7,079,489	\$1,546,928	\$522,000	\$9,148,417
2015	\$6,488,597	\$4,138,006	\$115,000	\$10,741,603
2016	\$12,616,134	\$1,409,787	\$81,000	\$14,106,921
2017	\$9,782,037	\$4,413,440	\$34,000	\$14,229,477
2018	\$9,442,254	\$2,639,147	\$8,000	\$12,089,401
2019	\$13,492,329	\$3,484,313	\$169,000	\$17,145,642
2020	\$6,542,929	\$1,304,564	\$295,000	\$8,142,493
2021	\$13,376,607	\$1,262,618	\$1,150,000	\$15,789,225
2022	\$8,466,554	\$2,019,230	\$68,000	\$10,553,784
2023	\$5,430,860	\$2,486,557	\$67,000	\$7,984,417
Totals	\$184,984,591	\$62,162,106	\$12,252,000	\$259,398,697

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$259 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Louisiana does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Louisiana agencies have generated more than \$74 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, 66 Louisiana agencies, or an estimated 21% of all law enforcement agencies in the state, were certified for the program.

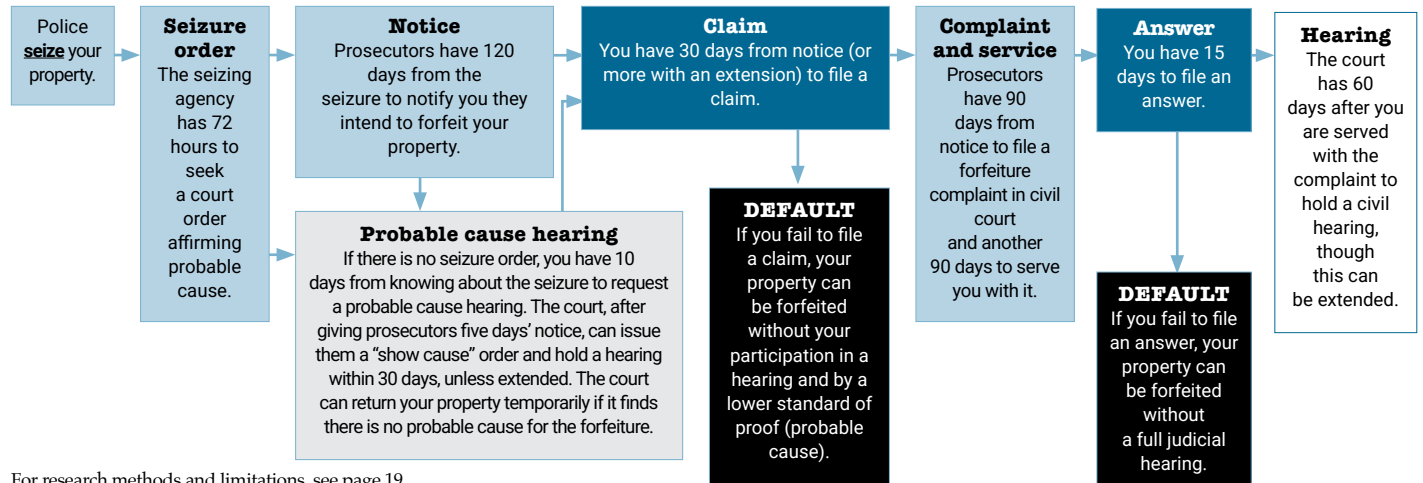
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	F	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	D

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Louisiana?

Under Louisiana law, prosecutors' and court deadlines leading to a judicial hearing add up to 360 days, but the wait may be longer as the deadline for the hearing can be extended. While you wait, the government has your property, but if you act quickly, you can try to get it back while the case continues by requesting a probable cause hearing.



For research methods and limitations, see page 19.

Forfeitures Under Louisiana Law: Key Facts

Median Value

UNKNOWN

Louisiana does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Louisiana does not report the types of property forfeited.

Proceeding Types

UNKNOWN

Louisiana does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Forfeiture reports for district attorneys statewide were obtained via public records requests to the state attorney general and governor. Revenues represent disbursements of forfeited currency and proceeds of forfeited property sold, as well as the estimated value of vehicles put into service, in a calendar year. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Maine earns an A for its forfeiture laws

- Highest bar to forfeit: Maine has only criminal forfeiture.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property unless a family's primary residence is at stake.
- No profit incentive, officially: All forfeiture proceeds are supposed to go to the general fund unless another transfer is specifically approved.

Recent Reforms

- 2021 (LD 1521): Abolished civil forfeiture and replaced it with criminal forfeiture; shifted burden of proof from innocent owners to government; imposed new limits on participation in federal equitable sharing; adopted modest transparency requirements; established prompt post-seizure hearings.
- 2023 (LD 962): Strengthened limits on participation in federal equitable sharing.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Maine Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$476,856	\$4,336,515	\$2,934,000	\$7,747,371
2011	\$315,698	\$597,758	\$26,000	\$939,456
2012	\$192,235	\$624,719	\$47,000	\$863,954
2013	\$350,372	\$324,616	\$1,370,000	\$2,044,988
2014	\$169,610	\$683,131	\$35,000	\$887,741
2015	\$565,444	\$666,259	\$12,000	\$1,243,703
2016	\$320,626	\$154,008	\$213,000	\$687,634
2017	\$168,933	\$280,851	\$1,099,000	\$1,548,784
2018	\$225,012	\$284,904	\$48,000	\$557,916
2019	\$219,698	\$904,068	\$0	\$1,123,766
2020	\$389,203	\$476,845	\$6,000	\$872,048
2021	\$315,692	\$98,497	\$18,000	\$432,189
2022	\$339,477	\$2,562,462	\$196,000	\$3,097,939
2023	\$199,231	\$6,996,495	\$55,000	\$7,250,726
Totals	\$4,248,087	\$18,991,128	\$6,059,000	\$29,298,215

State revenue prior to 2021 and equitable sharing figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$29 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since 2000, Maine agencies have generated more than \$25 million in equitable sharing proceeds. And on average from 2019 to 2023, about 45 Maine agencies, or an estimated 33% of all law enforcement agencies in the state, were certified for the program. In October 2023, two years after enacting a minimum value threshold for sharing property with a federal agency, the state prohibited agencies from sharing property of any value unless the property is part of a federal criminal case. It is too soon to know whether the reform will have an effect.

Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D-	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	Inc.‡
Accounting for Forfeiture Fund Spending	F†	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

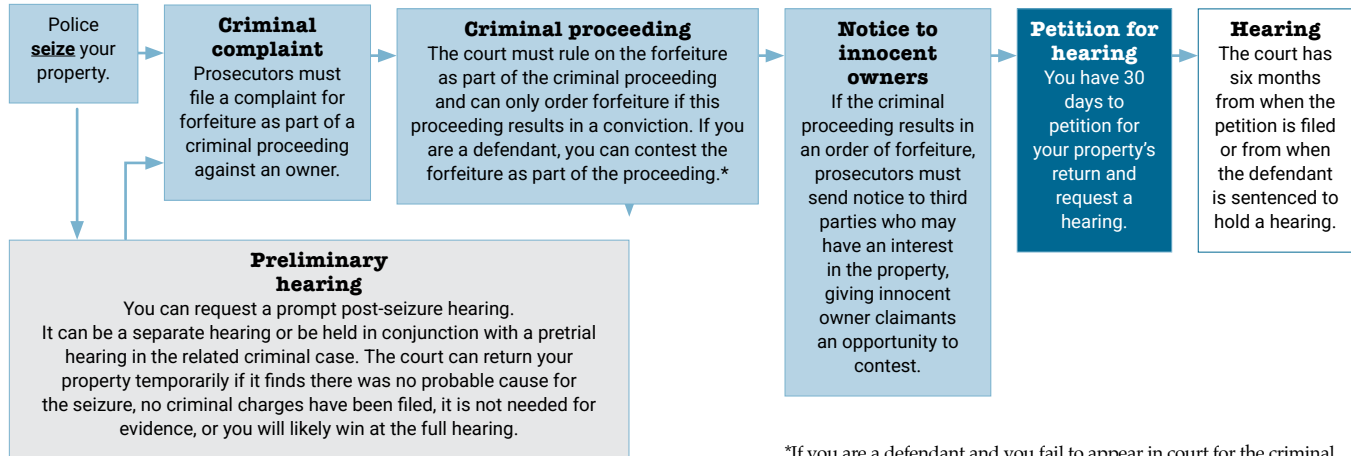
†Maine agencies that receive forfeiture funds under the law's exceptions are not required to report how they spend them, nor does the state require audits of agency forfeiture funds.

‡No reporting requirements to enforce.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Maine?

Under Maine law, the government can pursue only criminal forfeiture, not civil forfeiture. Forfeiture occurs as part of the criminal proceedings against a defendant, and property can be forfeited only if the defendant is convicted. Both defendants and innocent owner claimants can request a preliminary hearing to try to get their property back before the criminal trial. Innocent owners can also contest forfeiture after the criminal trial.



For research methods and limitations, see page 19.

*If you are a defendant and you fail to appear in court for the criminal proceeding, your property can be forfeited by default.

Forfeitures Under Maine Law: Key Facts

Median Value

\$1,931

From 2019 to 2023, half of Maine's currency forfeitures were worth less than \$1,931.

Property Types

UNKNOWN

Maine property type data were not used for this report.

Proceeding Types

N/A

Maine processes all forfeitures under criminal law.

Additional Findings

UNKNOWN

The only publicly available forfeiture information is incomplete and rife with reporting errors.

Data Notes

Property-level forfeiture records for 2020–2023 were obtained from the state Department of Public Safety's website via download and from the state attorney general and the Maine Drug Enforcement Agency via public records requests. Revenues were calculated using four incomplete and partially overlapping datasets and represent currency forfeited in a calendar year. While every effort was made to remove duplicate values, the limited information available across datasets may result in small amounts of double-counting. Nevertheless, revenues for 2020–2023 likely represent underestimates both because the datasets were incomplete and because non-currency property is not consistently valued and thus not included in our totals. Revenues for partial 2014–2019 represent currency forfeitures prosecuted by the AG in a calendar year and were obtained via public records requests to the AG. Revenues for earlier years represent currency forfeited by the MDEA and were obtained via public records requests to the DPS. Data for 2009–2019 do not cover all forfeitures statewide. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Maryland earns a B+ for its civil forfeiture laws

- Somewhat higher bar to forfeit: In general, prosecutors must provide clear and convincing evidence that property is connected to a crime. A very weak conviction provision requires conviction of the owner, or owners when they are a married couple, when a family's primary residence is at stake.
- Limited protections for the innocent: Third-party owners must prove their own innocence to recover seized property, except in cases involving vehicles, real property, or property related to drug transactions.
- No profit incentive: All forfeiture proceeds go to the general fund of the state or local governing body.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Maryland Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$1,144,561	\$65,178,467	\$18,985,000	\$85,308,028
2011	\$181,364	\$6,249,728	\$2,658,000	\$9,089,092
2012	\$96,349	\$5,940,747	\$2,876,000	\$8,913,096
2013	\$136,033	\$2,809,159	\$3,206,000	\$6,151,192
2014	\$118,567	\$6,599,304	\$3,793,000	\$10,510,871
2015	\$274,642	\$8,560,570	\$2,587,000	\$11,422,212
2016	\$96,661	\$4,626,100	\$642,000	\$5,364,761
2017	\$81,319	\$3,281,040	\$1,320,000	\$4,682,359
2018	\$750,549	\$7,697,023	\$1,816,000	\$10,263,572
2019	\$381,466	\$4,030,354	\$1,341,000	\$5,752,820
2020	\$177,916	\$3,200,590	\$1,711,000	\$5,089,506
2021	\$349,430	\$748,445	\$404,000	\$1,501,875
2022	\$376,188	\$3,824,893	\$1,448,000	\$5,649,081
2023	\$338,306	\$2,089,512	\$268,000	\$2,695,818
Totals	\$4,503,351	\$124,835,932	\$43,055,000	\$172,394,283

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$172 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since October 2016, Maryland has prohibited transferring cash under \$50,000 and other seized property to a federal agency for equitable sharing unless there is an associated federal criminal case, the owner consents to the forfeiture, or a federal seizure warrant is used to take custody of the asset. IJ's analysis (see page 64) found that, relative to non-reform states, the reform resulted in immediate reductions in the sharing of below-threshold assets and assets overall, as well as a long-term reduction in sharing overall. However, there was no effect on the sharing of below-threshold assets in the long run. From 2017 to 2023, Maryland law enforcement agencies generated more than \$33 million in equitable sharing proceeds. And on average from 2019 to 2023, 52 Maryland agencies, or an estimated 40% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	D*
Accounting for Forfeiture Fund Spending	N/A†	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	N/A†

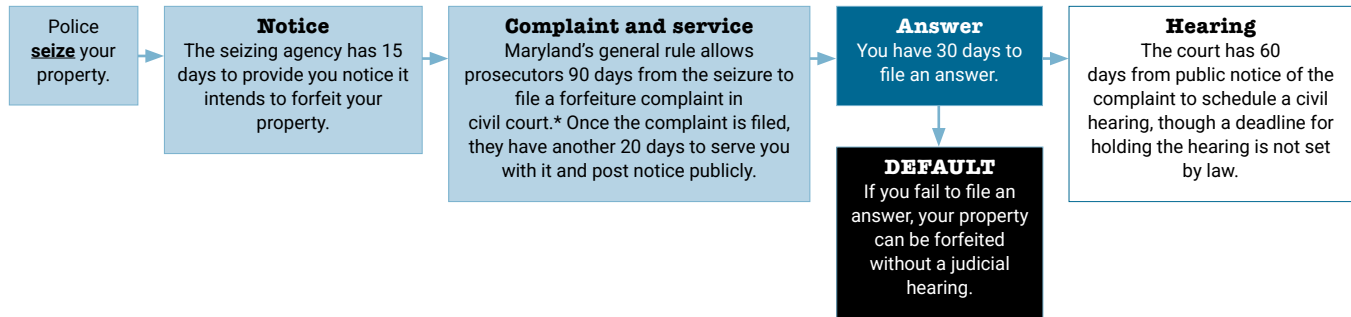
†These grades are not applicable as Maryland does not permit law enforcement agencies to spend forfeiture revenue.

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Maryland?

Under Maryland law, prosecutors' and court deadlines leading to a judicial hearing add up to 170 days (125 days for vehicles), but there is no deadline for the hearing itself and any criminal proceedings may add to the wait. While you wait, the government has your property, but you can try to get it back while the case continues by posting a bond equal to the property's appraised value.



*The deadline varies depending on the type of property and whether criminal charges are filed. In proceedings about money, prosecutors have 90 days from the conclusion of criminal proceedings to file a complaint, even if the seizure took place earlier. To forfeit a vehicle, prosecutors must file the complaint within 45 days of the seizure.

For research methods and limitations, see page 19.

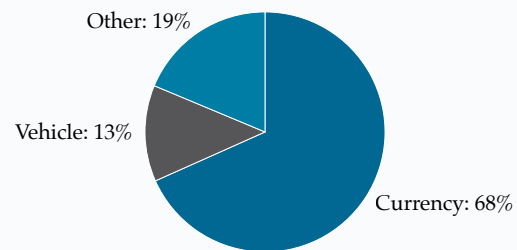
Forfeitures Under Maryland Law: Key Facts

Median Value



From 2019 to 2023, half of Maryland's currency forfeitures were worth less than \$1,016.

Property Types



From 2019 to 2023, 68% of Maryland's forfeitures were of currency.

Proceeding Types

UNKNOWN

Maryland does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Most property was still winding its way through the forfeiture process at the time of reporting, resulting in an incomplete picture of forfeiture activity in the state.

Data Notes

Statewide forfeiture reports with property-level data for 2018–2023 were downloaded from the Governor's Office of Crime Control and Prevention's website; revenues for those years represent the value of property seized in a calendar year and forfeited by the time of the report. Because final disposition was pending for more than 80% of properties, revenues are likely substantially underestimated. Revenues for earlier years represent the value of forfeited currency and property sold in a calendar year and were obtained via public records requests to the Maryland State Police. Data for 2018 reported in the third edition of *Policing for Profit* included duplicates, which are excluded here. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. See Appendix C, available online at [ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/](https://www.ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/), for details of the equitable sharing reform analysis. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Massachusetts earns an **F** for its civil forfeiture laws

- Lowest bar to forfeit: The government must only show probable cause that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Massachusetts Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$100,001,343	\$35,594,543	\$9,740,000	\$145,335,886
2011	\$10,440,564	\$13,737,792	\$981,000	\$25,159,356
2012	\$9,707,228	\$10,772,062	\$882,000	\$21,361,290
2013	\$10,226,543	\$4,237,214	\$1,193,000	\$15,656,757
2014	\$9,911,783	\$7,719,173	\$2,721,000	\$20,351,956
2015	\$10,685,869	\$6,209,584	\$2,016,000	\$18,911,453
2016	\$10,756,495	\$11,199,115	\$938,000	\$22,893,610
2017	\$8,031,978	\$4,610,382	\$2,023,000	\$14,665,360
2018	\$12,040,200	\$24,381,540	\$341,000	\$36,762,740
2019	\$10,357,862	\$4,985,364	\$1,002,000	\$16,345,226
2020	\$7,559,767	\$4,204,925	\$496,000	\$12,260,692
2021	\$6,793,623	\$3,210,896	\$652,000	\$10,656,519
2022	\$15,604,665	\$6,353,589	\$541,000	\$22,499,254
2023	\$10,819,397	\$7,000,957	\$1,018,000	\$18,838,354
Totals	\$232,937,317	\$144,217,136	\$24,544,000	\$401,698,453

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$401 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Massachusetts does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Massachusetts agencies have generated nearly \$169 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 165 Massachusetts agencies, or an estimated 46% of all law enforcement agencies in the state, were certified for the program.

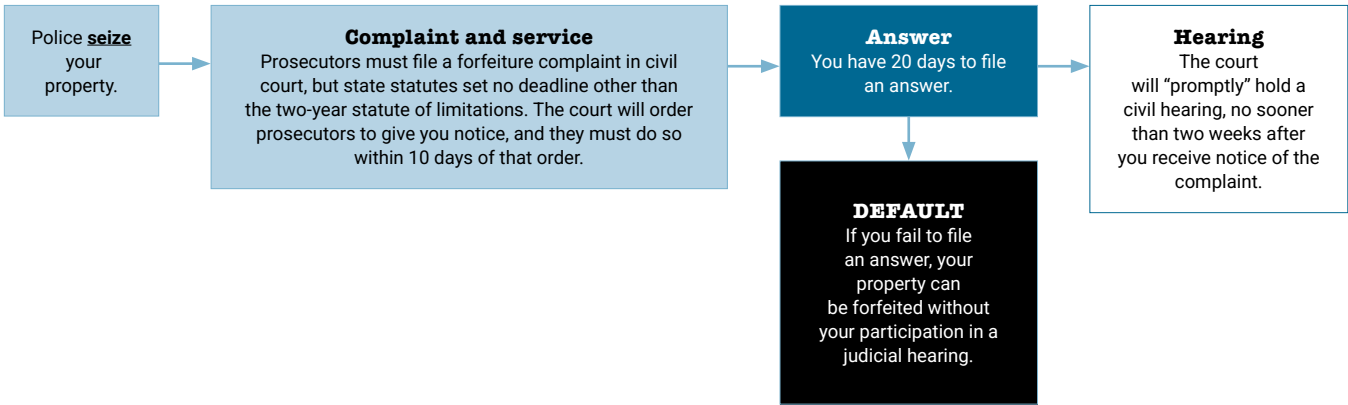
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	B	Accessibility of Forfeiture Records	C	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Massachusetts?

Under Massachusetts law, prosecutors’ and owners’ deadlines leading to a judicial hearing add up to 30 days, but the wait may be longer as deadlines are not specified for filing the complaint or for the hearing itself. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

Forfeitures Under Massachusetts Law: Key Facts

Median Value UNKNOWN Massachusetts does not report property-level data necessary to calculate median forfeiture value.	Property Types UNKNOWN Massachusetts does not report the types of property forfeited.
Proceeding Types UNKNOWN Massachusetts does not report whether forfeitures are processed under civil or criminal forfeiture law.	Additional Findings UNKNOWN Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports were obtained via public records requests to the state comptroller, treasurer, and district attorneys. Revenues for 2019–2023 are calculated estimates of statewide forfeiture revenues based on calendar-year deposits to the state attorney general’s and DAs’ special forfeiture trust funds, which, by law, receive half of all forfeiture proceeds. Revenues for earlier years are based on fiscal-year deposits but otherwise use the same methodology. Equitable sharing data are from DOJ’s and Treasury’s annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Michigan earns a D- for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It applies only if an owner contests forfeiture, putting the burden on owners to engage in a costly legal battle and making it easy for the government to forfeit without a conviction. It does not require conviction of the owner, only of a “defendant,” and does not apply to cash over \$50,000. Once the conviction provision is satisfied, property must be linked to a drug crime by clear and convincing evidence or to another crime by preponderance of the evidence.
- Limited protections for the innocent: Generally, the government must prove third-party owners knew about criminal activity connected to their property, but the owner bears the burden in drug cases involving property valued above \$50,000.
- Large profit incentive: In drug cases, 100% of forfeiture proceeds go to law enforcement; 75% in all other cases.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Michigan Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$134,205,615	\$89,764,224	\$16,918,000	\$240,887,839
2011	\$20,565,215	\$12,839,294	\$1,569,000	\$34,973,509
2012	\$16,068,345	\$17,114,435	\$451,000	\$33,633,780
2013	\$15,420,373	\$7,518,796	\$687,000	\$23,626,169
2014	\$15,957,584	\$8,101,026	\$2,066,000	\$26,124,610
2015	\$23,087,035	\$4,924,623	\$1,307,000	\$29,318,658
2016	\$8,119,327	\$3,344,864	\$1,344,000	\$12,808,191
2017	\$8,293,100	\$4,614,436	\$333,000	\$13,240,536
2018	\$10,449,038	\$8,480,461	\$375,000	\$19,304,499
2019	\$6,634,609	\$5,554,514	\$72,000	\$12,261,123
2020	\$4,961,573	\$6,169,646	\$308,000	\$11,439,219
2021	\$6,202,724	\$2,678,528	\$1,491,000	\$10,372,252
2022	\$7,754,713	\$7,410,309	\$1,939,000	\$17,104,022
2023	\$6,944,459	\$13,980,633	\$164,000	\$21,089,092
Totals	\$284,663,710	\$192,495,789	\$29,024,000	\$506,183,499

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

**At least
\$506 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Michigan does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Michigan agencies have generated nearly \$222 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 123 Michigan agencies, or an estimated 23% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

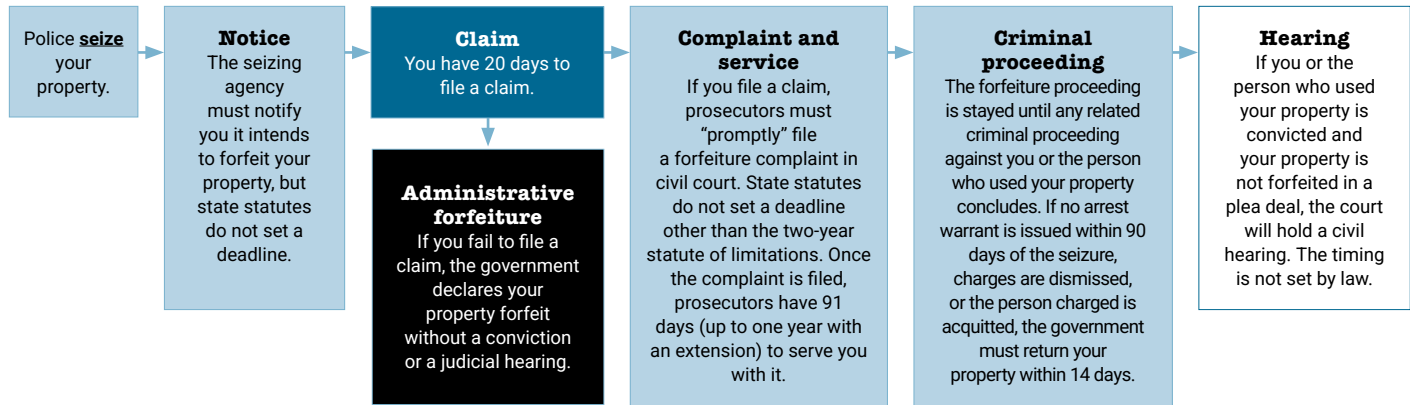
Tracking Seized Property	B-	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	D*
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	B

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Michigan?*

Under Michigan law, the government's and owners' deadlines leading to a judicial hearing add up to 111 days, but deadlines are not specified for providing notice, filing the complaint, or the hearing itself and the deadline for serving the complaint can be extended; any criminal proceedings may also add to the wait. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

*Michigan has multiple forfeiture statutes. The drug forfeiture statute is described here.

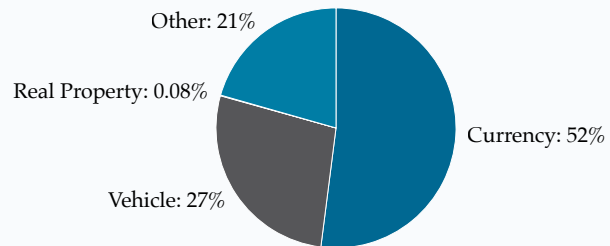
Forfeitures Under Michigan Law: Key Facts

Median Value



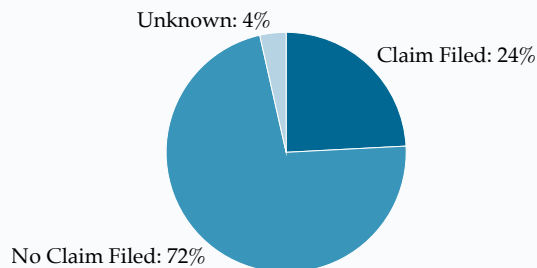
From 2019 to 2023, half of Michigan's currency forfeitures were worth less than \$557.

Property Types



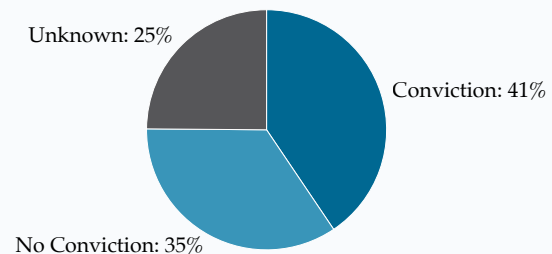
From 2019 to 2023, 52% of Michigan's forfeitures were of currency.

Claims



From 2019 to 2023, less than one-quarter of forfeitures were contested via a claim.

Convictions



From 2019 to 2023, nearly 60% of Michigan's forfeitures occurred without a reported criminal conviction.

Data Notes

Agency forfeiture records with property-level data were obtained via public records requests to the Michigan State Police. Revenues for 2016–2023 represent the value of forfeited property received by agencies in a calendar year, while those for 2005–2014 represent proceeds received by agencies in a fiscal year. Revenues for 2015 represent one or the other depending on the agency. Median and property-type figures are based on calendar year. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Minnesota earns a D for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture and applies only to judicial forfeitures. For property worth less than \$50,000, the provision requires an owner to contest forfeiture, putting the burden on owners to engage in a costly legal battle and making it easy for the government to forfeit without a conviction. It does not require conviction of the owner, only of “a person,” and it does not apply if the person has agreed to help investigators to avoid criminal charges. Once the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: In general, 90% of forfeiture proceeds go to law enforcement; 60% in cases involving prostitution or human trafficking; 100% in DWI cases.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Minnesota Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$38,957,070	\$20,314,118	\$934,000	\$60,205,188
2011	\$8,691,336	\$1,929,775	\$192,000	\$10,813,111
2012	\$8,830,564	\$2,299,709	\$81,000	\$11,211,273
2013	\$9,077,684	\$1,802,910	\$457,000	\$11,337,594
2014	\$9,849,772	\$1,296,529	\$555,000	\$11,701,301
2015	\$9,462,258	\$2,155,604	\$290,000	\$11,907,862
2016	\$9,271,242	\$860,280	\$48,000	\$10,179,522
2017	\$8,835,279	\$2,106,285	\$2,673,000	\$13,614,564
2018	\$10,045,669	\$958,392	\$30,000	\$11,034,061
2019	\$9,113,429	\$1,863,220	\$1,434,000	\$12,410,649
2020	\$7,064,855	\$2,537,103	\$864,000	\$10,465,958
2021	\$9,624,717	\$841,233	\$577,000	\$11,042,950
2022	\$7,686,711	\$1,647,146	\$336,000	\$9,669,857
2023	\$4,918,315	\$2,696,193	\$120,000	\$7,734,508
Totals	\$151,428,901	\$43,308,497	\$8,591,000	\$203,328,398

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$203 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Minnesota does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Minnesota agencies have generated nearly \$52 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 85 Minnesota agencies, or an estimated 22% of all law enforcement agencies in the state, were certified for the program.

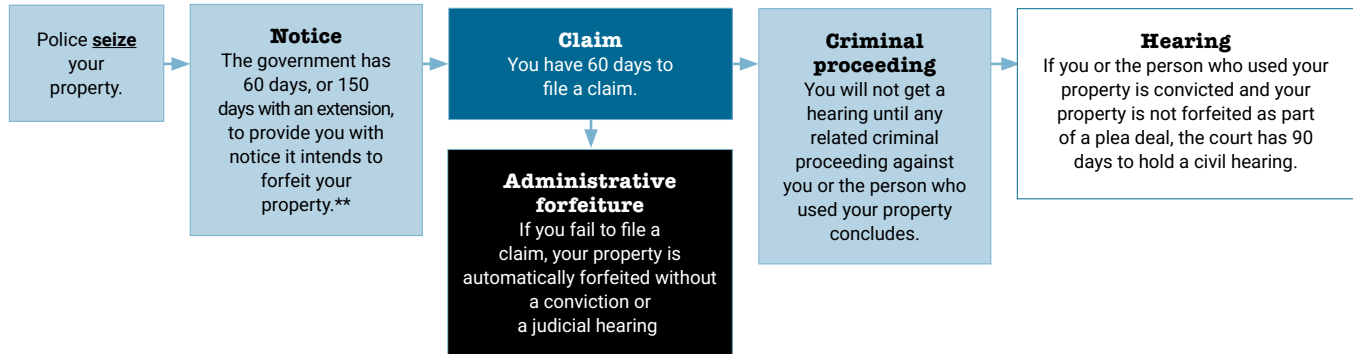
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	B	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Minnesota?*

Under Minnesota law, the government's, owners', and court deadlines leading to a judicial hearing add up to 210 days, but the deadline for providing notice can be extended and any criminal proceedings may add to the wait. While you wait, the government has your property, but you can try to get it back while the case continues by posting a bond equal to the property's retail value or, for a vehicle, surrendering title.



*This procedure applies to property worth \$50,000 or less.

**For vehicle seizures linked to a charge of prostitution or fleeing police, notice is given within 48 hours of the seizure and an expedited hearing is held within 96 hours of the seizure.

For research methods and limitations, see page 19.

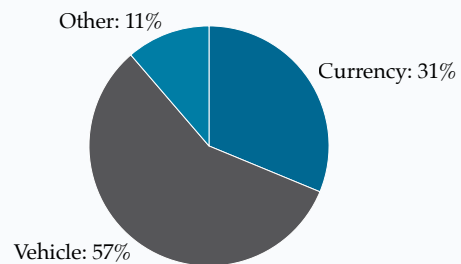
Forfeitures Under Minnesota Law: Key Facts

Median Value



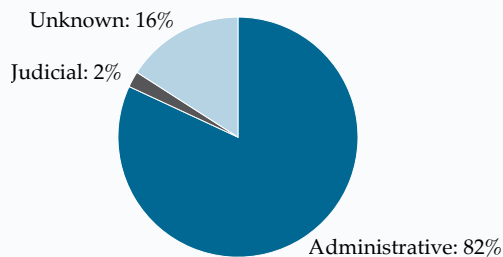
From 2019 to 2023, half of Minnesota's currency forfeitures were worth less than \$1,038.

Property Types



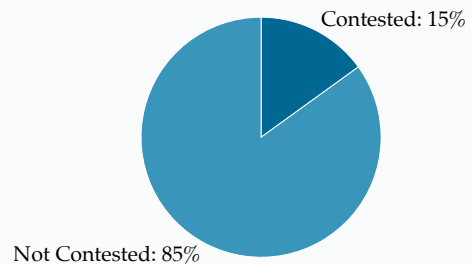
From 2019 to 2023, nearly 60% of Minnesota's forfeitures were of vehicles.

Proceeding Types



From 2022 to 2023, at least 82% of Minnesota's forfeitures were initiated under administrative, not judicial, forfeiture proceedings.

Contested Forfeitures



In 2023, only 15% of forfeitures were contested.

Data Notes

Statewide, property-level forfeiture data were obtained from the state auditor via download from its website and public records requests. Revenues for 2019–2023 represent the value of forfeited currency after any returns to owners and property sold (including any bought back by owners) in a calendar year and do not include the value of property retained or forwarded to other agencies, making them underestimates. Earlier years use a slightly different methodology that may result in small differences over time. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Mississippi earns a C- for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 80% of forfeiture proceeds go to law enforcement when only one agency participated in the forfeiture; 100% otherwise.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Mississippi Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$33,818,090	\$2,245,000	\$36,063,090
2011	Unknown	\$3,974,483	\$195,000	\$4,169,483
2012	Unknown	\$3,455,417	\$217,000	\$3,672,417
2013	Unknown	\$4,563,405	\$25,000	\$4,588,405
2014	Unknown	\$2,514,532	\$297,000	\$2,811,532
2015	Unknown	\$2,720,866	\$329,000	\$3,049,866
2016	Unknown	\$3,843,931	\$91,000	\$3,934,931
2017	Unknown	\$3,284,266	\$210,000	\$3,494,266
2018	Unknown	\$6,267,500	\$730,000	\$6,997,500
2019	Unknown	\$1,826,102	\$1,548,000	\$3,374,102
2020	Unknown	\$883,100	\$588,000	\$1,471,100
2021	Unknown	\$1,937,807	\$1,069,000	\$3,006,807
2022	Unknown	\$2,030,975	\$378,000	\$2,408,975
2023	Unknown	\$2,304,637	\$80,000	\$2,384,637
Totals	Unknown	\$73,425,111	\$8,002,000	\$81,427,111

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$81 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Mississippi does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Mississippi agencies have generated more than \$81 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 63 Mississippi agencies, or an estimated 19% of all law enforcement agencies in the state, were certified for the program.

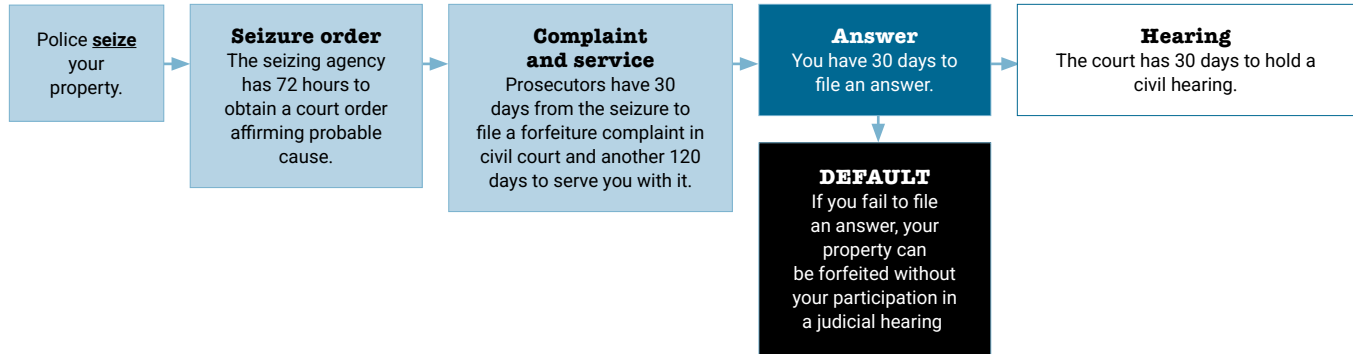
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D+	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	B
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Mississippi?

Under Mississippi law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 210 days. While you wait, the government has your property and you have no way to seek its return.



For research methods and limitations, see page 19.

Forfeitures Under Mississippi Law: Key Facts

Median Value

UNKNOWN

Mississippi does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Mississippi property type data were not used for this report.

Proceeding Types

UNKNOWN

Mississippi does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Forfeiture case information is publicly available, but case documents with key forfeiture details are often not available.

Data Notes

Forfeiture data available online from the state Bureau of Narcotics Forfeiture Search database are substantially incomplete and therefore not used for this report. Data for 2018–2019 reported in the third edition of *Policing for Profit* suffer the same problem and are not included here. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Missouri earns a B+ for its civil forfeiture laws

- Higher bar to forfeit: Strong conviction provision requires conviction of the owner, even if forfeiture is uncontested. Once there is a conviction, property must be linked to the crime by preponderance of the evidence.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- No profit incentive: All forfeiture proceeds go to fund schools.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Missouri Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$1,953,116	\$100,309,995	\$3,450,000	\$105,713,111
2011	\$317,178	\$11,364,666	\$1,677,000	\$13,358,844
2012	\$167,736	\$10,732,462	\$748,000	\$11,648,198
2013	\$232,440	\$7,773,383	\$5,255,000	\$13,260,823
2014	\$255,712	\$6,377,879	\$609,000	\$7,242,591
2015	\$125,466	\$7,841,569	\$558,000	\$8,525,035
2016	\$194,134	\$6,464,769	\$2,010,000	\$8,668,903
2017	\$360,726	\$5,587,862	\$430,000	\$6,378,588
2018	\$201,830	\$8,621,102	\$268,000	\$9,090,932
2019	\$269,475	\$6,102,289	\$1,417,000	\$7,788,764
2020	\$130,922	\$6,232,514	\$3,042,000	\$9,405,436
2021	\$180,993	\$10,524,972	\$1,512,000	\$12,217,965
2022	\$160,128	\$3,572,547	\$834,000	\$4,566,675
2023	\$213,551	\$5,842,043	\$1,680,000	\$7,735,594
Totals	\$4,763,407	\$197,348,052	\$23,490,000	\$225,601,459

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$225 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Missouri places modest limits on state and local law enforcement's ability to use the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Missouri agencies have generated nearly \$221 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 169 Missouri agencies, or an estimated 32% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

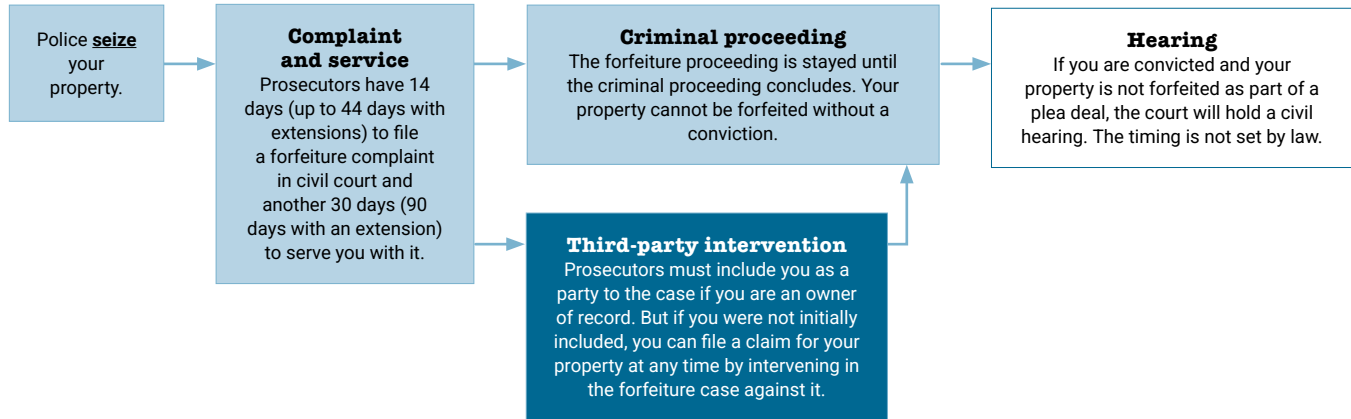
Tracking Seized Property	C	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	C
Accounting for Forfeiture Fund Spending	N/A†	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	N/A†

†These grades are not applicable as Missouri does not permit law enforcement agencies to spend state forfeiture revenue.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Missouri?

Under Missouri's strong conviction requirement, property can be forfeited only if an owner is convicted. While you wait, the government has your property, but you can try to get it back while the case continues by posting a bond equal to the property's value.



For research methods and limitations, see page 19.

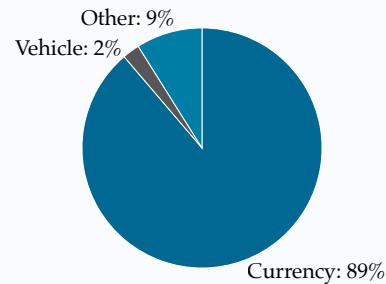
Forfeitures Under Missouri Law: Key Facts

Median Value



From 2019 to 2023, half of Missouri's currency forfeitures were worth less than \$1,942.

Property Types



From 2019 to 2023, nearly 90% of Missouri's forfeitures were solely of currency.

Proceeding Types

UNKNOWN

Missouri does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Most property was still winding its way through the forfeiture process at the time of reporting, resulting in an incomplete picture of forfeiture activity in the state.

Data Notes

Forfeiture case data were obtained from the state auditor via public records requests and download from its website. All figures are in calendar years. Revenues for 2019–2023 represent the value of forfeited currency and property reported in a calendar year. Because final disposition was pending for roughly two-thirds of properties, revenues are likely substantially underestimated. Revenues for earlier years represent forfeited currency and proceeds of forfeited property seized and transferred to the state in the same calendar year. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Montana earns a D- for its forfeiture laws

- Higher bar to forfeit: Montana has only criminal forfeiture.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement (annual proceeds to state agencies above \$125,000 are split 50–50 between the general fund and a state forfeiture fund).

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Montana Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$788,480	\$4,035,228	\$709,000	\$5,532,708
2011	\$125,202	\$324,653	\$28,000	\$477,855
2012	\$95,575	\$666,494	\$129,000	\$891,069
2013	\$105,932	\$456,794	\$41,000	\$603,726
2014	\$75,495	\$304,941	\$73,000	\$453,436
2015	\$202,205	\$358,093	\$42,000	\$602,298
2016	\$118,735	\$241,944	\$174,000	\$534,679
2017	\$236,617	\$472,258	\$43,000	\$751,875
2018	\$51,976	\$369,823	\$212,000	\$633,799
2019	\$83,376	\$425,280	\$18,000	\$526,656
2020	\$27,627	\$1,281,622	\$0	\$1,309,249
2021	\$25,557	\$153,879	\$0	\$179,436
2022	\$71,186	\$547,203	\$0	\$618,389
2023	\$23,779	\$475,559	\$135,000	\$634,338
Totals	\$2,031,742	\$10,113,771	\$1,604,000	\$13,749,513

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$13 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Montana does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Montana agencies have generated nearly \$12 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 23 Montana agencies, or an estimated 20% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

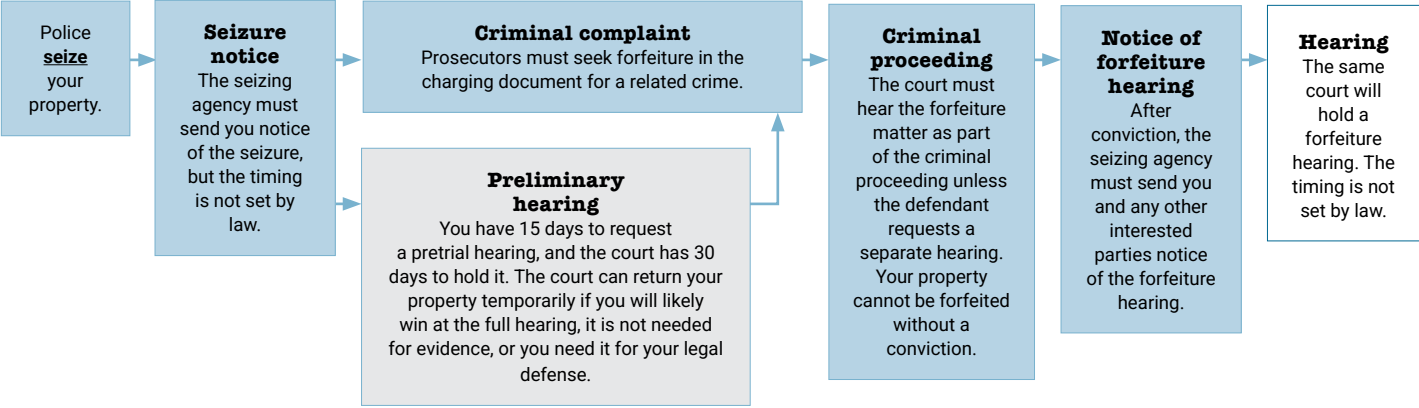
Tracking Seized Property	F	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	Inc.†
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	F	Financial Audits of Forfeiture Accounts	F

†No reporting requirements to enforce.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Montana?

Under Montana law, the government can pursue only criminal forfeiture, not civil forfeiture. Forfeiture occurs as part of the criminal proceedings against a defendant, and property can be forfeited only if the defendant is convicted. Both defendants and innocent owner claimants can request a preliminary hearing to try to get their property back before the criminal trial.



For research methods and limitations, see page 19.

Forfeitures Under Montana Law: Key Facts

Median Value	Property Types
UNKNOWN Montana does not report property-level data necessary to calculate median forfeiture value.	UNKNOWN Montana does not report the types of property forfeited.
Proceeding Types	Additional Findings
N/A Montana processes all forfeitures under criminal law.	UNKNOWN Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Forfeiture fund records were obtained via public records requests to the Montana Department of Justice. Revenues represent fiscal-year deposits to the state’s special revenue fund for forfeiture proceeds. Equitable sharing data are from DOJ’s and Treasury’s annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Nebraska earns a C- for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime. (The prior edition reported Nebraska had only criminal forfeiture based on a reform that inadvertently contained a major loophole allowing most civil forfeitures to continue.)
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 50% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Nebraska Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$38,712,432	\$1,161,000	\$39,873,432
2011	Unknown	\$4,510,690	\$56,000	\$4,566,690
2012	Unknown	\$2,750,340	\$1,548,000	\$4,298,340
2013	Unknown	\$2,662,935	\$150,000	\$2,812,935
2014	Unknown	\$2,389,119	\$1,861,000	\$4,250,119
2015	Unknown	\$1,788,035	\$3,238,000	\$5,026,035
2016	\$854,988	\$1,532,866	\$1,721,000	\$4,108,854
2017	\$2,687,352	\$1,522,233	\$605,000	\$4,814,585
2018	\$3,992,148	\$3,055,843	\$1,699,000	\$8,746,991
2019	\$2,947,561	\$2,224,424	\$2,936,000	\$8,107,985
2020	\$384,201	\$1,052,621	\$6,370,000	\$7,806,822
2021	\$6,789,722	\$1,018,649	\$3,469,000	\$11,277,371
2022	\$480,073	\$1,440,614	\$5,940,000	\$7,860,687
2023	\$202,820	\$1,463,414	\$1,712,000	\$3,378,234
Totals	\$18,338,865	\$66,124,215	\$32,466,000	\$116,929,080

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$116 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since July 2016, Nebraska has prohibited transferring property of \$25,000 or less to a federal agency for equitable sharing unless the property is seized by a federal agent or there is an associated federal prosecution. IJ's analysis (see page 64) found that, relative to non-reform states, the reform resulted in immediate reductions in the sharing of below-threshold assets and assets overall. However, below-threshold sharing and sharing overall increased in the long run. From 2017 to 2023, Nebraska law enforcement agencies generated nearly \$35 million in equitable sharing proceeds. And on average from 2019 to 2023, 55 Nebraska agencies, or an estimated 28% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

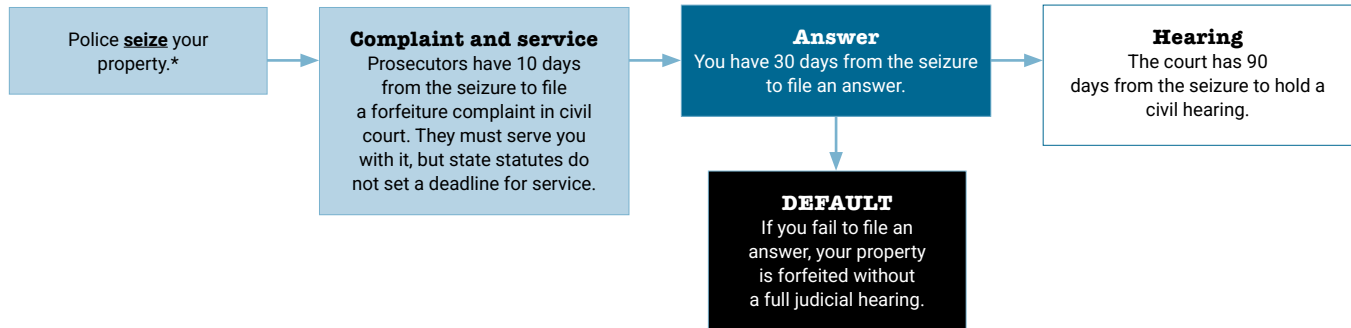
Tracking Seized Property	C	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	F*
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	F

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Nebraska?

Under Nebraska law, if you file an answer to the prosecutors' complaint, a judicial hearing must be held within 90 days of the seizure. While you wait, the government has your property, and only innocent owners of record can try to get it back by petitioning the court.



For research methods and limitations, see page 19.

*At any time before the court orders forfeiture, innocent owners of record can petition the court for return of their property.

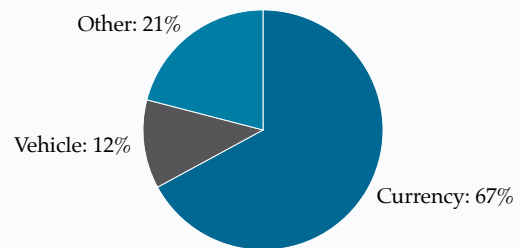
Forfeitures Under Nebraska Law: Key Facts

Median Value



From 2019 to 2023, half of Nebraska's currency forfeitures were worth less than \$1,030.

Property Types



From 2019 to 2023, at least two-thirds of Nebraska's forfeitures were of currency.

Proceeding Types

UNKNOWN

Nebraska proceeding type data were not used for this report due to a high proportion of unknowns.

Outlier County



Seward County, Nebraska, has a well-documented history of forfeiture abuse. And indeed, our data show that from 2019 to 2023, it recorded nearly \$200 in forfeiture revenue per resident—almost exclusively from property seized on I-80.

Data Notes

Agency forfeiture reports with property-level data were downloaded from the state auditor of public accounts' website. Revenues represent the value of forfeited currency and property reported in a calendar year. The spike in 2021 is attributed to exceptionally high forfeiture activity in Seward and Lancaster counties. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. See Appendix C, available online at [ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/](https://www.ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/), for details of the equitable sharing reform analysis. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Nevada earns a D- for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement (at fiscal year end, 70% of any amount above \$100,000 in an agency's forfeiture account goes to the state's school fund).

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2023 (AB 350): Strengthened transparency requirements.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Nevada Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$27,191,366	\$3,219,000	\$30,410,366
2011	Unknown	\$3,791,926	\$124,000	\$3,915,926
2012	Unknown	\$4,275,944	\$3,392,000	\$7,667,944
2013	Unknown	\$3,390,984	\$229,000	\$3,619,984
2014	Unknown	\$4,075,559	\$4,426,000	\$8,501,559
2015	Unknown	\$3,239,387	\$1,128,000	\$4,367,387
2016	\$4,293,189	\$1,549,061	\$248,000	\$6,090,250
2017	\$3,132,242	\$7,434,604	\$2,163,000	\$12,729,846
2018	\$4,901,149	\$1,577,182	\$403,000	\$6,881,331
2019	\$3,939,762	\$1,648,106	\$109,000	\$5,696,868
2020	\$2,917,066	\$847,082	\$414,000	\$4,178,148
2021	\$3,052,352	\$838,630	\$478,000	\$4,368,982
2022	\$2,927,442	\$356,583	\$149,000	\$3,433,025
2023	\$3,166,220	\$3,398,766	\$530,000	\$7,094,986
Totals	\$28,329,422	\$63,615,180	\$17,012,000	\$108,956,602

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$108 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since 2000, Nevada agencies have generated nearly \$81 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 18 Nevada agencies, or an estimated 30% of all law enforcement agencies in the state, were certified for the program. However, in January 2025, a Nevada trial court ruled that agencies cannot use equitable sharing to circumvent protections in state law.

Forfeiture Transparency and Accountability Report Card

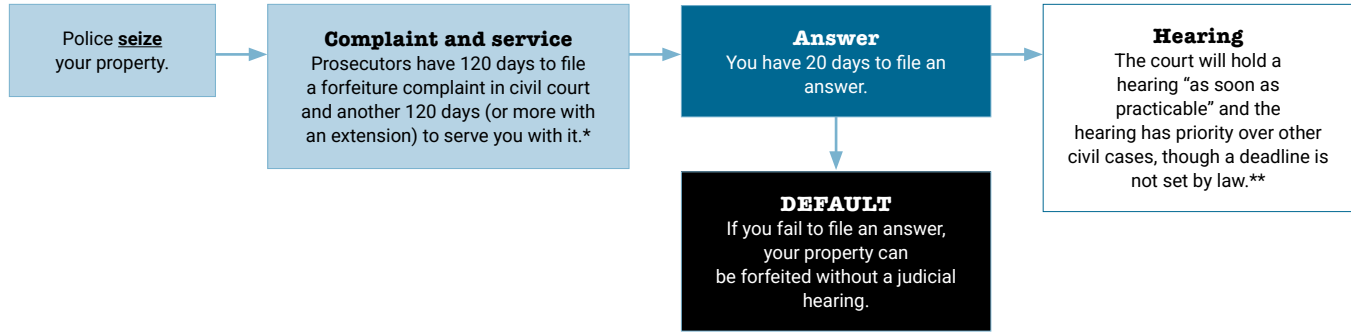
Tracking Seized Property	B+	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	D*
Accounting for Forfeiture Fund Spending	D	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Nevada?

Under Nevada law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 260 days, but the wait may be longer as the deadline for serving the complaint can be extended and there is no deadline for the hearing itself. While you wait, the government has your property, and your only option for seeking its return is to file a claim for delivery, which may expedite the process.



*If prosecutors do not file a complaint within 60 days, you can file a "claim for delivery," which may expedite the process.

**If you have been charged with a related crime, the forfeiture proceeding is stayed until the criminal proceeding concludes. If charges are dismissed or you are acquitted, your property must be returned within seven days.

For research methods and limitations, see page 19.

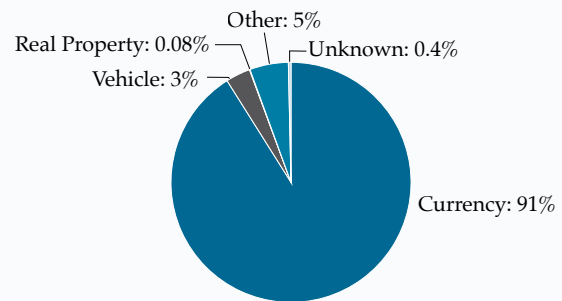
Forfeitures Under Nevada Law: Key Facts

Median Value



From 2019 to 2023, half of Nevada's currency forfeitures were worth less than \$1,030.

Property Types



From 2019 to 2023, more than 90% of Nevada's forfeitures were of currency.

Proceeding Types

UNKNOWN

Nevada does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies report only limited information about seized and forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Agency forfeiture reports with property-level data were obtained via public records requests to the state attorney general. Revenues represent the value of property forfeited in a fiscal year and do not include transfers between agencies. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

New Hampshire earns a **D** for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It purports to require conviction of the owner but also makes it the owner's burden to prove their own innocence. The standard by which property must be linked to a crime following a conviction is unclear.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 90% of forfeiture proceeds go to law enforcement (45% to local law enforcement up to \$225,000 from a single forfeiture and 45% to the state's drug forfeiture fund; any amount above \$1 million in the drug forfeiture fund goes to the general fund).

Recent Reforms

- 2022 (HB 1493): Modestly strengthened transparency requirements.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	New Hampshire Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2011	\$966,180	\$11,320,623	\$1,964,000	\$14,250,803
2012	\$184,853	\$2,006,141	\$64,000	\$2,254,994
2013		\$1,482,392	\$1,000	\$1,483,392
2014	\$103,978	\$1,935,116	\$11,000	\$2,050,094
2015	\$109,446	\$792,359	\$7,000	\$908,805
2016	\$277,280	\$1,703,693	\$30,000	\$2,010,973
2017	\$232,186	\$1,016,285	\$1,000	\$1,249,471
2018	\$570,127	\$1,083,222	\$24,000	\$1,677,349
2019	\$469,043	\$642,011	\$22,000	\$1,133,054
2020	\$221,035	\$694,346	\$149,000	\$1,064,381
2021	\$241,398	\$363,634	\$378,000	\$983,032
2022	\$297,840	\$456,070	\$248,000	\$1,001,910
2023	\$148,585	\$867,484	\$28,000	\$1,044,069
Totals	\$3,821,951	\$24,363,376	\$2,927,000	\$31,112,327

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$31 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

New Hampshire does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, New Hampshire agencies have generated more than \$27 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 72 New Hampshire agencies, or an estimated 36% of all law enforcement agencies in the state, were certified for the program.

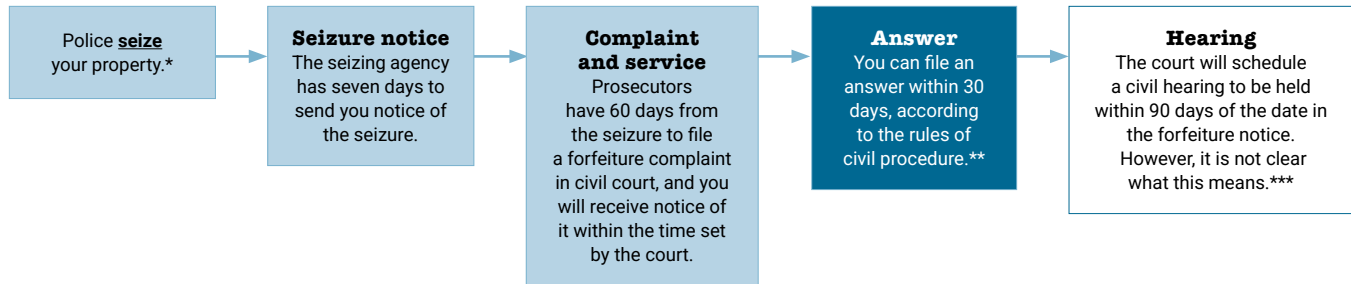
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in New Hampshire?

Under New Hampshire law, prosecutors' and court deadlines leading to a judicial hearing add up to 150 days, but the wait may be longer as there is no deadline for providing notice of the complaint and the deadline for the hearing is unclear. While you wait, the government has your property, but innocent owners can try to get it back by petitioning the court.



*After 10 days from the seizure, you can petition the court to return your property as an innocent owner.

**Because a hearing is required and you must be given notice, it is not clear that failure to answer results in default.

***If you have been charged with a drug-related crime and found not guilty, the forfeiture must be dismissed. You or the government can also request to stay forfeiture proceedings until any criminal proceedings concludes. The government can also pursue forfeiture after a person has been convicted, but the attorney general does not consider this "best practice."

For research methods and limitations, see page 19.

Forfeitures Under New Hampshire Law: Key Facts

Median Value

UNKNOWN

New Hampshire does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

New Hampshire does not report the types of property forfeited.

Proceeding Types

UNKNOWN

New Hampshire does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture data for 2020–2023 were obtained via public records requests to the state attorney general. Data for earlier years were downloaded from the New Hampshire General Court's website or obtained via public records requests to the AG. Revenues represent fiscal-year deposits to the state Drug Forfeiture Fund, although slightly different reporting methodologies may result in small differences over time. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

New Jersey earns a D- for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It applies only to contested forfeitures of cash worth less than \$1,000 or other property worth less than \$10,000, putting the burden on owners to engage in a costly legal battle to win back low-value property. On the other hand, it precludes forfeiture when criminal charges related to the property seizure are never filed against a person (not necessarily the owner) or prosecutors fail to establish the person's criminal culpability. Once the conviction provision is satisfied, property must be linked to the crime by preponderance of the evidence.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement when forfeiture is pursued by local agencies; 95% when forfeiture is pursued by the attorney general.

Recent Reforms

- 2020 (A3442/S1936): Adopted IJ's model reporting legislation, giving New Jersey one of the best forfeiture transparency laws in the country.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	New Jersey Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$40,394,011	\$44,673,989	\$31,194,000	\$116,262,000
2011	\$14,339,481	\$7,845,680	\$5,924,000	\$28,109,161
2012	\$20,719,371	\$8,680,714	\$3,843,000	\$33,243,085
2013	\$16,508,255	\$9,755,408	\$3,187,000	\$29,450,663
2014	\$15,815,834	\$12,258,703	\$5,941,000	\$34,015,537
2015	\$8,846,015	\$6,326,020	\$2,955,000	\$18,127,035
2016	\$12,439,008	\$5,716,987	\$673,000	\$18,828,995
2017	\$17,086,431	\$8,214,514	\$2,019,000	\$27,319,945
2018	\$14,538,243	\$10,839,580	\$929,000	\$26,306,823
2019	\$5,592,560	\$10,720,234	\$1,634,000	\$17,946,794
2020	Unknown	\$6,118,585	\$1,025,000	\$7,143,585
2021	Unknown	\$15,497,233	\$718,000	\$16,215,233
2022	\$8,461,982	\$9,672,133	\$676,000	\$18,810,115
2023	\$16,556,840	\$18,667,125	\$856,000	\$36,079,965
Totals	\$191,298,031	\$174,986,905	\$61,574,000	\$427,858,936

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

**At least
\$427 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

New Jersey does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, New Jersey agencies have generated nearly \$237 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 201 New Jersey agencies, or an estimated 41% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

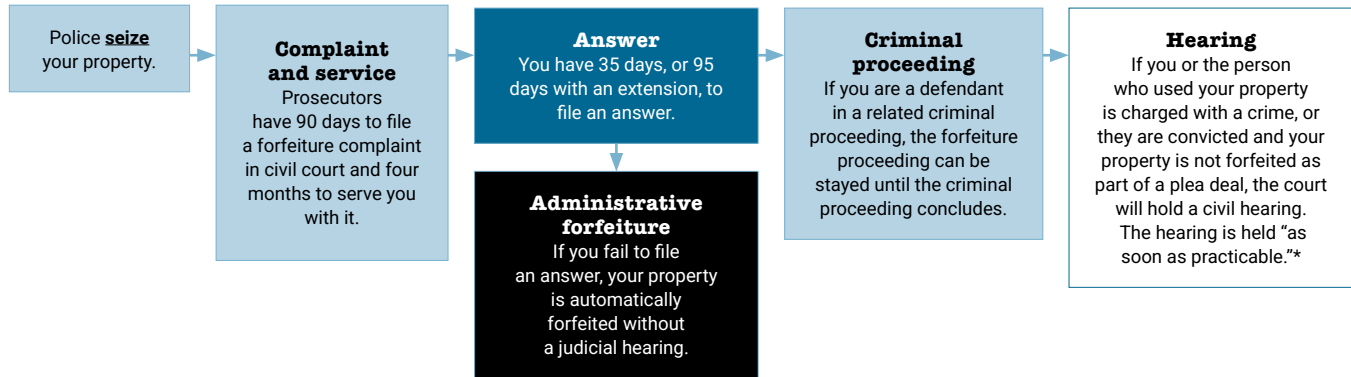
Tracking Seized Property	A	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	B*
Accounting for Forfeiture Fund Spending	C	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	A

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in New Jersey?

Under New Jersey law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 245 days, but there is no deadline for the hearing itself and any criminal proceedings may add to the wait. While you wait, the government has your property, but if you are not the defendant, you can try to get it back while the case continues by posting a bond equal to the property's fair market value.



For research methods and limitations, see page 19.

*Neither a conviction nor criminal charges are required if the property is worth more than \$10,000 or is currency exceeding \$1,000.

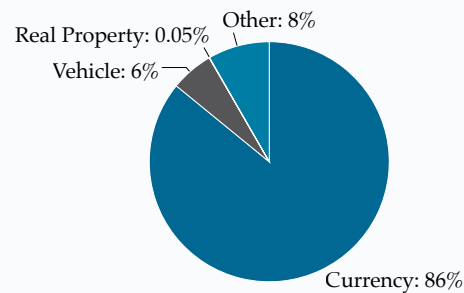
Forfeitures Under New Jersey Law: Key Facts

Median Value



From April 2022 through 2023, half of New Jersey's currency forfeitures were worth less than \$635.

Property Types



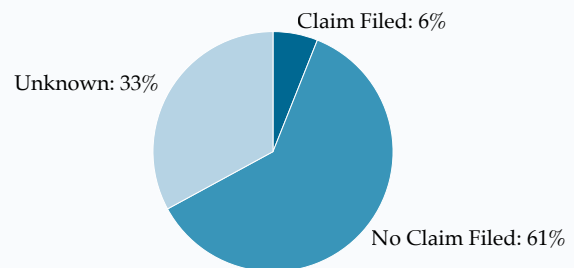
From April 2022 through 2023, more than 85% of New Jersey's forfeitures were of currency.

Proceeding Types

UNKNOWN

New Jersey proceeding type data were not used for this report due to a high proportion of unknowns.

Claims



From April 2022 through 2023, only 6% of New Jersey's forfeitures were contested via a claim.

Data Notes

Statewide, property-level forfeiture data for 2022–2023 were downloaded from the New Jersey Asset Seizure and Forfeiture Dashboard. Data for earlier years were obtained from the state attorney general's website via download and from county prosecutors via public records requests. No data are available for 2020 or 2021. All figures are in calendar years. Revenues represent the value of currency and property forfeited in a year. Because values of non-currency property are not consistently reported for 2022–2023, revenues are underestimates. Also, for 2022, data are available only for property forfeited between April and December. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

New Mexico earns an **A** for its forfeiture laws

- Highest bar to forfeit: New Mexico has only criminal forfeiture.
- Stronger protections for the innocent: The government must prove by clear and convincing evidence that a third-party owner knew about the criminal use of their property.
- No profit incentive: All forfeiture proceeds, beyond some retained to cover related expenses, go to the general fund.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	New Mexico Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$30,457,437	\$1,181,000	\$31,638,437
2011	Unknown	\$3,109,326	\$220,000	\$3,329,326
2012	Unknown	\$1,388,231	\$432,000	\$1,820,231
2013	Unknown	\$5,352,116	\$202,000	\$5,554,116
2014	Unknown	\$2,998,052	\$984,000	\$3,982,052
2015	\$126,979	\$2,140,544	\$637,000	\$2,904,523
2016	\$203,922	\$202,220	\$0	\$406,142
2017	\$17,920	\$90,710	\$0	\$108,630
2018	\$28,893	\$400,630	\$0	\$429,523
2019	None Reported	\$965,409	\$0	\$965,409
2020	None Reported	\$689,730	\$0	\$689,730
2021	None Reported	\$35,085	\$-22,000	\$13,085
2022	None Reported	\$19,675	\$0	\$19,675
2023	None Reported	\$324,168	\$0	\$324,168
Totals	\$377,714	\$48,173,333	\$3,634,000	\$52,185,047

Equitable sharing figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$52 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since July 2015, New Mexico has directed all equitable sharing proceeds to the general fund, effectively disqualifying state and local agencies from participating.

Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D-	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	F*
Accounting for Forfeiture Fund Spending	N/A†	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	N/A†

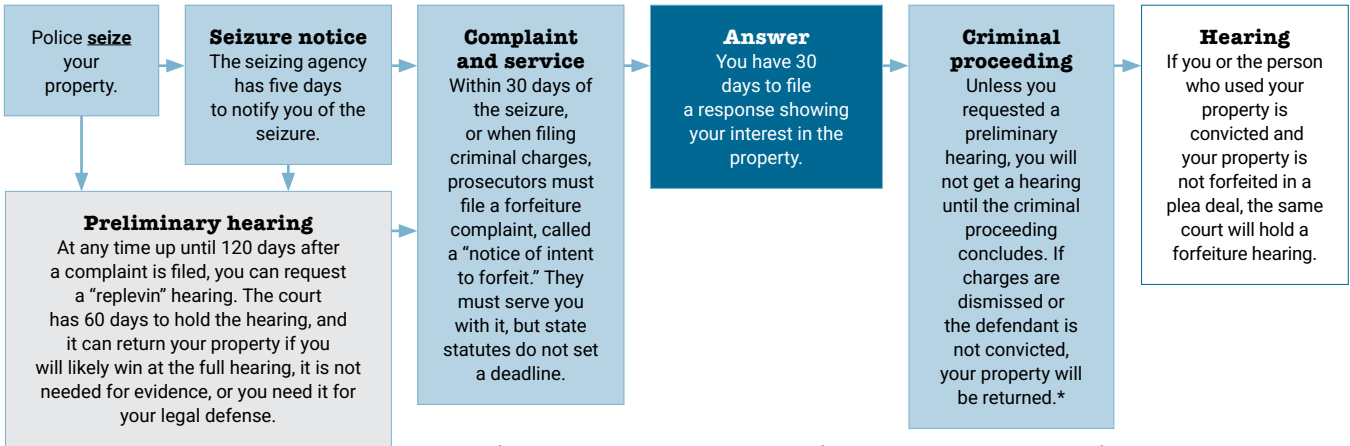
†These grades are not applicable as New Mexico does not permit law enforcement agencies to spend forfeiture revenue.

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in New Mexico?

Under New Mexico law, the government can pursue only criminal forfeiture, not civil forfeiture. Forfeiture occurs as part of the criminal proceedings against a defendant, and property can be forfeited only if the defendant is convicted. Both defendants and innocent owner claimants can request a preliminary hearing to try to get their property back before the criminal trial.



For research methods and limitations, see page 19.

*If the defendant fails to appear in court for the criminal proceeding and no one has made an innocent owner claim, the property can be treated as abandoned and forfeited.

Forfeitures Under New Mexico Law: Key Facts

Median Value



New Mexico says it did not conduct any forfeitures from 2019 to 2023.

Property Types



New Mexico says it did not conduct any forfeitures from 2019 to 2023.

Proceeding Types



New Mexico processes all forfeitures under criminal law.

Data Notes

According to reports from the state Department of Public Safety, New Mexico did not conduct any forfeitures under state law between 2019 and 2023. Revenues for earlier years are from data downloaded from the DPS's website and represent the value of currency and property forfeited in a calendar year. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data.

New York earns a C for its civil forfeiture laws

- Somewhat higher bar to forfeit: In drug cases, prosecutors must provide clear and convincing evidence that a crime occurred and then prove seized property's connection to that crime by preponderance of the evidence. A very weak conviction provision applies in non-drug cases.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 60% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	New York Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$224,801,718	\$305,987,928	\$148,608,000	\$679,397,646
2011	\$49,983,521	\$47,349,380	\$12,863,000	\$110,195,901
2012	\$16,928,315	\$31,996,429	\$28,437,000	\$77,361,744
2013	\$46,817,727	\$232,658,540	\$11,192,000	\$290,668,267
2014	\$8,899,612,843	\$76,140,067	\$140,302,000	\$9,116,054,910
2015	\$8,873,908,220	\$152,442,031	\$47,833,000	\$9,074,183,251
2016	\$28,449,704	\$28,115,110	\$83,846,000	\$140,410,814
2017	\$43,410,169	\$30,794,069	\$17,101,000	\$91,305,238
2018	\$30,170,873	\$34,877,257	\$27,368,000	\$92,416,130
2019	\$354,269,943	\$26,451,664	\$16,275,000	\$396,996,607
2020	\$11,531,074	\$28,125,093	\$16,078,000	\$55,734,167
2021	\$17,268,375	\$11,100,901	\$2,212,000	\$30,581,276
2022	\$20,711,572	\$18,306,919	\$12,562,000	\$51,580,491
2023	\$18,085,889	\$87,502,627	\$5,580,000	\$111,168,516
Totals	\$18,635,949,943	\$1,111,848,015	\$570,257,000	\$20,318,054,958

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$20 billion
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

New York does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, New York agencies have generated more than \$1.6 billion in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, 231 New York agencies, or an estimated 46% of all law enforcement agencies in the state, were certified for the program.

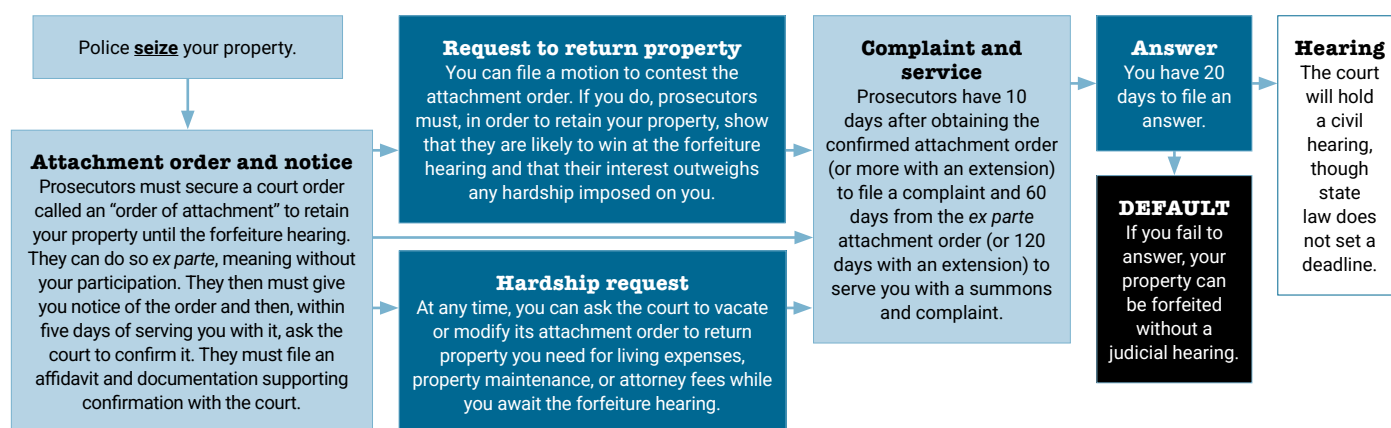
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	C

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in New York?*

Under New York law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 80 days, but the wait may be longer due to unspecified deadlines and extensions. While you wait, the government has your property, but you can try to get it back while the case continues by contesting the attachment order or requesting a hardship release.



*This describes the process for "pre-conviction" forfeitures under New York's main civil forfeiture law, which is available for certain drug felonies and does not require a conviction, only the establishment of criminal liability by clear and convincing evidence. The law presumes property pursued for forfeiture has not yet been seized but applies in cases when it has. The same law also allows "post-conviction" forfeitures, which do require a conviction.

For research methods and limitations, see page 19.

Forfeitures Under New York Law: Key Facts

Median Value

UNKNOWN

New York does not provide information necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Aside from vehicles, New York does not report counts of the types of property forfeited.

Proceeding Types

UNKNOWN

New York does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies often fail to report detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports were obtained from the state Division of Criminal Justice Services via download from its website and public records requests. Revenues represent the value of currency and property forfeited and distributed to agencies in a calendar year. Revenues for 2011 represent only currency forfeited. Spikes in 2014, 2015, and 2019 are attributed to New York County's reported forfeited assets. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

North Carolina earns a B+ for its forfeiture laws

- Highest bar to forfeit in most cases: In general, North Carolina has only criminal forfeiture. However, prosecutors can pursue civil forfeiture in racketeering cases, where they must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: In racketeering cases, third-party owners must prove their own innocence to recover seized property.
- No profit incentive: All forfeiture proceeds go to fund schools.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	North Carolina Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	None Reported	\$122,402,756	\$31,479,000	\$153,881,756
2011	None Reported	\$10,603,162	\$2,761,000	\$13,364,162
2012	None Reported	\$15,563,496	\$4,108,000	\$19,671,496
2013	None Reported	\$12,763,130	\$5,002,000	\$17,765,130
2014	None Reported	\$10,805,901	\$5,736,000	\$16,541,901
2015	None Reported	\$11,883,462	\$3,651,000	\$15,534,462
2016	None Reported	\$8,709,152	\$5,480,000	\$14,189,152
2017	None Reported	\$9,256,927	\$1,915,000	\$11,171,927
2018	None Reported	\$17,116,834	\$2,237,000	\$19,353,834
2019	None Reported	\$11,277,342	\$1,019,000	\$12,296,342
2020	None Reported	\$6,613,196	\$5,467,000	\$12,080,196
2021	None Reported	\$5,016,143	\$6,781,000	\$11,797,143
2022	None Reported	\$17,758,457	\$7,625,000	\$25,383,457
2023	None Reported	\$15,996,737	\$5,431,000	\$21,427,737
Totals	None Reported	\$275,766,695	\$88,692,000	\$364,458,695

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$364 million
in federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

North Carolina does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, North Carolina agencies have generated more than \$364 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 280 North Carolina agencies, or an estimated 57% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	F	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	Inc.‡
Accounting for Forfeiture Fund Spending	N/A†	Accessibility of Forfeiture Records	F	Financial Audits of Forfeiture Accounts	N/A†

While North Carolina claims it does not engage in forfeiture, state law does permit the practice and therefore robust reporting requirements should be in place.

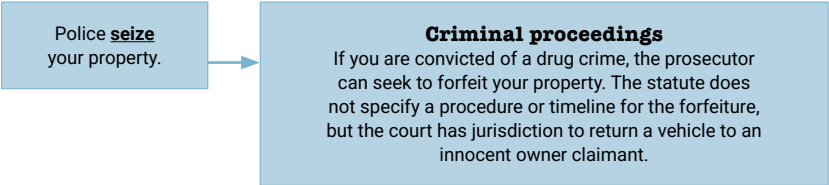
†These grades are not applicable as North Carolina does not permit law enforcement to spend state forfeiture revenue.

‡No reporting requirements to enforce.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in North Carolina?

Under North Carolina’s drug forfeiture law, the government can generally pursue only criminal forfeiture, not civil forfeiture.* Forfeiture occurs as part of the criminal proceedings against a defendant, and property can be forfeited only if the defendant is convicted. While you wait for criminal proceedings to conclude, the government has your property, although the court has jurisdiction to return vehicles to innocent owner claimants.



For research methods and limitations, see page 19.

*Civil forfeiture is available in racketeering cases.

Forfeitures Under North Carolina Law: Key Facts

Median Value

UNKNOWN

North Carolina says it does not conduct forfeitures under state law.

Property Types

UNKNOWN

North Carolina says it does not conduct forfeitures under state law.

Proceeding Types

UNKNOWN

North Carolina says it does not conduct forfeitures under state law.

Civil forfeiture is available in racketeering cases.

Data Notes

According to the North Carolina Department of Revenue, the state does not conduct forfeitures under state law. Equitable sharing data are from DOJ’s and Treasury’s annual forfeiture reports. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

North Dakota earns a D- for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It requires the owner's conviction but does not apply if the owner fails to contest forfeiture, putting the burden on owners to engage in a costly legal battle and making it easy for the government to forfeit without a conviction. It also does not apply if the owner has agreed to help investigators in exchange for immunity or a reduced sentence. Once the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence. No conviction is necessary if property can be connected to a crime beyond a reasonable doubt.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement (any amount above \$200,000 in the government's forfeiture account over any two-year budget period goes to the general fund).

Recent Reforms

- 2021 (HB 1480): Strengthened transparency requirements; allowed prosecutors to set a minimum dollar-value for seizures in their jurisdictions.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	North Dakota Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$462,715	\$353,000	\$815,715
2011	Unknown	\$24,378	\$0	\$24,378
2012	Unknown	\$97,165	\$2,000	\$99,165
2013	Unknown	\$16,496	\$0	\$16,496
2014	Unknown	\$4,657	\$0	\$4,657
2015	Unknown	\$50,097	\$8,000	\$58,097
2016	Unknown	\$28,236	\$0	\$28,236
2017	Unknown	\$24,355	\$0	\$24,355
2018	Unknown	Unavailable	\$113,000	\$113,000
2019	Unknown	\$53,014	\$20,000	\$73,014
2020	\$507,655	\$19,851	\$4,000	\$531,506
2021	\$472,269	\$0	\$123,000	\$595,269
2022	\$444,801	\$154,268	\$296,000	\$895,069
2023	\$254,868	\$81,286	\$0	\$336,154
Totals	\$1,679,593	\$1,016,518	\$919,000	\$3,615,111

Equitable sharing figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

**At least
\$3.6 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

North Dakota does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, North Dakota agencies have generated more than \$1.9 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 10 North Dakota agencies, or an estimated 10% of all law enforcement agencies in the state, were certified for the program.

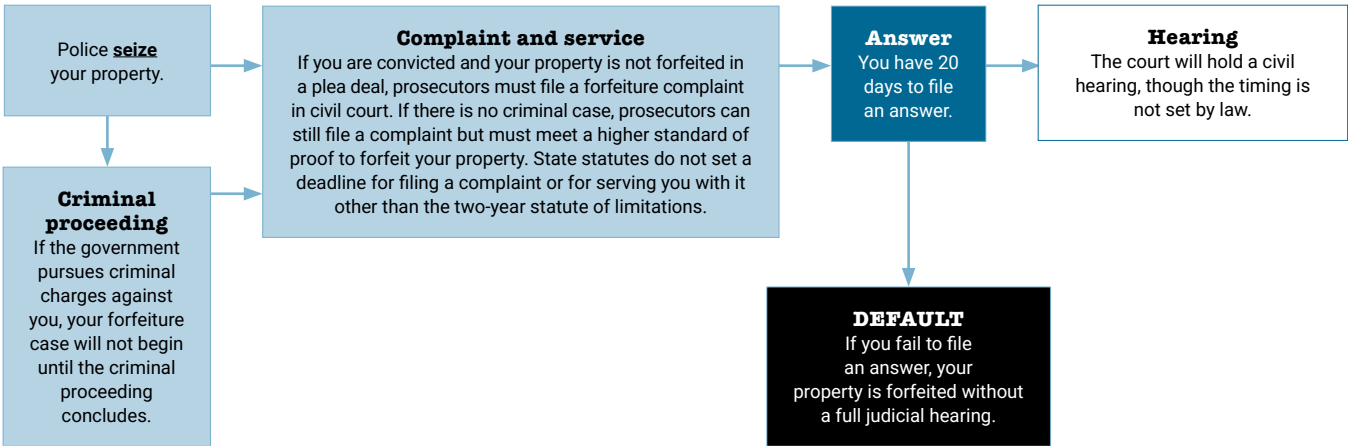
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	B	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in North Dakota?*

Under North Dakota law, specified deadlines leading to a judicial hearing add up to 20 days, but deadlines are not specified for filing or serving the complaint or for the hearing itself and any criminal proceedings may add to the wait. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

*Vehicles worth less than \$2,000 are not forfeitable in most cases.

Forfeitures Under North Dakota Law: Key Facts

Median Value

UNKNOWN

North Dakota does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

North Dakota property type data were not used for this report.

Proceeding Types

UNKNOWN

North Dakota only reports on forfeitures processed under civil forfeiture law.

Additional Findings

UNKNOWN

Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports were downloaded from the state attorney general’s website. Revenues represent the value of forfeited currency and proceeds of forfeited property sold in a fiscal year. No statewide records were available prior to 2020. Equitable sharing data are from DOJ’s and Treasury’s annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Ohio earns a **D-** for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Limited protections for the innocent: Generally, third-party owners must prove their own innocence to recover seized property, but the government bears the burden in cases involving legally titled or registered property and property valued above \$15,000.
- Large profit incentive: In general, up to 100% of forfeiture proceeds go to law enforcement; 90% in juvenile cases.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Ohio Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$6,308,015	\$105,846,581	\$10,010,000	\$122,164,596
2011	\$10,327,817	\$9,821,612	\$3,068,000	\$23,217,429
2012	\$9,091,965	\$10,685,592	\$1,673,000	\$21,450,557
2013	Unknown	\$13,341,265	\$768,000	\$14,109,265
2014	Unknown	\$8,402,535	\$589,000	\$8,991,535
2015	Unknown	\$7,622,661	\$4,210,000	\$11,832,661
2016	Unknown	\$6,273,307	\$709,000	\$6,982,307
2017	Unknown	\$6,565,299	\$834,000	\$7,399,299
2018	Unknown	\$7,098,678	\$3,039,000	\$10,137,678
2019	Unknown	\$6,124,853	\$1,452,000	\$7,576,853
2020	Unknown	\$17,547,043	\$3,133,000	\$20,680,043
2021	Unknown	\$6,803,216	\$908,000	\$7,711,216
2022	Unknown	\$10,822,376	\$12,454,000	\$23,276,376
2023	Unknown	\$11,664,657	\$3,653,000	\$15,317,657
Totals	\$25,727,797	\$228,619,675	\$46,500,000	\$300,847,472

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$300 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since April 2017, Ohio has prohibited transferring property under \$100,000 to a federal agency for equitable sharing unless the property is being referred for federal criminal forfeiture proceedings. IJ's analysis (see page 64) found that, relative to non-reform states, the reform resulted in immediate reductions in the sharing of below-threshold assets and assets overall. However, there was no long-term effect on below-threshold sharing, and sharing overall increased in the long run. From 2018 to 2023, Ohio law enforcement agencies generated nearly \$85 million in equitable sharing proceeds. And on average from 2019 to 2023, about 281 Ohio agencies, or an estimated 37% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

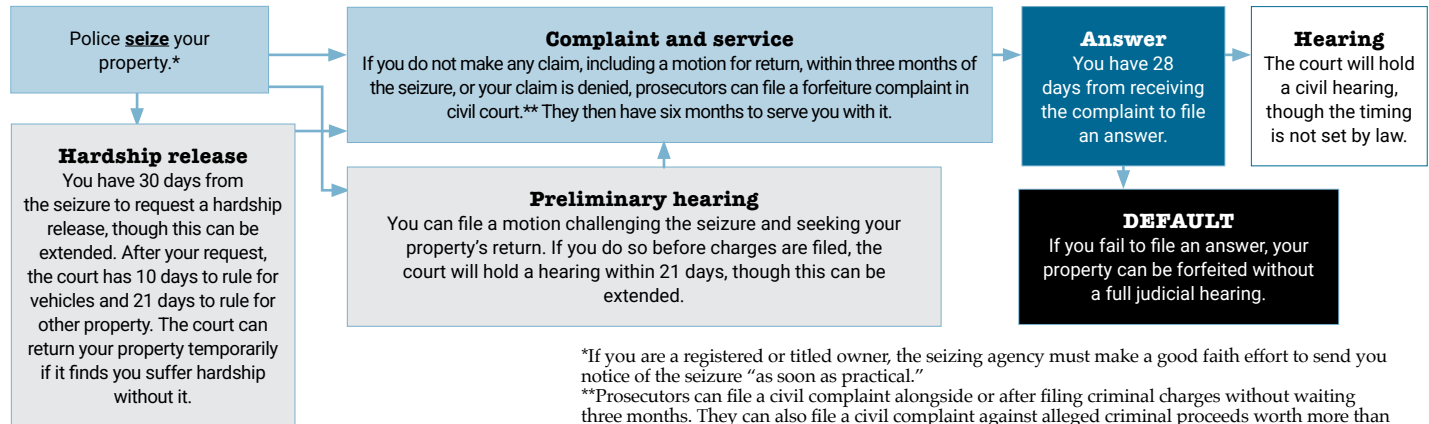
Tracking Seized Property	D	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	Inc.†
Accounting for Forfeiture Fund Spending	C	Accessibility of Forfeiture Records	C	Financial Audits of Forfeiture Accounts	F

†No reporting requirements to enforce.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Ohio?

Under Ohio law, if you fail to file a claim within three months of the seizure, prosecutors can pursue civil forfeiture without filing criminal charges. In this case, prosecutors' and owners' deadlines leading to a judicial hearing add up to 298 days, though there is no deadline for the hearing itself. If you file a claim before any charges are filed, you can get a preliminary hearing within 21 days, but if prosecutors file charges first, you will not get a hearing until criminal proceedings conclude. While you wait, the government has your property, but you can try to get it back while the case continues by requesting a hardship release.



*If you are a registered or titled owner, the seizing agency must make a good faith effort to send you notice of the seizure "as soon as practical."
 **Prosecutors can file a civil complaint alongside or after filing criminal charges without waiting three months. They can also file a civil complaint against alleged criminal proceeds worth more than \$15,000 without bringing charges or waiting three months. Regardless, if prosecutors bring charges, civil forfeiture proceedings are stayed until the criminal case concludes.

For research methods and limitations, see page 19.

Forfeitures Under Ohio Law: Key Facts

Median Value

UNKNOWN

Ohio does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Ohio does not report the types of property forfeited.

Proceeding Types

UNKNOWN

Ohio does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies are not required to report on their forfeitures, resulting in zero transparency into forfeiture activity in the state.

Data Notes

No statewide forfeiture records are available. Agency reports of calendar-year forfeitures for 2010–2012 were obtained via public records requests to the state attorney general. In 2012, the requirement for agencies to report to the AG was eliminated. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. See Appendix C, available online at <https://www.ojp.gov/department-of-justice/office-of-inspection-and-audit/reports-and-testimony>, for details of the equitable sharing reform analysis. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Oklahoma earns a **D-** for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Oklahoma Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$76,233,482	\$50,268,792	\$621,000	\$127,123,274
2011	\$6,247,284	\$4,185,955	\$739,000	\$11,172,239
2012	\$4,310,089	\$2,649,990	\$1,000,000	\$7,960,079
2013	\$6,580,718	\$2,361,790	\$155,000	\$9,097,508
2014	\$5,710,484	\$2,305,791	\$774,000	\$8,790,275
2015	\$4,680,244	\$1,163,078	\$473,000	\$6,316,322
2016	\$5,312,756	\$2,046,368	\$68,000	\$7,427,124
2017	\$7,746,556	\$787,187	\$1,434,000	\$9,967,743
2018	\$7,139,947	\$1,481,230	\$363,000	\$8,984,177
2019	\$4,780,552	\$1,820,964	\$164,000	\$6,765,516
2020	\$5,174,064	\$499,605	\$1,655,000	\$7,328,669
2021	\$6,417,437	\$329,564	\$519,000	\$7,266,001
2022	\$6,877,542	\$1,513,870	\$487,000	\$8,878,412
2023	\$7,382,300	\$3,065,392	\$410,000	\$10,857,692
Totals	\$154,593,455	\$74,479,576	\$8,862,000	\$237,935,031

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$237 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Oklahoma does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Oklahoma agencies have generated more than \$83 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 55 Oklahoma agencies, or an estimated 13% of all law enforcement agencies in the state, were certified for the program.

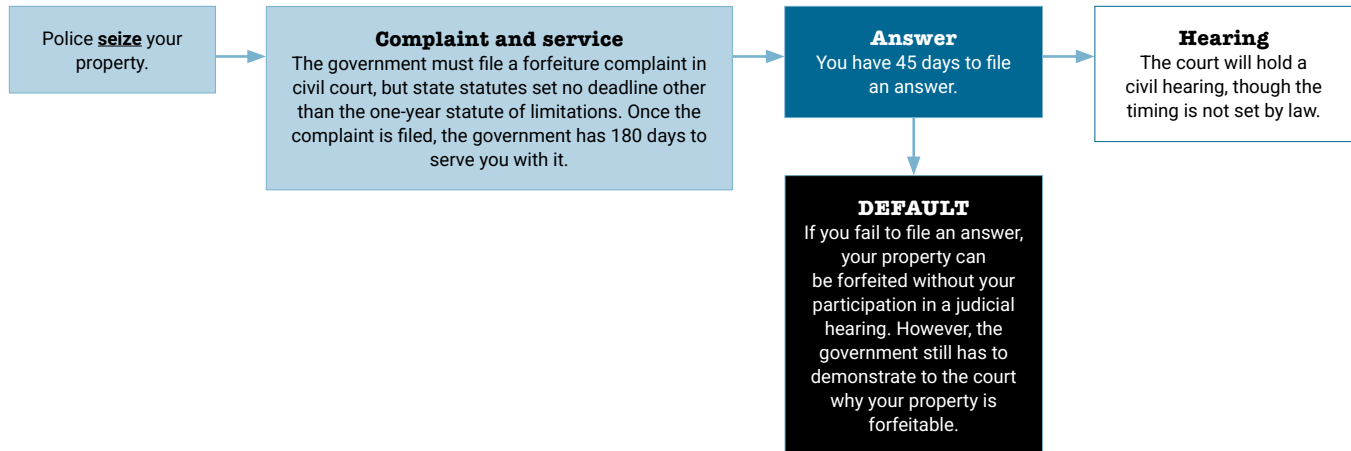
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D+	Statewide Forfeiture Reports	C	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	B	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Oklahoma?

Under Oklahoma law, the government's and owners' deadlines leading to a judicial hearing add up to 225 days, but the wait may be longer as deadlines are not specified for filing the complaint or for the hearing itself. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

Forfeitures Under Oklahoma Law: Key Facts

Median Value

UNKNOWN

Oklahoma does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

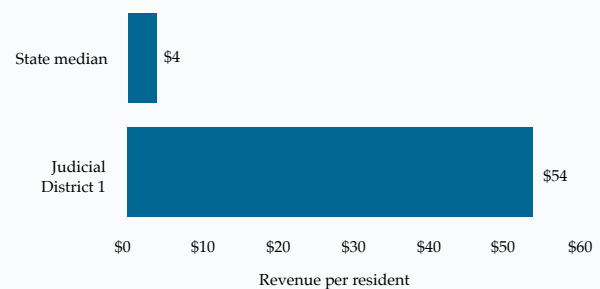
Oklahoma does not report the types of property forfeited.

Proceeding Types

UNKNOWN

Oklahoma does not report whether forfeitures are processed under civil or criminal forfeiture law.

Outlier Judicial District



From 2019 to 2023, Oklahoma's Judicial District 1, composed of border counties in the panhandle typically with populations below 5,000, forfeited 13 times as much per resident as the typical judicial district.

Data Notes

Forfeiture reports for district attorneys statewide were obtained via public records requests to the state District Attorneys Council. Revenues for 2019–2023 represent proceeds of forfeited currency and property sold received in a fiscal year. Earlier years include court-ordered assessments and other income but otherwise use the same methodology. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Oregon earns a C for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It applies only if an owner contests forfeiture, putting the burden on owners to engage in a costly legal battle and making it easy for the government to forfeit without a conviction. It does not require conviction of the owner, only of “a person.” Once the conviction provision is satisfied, personal property must be linked to the crime by preponderance of the evidence; real property by clear and convincing evidence.
- Stronger protections for the innocent: Generally, the government must prove third-party owners knew about criminal activity connected to their property, but if cash, weapons, or negotiable instruments were found near drugs, the owner bears the burden.
- Large profit incentive: 52.5% of forfeiture proceeds go to law enforcement when forfeiture is pursued by local agencies; 47% when forfeiture is pursued by the state.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Oregon Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$7,512,647	\$10,025,992	\$8,781,000	\$26,319,639
2011	\$2,128,528	\$2,155,667	\$656,000	\$4,940,195
2012	\$1,573,074	\$1,621,348	\$730,000	\$3,924,422
2013	\$1,937,907	\$1,961,146	\$436,000	\$4,335,053
2014	\$1,224,379	\$1,699,945	\$1,156,000	\$4,080,324
2015	\$1,442,571	\$2,472,642	\$1,462,000	\$5,377,213
2016	\$534,987	\$1,627,632	\$842,000	\$3,004,619
2017	\$854,965	\$1,097,933	\$697,000	\$2,649,898
2018	\$1,220,124	\$1,762,479	\$294,000	\$3,276,603
2019	\$1,118,199	\$1,565,833	\$1,046,000	\$3,730,032
2020	\$1,048,431	\$2,476,018	\$3,651,000	\$7,175,449
2021	\$1,132,104	\$2,179,745	\$1,283,000	\$4,594,849
2022	\$1,455,521	\$2,805,547	\$4,837,000	\$9,098,068
2023	\$1,230,708	\$4,992,792	\$1,941,000	\$8,164,500
Totals	\$24,414,145	\$38,444,719	\$27,812,000	\$90,670,864

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

**At least
\$90 million
in state and federal
forfeiture revenue
2000–2023**

Federal Equitable Sharing

Oregon does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Oregon agencies have generated more than \$66 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 48 Oregon agencies, or an estimated 31% of all law enforcement agencies in the state, were certified for the program.

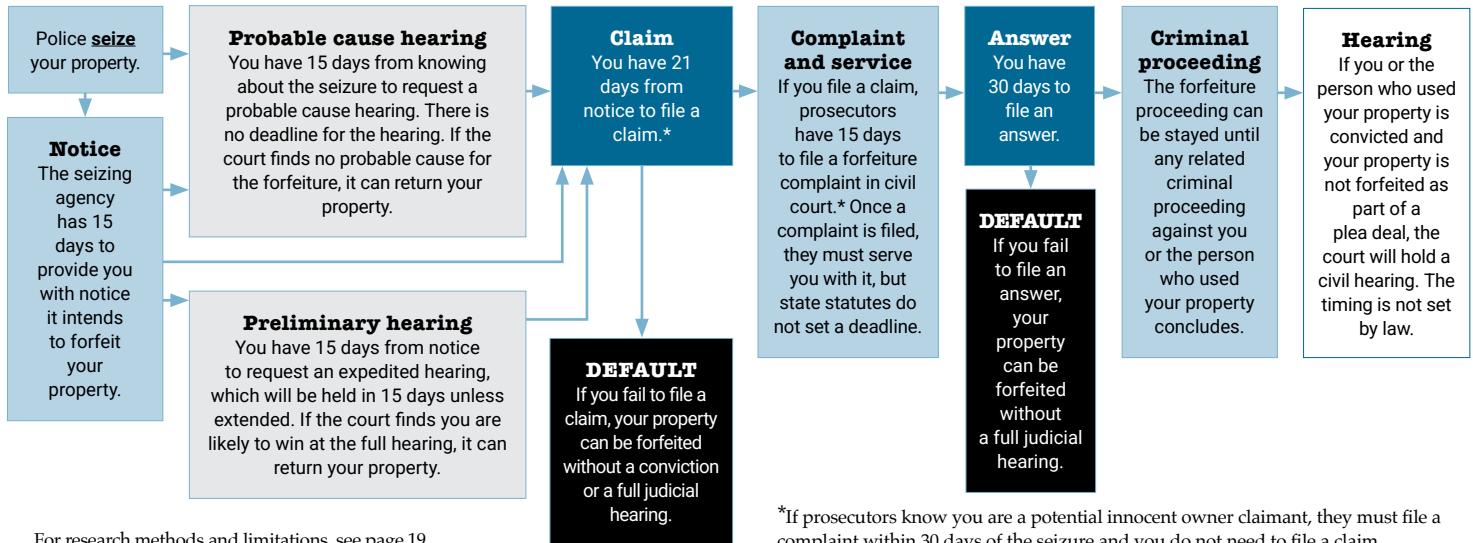
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	B	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Oregon?

Under Oregon law, the government's and owners' deadlines leading to a judicial hearing add up to 81 days, but there are no deadlines for serving the complaint or for the hearing itself and any criminal proceedings may add to the wait. While you wait, the government has your property, but if you act quickly, you can try to get it back by requesting a probable cause hearing or a preliminary hearing.



For research methods and limitations, see page 19.

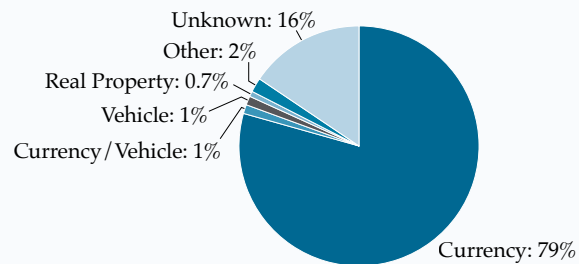
Forfeitures Under Oregon Law: Key Facts

Median Value



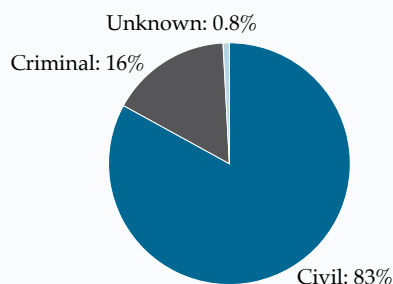
From 2019 to 2023, half of Oregon's currency forfeitures were worth less than \$2,008.

Property Types



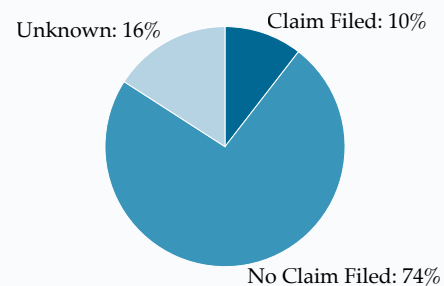
From 2019 to 2023, nearly 80% of Oregon's forfeitures were of currency.

Proceeding Types



From 2019 to 2023, 83% of Oregon's forfeitures were processed under civil, not criminal, forfeiture laws.

Claims



From 2019 to 2023, only 10% of forfeitures were contested via a claim. And vehicle forfeitures were about four times as likely to be contested as currency forfeitures.

Data Notes

Statewide forfeiture records with property-level data were obtained via public records requests to the state Criminal Justice Commission. All figures are in calendar years. Revenues for 2010–2023 represent the value of forfeited currency and property sold or retained in a year. Revenues for earlier years do not include property retained. The CJC reportedly lacked funds to produce reports for 2005–2009. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Pennsylvania earns a D- for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Pennsylvania Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$139,155,391	\$73,063,795	\$13,361,000	\$225,580,186
2011	\$16,115,542	\$8,785,318	\$699,000	\$25,599,860
2012	\$17,077,226	\$10,890,217	\$1,138,000	\$29,105,443
2013	\$17,505,178	\$13,438,173	\$485,000	\$31,428,351
2014	\$20,659,627	\$10,079,052	\$1,494,000	\$32,232,679
2015	\$18,338,856	\$7,815,498	\$3,441,000	\$29,595,354
2016	\$16,986,335	\$10,272,762	\$526,000	\$27,785,097
2017	\$17,043,888	\$5,147,702	\$1,371,000	\$23,562,590
2018	\$16,500,964	\$6,358,805	\$1,456,000	\$24,315,769
2019	\$16,704,697	\$8,134,293	\$1,739,000	\$26,577,990
2020	\$19,340,056	\$5,997,287	\$2,419,000	\$27,756,343
2021	\$13,704,639	\$3,853,585	\$1,063,000	\$18,621,224
2022	\$17,286,467	\$10,005,715	\$4,633,000	\$31,925,182
2023	\$15,239,997	\$14,545,151	\$1,173,000	\$30,958,148
Totals	\$361,658,863	\$188,387,353	\$34,998,000	\$585,044,216

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$585 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since July 2017, Pennsylvania has banned one kind of equitable sharing—adoptions. IJ’s analysis (see page 64) found that, relative to non-reform states, the number of shared assets increased immediately after the reform. However, there was no effect in the long run. From 2018 to 2023, Pennsylvania law enforcement agencies generated more than \$61 million in equitable sharing proceeds. And on average from 2019 to 2023, 167 Pennsylvania agencies, or an estimated 18% of all law enforcement agencies in the state, were certified for the program.

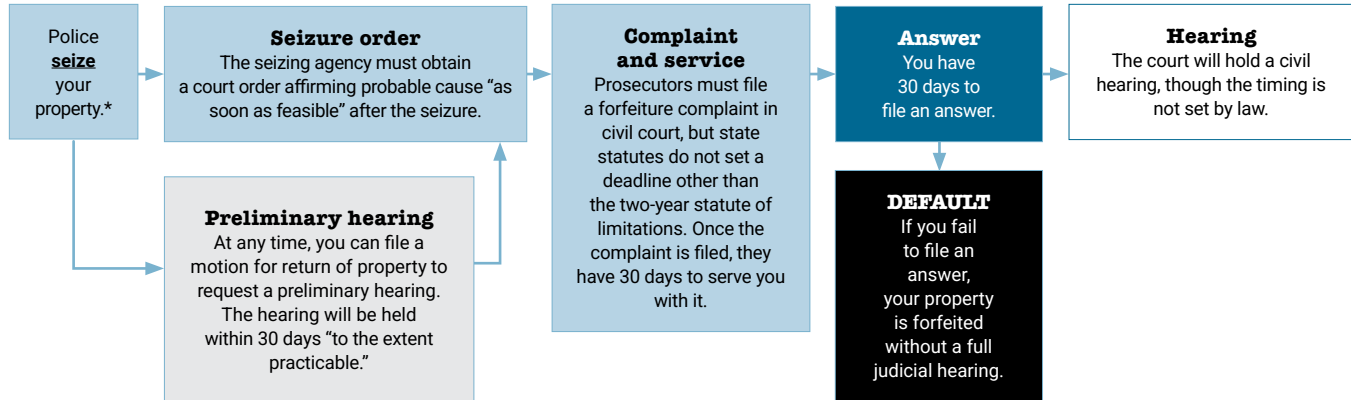
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	D
Accounting for Forfeiture Fund Spending	B	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	A

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Pennsylvania?

Under Pennsylvania law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 60 days, but the wait may be longer as deadlines are not specified for obtaining the seizure order, filing the complaint, or the hearing itself. While you wait, the government has your property, but you can try to get it back by requesting a preliminary hearing or filing a petition for hardship.



For research methods and limitations, see page 19.

*At any time, you can file a petition seeking temporary return of your property for hardship.

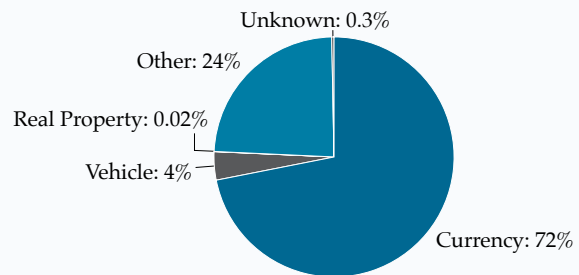
Forfeitures Under Pennsylvania Law: Key Facts

Median Value



From 2019 to 2023, half of Pennsylvania's currency forfeitures were less than \$675.

Property Types



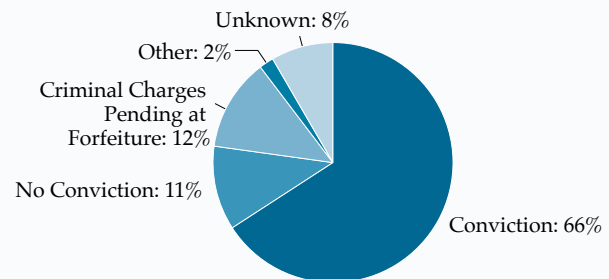
From 2019 to 2023, more than two-thirds of Pennsylvania's forfeitures were of currency.

Proceeding Types

UNKNOWN

Pennsylvania does not report whether forfeitures are processed under civil or criminal forfeiture law.

Convictions



From 2019 to 2023, nearly one-third of Pennsylvania's forfeitures occurred without a reported criminal conviction.

Data Notes

Statewide forfeiture reports with agency-by-agency, property-level data were obtained via public records requests to the state attorney general. Revenues for 2018–2023 represent the value of currency forfeited, and the estimated or sales value of property forfeited, in a fiscal year. Revenues for earlier years do not include the value of property retained or destroyed but otherwise use a similar methodology. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. See Appendix C, available online at [ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/](https://www.ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/), for details of the equitable sharing reform analysis. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Rhode Island earns a **D-** for its civil forfeiture laws

- Low bar to forfeit: Once the government seizes property, the owner must prove by preponderance of the evidence that it is not connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 90% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Rhode Island Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$18,757,006	\$11,501,163	\$956,000	\$31,214,169
2011	\$1,323,918	\$4,387,537	\$0	\$5,711,455
2012	\$2,014,971	\$923,224	\$89,000	\$3,027,195
2013	\$1,249,259	\$86,689,838	\$132,000	\$88,071,097
2014	\$1,329,324	\$17,026,355	\$27,000	\$18,382,679
2015	\$1,709,221	\$9,142,696	\$36,000	\$10,887,917
2016	\$979,961	\$29,296,175	\$67,000	\$30,343,136
2017	\$1,297,226	\$23,493,801	\$43,000	\$24,834,027
2018	\$2,280,313	\$52,242,796	\$39,000	\$54,562,109
2019	\$1,601,081	\$4,813,276	\$58,000	\$6,472,357
2020	\$2,737,601	\$11,551,133	\$214,000	\$14,502,734
2021	\$2,536,921	\$447,383	\$57,000	\$3,041,304
2022	\$2,420,076	\$6,643,660	\$100,000	\$9,163,736
2023	\$2,712,927	\$815,721	\$69,000	\$3,597,648
Totals	\$42,949,805	\$258,974,758	\$1,887,000	\$303,811,563

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$303 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Rhode Island does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Rhode Island agencies have generated nearly \$261 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 37 Rhode Island agencies, or an estimated 79% of all law enforcement agencies in the state, were certified for the program.

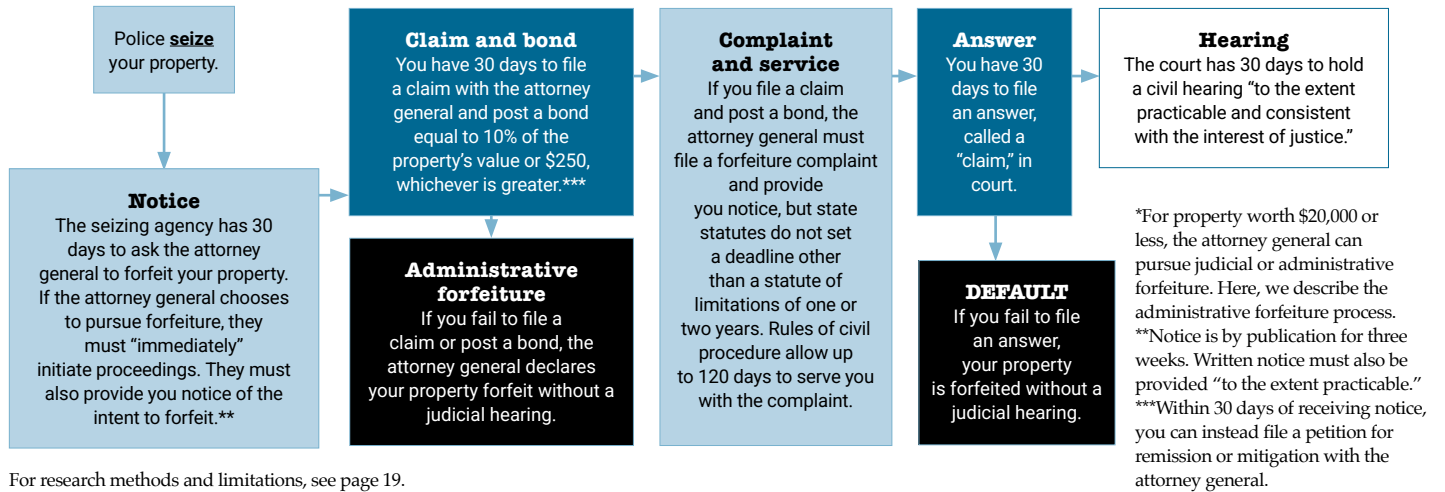
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	D	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Rhode Island?*

Under Rhode Island law, the government's, owners', and court deadlines leading to a judicial hearing add up to 240 days, but the wait may be longer as the deadline for filing the complaint is not specified and the deadline for the hearing can be extended. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

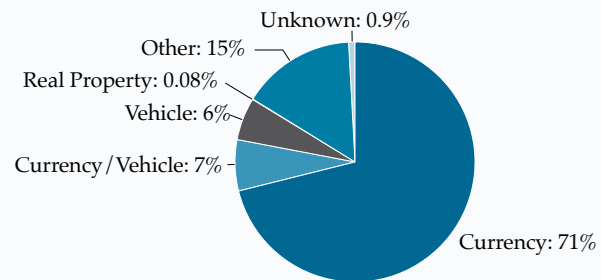
Forfeitures Under Rhode Island Law: Key Facts

Median Value



From 2019 to 2023, half of Rhode Island's currency forfeitures were worth less than \$2,000.

Property Types



From 2019 to 2023, more than 70% of Rhode Island's forfeitures were of currency.

Proceeding Types

UNKNOWN

Rhode Island does not report whether forfeitures are processed under civil or criminal forfeiture law.

Median Time to Forfeiture



From 2019 to 2023, half of Rhode Island's forfeitures took more than seven months, while a quarter took over 14 months.

Data Notes

Statewide forfeiture reports with property-level data for 2019–2023 were obtained via public records request from the state treasurer. Data for earlier years were obtained via public records requests to the state attorney general. Revenues represent the value of currency and property forfeited in a calendar year. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

South Carolina earns a **D-** for its civil forfeiture laws

- Low bar to forfeit: Once the government seizes property, the owner must prove by preponderance of the evidence that it is not connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 95% of forfeiture proceeds go to law enforcement (75% to police and 20% to prosecutors).

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	South Carolina Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$38,546,184	\$39,721,928	\$11,658,000	\$89,926,112
2011	\$10,283,445	\$6,414,020	\$397,000	\$17,094,465
2012	\$5,575,337	\$4,676,816	\$3,618,000	\$13,870,153
2013	\$8,589,587	\$5,198,224	\$2,457,000	\$16,244,811
2014	\$6,525,077	\$4,456,240	\$3,322,000	\$14,303,317
2015	\$10,233,492	\$4,280,780	\$1,413,000	\$15,927,272
2016	\$7,473,777	\$1,920,772	\$4,910,000	\$14,304,549
2017	\$5,665,498	\$1,195,492	\$1,320,000	\$8,180,990
2018	\$4,058,329	\$3,964,619	\$383,000	\$8,405,948
2019	\$2,945,550	\$1,504,895	\$364,000	\$4,814,445
2020	\$2,535,552	\$3,112,409	\$1,159,000	\$6,806,961
2021	\$3,696,701	\$1,513,114	\$1,509,000	\$6,718,815
2022	\$2,504,105	\$3,237,594	\$796,000	\$6,537,699
2023	\$3,009,191	\$3,095,792	\$1,927,000	\$8,031,983
Totals	\$111,641,825	\$84,292,695	\$35,233,000	\$231,167,520

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$231 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

South Carolina does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, South Carolina agencies have generated nearly \$120 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 99 South Carolina agencies, or an estimated 40% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

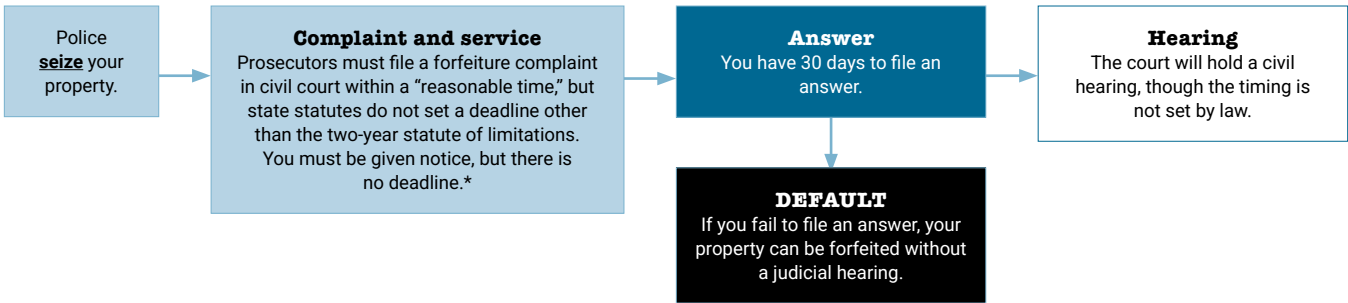
Tracking Seized Property	D	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	Inc.†
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	C	Financial Audits of Forfeiture Accounts	A

†No reporting requirements to enforce.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in South Carolina?

South Carolina law requires only that prosecutors institute forfeiture proceedings within a “reasonable time.” Owners must file an answer within 30 days, but all other deadlines are unspecified. However, if prosecutors fail to institute forfeiture proceedings, innocent owners can do so themselves to get the process going. While you wait, the government has your property, and you have no other way to seek its return.



For research methods and limitations, see page 19.

*Innocent owners can institute forfeiture proceedings by applying for the return of seized property and providing notice to the government and any others with an interest in the property.

Forfeitures Under South Carolina Law: Key Facts

Median Value UNKNOWN South Carolina does not report property-level data necessary to calculate median forfeiture value.	Property Types UNKNOWN South Carolina does not report the types of property forfeited.
Proceeding Types UNKNOWN South Carolina does not report whether forfeitures are processed under civil or criminal forfeiture law.	Additional Findings UNKNOWN Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Reports of forfeiture fund deposits to the state general fund were obtained via public records requests to the state treasurer. Revenues are calculated estimates of statewide forfeiture revenues based on fiscal-year deposits to the general fund, which receives, by law, 5% of all forfeiture proceeds. Estimates do not account for property retained or small currency forfeitures, as only currency forfeitures over \$1,000 and proceeds of property sold are required to be deposited into the general fund. Equitable sharing data are from DOJ’s and Treasury’s annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

South Dakota earns a D- for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to the attorney general's drug control fund, from which they are distributed to police for drug enforcement efforts.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2022 (HB 1328): Adopted new transparency requirements.

State and Federal Forfeiture Proceeds, 2000–2023

Year	South Dakota Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$9,927,318	\$699,097	\$2,000	\$10,628,415
2011	\$572,571	\$199,087	\$0	\$771,658
2012	\$2,241,744	\$104,692	\$0	\$2,346,436
2013	\$989,087	\$16,036	\$12,000	\$1,017,123
2014	\$1,689,102	\$561	\$42,000	\$1,731,663
2015	\$1,242,271	\$166,977	\$229,000	\$1,638,248
2016	\$1,300,954	Unavailable	\$80,000	\$1,380,954
2017	\$1,218,987	\$10,077	\$60,000	\$1,289,064
2018	\$1,588,466	Unavailable	\$14,000	\$1,602,466
2019	Unknown	\$2,423	\$49,000	\$51,423
2020	\$909,429	\$2,670	\$19,000	\$931,099
2021	\$821,770	\$6,022	\$26,000	\$853,792
2022	\$817,488	\$27,138	\$0	\$844,626
2023	\$695,553	\$136,375	\$74,000	\$905,928
Totals	\$24,014,740	\$1,371,155	\$607,000	\$25,992,895

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$25 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

South Dakota does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, South Dakota agencies have generated nearly \$2 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, 11 South Dakota agencies, or an estimated 8% of all law enforcement agencies in the state, were certified for the program.

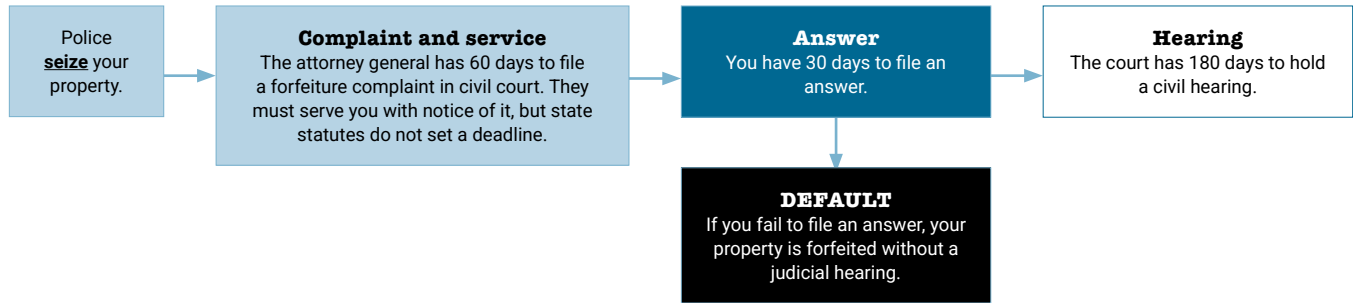
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	B-	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in South Dakota?

Under South Dakota law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 270 days, but the wait may be longer as there is no deadline for providing notice of the complaint. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

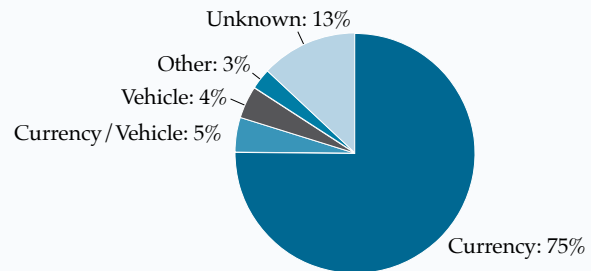
Forfeitures Under South Dakota Law: Key Facts

Median Value



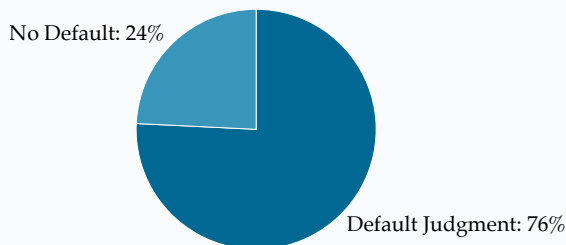
From 2020 to 2023, half of South Dakota's currency forfeitures were worth less than \$1,849.

Property Types



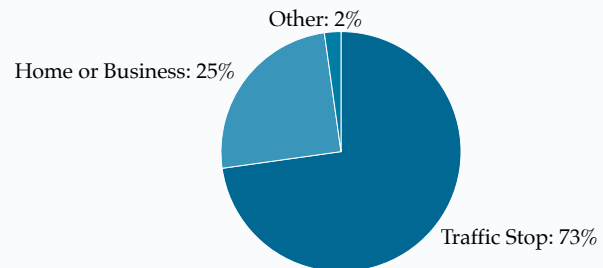
From 2020 to 2023, more than three-quarters of South Dakota's forfeitures were solely of currency.

Default Judgments



From 2020 to 2023, more than three-quarters of South Dakota's seizures were forfeited by default.

Seizure Location



From 2022 to 2023, nearly three-quarters of South Dakota's seizures were initiated via a roadside stop.

Data Notes

Forfeiture case data for 2021–2023 were downloaded from the state attorney general's website, while data for earlier years were obtained via request from the AG. Revenues for 2020–2023 represent the value of property seized in a fiscal year and forfeited by the time of the report. Revenues for 2022–2023 and June 2016 and earlier include all types of property; those for 2020–2021 include only currency; and those for July 2016–2018 include only currency and vehicles. Data for 2019 appear substantially incomplete and therefore are not used for this report. Revenues for 2018 and earlier are based on calendar year. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Tennessee earns a D- for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Limited protections for the innocent: Generally, the government must prove third-party owners knew about criminal activity connected to their property, but owners must prove their own innocence in cases involving vehicles.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2025 (HB 1229/SB 481): Eliminated the cost bond to file a claim.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Tennessee Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$31,809,533	\$55,115,643	\$10,625,000	\$97,550,176
2011	\$11,013,176	\$4,902,412	\$214,000	\$16,129,588
2012	\$13,192,881	\$6,397,198	\$180,000	\$19,770,079
2013	\$12,693,569	\$4,870,108	\$48,000	\$17,611,677
2014	\$12,465,062	\$5,087,224	\$532,000	\$18,084,286
2015	\$15,107,499	\$5,023,423	\$606,000	\$20,736,922
2016	\$17,559,291	\$3,845,404	\$396,000	\$21,800,695
2017	\$17,891,083	\$2,679,554	\$484,000	\$21,054,637
2018	\$15,130,682	\$3,818,646	\$1,002,000	\$19,951,328
2019	\$11,985,121	\$5,067,077	\$121,000	\$17,173,198
2020	\$8,434,639	\$2,784,514	\$1,166,000	\$12,385,153
2021	\$15,784,582	\$1,009,126	\$1,299,000	\$18,092,708
2022	\$14,262,291	\$4,161,888	\$341,000	\$18,765,179
2023	\$12,477,351	\$6,878,954	\$53,000	\$19,409,305
Totals	\$209,806,760	\$111,641,171	\$17,067,000	\$338,514,931

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation.
See www.ij.org/report/policing-for-profit for the full table.

At least
\$338 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Tennessee does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Tennessee agencies have generated nearly \$129 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 106 Tennessee agencies, or an estimated 31% of all law enforcement agencies in the state, were certified for the program.

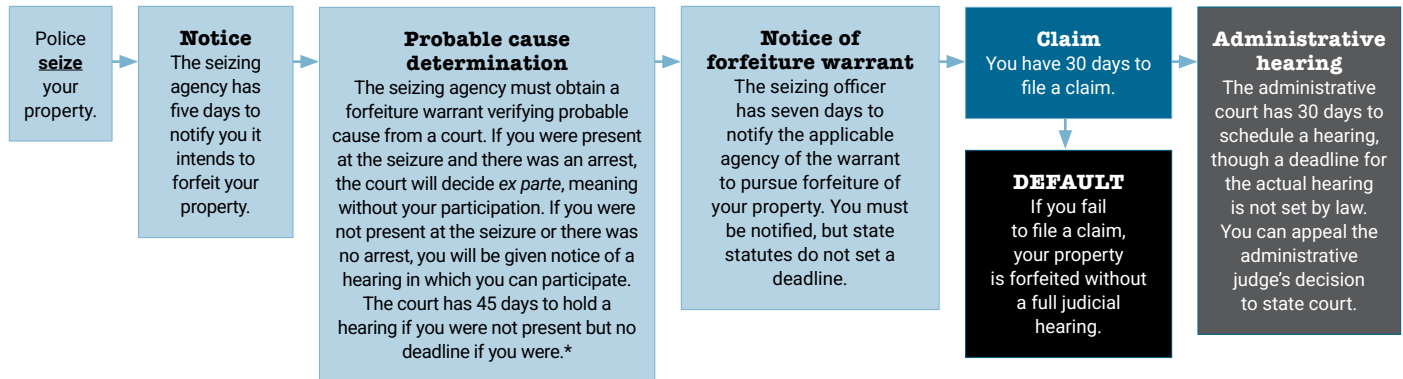
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	C	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	A

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Tennessee?

Under Tennessee law, the seizing agency must obtain a probable cause determination from a court, and under certain circumstances, you can participate in a hearing and win your property back. If the court finds probable cause, owners' claims must then be heard by an administrative judge before they can be appealed to a state court. The deadlines leading to an administrative hearing add up to 72 days, not including the probable cause determination, notice of the forfeiture warrant, or the hearing itself. While you wait, the government has your property, but you can try to get it back while the case continues by posting a bond equal to twice the property's retail value.



For research methods and limitations, see page 19.

*If you fail to appear, the court will determine probable cause *ex parte*.

Forfeitures Under Tennessee Law: Key Facts

Median Value

UNKNOWN

Tennessee does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Tennessee property type data were not used for this report.

Proceeding Types

UNKNOWN

Tennessee does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies effectively report only limited information about currency forfeitures, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports for 2019–2023 were downloaded from the state Department of Safety and Homeland Security's website. Data for earlier years were obtained via public records requests to the DSHS. Revenues represent the value of currency forfeited in a calendar year and do not include the value of other property forfeited, making them underestimates. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Texas earns a D+ for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: Up to 70% of forfeiture proceeds go to law enforcement in cases where property is forfeited by default; up to 100% where forfeiture is contested.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Texas Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$380,797,817	\$266,376,231	\$115,140,000	\$762,314,048
2011	\$50,748,640	\$30,401,129	\$14,518,000	\$95,667,769
2012	\$32,103,359	\$31,520,522	\$35,193,000	\$98,816,881
2013	\$62,926,509	\$34,960,588	\$5,084,000	\$102,971,097
2014	\$50,353,075	\$26,594,306	\$10,199,000	\$87,146,381
2015	\$54,693,932	\$28,681,997	\$17,739,000	\$101,114,929
2016	\$50,693,121	\$18,435,232	\$8,673,000	\$77,801,353
2017	\$49,564,600	\$28,814,312	\$5,517,000	\$83,895,912
2018	\$49,717,176	\$31,590,213	\$9,142,000	\$90,449,389
2019	\$44,879,691	\$18,573,207	\$7,677,000	\$71,129,898
2020	\$41,129,899	\$17,859,067	\$18,348,000	\$77,336,966
2021	\$34,913,254	\$7,418,301	\$8,909,000	\$51,240,555
2022	\$46,110,941	\$20,211,238	\$17,241,000	\$83,563,179
2023	\$39,556,440	\$27,765,554	\$6,317,000	\$73,638,994
Totals	\$988,188,454	\$589,201,897	\$279,697,000	\$1,857,087,351

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$1.8 billion
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Texas does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Texas agencies have generated nearly \$869 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, 465 Texas agencies, or an estimated 26% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

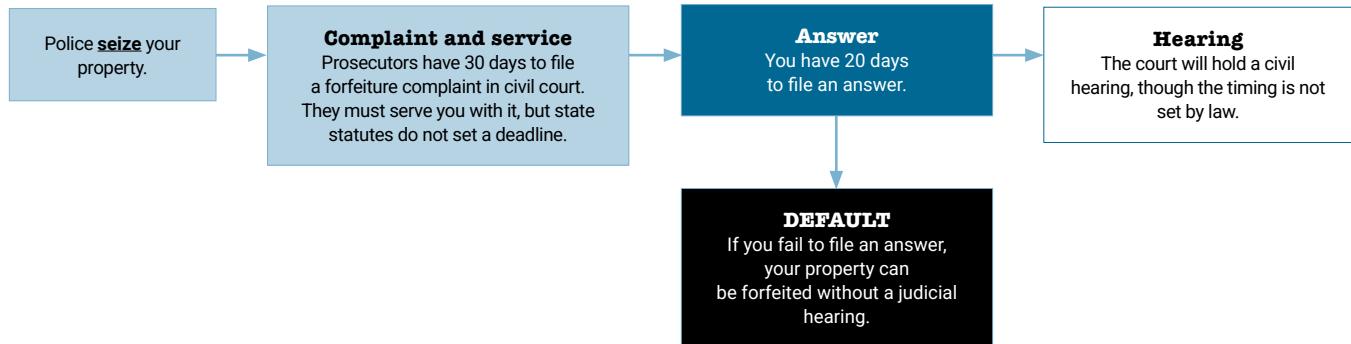
Tracking Seized Property	D	Statewide Forfeiture Reports	D	Penalties for Failure to File a Report	C*
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	A

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Texas?

Under Texas law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 50 days, but the wait may be longer as there are no deadlines for serving the complaint or for the hearing itself. While you wait, the government has your property, but you can try to get it back while the case continues by posting a bond equal to the property's appraised value.



For research methods and limitations, see page 19.

Forfeitures Under Texas Law: Key Facts

Median Value

UNKNOWN

Texas does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Texas property type data were not used for this report.

Proceeding Types

UNKNOWN

Texas does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture data were obtained via public records requests to the state attorney general. Revenues represent proceeds of forfeited currency and property sold that were received by agencies in their respective fiscal years. Revenues prior to 2008 include interest. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Utah earns a D- for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Utah Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$3,084,468	\$7,542,330	\$555,000	\$11,181,798
2011	\$1,580,720	\$938,370	\$934,000	\$3,453,090
2012	\$1,362,787	\$1,850,331	\$88,000	\$3,301,118
2013	\$2,609,386	\$962,471	\$135,000	\$3,706,857
2014	\$2,649,597	\$604,701	\$214,000	\$3,468,298
2015	\$1,555,230	\$462,403	\$73,000	\$2,090,633
2016	\$1,179,036	\$775,049	\$90,000	\$2,044,085
2017	\$2,126,266	\$1,118,850	\$1,101,000	\$4,346,116
2018	\$2,202,812	\$923,541	\$370,000	\$3,496,353
2019	\$1,732,145	\$723,562	\$230,000	\$2,685,707
2020	\$903,463	\$1,294,507	\$22,000	\$2,219,970
2021	\$855,087	\$620,574	\$163,000	\$1,638,661
2022	\$787,971	\$1,070,852	\$166,000	\$2,024,823
2023	\$771,358	\$640,900	\$34,000	\$1,446,258
Totals	\$23,400,326	\$19,528,441	\$4,175,000	\$47,103,767

**At least
\$47 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Utah does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Utah agencies have generated nearly \$24 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 32 Utah agencies, or an estimated 24% of all law enforcement agencies in the state, were certified for the program.

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation.
See www.ij.org/report/policing-for-profit for the full table.

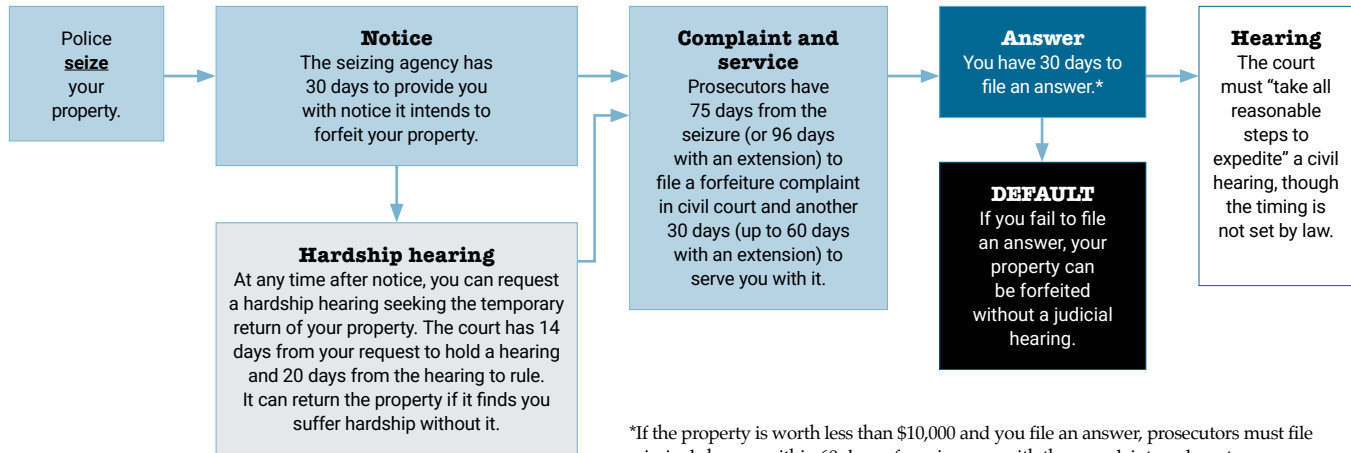
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C+	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	D
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Utah?

Under Utah law, the government's and owners' deadlines leading to a judicial hearing add up to 135 days, but there is no deadline for the hearing itself and possible extensions may add to the wait. While you wait, the government has your property, but you can try to get it back while the case continues by requesting a hardship hearing or by posting a bond equal to the property's fair market value.



*If the property is worth less than \$10,000 and you file an answer, prosecutors must file criminal charges within 60 days of serving you with the complaint or else return your property.

For research methods and limitations, see page 19.

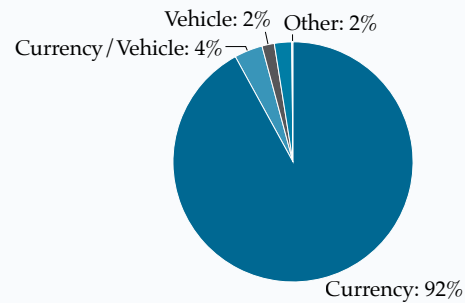
Forfeitures Under Utah Law: Key Facts

Median Value



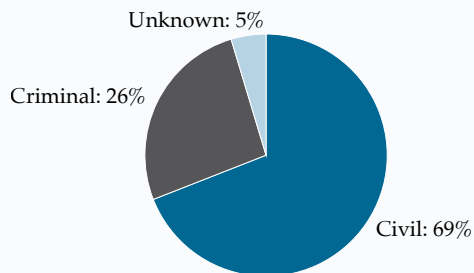
From 2019 to 2023, half of Utah's currency forfeitures were worth less than \$2,020.

Property Types



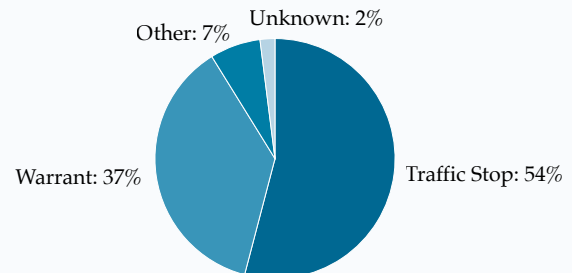
From 2019 to 2023, more than 90% of Utah's forfeitures were of currency.

Proceeding Types



From 2019 to 2023, at least 69% of Utah's forfeitures were processed under civil, not criminal, forfeiture laws.

Seizure Circumstance



From 2019 to 2023, more than half of Utah's forfeitures involved property seized during a roadside stop.

Data Notes

Forfeiture reports with property-level data were obtained via public records requests to the Utah Commission on Criminal and Juvenile Justice. Revenues for 2015–2023 represent the value of forfeited currency and property sold, retained, or destroyed. Revenues for 2006–2014 represent case-level forfeiture proceeds. Figures for 2015–2023 are based on calendar year, while those for earlier years are based on fiscal year. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Vermont earns a C- for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It does not require conviction of the owner, only of “a person,” and it does not apply if the person has agreed to forfeiture to avoid criminal charges. Once the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 45% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2022 (H 533): Created a “Property Seizure and Forfeiture Working Group” to study the state’s seizure and forfeiture processes.
- 2024 (H 878): Required the Department of Public Safety to propose options for improving seizure and forfeiture transparency in the state.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Vermont Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$9,959,933	\$875,000	\$10,834,933
2011	Unknown	\$520,559	\$18,000	\$538,559
2012	Unknown	\$935,429	\$33,000	\$968,429
2013	Unknown	\$1,060,974	\$95,000	\$1,155,974
2014	Unknown	\$525,190	\$148,000	\$673,190
2015	Unknown	\$652,237	\$110,000	\$762,237
2016	Unknown	\$446,981	\$8,000	\$454,981
2017	Unknown	\$273,269	\$7,000	\$280,269
2018	Unknown	\$410,337	\$0	\$410,337
2019	Unknown	\$381,706	\$87,000	\$468,706
2020	Unknown	\$232,690	\$43,000	\$275,690
2021	Unknown	\$351,965	\$9,000	\$360,965
2022	Unknown	\$114,658	\$223,000	\$337,658
2023	Unknown	\$600,343	\$104,000	\$704,343
Totals	Unknown	\$16,466,271	\$1,760,000	\$18,226,271

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$18 million
in federal forfeiture
revenue
2000–2023

Federal Equitable Sharing

Vermont does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Vermont agencies have generated more than \$18 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, 38 Vermont agencies, or an estimated 55% of all law enforcement agencies in the state, were certified for the program.

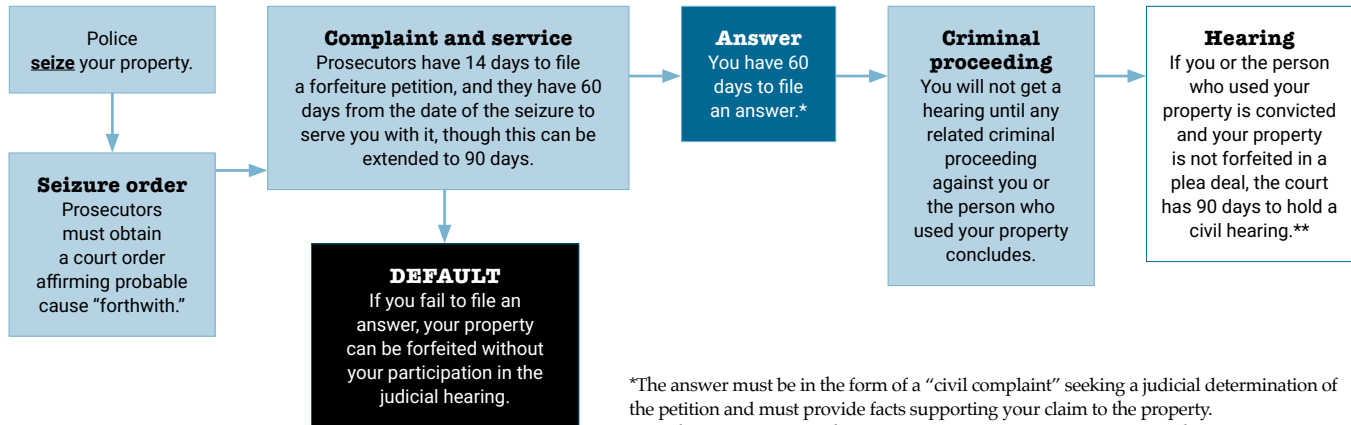
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	A-	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Vermont?

Under Vermont law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 210 days, but there is no deadline for obtaining the seizure order and the deadline for serving the complaint can be extended; any criminal proceedings may also add to the wait. While you wait, the government has your property, and you have no way to seek its return.



*The answer must be in the form of a "civil complaint" seeking a judicial determination of the petition and must provide facts supporting your claim to the property.

**You have 90 days from the entry of a forfeiture judgment to request the return of your property because the forfeiture causes you extreme hardship or because you are an innocent owner. The court has 90 days to rule on your petition.

For research methods and limitations, see page 19.

Forfeitures Under Vermont Law: Key Facts

Median Value

UNKNOWN

Vermont does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Vermont does not report the types of property forfeited.

Proceeding Types

UNKNOWN

Vermont does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Records obtained from the state treasurer were sparse and unusable. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Virginia earns a D- for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It applies only if an owner contests forfeiture, putting the burden on owners to engage in a costly legal battle and making it easy for the government to forfeit without a conviction. It does not require conviction of the owner. Once the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement (90% to the seizing agencies and 10% to the Department of Criminal Justice Services).

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Virginia Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$2,595,026	\$94,729,301	\$27,693,000	\$125,017,327
2011	\$4,286,739	\$6,331,350	\$994,000	\$11,612,089
2012	\$5,220,238	\$7,326,146	\$628,000	\$13,174,384
2013	\$3,406,260	\$4,382,422	\$45,838,000	\$53,626,682
2014	\$1,250,508	\$6,641,267	\$61,423,000	\$69,314,775
2015	\$362,106	\$6,220,610	\$6,554,000	\$13,136,716
2016	\$5,200,413	\$6,721,850	\$1,558,000	\$13,480,263
2017	\$5,424,209	\$3,093,166	\$7,061,000	\$15,578,375
2018	\$5,767,414	\$4,274,757	\$306,000	\$10,348,171
2019	\$5,769,820	\$3,981,830	\$75,000	\$9,826,650
2020	\$5,786,040	\$7,777,795	\$836,000	\$14,399,835
2021	\$6,008,999	\$2,307,289	\$142,000	\$8,458,288
2022	\$6,335,160	\$2,030,429	\$1,734,000	\$10,099,589
2023	\$4,983,612	\$62,631,795	\$1,068,000	\$68,683,407
Totals	\$62,396,544	\$218,450,007	\$155,910,000	\$436,756,551

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

**At least
\$436 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Virginia does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Virginia agencies have generated more than \$374 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 188 Virginia agencies, or an estimated 58% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

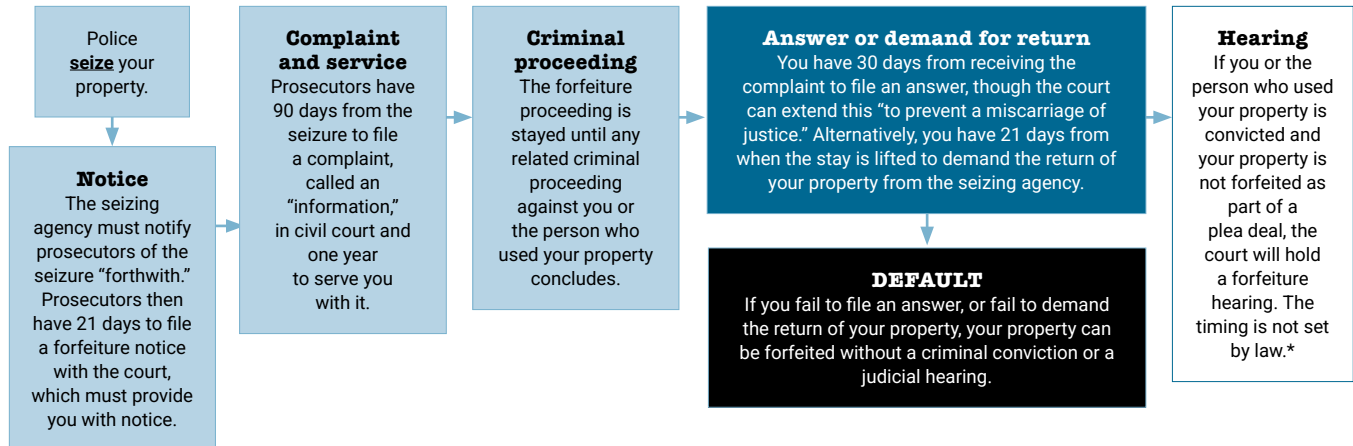
Tracking Seized Property	B-	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	F⁺
Accounting for Forfeiture Fund Spending	C	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	C

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Virginia?

Under Virginia law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 485 days, but there is no deadline for the hearing itself and any criminal proceedings may add to the wait. While you wait, the government has your property, but you can try to get it back while the case continues by posting a bond equal to the property's fair cash value.



For research methods and limitations, see page 19.

*You have 21 days from the entry of a forfeiture judgment to file a remission petition with the Department of Criminal Justice Services.

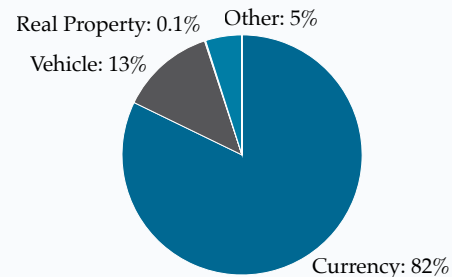
Forfeitures Under Virginia Law: Key Facts

Median Value

UNKNOWN

Virginia does not require reporting on forfeitures worth less than \$500. Therefore, median currency forfeiture cannot be calculated.

Property Types



From 2019 to 2023, more than 80% of Virginia's forfeitures were of currency.

Median Time to Return

9 months

From 2019 to 2023, when owners got their property back in Virginia, it typically took about nine months, though a quarter of returns took at least 16 months.

Outcome by Property Type



From 2019 to 2023, seized currency was substantially more likely to be forfeited than seized vehicles.

Data Notes

Statewide, property-level forfeiture data for 2020–2023 were obtained via public records requests to the Virginia Department of Criminal Justice Services. Data for earlier years were obtained from the DCJS via public records requests and download from its website. Revenues for 2020–2023 represent the value of forfeited currency and property disposed of in a fiscal year. Agencies are not required to report forfeitures worth less than \$500. Additionally, revenues for 2023 may be incomplete due to reporting lag. Therefore, revenues for 2020–2023 are likely underestimates. Revenues for 2016–2019 represent forfeiture proceeds received in a fiscal year, while those for earlier years are conservative estimates of forfeiture proceeds and are based on the fiscal year in which assets were reported seized or forfeited. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Washington earns a **D+** for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear, cogent, and convincing evidence that property is connected to a crime, a standard akin to clear and convincing evidence.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- Large profit incentive: 90% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- 2025 (HB 1440): Raised standard of proof; shifted burden of proof from innocent owners to government; extended owners' deadline to file a claim from 45 days to 60 days.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Washington Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$81,482,989	\$27,219,084	\$20,409,000	\$129,111,073
2011	\$10,688,738	\$2,299,774	\$997,000	\$13,985,512
2012	\$9,862,644	\$3,273,967	\$1,340,000	\$14,476,611
2013	\$6,354,510	\$6,531,452	\$2,871,000	\$15,756,962
2014	\$7,669,660	\$2,057,427	\$367,000	\$10,094,087
2015	\$1,165,640	\$3,765,576	\$1,338,000	\$6,269,216
2016	\$9,428,740	\$3,577,460	\$1,910,000	\$14,916,200
2017	\$9,269,500	\$2,279,115	\$366,000	\$11,914,615
2018	\$8,957,360	\$3,009,143	\$445,000	\$12,411,503
2019	\$11,821,271	\$3,078,978	\$102,000	\$15,002,249
2020	\$12,018,212	\$7,595,582	\$1,062,000	\$20,675,794
2021	\$11,403,934	\$1,692,689	\$158,000	\$13,254,623
2022	\$6,923,604	\$924,199	\$1,823,000	\$9,670,803
2023	\$10,219,352	\$2,939,866	\$2,386,000	\$15,545,218
Totals	\$197,266,154	\$70,244,312	\$35,574,000	\$303,084,466

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$303 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Washington does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Washington agencies have generated nearly \$106 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 84 Washington agencies, or an estimated 35% of all law enforcement agencies in the state, were certified for the program.

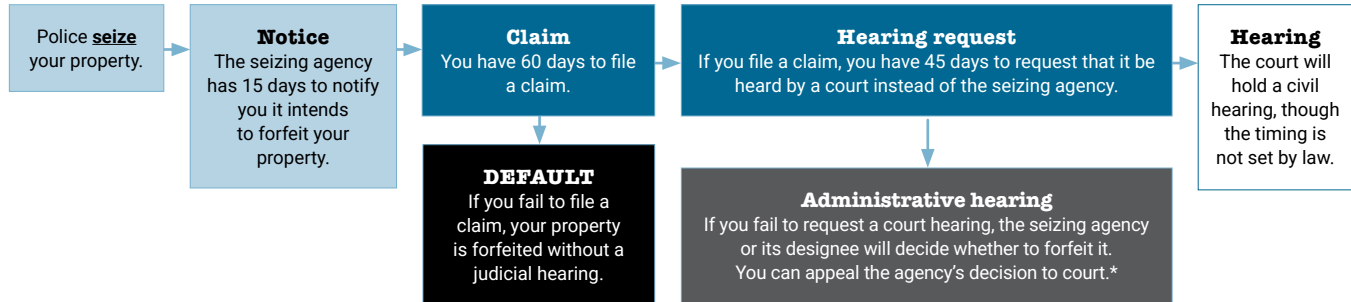
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C-	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	F	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Washington?

Under Washington law, the government's and owners' deadlines leading to a judicial hearing add up to 120 days, but the wait may be longer as there is no deadline for the hearing itself. In addition, you must specifically request a court hearing; otherwise, the forfeiture will be decided by the agency that seized your property or its designee. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

*If the seizing agency is a state agency rather than a local one, an administrative law judge can be appointed to hear your claim.

Forfeitures Under Washington Law: Key Facts

Median Value

UNKNOWN

Washington does not report property-level data necessary to calculate median forfeiture value.

Property Types

UNKNOWN

Washington does not report the types of property forfeited.

Proceeding Types

UNKNOWN

Washington does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies do not provide detailed data on seized or forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Statewide forfeiture reports were obtained via public records requests to the state treasurer. Revenues are calculated estimates of statewide forfeiture revenues based on calendar-year deposits to the state general fund, which receives, by law, 10% of all forfeiture proceeds. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

West Virginia earns a **D-** for its civil forfeiture laws

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

- 2020 (HB 4717): Strengthened transparency requirements.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	West Virginia Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$52,143,786	\$1,110,000	\$53,253,786
2011	Unknown	\$1,527,381	\$43,000	\$1,570,381
2012	Unknown	\$979,191	\$0	\$979,191
2013	Unknown	\$1,238,092	\$1,336,000	\$2,574,092
2014	Unknown	\$2,106,802	\$673,000	\$2,779,802
2015	Unknown	\$552,215	\$527,000	\$1,079,215
2016	Unknown	\$901,619	\$184,000	\$1,085,619
2017	Unknown	\$2,754,108	\$1,441,000	\$4,195,108
2018	Unknown	\$1,691,427	\$372,000	\$2,063,427
2019	Unknown	\$682,273	\$0	\$682,273
2020	\$97,711	\$475,947	\$14,000	\$587,658
2021	\$694,284	\$1,048,973	\$8,000	\$1,751,257
2022	\$890,694	\$714,240	\$178,000	\$1,782,934
2023	\$177,655	\$13,749,544	\$15,000	\$13,942,199
Totals	\$1,860,344	\$80,565,598	\$5,901,000	\$88,326,942

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$88 million in state and federal forfeiture revenue 2000–2023

Federal Equitable Sharing

West Virginia does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, West Virginia agencies have generated more than \$86 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, 61 West Virginia agencies, or an estimated 31% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

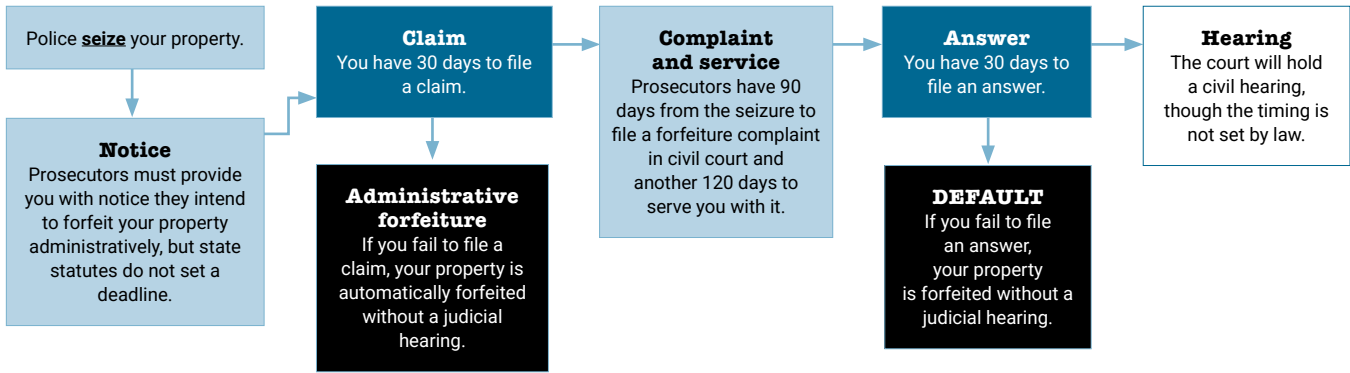
Tracking Seized Property	C	Statewide Forfeiture Reports	A	Penalties for Failure to File a Report	D*
Accounting for Forfeiture Fund Spending	B	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	C

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in West Virginia?*

Under West Virginia law, prosecutors’ and owners’ deadlines leading to a judicial hearing add up to 240 days, but the wait may be longer as there is no deadline for the hearing itself. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

*The process shown here is for administrative forfeiture, which prosecutors can pursue for cash. For other property, prosecutors must pursue judicial forfeiture.

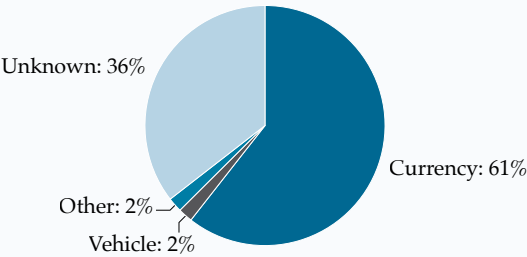
Forfeitures Under West Virginia Law: Key Facts

Median Value



From 2020 to 2023, half of West Virginia’s currency forfeitures were worth less than \$2,328.

Property Types



From 2020 to 2023, at least 61% of West Virginia’s forfeitures were of currency. Property types, however, were not reported for over a third of properties.

Proceeding Types

UNKNOWN

West Virginia does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Most property was still wending its way through the forfeiture process at the time of reporting, resulting in an incomplete picture of forfeiture activity in the state.

Data Notes

Statewide, property-level forfeiture data were downloaded from the state open records portal. Revenues represent the value of property seized in a fiscal year and forfeited by the time of the report. Because final disposition was pending for more than 50% of properties, revenues are likely substantially underestimated. This problem was especially acute for 2023, where over 80% of reported properties were pending. Records for 2020—the first year of statewide reporting—appear incomplete. Data for earlier years reported in the third edition of *Policing for Profit* were incomplete because they were not statewide and are not included here. Equitable sharing data are from DOJ’s and Treasury’s annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Wisconsin earns an **A-** for its civil forfeiture laws

- Higher bar to forfeit in limited cases: Weak conviction provision falls short of criminal forfeiture. It does not require conviction of the owner, only of “a person,” and the court can waive it if the owner does not contest the forfeiture or in other situations, including when the defendant has agreed to help investigators in exchange for immunity. Once the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence.
- Stronger protections for the innocent: The government must prove third-party owners knew about criminal activity connected to their property.
- No profit incentive: All forfeiture proceeds go to fund schools, though agencies can retain up to 50% to pay for forfeiture expenses.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Wisconsin Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	Unknown	\$59,127,426	\$6,128,000	\$65,255,426
2011	Unknown	\$3,843,493	\$89,000	\$3,932,493
2012	Unknown	\$4,208,298	\$319,000	\$4,527,298
2013	Unknown	\$4,231,504	\$121,000	\$4,352,504
2014	Unknown	\$4,594,786	\$74,000	\$4,668,786
2015	Unknown	\$3,563,056	\$207,000	\$3,770,056
2016	Unknown	\$1,217,702	\$655,000	\$1,872,702
2017	Unknown	\$3,253,477	\$78,000	\$3,331,477
2018	\$25,789	\$3,128,744	\$22,000	\$3,176,533
2019	\$402,028	\$2,076,984	\$162,000	\$2,641,012
2020	\$1,149,468	\$1,924,047	\$66,000	\$3,139,515
2021	\$1,358,981	\$1,208,301	\$8,000	\$2,575,282
2022	\$4,163,968	\$4,052,054	\$16,000	\$8,232,022
2023	\$845,147	\$5,111,491	\$0	\$5,956,638
Totals	\$7,945,381	\$101,541,363	\$7,945,000	\$117,431,744

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

**At least
\$117 million**
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Since April 2018, Wisconsin has allowed state and local agencies to accept equitable sharing proceeds only if there is an associated criminal conviction, subject to exceptions. IJ’s analysis (see page 64) found that, relative to non-reform states, the reform had no immediate effect. However, the number of shared assets increased in the long run. From 2019 to 2023, Wisconsin law enforcement agencies generated nearly \$15 million in equitable sharing proceeds. And on average from 2019 to 2023, 162 Wisconsin agencies, or an estimated 33% of all law enforcement agencies in the state, were certified for the program.

Forfeiture Transparency and Accountability Report Card

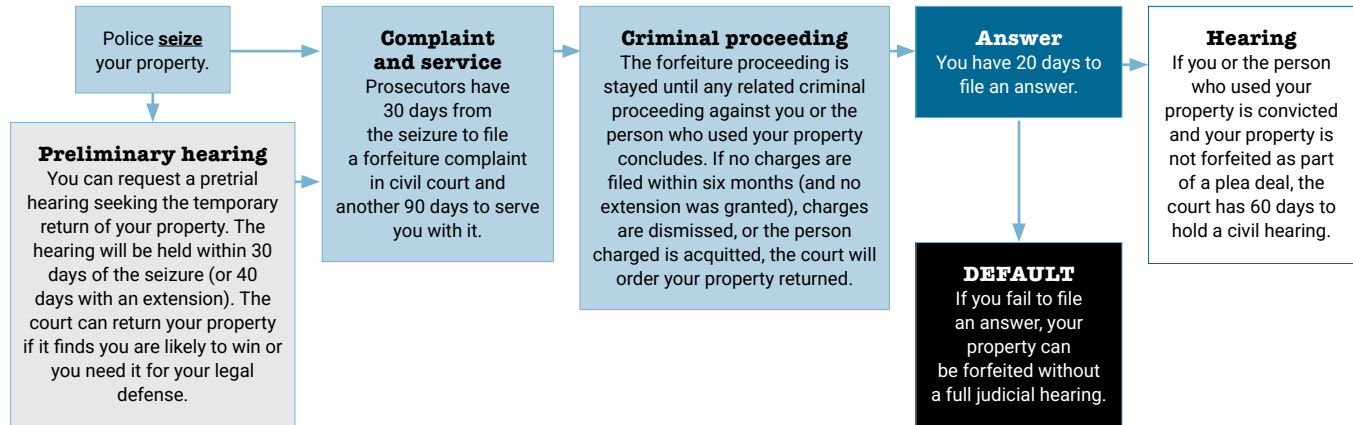
Tracking Seized Property	D-	Statewide Forfeiture Reports	F	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	A†	Accessibility of Forfeiture Records	B	Financial Audits of Forfeiture Accounts	F†

†Wisconsin law allows agencies to retain up to 50% of forfeiture proceeds to pay for forfeiture expenses. Agencies are required to report on this spending, but the state does not require audits of agency forfeiture funds.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Wisconsin?

Under Wisconsin law, prosecutors', owners', and court deadlines leading to a judicial hearing add up to 200 days, but any criminal proceedings may add to the wait. While you wait, the government has your property, but you can try to get it back while the case continues by requesting a preliminary hearing.



For research methods and limitations, see page 19.

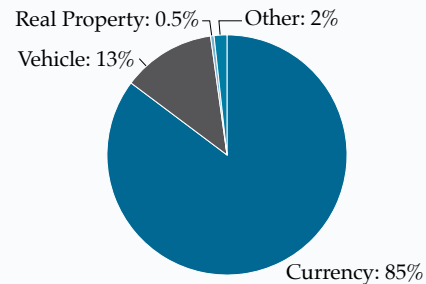
Forfeitures Under Wisconsin Law: Key Facts

Median Value

\$2,946

From 2019 to 2023, half of Wisconsin's currency forfeitures were worth less than \$2,946.

Property Types



From 2019 to 2023, more than 85% of Wisconsin's forfeitures were of currency.

Proceeding Types

UNKNOWN

Wisconsin does not report whether forfeitures are processed under civil or criminal forfeiture law.

Additional Findings

UNKNOWN

Agencies are required to report on their forfeitures only if they want to claim associated expenses and receive a share of proceeds. They often fail to report the full value of forfeited property, resulting in limited transparency into forfeiture activity in the state.

Data Notes

Agency forfeiture reports with property-level data were downloaded from the state Department of Administration's website. All figures are in calendar years. Revenues represent the value of currency forfeited and proceeds of forfeited property sold in a year. Revenues may not reflect all forfeitures as agencies are required to report forfeitures only if they wish to receive proceeds. Additionally, revenues for 2023 may be incomplete, as agencies frequently report late. Therefore, revenues reported are likely underestimates. Only a few agencies filed reports for 2018, the first year statewide reporting was required. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. See Appendix C, available online at [ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/](https://www.ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/), for details of the equitable sharing reform analysis. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

Wyoming earns a D- for its civil forfeiture laws

- Somewhat higher bar to forfeit: Prosecutors must provide clear and convincing evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: Up to 100% of forfeiture proceeds go to law enforcement.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next page.

Recent Reforms

- None.

State and Federal Forfeiture Proceeds, 2000–2023

Year	Wyoming Forfeiture Revenues	Dept. of Justice Equitable Sharing Proceeds	Treasury Equitable Sharing Proceeds	Total
2000-2010	\$4,878,853	\$1,051,735	\$572,000	\$6,502,588
2011	\$429,004	\$250,286	\$68,000	\$747,290
2012	\$296,879	\$47,619	\$0	\$344,498
2013	\$393,048	\$38,653	\$12,000	\$443,701
2014	\$301,392	\$28,429	\$10,000	\$339,821
2015	\$360,852	\$46,657	\$0	\$407,509
2016	\$902,866	\$150,044	\$48,000	\$1,100,910
2017	\$1,157,090	\$68,302	\$0	\$1,225,392
2018	\$147,522	\$36,097	\$194,000	\$377,619
2019	\$836,041	\$55,612	\$153,000	\$1,044,653
2020	\$473,106	\$105,726	\$38,000	\$616,832
2021	\$588,455	\$33,090	\$16,000	\$637,545
2022	\$492,461	\$33,604	\$57,000	\$583,065
2023	\$252,744	\$48,899	\$38,000	\$339,643
Totals	\$11,510,313	\$1,994,753	\$1,206,000	\$14,711,066

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least
\$14 million
in state and federal
forfeiture revenue
2000–2023

Federal Equitable Sharing

Wyoming does not prevent state and local law enforcement agencies from using the federal equitable sharing program to circumvent state forfeiture law. Since 2000, Wyoming agencies have generated more than \$3.2 million in equitable sharing proceeds from the departments of Justice and the Treasury. And on average from 2019 to 2023, more than 17 Wyoming agencies, or an estimated 24% of all law enforcement agencies in the state, were certified for the program.

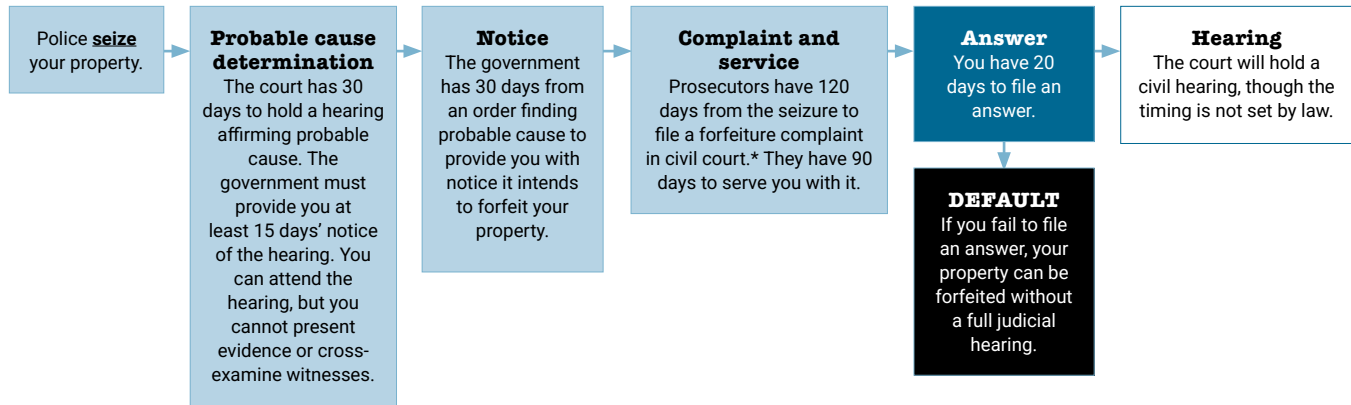
Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	C	Statewide Forfeiture Reports	B	Penalties for Failure to File a Report	F
Accounting for Forfeiture Fund Spending	A	Accessibility of Forfeiture Records	D	Financial Audits of Forfeiture Accounts	F

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized in Wyoming?

Under Wyoming law, prosecutors' and owners' deadlines leading to a judicial hearing add up to 230 days, but the wait may be longer as there is no deadline for the hearing itself. While you wait, the government has your property, and you have no way to seek its return.



For research methods and limitations, see page 19.

*If there are related criminal proceedings, prosecutors have 30 days from their conclusion to file a complaint.

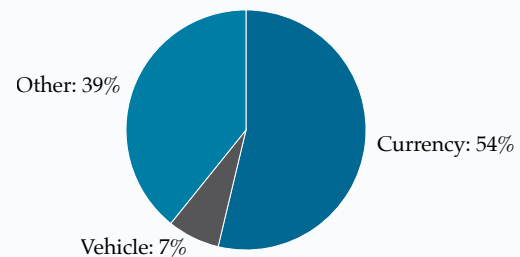
Forfeitures Under Wyoming Law: Key Facts

Median Value



From 2019 to 2023, half of Wyoming's currency forfeitures were less than \$2,573.

Property Types



From 2019 to 2023, more than half of Wyoming's forfeitures were of currency.

Proceeding Types

UNKNOWN

Wyoming does not report whether forfeitures are processed under civil or criminal forfeiture law.

Median Time to Return



From 2019 to 2023, when owners got their property back in Wyoming, it typically took almost eight months, though one-quarter of returns took at least 11 months.

Data Notes

Statewide forfeiture reports with property-level data were obtained via public records requests to the state attorney general. Revenues for 2019–2023 represent the value of forfeited currency and property based on the calendar year in which the forfeiture case was initiated. Revenues for earlier years may not include forfeited property that was retained rather than sold but otherwise use the same methodology. Equitable sharing data are from DOJ's and Treasury's annual forfeiture reports. Due to differences in reporting and accounting practices, figures may not match aggregate numbers produced by the state or cover the same 12-month period as the federal data. The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies.

The Federal Government earns a **D-** for its civil forfeiture laws.

- Low bar to forfeit: Prosecutors must prove by preponderance of the evidence that property is connected to a crime.
- Poor protections for the innocent: Third-party owners must prove their own innocence to recover seized property.
- Large profit incentive: 100% of forfeiture proceeds go to law enforcement.

Recent Reforms

- None.

Note: Prosecutors need only meet their standard of proof—and owners can only prove their innocence—if owners make it to a judicial hearing. See next pages.

Deposits to Federal Forfeiture Funds, 2000-2023

Year	Assets Forfeiture Fund Deposits	Treasury Forfeiture Fund Deposits	Total
2000-2010	\$9,839,598,000	\$3,544,911,000	\$13,384,509,000
2011	\$1,737,965,000	\$817,154,000	\$2,555,119,000
2012	\$4,314,710,000	\$397,002,000	\$4,711,712,000
2013	\$2,012,249,000	\$1,612,361,000	\$3,624,610,000
2014	\$4,467,127,000	\$736,531,000	\$5,203,658,000
2015	\$1,622,651,000	\$4,595,733,000	\$6,218,384,000
2016	\$1,886,918,000	\$773,314,000	\$2,660,232,000
2017	\$1,586,422,000	\$458,606,000	\$2,045,028,000
2018	\$1,276,170,000	\$1,188,465,000	\$2,464,635,000
2019	\$2,070,452,000	\$802,066,000	\$2,872,518,000
2020	\$1,693,660,000	\$474,542,000	\$2,168,202,000
2021	\$1,420,815,000	\$770,423,000	\$2,191,238,000
2022	\$1,749,488,000	\$1,097,555,000	\$2,847,043,000
2023	\$3,184,871,000	\$1,310,599,000	\$4,495,470,000
Totals	\$38,863,096,000	\$18,579,262,000	\$57,442,358,000

All revenue figures include both civil and criminal forfeitures. Revenues are not adjusted for inflation. See www.ij.org/report/policing-for-profit for the full table.

At least \$57.4 billion in forfeiture revenue 2000–2023

Federal Equitable Sharing

Since 2000, the federal government has distributed more than \$10.3 billion in equitable sharing proceeds to state and local law enforcement agencies nationwide, about \$8 billion from the Department of Justice and \$2.3 billion from the Department of the Treasury. On average from 2019 to 2023, an estimated 5,426 state and local law enforcement agencies, or nearly a third of all such agencies in the country, were certified to participate in equitable sharing. Data from the DOJ indicate it nearly always grants agencies' requests for proceeds—and usually gives them the full amount they ask for. (Treasury data are not available.)

DOJ Forfeiture Transparency and Accountability Report Card

Tracking Seized Property	A-	Aggregate Forfeiture Reports	A	Penalties for Failure to File a Report	F*
Accounting for Forfeiture Fund Spending	C	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	A

*Agencies must file even when they have nothing to report.

Treasury Forfeiture Transparency and Accountability Report Card

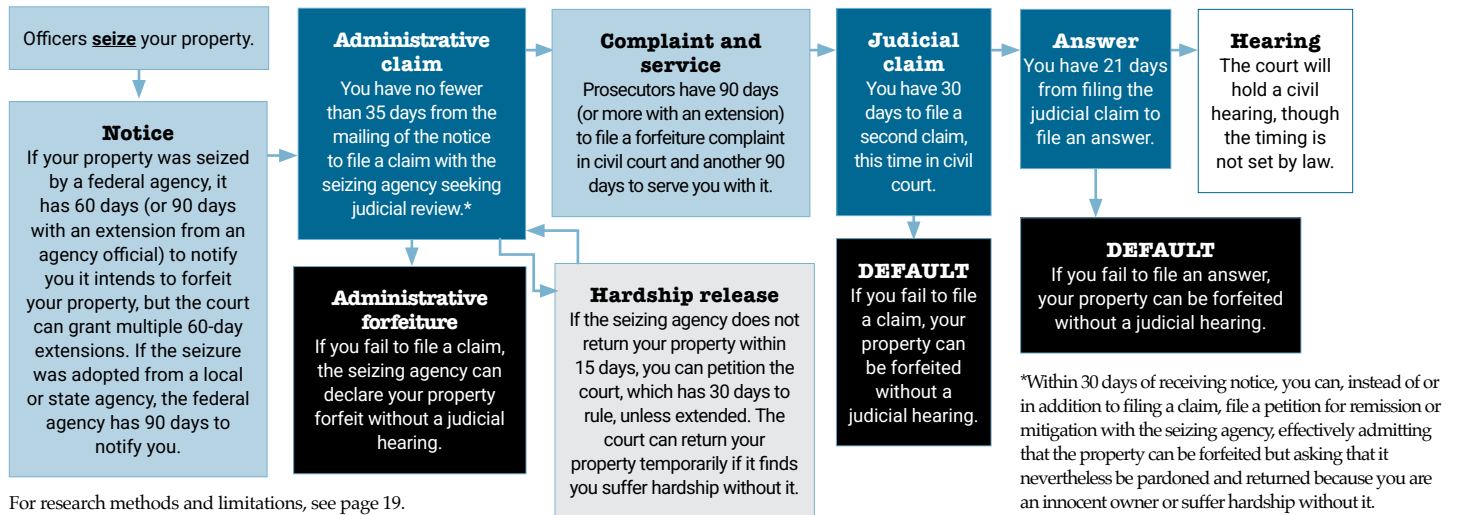
Tracking Seized Property	C	Aggregate Forfeiture Reports	B	Penalties for Failure to File a Report	F*
Accounting for Forfeiture Fund Spending	C	Accessibility of Forfeiture Records	A	Financial Audits of Forfeiture Accounts	A

*Agencies must file even when they have nothing to report.

For full transparency and accountability grades, visit www.ij.org/TransparencyReportCards.

What happens after personal property is seized by the federal government under CAFRA?

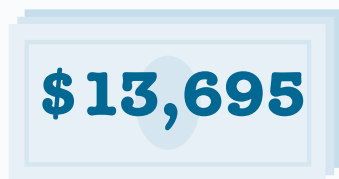
Under CAFRA, the government's and owners' deadlines leading to a judicial hearing add up to 326 days, but there is no deadline for the hearing itself and possible extensions may add to the wait. While you wait, the government has your property, but you can try to get it back while the case continues by requesting a hardship release. You can also seek a pardon of the property.



For research methods and limitations, see page 19.

Department of Justice Forfeitures: Key Facts

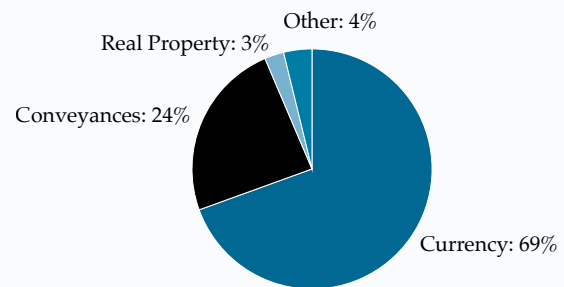
Median Value



From 2019 to 2023, half of DOJ's currency forfeitures were worth less than \$13,695.

Federal policy does not typically permit cash seizures and forfeitures under \$5,000 unless the person from whom the cash was seized is or was being criminally prosecuted.

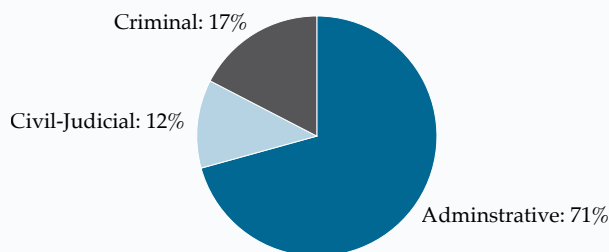
Property Types



From 2000 to 2023, 69% of DOJ's revenue-generating forfeitures were of currency.

Revenue-generating forfeitures exclude properties required to be destroyed, such as guns, ammunition, and contraband.

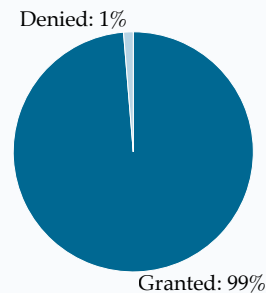
Proceeding Types



From 2000 to 2023, 71% of DOJ's revenue-generating forfeitures were processed administratively.

Revenue-generating forfeitures exclude properties required to be destroyed, such as guns, ammunition, and contraband.

Equitable Sharing Requests Granted



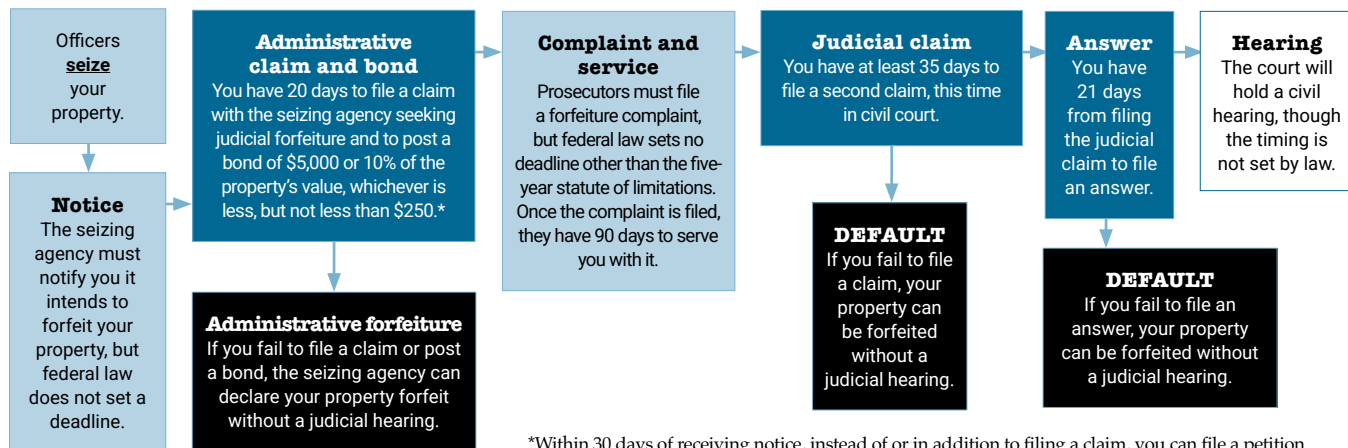
From 2000 to 2023, when funds were available, DOJ granted 99% of state and local agency requests for equitable sharing.

Data Notes

Revenue data are from DOJ's Annual Financial Statements, available on its website. Data represent all forfeiture revenues deposited into DOJ's Assets Forfeiture Fund and include proceeds shared with state and local law enforcement as part of the equitable sharing program. Other figures were calculated using DOJ's Consolidated Asset Tracking System and are presented in calendar years. In recent years, CATS has experienced a lag in data reporting that could have minor and unclear impacts on median, property type, and proceeding type calculations.

What happens after personal property is seized by the federal government for a customs violation?

Under federal law for customs forfeitures, the government's and owners' deadlines leading to a judicial hearing add up to 166 days, but the wait may be longer as deadlines are not specified for providing notice, filing the complaint, or the hearing itself. While you wait, the government has your property, and you can only try to get it back by seeking a pardon of the property.



*Within 30 days of receiving notice, instead of or in addition to filing a claim, you can file a petition for remission or mitigation with the seizing agency, effectively admitting the property can be forfeited but nevertheless asking that it be pardoned and returned because you are an innocent owner or suffer hardship.

For research methods and limitations, see page 19.

Department of the Treasury Forfeitures: Key Facts

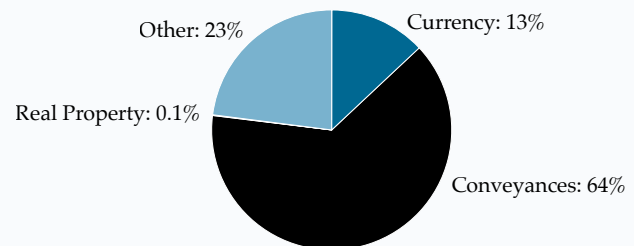
Median Value



From 2015 to 2016, half of Treasury's currency forfeitures were worth less than \$7,320.

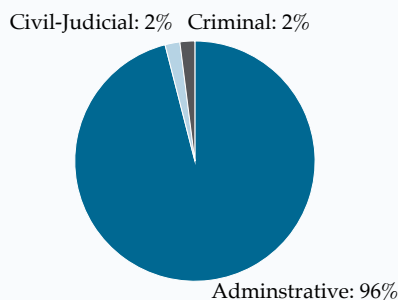
Federal policy does not typically permit cash seizures and forfeitures under \$5,000 unless the person from whom the cash was seized is or was being criminally prosecuted.

Property Types



From 2000 to 2016, 64% of Treasury's forfeitures were of conveyances, mostly vehicles, but 67% of proceeds were from currency.

Proceeding Types



From 2000 to 2016, at least 96% of Treasury's forfeitures were processed administratively.

This is after excluding cases involving counterfeit and other prohibited goods (as well as all summary contraband forfeitures), which are less likely to be contested and thus more likely to end in forfeiture by default.

Additional Findings

UNKNOWN

Treasury does not make its forfeiture data public. Data for 2000 to 2016 were obtained after a multiyear lawsuit.

Data Notes

Revenue data are from Treasury's Annual Financial Statements, available on its website. Data represent all non-tax forfeiture revenues deposited into the Treasury Forfeiture Fund from Treasury and Department of Homeland Security agencies and include proceeds shared with state and local law enforcement as part of the equitable sharing program. Other figures were calculated using U.S. Customs and Border Protection's Seized Assets and Case Tracking System and are presented in calendar years.

The background of the page is a dense, overlapping collage of US one-dollar bills. The bills are oriented in various directions, creating a complex, textured pattern. The color is a solid, deep blue, which serves as a background for the white text.

Appendices

Appendix A: State Law Grading Methods

The tables below include the grades each state earns on the three elements that make up the civil forfeiture law grades: (1) standard of proof, (2) innocent owner burden, and (3) financial incentive.

Table A1 shows the grades related to standards of proof. Only four states, Maine, Montana, New Mexico, and North Carolina, earn an A for having actually or effectively abolished civil forfeiture and replaced it with criminal forfeiture, which requires proof of a property owner's guilt beyond a reasonable doubt. One state, Florida, earns a C+ for requiring that *property's* connection to criminal conduct be proved beyond a reasonable doubt. Eleven states demand clear and convincing evidence of property's links to crime, an intermediate standard that earns a C. A plurality of states—17—and the federal government earn a D with a standard of preponderance of the evidence. Under this standard, the government need only show that it is more likely than not that property is related to a crime. One state, Massachusetts, earns an F for requiring mere probable cause, the same low standard needed to justify an arrest, carry out a search, or seize property in the first place. The District of Columbia and Kentucky earn C- and D+ grades, respectively, for mixed standards.

Fifteen states have conviction provisions ranging from weak to strong, and these

provisions were factored into their standard of proof grades. While such provisions fall short of criminal forfeiture, their inclusion generally resulted in a slight improvement over the grade a state would have received based on its standard of proof alone.

Missouri earns a B for a strong conviction provision that requires an owner's conviction—even if the owner does not contest forfeiture—and has no property-based limits. Moderate conviction provisions in Arizona and Connecticut earn a B-. Arizona's requires conviction of an owner, though it does not apply if an owner does not contest. Connecticut's requires a conviction, though not necessarily that of an owner, and applies even if an owner does not contest forfeiture. Neither of the two states' provisions has property-based limits, though the grading rubric allows for them. Ten states earn a C+ with weak conviction provisions that do not require conviction of an owner and do not apply if an owner fails to contest or if a non-owner waives the requirement. Some of these set property-based limits. New Hampshire also earns a C+ because it purports to require an owner's conviction but also makes it the owner's burden to prove innocence. Similarly, North Dakota earns a C+ because it requires conviction of an owner, but this requirement can be waived if property can be tied to a crime beyond a reasonable doubt.

Table A1: Standard of Proof Grades

Grade	Standard of Proof	States
A	Criminal forfeiture	Maine, Montana, New Mexico, North Carolina
B	Strong conviction provision • Applies even if owner does not contest; no waivers permitted • Requires conviction of owner • Has no property-based limits • Standard to connect property to crime varies	Missouri
B-	Moderate conviction provision • Applies even if owner does not contest, or requires conviction of owner • May have property-based limits • Standard to connect property to crime may vary	Arizona, Connecticut
C+	Beyond a reasonable doubt or weak conviction provision • Applies only if owner contests, or permits non-owners to waive • Does not require conviction of owner, just any person • May have property-based limits • Standard to connect property to crime varies	Arkansas, California, Florida ^a , Iowa, Michigan, Minnesota, New Hampshire ^b , New Jersey, North Dakota ^c , Oregon, Vermont, Virginia, Wisconsin
C	Clear and convincing evidence	Colorado, Kansas, Maryland ^d , Nebraska, Nevada, New York ^d , Ohio, Pennsylvania, Utah, Washington, Wyoming
C-	Clear and convincing evidence/Preponderance of the evidence	District of Columbia ^d
D+	Clear and convincing evidence/Probable cause	Kentucky
D	Preponderance of the evidence	Alabama, Alaska, Delaware, Georgia, Hawaii, Idaho, Illinois, Indiana, Louisiana, Mississippi, Oklahoma, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Federal Government
F	Probable cause	Massachusetts

a Florida does not have a conviction provision; its standard is beyond a reasonable doubt.

b New Hampshire's conviction provision purports to require an owner's conviction but also makes it the owner's burden to prove innocence.

c North Dakota's conviction provision requires conviction of an owner, but this requirement can be waived if property can be tied to a crime beyond a reasonable doubt.

d The District of Columbia and Maryland have weak conviction provisions that apply to only a single type of property. These provisions were not factored into those states' grades. New York has a "post-conviction" civil forfeiture process that requires a conviction in addition to a "pre-conviction" civil forfeiture process that does not. We are grading the latter.

With respect to innocent owner claims, the federal government and most states reverse the traditional burden of proof by forcing third-party owners to prove that they are innocent of and had no knowledge of the crime to which their seized property is allegedly linked in order to recover it. As Table A2 illustrates, only 19 states and the District of Columbia require the government to prove guilt in order to forfeit any type of property, thereby earning an A grade for their innocent owner burdens. Twenty-five states and the federal government earn F grades for requiring owners to establish their innocence. The other six states earn C grades for offering limited protections to innocent owners, with the burden generally depending on the type of property.

Table A2: Innocent Owner Burden Grades

Grade	Innocent Owner Burden	States
A	Government's burden	Alabama, Arizona, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Iowa, Maine, Mississippi, Montana, Nevada, New Mexico, New York, Oregon, Pennsylvania, Utah, Washington, Wisconsin
C	Depends on the property	Indiana, Kentucky, Maryland, Michigan, Ohio, Tennessee
F	Owner's burden	Alaska, Arkansas, Georgia, Hawaii, Idaho, Illinois, Kansas, Louisiana, Massachusetts, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, North Carolina, North Dakota, Oklahoma, Rhode Island, South Carolina, South Dakota, Texas, Vermont, Virginia, West Virginia, Wyoming, Federal Government

Turning to the financial incentive grade, the federal government and most states direct some or all forfeiture proceeds to law enforcement. As shown in Table A3, 25 states and the federal government earn F grades for directing up to 100% of forfeiture proceeds to law enforcement. In another seven states, between 90 and 95% of proceeds go to law enforcement, earning D grades. And 12 states earn C grades for directing between 45 and 80% to law enforcement. Only six states and the District of Columbia earn A grades for barring forfeiture proceeds from flowing into law enforcement accounts.

Table A3: Financial Incentive Grades

Grade	Proceeds Awarded	States
A	0% to 5%	District of Columbia, Maine, Maryland, Missouri, New Mexico, North Carolina, Wisconsin
B	5.1% to 20%	
C	20.1% to 80%	Alaska, California, Colorado, Connecticut, Florida, Louisiana, Mississippi, Nebraska, New York, Oregon, Texas, Vermont
D	80.1% to 95%	Illinois, Indiana, Minnesota, New Hampshire, Rhode Island, South Carolina, Washington
F	95.1% to 100%	Alabama, Arizona, Arkansas, Delaware, Georgia, Hawaii, Idaho, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Montana, Nevada, New Jersey, North Dakota, Ohio, Oklahoma, Pennsylvania, South Dakota, Tennessee, Utah, Virginia, West Virginia, Wyoming, Federal Government

After states were assigned their respective grades, the standard of proof and innocent owner burden grades were combined into a single “burden” grade by creating a weighted average, where standard of proof accounted for 66% of the grade and innocent owner burden for 33%. These weights reflect the relative difficulty each process represents for law enforcement agencies in forfeiting seized property. The burden grades were then combined with financial incentive grades into a single weighted grade by assigning a weight of one to the burden grades and a weight of three to the financial incentive grades, based on the premise that law enforcement agencies are more encouraged to pursue forfeiture by the percentage of forfeiture proceeds directed to law enforcement accounts than by the relative ease of the forfeiture process. This premise has been borne out by a 2018 study of whether more burdensome and less rewarding state forfeiture laws lead to greater equitable sharing activity, as local law enforcement agencies seek to circumvent good state laws by forfeiting property under federal law.²⁶⁵ The study tested IJ’s weighting scheme against two other models and found it to be the best predictor of equitable sharing activity.

Appendix B: Civil Forfeiture Law Citations

Alabama		
Standard of proof	D	Preponderance of the evidence. Ala. Code § 20-2-93(o).
Innocent owner burden	A	Government. Ala. Code § 20-2-93(w).
Financial incentive	F	100%. Ala. Code § 20-2-93(s).
Overall grade	D-	
Process	Ala. Code § 20-2-93 (forfeiture procedure); <i>id.</i> § 28-4-287 (bond for vehicle return); <i>id.</i> § 15-5-63 (expedited hearing); Ala. R. Civ. P. 4 (service of complaint).	
Alaska		
Standard of proof	D	The government must show probable cause for the seizure, and the owner must show that the property is not forfeitable by a preponderance of the evidence. <i>Resek v. State</i> , 706 P.2d 288, 290–91 (Alaska 1985); <i>see also</i> Alaska Stat. §§ 17.30.110, .114(a).
Innocent owner burden	F	Owner. <i>Resek v. State</i> , 706 P.2d 288, 290–91 (Alaska 1985); <i>see also</i> Alaska Stat. § 17.30.110(4) (A)–(B) (placing burden on owner with respect to any conveyance).
Financial incentive	C	Up to 75% in general; 100% if the property is worth \$5,000 or less and something other than money. Alaska Stat. § 17.30.112(c); <i>see also id.</i> § 17.30.122.
Overall grade	D+	
Process	Alaska Stat. §§ 17.30.100 <i>et seq.</i> (forfeiture procedure).	
Arizona		
Standard of proof	B-	Moderate conviction provision requires conviction of the owner, but not if forfeiture is uncontested. After the conviction provision is satisfied, prosecutors must show that the property is subject to forfeiture by clear and convincing evidence. Ariz. Rev. Stat. §§ 13-4304(A)–(F), -4308, -4314(A).
Innocent owner burden	A	Government. Ariz. Rev. Stat. § 13-4304(H)–(J).
Financial incentive	F	100%. Ariz. Rev. Stat. §§ 13-2314.01(D), .03(D), 13-4315.
Overall grade	D-	
Process	Ariz. Rev. Stat. Ann. §§ 13-4301 <i>et seq.</i> (forfeiture procedure); Ariz. R. Civ. P. 4(i) (service of complaint).	

Arkansas		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner, but only of the “person from whom the property [was] seized,” and a court can waive the provision if the person fails to contest forfeiture or if the person is granted immunity in exchange for helping investigators. After the conviction provision is satisfied, prosecutors must show that the property is subject to forfeiture by a preponderance of the evidence if the person contesting forfeiture was arrested for an offense giving rise to the forfeiture and by clear and convincing evidence if the person was a third party not arrested for such an offense. Ark. Code Ann. § 5-64-505(m)(1), (m)(2)(E), (g)(5)(B)(i)(a)–(b).
Innocent owner burden	F	Owner. Ark. Code Ann. § 5-64-505(a)(4)(B), (a)(6)(B), (a)(8)(A).
Financial incentive	F	100% (80% to police and prosecutors, 20% to the state Crime Lab Equipment Fund) up to a maximum of \$250,000 from a single forfeiture. Any amount above \$250,000 goes to the Special State Assets Forfeiture Fund, a non-law enforcement fund. Ark. Code Ann. § 5-64-505(h)–(i); <i>see also</i> Ark. Op. Att’y Gen. No. 99-282, 2000 WL 297203 (Feb. 24, 2000).
Overall grade	D-	
Process	Ark. Code Ann. § 5-64-505 (forfeiture procedure); Ark. R. Civ. P. 4(i) (service of complaint).	
California		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner, but only of “a defendant”—and only for forfeitures of cash and cash equivalents less than \$40,000, vehicles, and real property and only when a claim is filed. After the conviction provision is satisfied, property must be linked to the crime beyond a reasonable doubt. For contested forfeitures of cash over \$40,000, the standard is clear and convincing evidence. In uncontested forfeitures, the government need only make a “prima facie case”—a very low standard akin to probable cause—that the property is subject to forfeiture. Cal. Health & Safety Code §§ 11488.4(i)(1)–(4), .5(b)(1); <i>see also</i> <i>People v. \$9,632.50 in U.S. Currency</i> , 75 Cal. Rptr. 2d 125, 128 n.4 (Ct. App. 1998) (saying the standard of proof “in this case” for cash worth less than \$25,000 is beyond a reasonable doubt).
Innocent owner burden	A	Government. Cal. Health & Safety Code § 11488.5(d).
Financial incentive	C	76% (65% to police, 10% to prosecutors, 1% to a fund controlled by prosecutors). Cal. Health & Safety Code § 11489(b)(2).
Overall grade	C	
Process	Cal. Health & Safety Code §§ 11469 <i>et seq.</i> (forfeiture procedure); Cal. R. Ct. 3.110(b) (service of complaint).	

Colorado		
Standard of proof	C	Clear and convincing evidence. Colo. Rev. Stat. §§ 16-13-307(1.7)(c) (public nuisance), -505(1.7)(c) (contraband), -509 (currency), 18-17-106(11) (racketeering).
Innocent owner burden	A	Government. Colo. Rev. Stat. §§ 16-13-303(5.1)(a), (5.2)(c), 16-13-504(2.1)(a), (2.2)(c).
Financial incentive	C	75% (50% to law enforcement, 25% to a grant fund that distributes money to law enforcement). The remaining 25% goes to drug rehabilitation programs. Colo. Rev. Stat. §§ 16-13-311(3)(a)(VII), -506(1), 18-17-106(2)(d). Note: This restriction does not apply to funds received through federal equitable sharing, which is available only in cases where more than \$50,000 is seized. Colo. Rev. Stat. §§ 16-13-306.5, -504.5, -601.
Overall grade	C	
Process	Colo. Rev. Stat. §§ 16-13-501 <i>et seq.</i> (forfeiture procedure).	
Connecticut		
Standard of proof	B-	Moderate conviction provision applies in drug, identity theft, and sex-trafficking cases, even when forfeiture is uncontested. The provision does not require conviction of an owner, but only of a “person.” For other crimes, the owner must be convicted. After the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence. Conn. Gen. Stat. §§ 54-33g(a)–(c), (f), -36a(c), -36h(b)–(c), -36o(b), -36o(c) (“court shall hold a hearing”), -36p(b)–(c).
Innocent owner burden	A	Government. Conn. Gen. Stat. §§ 54-33g(a)–(b), -36h(b)–(c), -36o(b)–(c), -36p(b)–(c); <i>see, e.g., State v. One 2002 Chevrolet Coupe</i> , No. CV2200243, 2003 WL 824266, at *3–4 (Conn. Super. Ct. Jan. 23, 2003) (holding innocent owner could recover her property because state failed to prove by clear and convincing evidence that she knew about her son’s illegal activities).
Financial incentive	C	69.5% (59.5% to police, 10% to prosecutors) in drug cases. In other cases, none. <i>Compare</i> Conn. Gen. Stat. § 54-36i(c), <i>with id.</i> §§ 54-33g(d)–(e), -36o(g), -36p(g).
Overall grade	C	
Process	Conn. Gen. Stat. §§ 54-36a, -36f, -36h (forfeiture procedure); Conn. Prac. Book 41-13 (2025), and <i>State v. Redmond</i> , 171 A.3d 1052 (Conn. App. Ct. 2017) (petition for return).	
Delaware		
Standard of proof	D	Preponderance of the evidence. Forfeiture is not permitted unless a person is charged with a crime, but no conviction is required. Del. Code Ann. tit. 16, §§ 4784(k), 4785(a).
Innocent owner burden	A	Government. Del. Code Ann. tit. 16, § 4785(b)–(c).
Financial incentive	F	Up to 100%. Del. Code Ann. tit. 11, §§ 4110–11; <i>id.</i> tit. 16, § 4784(f).
Overall grade	D-	
Process	Del. Code Ann. tit.16, § 4784; Del. R. Civ. P. 71.3 (forfeiture procedure).	

District of Columbia		
Standard of proof	C-	In general, preponderance of the evidence. The standard of proof increases to clear and convincing evidence for vehicles, real property, and currency up to \$1,000. Weak conviction provision requires conviction of “an owner,” but only for contested forfeitures of a primary residence. D.C. Code §§ 41-308(d)(1), (4), -302(c); <i>see id.</i> § 41-305(c) (procedure when uncontested).
Innocent owner burden	A	Government. D.C. Code §§ 41-302(b), -308(d)(1).
Financial incentive	A	No financial incentive. All currency and proceeds from sales of forfeited property must be deposited in the general fund. D.C. Code § 41-310(a)(2)–(3).
Overall grade	B+	
Process	D.C. Code §§ 41-301 <i>et seq.</i> (forfeiture procedure); D.C. R. Civ. P. 12 (time to answer), 71.1-I (forfeiture procedure), 4 (service of complaint).	
Florida		
Standard of proof	C+	Beyond a reasonable doubt. Fla. Stat. § 932.704(8); <i>Hudson v. City of Sunrise</i> , 237 So. 3d 1031, 1034 n.2 (Fla. Dist. Ct. App. 2018).
Innocent owner burden	A	Government. Fla. Stat. § 932.703(7); <i>Gomez v. Vill. of Pinecrest</i> , 41 So. 3d 180, 184–85 & n.2 (Fla. 2010) (explaining that Florida law changed in 1995 to place the burden of proof on the seizing agency).
Financial incentive	C	Up to 75%. Fla. Stat. § 932.7055(5)(c)(3).
Overall grade	C	
Process	Fla. Stat. §§ 932.701 <i>et seq.</i> (forfeiture procedure); Fla. R. Civ. P. 1.500 (default judgment).	
Georgia		
Standard of proof	D	Preponderance of the evidence. Ga. Code Ann. § 9-16-17(a)(1).
Innocent owner burden	F	Owner. However, in cases involving a jointly owned vehicle, no innocent owner claim is allowed. Ga. Code Ann. § 9-16-17(a)(2).
Financial incentive	F	Up to 100%. Ga. Code Ann. § 9-16-19(f).
Overall grade	D-	
Process	Ga. Code Ann. §§ 9-16-1 <i>et seq.</i> (forfeiture procedure); <i>id.</i> § 9-11-4(c) (service of complaint).	

Hawaii		
Standard of proof	D	Preponderance of the evidence. Haw. Rev. Stat. § 712A-12(8).
Innocent owner burden	F	Owner. Haw. Rev. Stat. § 712A-12(8).
Financial incentive	F	100% (25% to police, 25% to prosecuting attorney, 50% to attorney general for various law enforcement projects) up to a maximum of \$3 million per year. Haw. Rev. Stat. § 712A-16(2)–(4).
Overall grade	D-	
Process	Haw. Rev. Stat. §§ 712A-1 <i>et seq.</i> (forfeiture procedure).	
Idaho		
Standard of proof	D	Preponderance of the evidence. Idaho Code §§ 37-2744(d), -2744A(d)(4).
Innocent owner burden	F	Owner. Idaho Code §§ 37-2744(d)(3)(D)(IV) (conveyances), -2744A(d)(4) (real property).
Financial incentive	F	Up to 100%. Idaho Code §§ 37-2744(e), 57-816(1).
Overall grade	D-	
Process	Idaho Code § 37-2744 (forfeiture procedure); Idaho R. Civ. P. 12 (time to answer), 55 (default judgment).	
Illinois		
Standard of proof	D	In general, preponderance of the evidence. The standard of proof increases to clear and convincing evidence in certain situations where a related criminal case results in acquittal or non-indictment. Forfeiture is unavailable for currency under \$500 related to drug possession offenses and under \$100 for all other offenses. 725 Ill. Comp. Stat. 150/9(G), (G-5), (G-10); 720 Ill. Comp. Stat. 570/505(d).
Innocent owner burden	F	Owner. At pretrial innocent owner hearings, the owner bears the burden of proof. However, if the forfeiture action goes to trial, the government must prove the owner’s culpability or negligence, which is not a crime. 725 Ill. Comp. Stat. 150/9.1, 150/9(G).
Financial incentive	D	90%. 725 Ill. Comp. Stat. 150/13.2.
Overall grade	D-	
Process	725 Ill. Comp. Stat. 150/1 <i>et seq.</i> (forfeiture procedure); 735 Ill. Comp. Stat. 5/2-1301 (default judgment).	

Indiana		
Standard of proof	D	Preponderance of the evidence. Ind. Code § 34-24-1-4(a); <i>see also Serrano v. State</i> , 946 N.E.2d 1139, 1143–44 (Ind. 2011) (requiring state to prove a close “nexus” between vehicle and drugs); <i>Lipscomb v. State</i> , 857 N.E.2d 424, 428 (Ind. Ct. App. 2006) (requiring state to show connection between money and drugs).
Innocent owner burden	C	Depends on the property. Generally, the owner bears the burden of proof. But for vehicles or equipment allegedly involved in the recording of a sex crime, the government bears the burden. Ind. Code §§ 34-24-1-1(a)(10), (b), (c), (e), 34-24-1-4(a).
Financial incentive	D	Up to 93%, notwithstanding a state constitutional provision requiring that “all forfeitures” be paid into the Common School Fund. Ind. Code §§ 34-24-1-6, 34-24-1-4(c)–(d); <i>compare</i> Ind. Const. art. 8, § 2, <i>with Horner v. Curry</i> , 125 N.E.3d 584, 597–607 (Ind. 2019).
Overall grade	D	
Process		Ind. Code §§ 34-24-1-1 <i>et seq.</i> (forfeiture procedure); Ind. R. Trial P. 4, 41 (service of complaint); <i>Geiger & Peters, Inc. v. Am. Fletcher Nat. Bank & Tr. Co.</i> , 428 N.E.2d 1279 (Ind. 1981) (failure to serve is considered failure to prosecute and therefore grounds for dismissal).
Iowa		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner, but only “a conviction” of any person—and only for forfeitures of property worth less than \$5,000 and only when a claim is filed. After the conviction provision is satisfied, prosecutors must show that the property is subject to forfeiture by clear and convincing evidence. Iowa Code Ann. §§ 809A.1(4), .12A(1), .13(7).
Innocent owner burden	A	Government. Iowa Code Ann. §§ 809A.12(7), .13(7).
Financial incentive	F	100%. Iowa Code Ann. § 809A.17.
Overall grade	D-	
Process		Iowa Code §§ 809A.1 <i>et seq.</i> (forfeiture procedure); Iowa R. Civ. P. 1.302 (service of complaint).
Kansas		
Standard of proof	C	Clear and convincing evidence. Kan. Stat. Ann. § 60-4113(h).
Innocent owner burden	F	Owner. Kan. Stat. Ann. §§ 60-4112(h), -4113(h).
Financial incentive	F	100%. Kan. Stat. Ann. § 60-4117. <i>But see</i> Kan. Att’y Gen. Op. No. 2018-14, 2018 WL 4922703, at *4 (Oct. 5, 2018) (concluding that forfeiture proceeds may not be used for normal operating expenses such as salaries for regular employees); Kan. Att’y Gen. Op. No. 2007-15, 2007 WL 2021740, at *2 (July 6, 2007) (determining that forfeiture proceeds may be applied to special law enforcement projects, but cannot be used as a regular funding source).
Overall grade	D-	
Process		Kan. Stat. Ann. §§ 60-4101 <i>et seq.</i> (forfeiture procedure); <i>id.</i> § 60-255 (default judgment).

Kentucky		
Standard of proof	D+	In general, the government need only show “slight evidence of traceability” to a crime, a standard akin to probable cause, at which point the owner must show the property’s innocence by clear and convincing evidence. The government’s standard of proof increases to clear and convincing evidence for real property. Ky. Rev. Stat. Ann. §§ 218A.240(5), 410(1)(j); <i>Robbins v. Commonwealth</i> , 336 S.W.3d 60, 64–65 (Ky. 2011); <i>Gritton v. Commonwealth</i> , 477 S.W.3d 603, 605 (Ky. Ct. App. 2015) (confirming this procedure generally applies to forfeitures of other personal property as well as of money).
Innocent owner burden	C	Depends on the property. Generally, the owner bears the burden of proof. But for real property, the government bears the burden. Ky. Rev. Stat. Ann. § 218A.410(1)(j); <i>Robbins v. Commonwealth</i> , 336 S.W.3d 60, 64–65 (Ky. 2011).
Financial incentive	F	100% (85% to the law enforcement agencies seizing the property, 15% to the Office of the Attorney General or to the Prosecutors Advisory Council). Ky. Rev. Stat. Ann. § 218A.420(4).
Overall grade	D-	
Process		Ky. Rev. Stat. Ann. §§ 218A.240(5), 410 (forfeiture procedure), 413.120 (statute of limitations); Ky. St. R. Civ. P. 4.01–4.04 (service of complaint), 12.01 (time to answer), and 55.01 (default judgment); Ky. Dep’t of Crim. Just. Training, Model Policy for Forfeiture of Assets by Law Enforcement Agencies (rev. 2020) (notice of seizure).
Louisiana		
Standard of proof	D	Preponderance of the evidence. La. Stat. Ann. § 40:2612(G).
Innocent owner burden	F	Owner. La. Stat. Ann. § 40:2605.
Financial incentive	C	80% (60% to the law enforcement agencies that seized the property, 20% to the district attorney’s office(s) that handled the forfeiture action). The remaining 20% goes to the criminal court fund. La. Stat. Ann. § 40:2616(B)(3).
Overall grade	D+	
Process		La. Stat. Ann. § 40:2601 <i>et seq.</i> (forfeiture procedure); La. Code Civ. Proc. Ann. art. 1201 (service of complaint); <i>id.</i> art. 1844 (default judgment).
Maine		
Standard of proof	A	Criminal forfeiture. Me. Stat. tit. 15, § 5826.
Innocent owner burden	A	Government. Me. Stat. tit. 15, §§ 5821(4)(A), (6)(A), (7)(A).
Financial incentive	A	No financial incentive. All forfeiture proceeds go to the general fund unless another transfer is specifically approved by the court and by the governor or attorney general (in the case of a state forfeiture), or by the court and the relevant governmental entity (in the case of county-level or municipal-level forfeitures) with the written consent of the attorney general. Me. Stat. tit. 15, § 5824.
Overall grade	A	
Process		Me. Stat. tit. 15, §§ 5821 <i>et seq.</i> (criminal forfeiture procedure).

Maryland		
Standard of proof	C	In general, clear and convincing evidence. Weak conviction provision requires conviction of an owner, but only for forfeitures of a principal family residence. When the owners of the residence are married, both spouses must be convicted. The provision can be waived if the owner fails to appear in court. Md. Code Ann., Crim. Proc. §§ 12-103(d)(1)–(2), (e), -312(a)–(b).
Innocent owner burden	C	Depends on the property. Generally, the owner bears the burden of proof. But for vehicles, real property, and property intended for or traceable to drug transactions, the government must show that the property was used in violation of the law “with the owner’s actual knowledge.” Md. Code Ann., Crim. Proc. §§ 12-102(a)(4), (11)–(12), -103, -312(b).
Financial incentive	A	No financial incentive. Md. Code Ann., Crim. Proc. § 12-403(c)–(e).
Overall grade	B+	
Process	Md. Code Ann., Crim. Proc. §§ 12-301 <i>et seq.</i> (forfeiture procedure); <i>id.</i> § 12-208 (bond option); Md. R. 2-321 (time to answer).	
Massachusetts		
Standard of proof	F	Probable cause. Mass. Gen. Laws ch. 94C, § 47(d); <i>Commonwealth v. One 2004 Audi Sedan Auto.</i> , 921 N.E.2d 85, 88–90, 92 (Mass. 2010).
Innocent owner burden	F	Owner. Mass. Gen. Laws ch. 94C, § 47(d).
Financial incentive	F	Up to 100%. Mass. Gen. Laws ch. 94C, § 47(d).
Overall grade	F	
Process	Mass. Gen. Laws ch. 94C, § 47 (forfeiture procedure); Mass. R. Civ. P. 4 (service of complaint), 12 (time to answer), 55 (default judgment); Mass. Gen. Laws ch. 260, § 5 (statute of limitations); Mass. Super. Ct. R. 74 (forfeiture procedure).	

Michigan		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner, but only of a “defendant”—and only for contested forfeitures of property worth less than \$50,000. After the conviction provision is satisfied, property must be linked to drug crimes by clear and convincing evidence and to other crimes by a preponderance of the evidence. Mich. Comp. Laws §§ 333.7521a(1)–(2), (6), 600.4707(6).
Innocent owner burden	C	Depends on the property. Generally, the government bears the burden of proof. But for drug forfeitures of property valued over \$50,000, the owner bears the burden. Mich. Comp. Laws §§ 333.7523a(2)(b) (burden on government in drug forfeitures worth \$50,000 or less), 600.4707(6)(b) (burden on government in non-drug forfeitures); <i>see id.</i> §§ 333.7521a(6), .7523a(1) (procedure placing burden on government does not apply in drug forfeitures of property worth more than \$50,000); <i>see also id.</i> §§ 333.7521(1)(d)(ii), (f), 333.7531(1) (burden on owner in drug forfeitures worth more than \$50,000).
Financial incentive	F	100% in drug forfeitures; 75% in other forfeitures. Mich. Comp. Laws §§ 333.7524(1)(b)(ii), 600.4708(1)(f).
Overall grade	D-	
Process	Mich. Comp. Laws §§ 333.7521 <i>et seq.</i> (forfeiture procedure); Mich. Ct. R. 2.102 (service of complaint); Mich. Comp. Laws § 600.5809(2) (statute of limitations).	
Minnesota		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner, but only of “a person”—and only for forfeitures of property worth less than \$50,000 and only when the owner files a claim. The provision does not apply if the government obtains “[a] person’s agreement to provide information” in exchange for a dropped charge. After the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence. Minn. Stat. §§ 609.5314, subd. 2–3, 609.531, subd. 6a(b), 6a(d).
Innocent owner burden	F	Owner. Minn. Stat. § 609.5311, subd. 3(d); <i>Jacobson v. \$55,900 in U.S. Currency</i> , 728 N.W.2d 510, 519–20 & n.6 (Minn. 2007); <i>Blanche v. 1995 Pontiac Grand Prix</i> , 599 N.W.2d 161, 167 (Minn. 1999); <i>see also</i> Minn. Stat. §§ 609.5314, subd. 1a(f)–(h), 169A.63, subds. 7a(d), (f)–(h), 9(e).
Financial incentive	D	90% in general; 60% in cases involving prostitution or human trafficking; 100% in DWI cases. Minn. Stat. §§ 609.5315, subds. 5–5c, 169A.63, subd. 10(b).
Overall grade	D	
Process	Minn. Stat. §§ 609.531–.5319 (forfeiture procedure).	

Mississippi		
Standard of proof	D	Preponderance of the evidence. Miss. Code Ann. § 41-29-179(2).
Innocent owner burden	A	Government. Miss. Code Ann. § 41-29-179(2); <i>Galloway v. City of New Albany</i> , 735 So. 2d 407, 411–12 (Miss. 1999); <i>Curtis v. State</i> , 642 So. 2d 381, 384–86 (Miss. 1994); 1994 <i>Mercury Cougar v. Tishomingo County</i> , 970 So. 2d 744, 747–49 (Miss. Ct. App. 2007). <i>But cf.</i> Miss. Code Ann. § 41-29-153(a)(4)(B), (a)(7)(A) (placing burden on owner, but statute has been interpreted in above cases to place burden on government).
Financial incentive	C	80% if one law enforcement agency participated in the forfeiture; 100% otherwise. Miss. Code Ann. § 41-29-181(2).
Overall grade	C-	
Process	Miss. Code Ann. §§ 41-29-153, -176.1, -177, -179 (forfeiture procedure); Miss. R. Civ. P. 4(h) (service of complaint); <i>see also City of Hattiesburg v. \$35,370</i> , 872 So. 2d 701 (Miss. Ct. App. 2004) (affirming return of property after complaint not timely filed).	

Missouri		
Standard of proof	B	Strong conviction provision requires an owner's conviction, even when forfeiture is uncontested. Once there is a conviction, property must be linked to the crime by a preponderance of the evidence. Mo. Rev. Stat. § 513.607(1)–(2) (forfeiture is “a civil procedure,” and civil cases in Missouri are subject to the preponderance standard); <i>id.</i> § 513.645(6); <i>City of Springfield v. Gee</i> , 149 S.W.3d 609, 615–16 (Mo. Ct. App. 2004); <i>see also Rodriguez v. Suzuki Motor Corp.</i> , 936 S.W.2d 104, 110 (Mo. 1996).
Innocent owner burden	F	Owner. Mo. Rev. Stat. § 513.615; <i>State v. Beaird</i> , 914 S.W.2d 374, 378 (Mo. Ct. App. 1996); <i>State v. 1973 Fleetwood Mobile Home</i> , 802 S.W.2d 582, 584 & n.3 (Mo. Ct. App. 1991).
Financial incentive	A	No financial incentive. All forfeiture proceeds go to fund schools. Mo. Const. art. IX, § 7; Mo. Rev. Stat. § 513.623.
Overall grade	B+	
Process	Mo. Rev. Stat. §§ 513.600 <i>et seq.</i> (forfeiture procedure); Mo. R. Civ. P. 54.21 (service of complaint).	

Montana		
Standard of proof	A	Criminal forfeiture. Mont. Code Ann. §§ 44-12-207(1), -208(2), -210(1).
Innocent owner burden	A	Government. The government must disprove an innocent owner claim by clear and convincing evidence. Mont. Code Ann. § 44-12-211; <i>see also id.</i> § 45-9-206(8).
Financial incentive	F	Up to 100%. However, when forfeiture money goes to the state, annual proceeds above \$125,000 must be divided equally between the general fund and a state forfeiture fund. Mont. Code Ann. § 44-12-213.
Overall grade	D-	
Process	Mont. Code Ann. §§ 44-12-207 <i>et seq.</i> (forfeiture procedure).	

Nebraska		
Standard of proof	C	Clear and convincing evidence. Neb. Rev. Stat. § 28-431(6).
Innocent owner burden	F	Owner. Neb. Rev. Stat. § 28-431(5)–(6).
Financial incentive	C	50%. Neb. Const. art. VII, § 5(2); Neb. Rev. Stat. § 28-1439.02.
Overall grade	C-	
Process	Neb. Rev. Stat. § 28-431 (forfeiture procedure).	
Nevada		
Standard of proof	C	Clear and convincing evidence. Nev. Rev. Stat. § 179.1173(4).
Innocent owner burden	A	Government. Nev. Rev. Stat. § 179.1164(2); <i>Lara v. State</i> , No. CV21-01595, 2025 WL 211411, at *10 (Nev. Dist. Ct. Jan. 10, 2025).
Financial incentive	F	Up to 100%. However, if an agency’s forfeiture account contains more than \$100,000 at the end of a given fiscal year, 70% of the excess must be given to the state’s school fund. Nev. Rev. Stat. § 179.1187.
Overall grade	D-	
Process	Nev. Rev. Stat. §§ 179.1156 <i>et seq.</i> (forfeiture procedure); Nev. R. Civ. P. 4(e) (service of complaint), 55 (default judgment).	
New Hampshire		
Standard of proof	C+	Weak conviction provision that purports to require an owner’s conviction, but also makes it the owner’s burden to prove innocence. The provision was enacted in 2016 and has not been definitively interpreted by the New Hampshire courts. It is unclear whether the standard of proof to link property to the crime, after the conviction provision is satisfied, is preponderance of the evidence or clear and convincing evidence. N.H. Rev. Stat. Ann. §§ 318-B:17-b(IV)(b), (d), 617:1-a(I). <i>Compare id.</i> § 318-B:17-b(IV)(b) (preponderance for drug forfeitures), <i>with id.</i> § 617:1-a(III) (clear and convincing for all forfeitures).
Innocent owner burden	F	Owner. N.H. Rev. Stat. Ann. §§ 318-B:17-b(IV)(b), 617:4-a.
Financial incentive	D	90% (45% to local law enforcement, 45% to the state drug forfeiture fund), with caps. Local law enforcement can keep no more than \$225,000 from a single forfeiture, and amounts in the state drug forfeiture fund above \$1,000,000 must be turned over to the state general fund. N.H. Rev. Stat. Ann. § 318-B:17-b(V).
Overall grade	D	
Process	N.H. Rev. Stat. Ann. § 318-B:17-b (drug forfeiture); <i>id.</i> §§ 617:1 <i>et seq.</i> (forfeiture procedure); N.H. Super. Ct. Civ. R. 4 (time to answer); N.H. Dep’t of Justice, Law Enforcement Manual 382–90 (2020), https://www.doj.nh.gov/sites/g/files/ehbemt721/files/inline-documents/sonh/law-enforcement-manual-2020_0.pdf (forfeiture procedure).	

New Jersey		
Standard of proof	C+	Weak conviction provision precludes forfeiture when criminal charges “related to the property seizure” are never filed against a person (not necessarily an owner) or prosecutors fail to establish “criminal culpability” of any person. The provision applies only to contested forfeitures of low-value property (\$1,000 or less for cash and \$10,000 or less for other property). After the conviction provision is satisfied, property must be linked to the crime by a preponderance of the evidence. N.J. Stat. Ann. § 2C:64-3(e), (k)(1)–(2); <i>State v. \$7,000</i> , 642 A.2d 967, 975 (N.J. 1994); <i>State v. \$2,293 in U.S. Currency</i> , 95 A.3d 260, 266 (N.J. Super. Ct. App. Div. 2014).
Innocent owner burden	F	Owner. N.J. Stat. Ann. § 2C:64-5(b); <i>State v. \$7,000</i> , 642 A.2d 967, 974 (N.J. 1994).
Financial incentive	F	100% when forfeiture is pursued by local law enforcement; 95% when forfeiture is pursued by the attorney general. N.J. Stat. Ann. § 2C:64-6(a), (c).
Overall grade	D-	
Process	N.J. Stat. Ann. § 2C:64-3 (forfeiture procedure); N.J. Ct. R. 1:13-7 (service of complaint), 4:6-1 (time to answer).	
New Mexico		
Standard of proof	A	Criminal forfeiture. N.M. Stat. Ann. § 31-27-4.
Innocent owner burden	A	Government. When a person claims to be an innocent owner and shows an ownership interest, the government must prove by clear and convincing evidence that the person had actual knowledge of the underlying crime giving rise to the forfeiture. N.M. Stat. Ann. § 31-27-7.1(D).
Financial incentive	A	No financial incentive. All proceeds must be deposited in the general fund, though agencies can retain part of the proceeds from criminal forfeiture to cover related expenses. N.M. Stat. Ann. § 31-27-7(B).
Overall grade	A	
Process	N.M. Stat. Ann. §§ 31-27-2 <i>et seq.</i> (criminal forfeiture procedure).	
New York		
Standard of proof	C	In drug cases, prosecutors must provide clear and convincing evidence that a crime occurred and then link the property to that crime by a preponderance of the evidence. Very weak conviction provision applies in non-drug cases. N.Y. C.P.L.R. §§ 1310(5), (9)–(10), 1311(3)(a)–(b); <i>Hendley v. Clark</i> , 543 N.Y.S.2d 554, 556 (N.Y. App. Div. 1989).
Innocent owner burden	A	Government. N.Y. C.P.L.R. § 1311(3).
Financial incentive	C	60%. N.Y. C.P.L.R. § 1349(2)(g)–(h).
Overall grade	C	
Process	N.Y. C.P.L.R. 1310 <i>et seq.</i> (forfeiture procedure); see also 1 Steven L. Kessler, <i>New York Criminal and Civil Forfeitures</i> §4.02 (2025 ed.).	

North Carolina		
Standard of proof	A	In general, forfeiture requires a criminal conviction. However, civil forfeiture is available in racketeering cases, which are governed by a preponderance of the evidence standard. N.C. Gen. Stat. §§ 75D-5, 90-112; <i>State ex rel. Thornburg v. \$52,029</i> , 378 S.E.2d 1, 3–5 (N.C. 1989); <i>State v. Johnson</i> , 478 S.E.2d 16, 25 (N.C. Ct. App. 1996).
Innocent owner burden	F	Owner. In racketeering cases, the only context in which civil forfeiture is available, the owner bears the burden of proof. N.C. Gen. Stat. § 75D-5(i); <i>State ex rel. Thornburg v. 1907 N. Main St.</i> , 384 S.E.2d 585, 586–87 (N.C. Ct. App. 1989).
Financial incentive	A	No financial incentive. All forfeiture proceeds go to public schools. N.C. Const. art. IX, § 7; <i>State ex rel. Thornburg v. 532 B St.</i> , 432 S.E.2d 684, 686–87 (N.C. 1993).
Overall grade	B+	
Process	N.C. Gen. Stat. §§ 90-112 (criminal forfeiture—drugs), -112.1 (remission or mitigation); <i>see also id.</i> § 75D-5 (civil forfeiture—racketeering).	
North Dakota		
Standard of proof	C+	Weak conviction provision requires an owner’s conviction, but does not apply if forfeiture is uncontested or if the owner enters an agreement with the prosecution for immunity or a reduced sentence in exchange for assisting law enforcement. After the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence. No conviction is necessary if it can be shown beyond a reasonable doubt that the property was used in a crime or constitutes proceeds of criminal activity. N.D. Cent. Code §§ 19-03.1-36.2(1)–(2), -36.5.
Innocent owner burden	F	Owner. N.D. Cent. Code §§ 19-03.1-36(1)(e), -36.6(1), -36.7(1), -37(1).
Financial incentive	F	Up to 100%. However, if the government’s forfeiture fund exceeds \$200,000 (exclusive of legislative appropriations and multijurisdictional drug task forces) over any two-year budget period, the excess must be deposited in the general fund. N.D. Cent. Code §§ 54-12-14, 19-03.1-36(5).
Overall grade	D-	
Process	N.D. Cent. Code §§ 19-03.1-36 <i>et seq.</i> (forfeiture procedure); <i>id.</i> § 28-01-18 (statute of limitations).	

Ohio		
Standard of proof	C	Clear and convincing evidence. Charging provision requires charges to be filed, and stays civil forfeiture while criminal charges are pending, but does not require conviction. The charging provision does not apply to forfeitures of cash over \$15,000 or in cases where an owner dies, is unavailable or fails to contest forfeiture. Ohio Rev. Code Ann. § 2981.05(A), (C)–(D), (H).
Innocent owner burden	C	Depends on the property. Generally, the owner bears the burden of proof. But for legally titled or registered property and in cases involving property valued over \$15,000 (adjusted annually for inflation), the government bears the burden. Ohio Rev. Code Ann. §§ 2981.03(A)(4)–(5), .05(D)(3), (D)(7); <i>see also id.</i> § 2981.04(E)–(F) (placing burden on third-party claimants).
Financial incentive	F	Up to 100% in general; up to 90% in juvenile cases. Ohio Rev. Code Ann. § 2981.13(B)(4).
Overall grade	D-	
Process	Ohio Rev. Code Ann. §§ 2981.03, .05 (civil forfeiture in absence of claim); Ohio R. Civ. P. 4(E) (service of complaint), 12(A)(1) (time to answer), 55 (default judgment).	
Oklahoma		
Standard of proof	D	Preponderance of the evidence. Okla. Stat. tit. 63, § 2-503(B)–(C).
Innocent owner burden	F	Owner. Okla. Stat. tit. 63, § 2-503(A)(4)(b), (A)(7); <i>State ex rel. Campbell v. \$18,235</i> , 184 P.3d 1078, 1081 (Okla. 2008).
Financial incentive	F	Up to 100%. Okla. Stat. tit. 63, §§ 2-503(F)(2), -506(L), -508.
Overall grade	D-	
Process	Okla. Stat. tit. 63, § 2-506 (forfeiture procedure); <i>id.</i> tit. 12, §§ 95(A)(4) (statute of limitations), 2004(I) (service of complaint).	
Oregon		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner, but only of “a person.” The provision applies only when forfeiture is contested. After the conviction provision is satisfied, personal property must be linked to the crime by a preponderance of the evidence, and real property by clear and convincing evidence. Or. Rev. Stat. §§ 131A.255(1)–(3), .315.
Innocent owner burden	A	Government. The government bears the burden of proof except in cases where cash, weapons or negotiable instruments were found in close proximity to drugs, in which cases the owner bears the burden of showing by a preponderance of the evidence that the items are not the proceeds or instrumentalities of a drug crime. Or. Rev. Stat. § 131A.255(2), (5).
Financial incentive	C	52.5% when forfeiture is pursued by local law enforcement; 47% when forfeiture is pursued by the state. Or. Rev. Stat. §§ 131A.360(1), (4), (6), .365(1), (3), (5).
Overall grade	C	
Process	Or. Rev. Stat. §§ 131A.005 <i>et seq.</i> (forfeiture procedure); <i>see</i> Or. R. Civ. P. 5 (service of complaint), 7 (time to answer).	

Pennsylvania		
Standard of proof	C	Clear and convincing evidence. 42 Pa. Cons. Stat. § 5805(j)(3); <i>Commonwealth v. Teeter</i> , No. 59 C.D. 2016, 2017 WL 4945275, at *6 n.14 (Pa. Commw. Ct. Oct. 31, 2017); <i>see also Commonwealth v. 1992 Volkswagen Passat</i> , No. 40 C.D. 2016, 2018 WL 341660, at *9 n.8 (Pa. Commw. Ct. Jan. 10, 2018) (Leavitt, J., dissenting).
Innocent owner burden	A	Government. 42 Pa. Cons. Stat. § 5805(j)(4).
Financial incentive	F	100%. 42 Pa. Cons. Stat. § 5803(f)–(i).
Overall grade	D-	
Process	42 Pa. Cons. Stat. §§ 5801–08 (forfeiture procedure); <i>id.</i> § 5524 (statute of limitations).	
Rhode Island		
Standard of proof	D	The government must show probable cause for the seizure, and the owner must show that the property is not forfeitable by a preponderance of the evidence. 21 R.I. Gen. Laws § 28-5.04.2(p).
Innocent owner burden	F	Owner. 21 R.I. Gen. Laws § 28-5.04.2(p).
Financial incentive	D	90%. 21 R.I. Gen. Laws § 28-5.04(b)(3).
Overall grade	D-	
Process	21 R.I. Gen. Laws §§ 28-5.04.2, -5.04.1(f) (forfeiture procedure); R.I. Super. Ct. R. Civ. P. 4(<i>l</i>) (service of complaint); 12 R.I. Gen Laws § 21-2 (statute of limitations).	
South Carolina		
Standard of proof	D	The government must show probable cause for the seizure, and the owner must show that the property is not forfeitable by a preponderance of the evidence. S.C. Code Ann. §§ 44-53-520(b), -586(b); <i>Pope v. Gordon</i> , 633 S.E.2d 148, 151 (S.C. 2006).
Innocent owner burden	F	Owner. S.C. Code Ann. §§ 44-53-540, -586(b); <i>Pope v. Gordon</i> , 633 S.E.2d 148, 151 (S.C. 2006).
Financial incentive	D	95% (75% to law enforcement, 20% to prosecutors). S.C. Code Ann. § 44-53-530(e).
Overall grade	D-	
Process	S.C. Code Ann. §§ 44-53-520, -530, -586 (forfeiture procedure); <i>id.</i> § 15-3-550 (statute of limitations).	

South Dakota		
Standard of proof	D	Preponderance of the evidence. S.D. Codified Laws § 23A-49-13.
Innocent owner burden	F	Owner. S.D. Codified Laws §§ 23A-49-4, -19.
Financial incentive	F	100%. Forfeiture proceeds go to the attorney general’s “drug control fund” and are then distributed to law enforcement for drug enforcement efforts. S.D. Codified Laws §§ 23A-49-20(2)(a), 34-20B-64.
Overall grade	D-	
Process	S.D. Codified Laws §§ 23A-49-1 <i>et seq.</i> (forfeiture procedure).	
Tennessee		
Standard of proof	D	Preponderance of the evidence. Tenn. Code Ann. §§ 40-33-107(4), -210(a); <i>State v. Sprunger</i> , 458 S.W.3d 482, 500 (Tenn. 2015).
Innocent owner burden	C	Depends on the property. Generally, the government bears the burden of proof. But for vehicles, owners must prove that they had no knowledge of the criminal use before a claim will be allowed. Tenn. Code Ann. §§ 40-33-108(a), -210(a)(2), (c)–(f).
Financial incentive	F	Up to 100%. Tenn. Code Ann. §§ 40-33-110, -211(a)–(b).
Overall grade	D-	
Process	Tenn. Code Ann. §§ 40-33-201 <i>et seq.</i> (forfeiture procedure).	
Texas		
Standard of proof	D	Preponderance of the evidence. Tex. Code Crim. Proc. Ann. art. 59.05(b).
Innocent owner burden	F	Owner. Tex. Code Crim. Proc. Ann. art. 59.02(c), (h)(1).
Financial incentive	C	Up to 70% in cases where a default judgment is entered; up to 100% in contested cases. Tex. Code Crim. Proc. Ann. art. 59.06(c), (c-3); <i>see also</i> Tex. Att’y Gen. Op. GA-0122, 2003 WL 22754257, at *2 (Nov. 18, 2003) (noting 70-30 split between district attorney and Department of Public Safety).
Overall grade	D+	
Process	Tex. Code Crim. Prac. Ann. art. 59.01 <i>et seq.</i> (forfeiture procedure); Tex. R. Civ. P. 99 (time to answer).	

Utah		
Standard of proof	C	Clear and convincing evidence. Utah Code Ann. § 77-11b-302(7).
Innocent owner burden	A	Government. Utah Code Ann. § 77-11b-302(7).
Financial incentive	F	100%. Utah Code Ann. §§ 77-11b-401, -403.
Overall grade	D-	
Process	Utah Code Ann. § 77-11a-303 (hardship hearing); <i>id.</i> §§ 77-11b-101 <i>et seq.</i> (forfeiture procedure); Utah R. Civ. P. 55 (default judgment).	
Vermont		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner, but only of “a person.” The provision does not apply if the person agrees with prosecutors to avoid criminal charges in exchange for forfeiture of the property. After the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence. Vt. Stat. Ann. tit. 18, §§ 4243(a), (c), 4244(e).
Innocent owner burden	F	Owner. Vt. Stat. Ann. tit. 18, § 4244(d).
Financial incentive	C	45%. Vt. Stat. Ann. tit. 18, § 4247(b)(1).
Overall grade	C-	
Process	Vt. Stat. Ann. tit. 18, §§ 4241 <i>et seq.</i> (forfeiture procedure); Vt. R. Civ. P. 55 (default judgment).	
Virginia		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner and does not apply if the owner fails to contest forfeiture. After the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence. Va. Code Ann. §§ 19.2-386.1(C), .10(A).
Innocent owner burden	F	Owner. Va. Code Ann. §§ 19.2-386.8(3), .10(A).
Financial incentive	F	100% (90% to participating agencies, 10% to the Department of Criminal Justice Services). Va. Code Ann. § 19.2-386.14(A1)–(B).
Overall grade	D-	
Process	Va. Code Ann. §§ 19.2-386.1 <i>et seq.</i> (forfeiture procedure); Va. Code Ann. § 8.01-275.1 (service of complaint).	

Washington		
Standard of proof	C	Clear, cogent, and convincing evidence. Wash. Rev. Code § 69.50.505(5).
Innocent owner burden	A	Government. Wash. Rev. Code §§ 69.50.505(1)(d)(ii), (g), (h)–(i), .505(5).
Financial incentive	D	90%. Wash. Rev. Code § 69.50.505(8).
Overall grade	D+	
Process	Wash. Rev. Code § 69.50.505 (drug forfeitures and forfeiture procedure); Wash. Rev. Code §§ 34.05.010 <i>et seq.</i> (administrative procedure).	
West Virginia		
Standard of proof	D	Preponderance of the evidence. W. Va. Code § 60A-7-705(e).
Innocent owner burden	F	Owner. W. Va. Code § 60A-7-703(a)(5)(ii), (7), (8).
Financial incentive	F	100%. W. Va. Code §§ 60A-7-702, -706. <i>But see</i> W. Va. Const. art. XII, § 5 (requiring “net proceeds” of “forfeitures” to go to the school fund).
Overall grade	D-	
Process	W. Va. Code §§ 60A-7-701 <i>et seq.</i> (forfeiture procedure); W. Va. R. Civ. P. 4(i) (service of complaint).	
Wisconsin		
Standard of proof	C+	Weak conviction provision does not require conviction of an owner, but only of “a person,” and a court can waive the provision if the owner fails to contest forfeiture or in other situations, including when a defendant enters into an immunity agreement with prosecutors in exchange for assisting law enforcement. After the conviction provision is satisfied, property must be linked to the crime by clear and convincing evidence. Wis. Stat. §§ 961.55(1g), .555(2)(am), (3).
Innocent owner burden	A	Government. Wis. Stat. § 961.555(5)(c), (e)–(f); <i>cf. id.</i> §§ 961.555(5)(b), (d), .56(1) (burden on owner with respect to establishing ownership).
Financial incentive	A	No financial incentive. All forfeiture proceeds go to fund schools. However, agencies can retain up to 50% of proceeds to pay for forfeiture expenses, for which they must provide an itemized report. Wis. Const. art. X, § 2; Wis. Stat. § 961.55(5)(b), (e) (permitting seizing agencies to retain reasonable expenses).
Overall grade	A-	
Process	Wis. Stat. § 961.555 (forfeiture procedure); <i>id.</i> §§ 961.55(1k), 968.20 (preliminary hearing); <i>id.</i> § 806.02 (default judgment).	

Wyoming		
Standard of proof	C	Clear and convincing evidence. Wyo. Stat. Ann § 35-7-1049(k).
Innocent owner burden	F	Owner. Wyo. Stat. Ann. §§ 35-7-1049(m), -1050.
Financial incentive	F	Up to 100%. Wyo. Stat. Ann. § 35-7-1049(r)(i)–(vi).
Overall grade	D-	
Process	Wyo. Stat. Ann. § 35-7-1049 (forfeiture procedure); Wyo. R. Civ. P. 4(w) (service of complaint), 12(a)(1) (A) (time to answer), 55 (default judgment).	
Federal Government		
Standard of proof	D	Preponderance of the evidence. 18 U.S.C. § 983(c).
Innocent owner burden	F	Owner. 18 U.S.C. § 983(d).
Financial incentive	F	100%. 18 U.S.C. § 981(e); <i>see also United States v. Pescatore</i> , 637 F.3d 128, 137 (2d Cir. 2011).
Overall grade	D-	
Process	CAFRA: 18 U.S.C. §§ 981 <i>et seq.</i> (forfeiture procedure); Fed. R. Civ. P. 4(m) (service of complaint); 55 (default judgment) Fed. R. Civ. P. Supp. R. C, E, G (supplemental rules of procedure); <i>see</i> 28 C.F.R. §§ 9.3, 9.5 (petitions for remission or mitigation). Customs: 19 U.S.C. §§ 1602–19 (customs forfeiture procedure); <i>id.</i> § 1621 (statute of limitations); Fed. R. Civ. P. 4(m) (service of complaint); Fed. R. Civ. P. Supp. R. C, E, G (supplemental rules of procedure); <i>see</i> 18 U.S.C. § 983(i) (exemption of customs forfeiture from CAFRA); 28 C.F.R. §§ 9.3, 9.5 (petitions for remission or mitigation).	



Endnotes

Endnotes

- 1 Institute for Justice. (2022). *New York forfeiture appeal*. <https://ij.org/case/new-york-forfeiture-appeal/>; Brief of Appellant, *United States v. Starling*, 76 F.4th 92 (2d Cir. 2023), <https://ij.org/wp-content/uploads/2023/05/Doc-39-Brief-of-Appellant.pdf>; Reply Brief of Appellant, *United States v. Starling*, 76 F.4th 92 (2d Cir. 2023), <https://ij.org/wp-content/uploads/2023/05/Doc-66-Reply-Brief-of-Appellant.pdf>; *United States v. Starling*, 76 F.4th 92 (2d Cir. 2023).
- 2 Comprehensive Crime Control Act of 1984, Pub. L. No. 98-473, 98 Stat. 1837. The CCCA was preceded in the 1970s by laws allowing for the civil forfeiture of property used in or derived from drug crimes. See Comprehensive Drug Abuse Prevention and Control Act of 1970, Pub. L. No. 91-513, 84 Stat. 1236; Psychotropic Substances Act of 1978, Pub. L. No. 95-633, 92 Stat. 3768.
- 3 Myers, H. L., & Brzostowski, J. P. (1981). *Drug agents' guide to forfeiture of assets*. U.S. Department of Justice Drug Enforcement Administration. <https://www.ojp.gov/pdffiles1/Digitization/77611NCJRS.pdf>
- 4 Knepper, L., McDonald, J., Sanchez, K., & Pohl, E. S. (2020). *Policing for profit: The abuse of civil asset forfeiture* (3rd ed.). Institute for Justice. <https://ij.org/report/policing-for-profit-3/>; Doyle, C. (2023). *Crime and forfeiture*. Congressional Research Service. <https://sgp.fas.org/crs/misc/97-139.pdf>; U.S. Department of Justice Criminal Division Asset Forfeiture and Money Laundering Section. (2015). *Asset forfeiture and money laundering statutes*. <https://www.justice.gov/sites/default/files/criminal-afmls/legacy/2015/04/24/statutes2015.pdf>
- 5 For example, in Alaska, officials can seize and forfeit “aircraft, vehicles, or vessels” used to illegally transport alcohol to dry communities. Alaska Stat. § 04.16.220(a)(3)(C). And in Wyoming, officials can seize and forfeit “devices and equipment used in taking game illegally.” Wyo. Stat. Ann. § 23-6-208.
- 6 See, e.g., Boudreaux, D. J., & Pritchard, A. C. (1996). Civil forfeiture and the war on drugs: Lessons from economics and history. *San Diego Law Review*, 33(1), 79–135. <https://digital.sandiego.edu/sdlr/vol33/iss1/3/>; Hadaway, B. C. (2000). Executive privateers: A discussion on why the Civil Asset Forfeiture Reform Act will not significantly reform the practice of forfeiture. *University of Miami Law Review*, 55(1), 81–121. <https://repository.law.miami.edu/umlr/vol55/iss1/4/>; *Leonard v. Texas*, 580 U.S. 1178, 1180 (2017) (Thomas, J., respecting denial of certiorari).
- 7 Arlyck. (2019). The founders' forfeiture. *Columbia Law Review*, 119(6), 1449–1518. <https://www.columbialawreview.org/content/the-founders-forfeiture/>, p. 1452.
- 8 Didwania, S. H. (2025). Asset forfeiture and inequality. *Stanford Law Review*, 77(1), 159–234. <https://www.stanfordlawreview.org/print/article/asset-forfeiture-and-inequality/>, p. 173. See also Maxeiner, J. R. (1977). Bane of American forfeiture law—banished at last? *Cornell Law Review*, 62(4), 768–802. <https://scholarship.law.cornell.edu/clr/vol62/iss4/5/>
- 9 *Culley v. Marshall*, 601 U.S. 377, 402 (2024) (Gorsuch, J., concurring) (citing *Leonard*, 580 U.S. at 1180 (Thomas, J., respecting denial of certiorari)).
- 10 *Id.* at 393; see also *Leonard*, 580 U.S. at 1182 (Thomas, J., respecting denial of certiorari). (“Whether this Court’s treatment of the broad modern forfeiture practice can be justified by the narrow historical one is certainly worthy of consideration in greater detail.”).
- 11 Holcomb, J. E., Williams, M. R., Hicks, W. D., Kovandzic, T. V., & Meitl, M. B. (2018). Civil asset forfeiture laws and equitable sharing activity by the police. *Criminology and Public Policy*, 17(1), 1–27. <https://doi.org/10.1111/1745-9133.12341>; Holcomb, J. E., Kovandzic, T. V., & Williams, M. R. (2011). Civil asset forfeiture, equitable sharing, and policing for profit in the United States. *Journal of Criminal Justice*, 39(3), 273–285. <https://doi.org/10.1016/j.jcrimjus.2011.02.010>; Worrall, J. L., & Kovandzic, T. V. (2008). Is policing for profit? Answers from asset forfeiture. *Criminology and Public Policy*, 7(2), 219–244. <https://doi.org/10.1111/j.1745-9133.2008.00504.x>. See also Preciado, M., & Wilson, B. J. (2017). The welfare effects of civil forfeiture. *Review of Behavioral Economics*, 4(2), 153–179. <https://doi.org/10.1561/105.00000063>
- 12 Rose, L. (2012, November 27). Police Chief Ken Burton calls forfeiture funds ‘pennies from heaven’. *The Maneater*. <https://theman eater.com/47127/news/police-chief-ken-burton-calls-forfeiture-funds-pen/>
- 13 Christensen, D., & Jochem, G. (2024, December 15). From an ice cream truck to cameras, how law enforcement spends money it seizes in western Mass. *New England Public Media*. <https://www.nepm.org/regional-news/2024-12-15/from-mahogany-desk-to-security-cameras-how-law-enforcement-spends-money-it-seizes-in-western-mass>
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- 15 Burkhardt, B. C., & Baker, K. (2019). Agency correlates of police militarization: The case of MRAPs. *Police Quarterly*, 22(2), 161–191. <https://doi.org/10.1177/1098611118800780>; O’Harrow et al., 2014.
- 16 O’Harrow et al., 2014; Binion, B. (2019, August 16). Iowa cops

- buy an armored vehicle with \$300,000 in asset forfeiture funds. *Reason*. <https://reason.com/2019/08/16/iowa-cops-buy-an-armored-vehicle-with-300000-in-asset-forfeiture-funds/>
- 17 Kelly, B. D. (2019). *Fighting crime or raising revenue? Testing opposing views of forfeiture*. Institute for Justice. <https://ij.org/report/fighting-crime-or-raising-revenue/>; Kelly, B. D. (2021). *Does forfeiture work? Evidence from the states*. Institute for Justice. www.ij.org/report/does-forfeiture-work
- 18 Blemings, B., & Humphreys, B. (2024). Public financing of professional sports facilities and drug asset forfeiture. *Public Finance Review*, 52(4), 439–465. <https://doi.org/10.1177/10911421241232444>. See also Preciado and Wilson, 2017; Clingermyer, J. C., Hecker, J., & Madsen, S. (2005). Asset forfeiture and police priorities: The impact of program design on law enforcement activities. *Criminal Justice Policy Review*, 16(3), 319–335. <https://doi.org/10.1177/0887403404271482>; Miller, J. M., & Selva, L. H. (1994). Drug enforcement’s double-edged sword: An assessment of asset forfeiture programs. *Justice Quarterly*, 11(2), 313–335. <https://doi.org/10.1080/07418829400092271>; Benson, B. L., Rasmussen, D. W., & Sollars, D. L. (1995). Police bureaucracies, their incentives, and the war on drugs. *Public Choice*, 83(1/2), 21–45. <https://www.jstor.org/stable/30026940>; Worrall, J. L. (2001). Addicted to the drug war: The role of civil asset forfeiture as a budgetary necessity in contemporary law enforcement. *Journal of Criminal Justice*, 29(3), 171–187. [https://doi.org/10.1016/S0047-2352\(01\)00082-4](https://doi.org/10.1016/S0047-2352(01)00082-4); Holcomb et al., 2011; Holcomb et al., 2018; Worrall and Kovandzic, 2008; Makowsky, M. D., Stratmann, T., & Tabarrok, A. (2019). To serve and collect: The fiscal and racial determinants of law enforcement. *The Journal of Legal Studies*, 48(1), 189–216. <https://doi.org/10.1086/700589>
- 19 *Harjo v. City of Albuquerque*, 326 F. Supp. 3d 1145, 1151 (D.N.M. 2018) (internal quotation marks omitted).
- 20 *Jacopo Hernandez v. City of Kent*, 497 P.3d 871, 879–80 (Wash. Ct. App. 2021).
- 21 *United States v. Starling*, 76 F.4th 92, 101 (2d Cir. 2023).
- 22 *Ingram v. Wayne County*, 81 F.4th 603, 623 (6th Cir. 2023) (Thapar, J., concurring).
- 23 *Culley v. Marshall*, 601 U.S. 377, 396 (2024) (Gorsuch, J., concurring).
- 24 *Id.* at 405 (Sotomayor, J., dissenting).
- 25 *Bennis v. Michigan*, 516 U.S. 442 (1996).
- 26 Civil Asset Forfeiture Reform Act of 2000, Pub. L. No. 106-185, 114 Stat. 102.
- 27 Institute for Justice. (2016). *Enforcing landmark civil forfeiture reforms to shut down an unconstitutional forfeiture machine*. <https://ij.org/case/albuquerque-civil-forfeiture/>; Amended Answer, *City of Albuquerque v. One 2014 Nissan 4DR Silver*, Civ. Action No. D-202-CV-2016-03614 (N.M. Dist. Ct. Aug. 31, 2016), <https://ij.org/wp-content/uploads/2016/08/Harjo-Amended-Answer-Aug-2016-IJ080892xA6322.pdf>
- 28 Pl.’s Mot. for Partial Summ. J., *Harjo v. City of Albuquerque*, 326 F. Supp. 3d 1145, 1151 (D.N.M. 2018) (No. 1:16-cv-01113-JB-JHR), https://ij.org/wp-content/uploads/2016/08/REDACTED_ECF-No.-67_Motion-for-Partial-Summary-Judgment-and-Memo-In-Support_FINAL-IJ091644xA6322.pdf; Arlene Harjo Decl. in Supp. of Mot. for Partial Summ. J., *Harjo v. City of Albuquerque*, 326 F. Supp. 3d 1145, 1151 (D.N.M. 2018) (No. 1:16-cv-01113-JB-JHR), https://ij.org/wp-content/uploads/2016/08/MSJ-Exhibits_FINAL.pdf
- 29 Institute for Justice, 2016; Amended Answer, *City of Albuquerque v. One 2014 Nissan 4DR Silver*, Civ. Action No. D-202-CV-2016-03614 (N.M. Dist. Ct. Aug. 31, 2016), <https://ij.org/wp-content/uploads/2016/08/Harjo-Amended-Answer-Aug-2016-IJ080892xA6322.pdf>
- 30 *Harjo v. City of Albuquerque*, 326 F. Supp. 3d 1145 (D.N.M. 2018).
- 31 See Alamdari, N. (2023, June 15). Using loophole, Seward County seizes millions from motorists without convicting them of crimes. *Flatwater Free Press*. <https://flatwaterfreepress.org/using-loophole-seward-county-seizes-millions-from-motorists-without-convicting-them-of-crimes/>
- 32 L.D. 1521, 130th Leg., 1st Spec. Sess. (Me. 2021); L.D. 962, 131st Leg., 1st Spec. Sess. (Me. 2023).
- 33 H.B. 2810, 55th Leg., 1st Reg. Sess. (Ariz. 2021); S.B. 458, 90th Leg., 2d Reg. Sess. (Kan. 2024); H.B. 1440, 2025–2026 Leg., Reg. Sess. (Wash. 2025).
- 34 H.B. 2810, 55th Leg., 1st Reg. Sess. (Ariz. 2021); H.B. 1440, 2025–2026 Leg., Reg. Sess. (Wash. 2025); S.B. 210, 2021 Leg., Reg. Sess. (Ala. 2021); H.B. 280, 152d Gen. Assemb., 2d Reg. Sess. (Del. 2024).
- 35 L.D. 1521, 130th Leg., 1st Spec. Sess. (Me. 2021); L.D. 962, 131st Leg., 1st Spec. Sess. (Me. 2023).
- 36 H.B. 2810, 55th Leg., 1st Reg. Sess. (Ariz. 2021).
- 37 H.B. 1440, 2025–2026 Leg., Reg. Sess. (Wash. 2025).
- 38 S.B. 210, 2021 Leg., Reg. Sess. (Ala. 2021).
- 39 H.B. 280, 152d Gen. Assemb., 2d Reg. Sess. (Del. 2024).
- 40 S. 1963, 218th Leg., Reg. Sess. (N.J. 2020).
- 41 *Culley v. Marshall*, 601 U.S. 377, 397 (2024) (Gorsuch, J., concurring) (internal citations omitted).
- 42 Warren, D. (2025). *Bad data: How Indiana’s flawed forfeiture reporting misinforms Hoosiers*. Institute for Justice. <https://ij.org/report/bad-data/>
- 43 When recording service deadlines, including the availability of extensions, we looked first to forfeiture statutes. If no deadline was specified, we looked to applicable rules of civil procedure. Civil rules in some states implicitly allow service extensions after the fact if, facing a motion to dismiss, the plaintiff shows good cause for serving after the deadline. See, e.g., Or. R. Civ. P. 54(B)(3). We did not record such implicit extensions, only those explicitly listed in forfeiture statutes or the rules of civil procedure.
- 44 In a few instances, we looked to state case law or secondary sources to confirm our understanding of ambiguous state statutes, but we did not comprehensively review sources beyond civil forfeiture laws and relevant rules of civil procedure.
- 45 See, e.g., Iowa Code § 809A.16(1); 21 R.I. Gen. Laws § 21-28-5.04.2(h); Minn. Stat. § 609.5314 subd. 2.
- 46 When we document the criminal prosecution path, we do not

- consider appeals.
- 47 Other common exceptions to the warrant requirement include seizures incident to an arrest, search warrant, or administrative inspection; seizures of property subject to a prior forfeiture judgment; and consent. See, e.g., Cal. Health & Safety Code § 11471; Nev. Rev. Stat. § 179.1165(2); Tex. Code Crim. Proc. Ann. art. 59.03.
- 48 For Kansas and Utah, we measure the percentage of seizures that did not require a warrant. For South Dakota—where the percentage of warrantless seizures is not available—we measure the percentage of seizures that resulted from roadside stops. Nebraska’s data indicate when forfeitures were initiated on an interstate highway but not when any other roadside stops are made. From 2019 to 2023, 29% of the state’s forfeitures started on an interstate highway.
- 49 To be conservative, the 25% warrantless seizures in Oregon excludes an additional 11% of seizures listed as incident to an arrest or arrest inventories, though these may not have involved a warrant as arrest warrant is a separate category. Similarly, we do not include data from Michigan, where warrantless seizures are not specifically identified. There, 38% of seizures were associated with a search or arrest warrant (nearly all search warrants), while 45% were incident to an arrest, again a category that could include warrantless seizures. Combined with the “none of the above” category, as many as 60% of Michigan seizures could be warrantless. Michigan’s data cover 2019 to 2023.
- 50 As part of litigation in *Brown et al. v. Transportation Security Administration et al.*, the DEA provided IJ with a list of asset IDs of airport currency seizures so IJ could look up information about the assets in the Consolidated Asset Tracking System, the DOJ’s publicly available forfeiture database. The DEA also provided purported seizure methods for a smaller set of currency seizures that, at that time, were not yet disclosed through CATS. Data and analysis are on file with IJ.
- 51 Milgram, A. (2025, January 8). *Transportation interdiction program* [Memorandum]. U.S. Department of Justice Drug Enforcement Administration. <https://ij.org/wp-content/uploads/2025/01/Transportation-Interdiction-Program-Memorandum-1.8.25.pdf>. See also U.S. Department of Justice Office of the Inspector General. (2024). *Notification of concerns identified in the Drug Enforcement Administration’s transportation interdiction activities* (Management Advisory Memorandum 25-005). https://oig.justice.gov/sites/default/files/reports/25-005_3.pdf
- 52 Fla. Stat. § 932.704(4).
- 53 Haw. Rev. Stat. § 712A-10(9); 21 R.I. Gen. Laws § 21-28-5.04.2(h)(7). Hawaii permits an *in pauperis* bond in lieu of a cost bond, allowing the indigent to request the opportunity to make a claim without payment. Haw. Rev. Stat. § 712A-10(9).
- 54 Administrative forfeiture is permitted for personal property worth \$500,000 or less. 19 U.S.C. § 1607(a)(1).
- 55 U. S. Department of Justice Criminal Division Money Laundering and Asset Recovery Section. (2025). *Asset forfeiture policy manual*. <https://www.justice.gov/criminal/criminal-afmls/file/839521/dl?inline=,> p. 6-2.
- 56 19 U.S.C. § 1608.
- 57 U. S. Department of Justice Criminal Division Money Laundering and Asset Recovery Section, 2025.
- 58 We are grateful to Northwestern law professor Stephanie Holmes Didwania for drawing a distinction between forfeitures that generate revenue (as from currency or sale proceeds) and those that require property’s destruction (usually weapons and ammunition). She similarly found that about 82% of revenue forfeitures were administrative from 1998 to 2019. Didwania, 2025.
- 59 Knepper et al., 2020.
- 60 Tenn. Code Ann. §§ 40-33-209, -213.
- 61 Wash. Rev. Code § 69.50.505(5). In Washington, if a state agency is the seizing agency, an administrative law judge can be appointed. *Id.*
- 62 *Id.*
- 63 Office of the Washington State Auditor. (2024). *Civil asset forfeiture: Strengthening transparency and protections for property owners*. https://sao.wa.gov/sites/default/files/audit_reports/PA_Civil-Asset-Forfeiture_ar-1033683.pdf
- 64 *United States v. Starling*, 76 F.4th 92 (2d Cir. 2023).
- 65 *Id.* at 98.
- 66 The details of Beverly Miller’s case are taken from her motion to vacate the default judgment against her truck. See Defendant Beverly Miller’s Motion to Vacate Default Judgment, *State v. Williams*, No. 2018RCCV00490 (Ga. Super. Ct. Oct. 16, 2018) (No. 2018RCCV00490).
- 67 Order Setting Aside Default Judgment, *State v. Williams*, No. 2018RCCV00490 (Ga. Super. Ct. Apr. 27, 2021) (No. 2018RCCV00490).
- 68 Owens, L. (2022, February 3). I-TEAM: Wife loses late husband’s truck seized in crime case. WRDW. <https://www.wrdw.com/2022/02/04/i-team-highway-robbery-wife-loses-late-husbands-truck-after-seized-criminal-operation/>
- 69 Order of Distribution, *State v. Williams* (Ga. Super. Ct. Aug. 19, 2024) (No. 2018RCCV00490).
- 70 Warren, 2025.
- 71 Raba, C. J. (2023). Forfeiting due process: How adjudicative reform fails property owners. *Fordham Urban Law Journal*, 51(2), 299–356. <https://ir.lawnet.fordham.edu/ulj/vol51/iss2/1/>, p. 335.
- 72 Office of the Washington State Auditor, 2024, p. 56. See also, e.g., Rosenstein, R. J. (2017). Bernie Madoff and the case for civil asset forfeiture. *The Wall Street Journal*. <https://www.wsj.com/articles/bernie-madoff-and-the-case-for-civil-asset-forfeiture-1510237360>
- 73 Conn. Gen. Stat. § 54-36f; Fla. Stat. § 932.703(3)(a); Tenn. Code Ann. § 40-33-203(e)(1); N.H. Rev. Stat. Ann. § 318-B:17-b(II)(a); D.C. Code § 41-304(a)(1)(D).
- 74 18 U.S.C. § 983(a)(1)(A).
- 75 A 2023 scholarly article details how notice requirements in California that appear robust are, as implemented, “woefully insufficient.” This is especially true, the article argues, for

- incarcerated owners, who may either not receive notice at all or receive it too late for it to be of use. Raba, 2023, p. 300.
- 76 See Brief of Appellant at 43, *Sparger-Withers v. Taylor*, No. 24-1367 (7th Cir. Apr. 22, 2024).
- 77 Office of the Washington State Auditor, 2024.
- 78 Datar, S., & Dooling, S. (2021, August 18). Massachusetts police can easily seize your money. The DA of one county makes it nearly impossible to get it back. *ProPublica*. <https://www.propublica.org/article/massachusetts-police-can-easily-seize-your-money-the-da-of-one-county-makes-it-nearly-impossible-to-get-it-back>
- 79 See Brief of Appellant at 20, *Martin v. FBI*, 145 F.4th 1345 (D.C. Cir. Jan. 22, 2025) (No. 24-5144); *Snitko v. United States*, 90 F.4th 1250 (9th Cir. 2024).
- 80 *Snitko v. United States*, No. 2:21-cv-04405-RGK-MAR, 2021 WL 3139707, at *3 (C.D. Cal. June 22, 2021).
- 81 See Answer, Affirmative Defenses, and Counterclaims at 11–14, *Indiana v. \$43,825.00*, No. 49D04-2405-MI-020041 (Ind. Super. Ct. Aug. 8, 2024).
- 82 Brief of Appellant at 22–23, *Martin v. FBI*, 145 F.4th 1345 (D.C. Cir. Jan. 22, 2025) (No. 24-5144).
- 83 *Dong v. United States*, 656 F. Supp. 3d 788, 790, 793 (N.D. Ind. 2023). This ruling was brought to our attention by Didwania, 2025.
- 84 *Dong*, 656 F. Supp. 3d at 792.
- 85 *Id.* at 795.
- 86 Office of the Washington State Auditor, 2024, p. 42.
- 87 Office of the Washington State Auditor, 2024.
- 88 Heineccius, P., Neidhardt, M., & Leary, B. (2025). *Civil asset forfeiture: Increased transparency would improve accountability*. King County Auditor’s Office. <https://cdn.kingcounty.gov/-/media/king-county/independent/governance-and-leadership/government-oversight/auditors-office/reports/audits/2025/civil-asset-forfeiture/civil-asset-forfeiture.pdf>, pp. 14–16.
- 89 Warren, 2025.
- 90 This represents an inflation-adjusted estimate based on a \$3,000 estimate we first reported in the third edition of *Policing for Profit*. The original estimate was based on information from state forfeiture attorneys. The adjustment was made using lawyer billing rates data by practice area (the mean of civil right/ constitutional law and civil litigation) for 2020 and 2024 as reported in Clio. (2020). *Legal trends report*. <https://www.clio.com/resources/legal-trends/2020-report/> and Clio. (2024). *Legal trends report*. <https://www.clio.com/resources/legal-trends/>
- 91 Appellant’s Opening Brief at 3–5, *United States v. \$8,500*, No. 23-10971, 2025 WL 2406318 (11th Cir. May 17, 2023).
- 92 *Id.* at 6, 9.
- 93 *United States v. \$8,500*, No. 1:21-cv-3847-TWT, 2023 WL 12131796 (N.D. Ga. Jan. 25, 2023).
- 94 For CAFRA, see 28 U.S.C. § 2465(b)(1). For states, see, e.g., Ariz. Rev. Stat. Ann. § 13-4314(E); Kan. Stat. Ann. § 60-4116(f)(2); Wash. Rev. Code § 69.50.505(6).
- 95 Appellant’s Opening Brief at 9, *United States v. \$8,500*, No. 23-10971, 2025 WL 2406318 (11th Cir. May 17, 2023).
- 96 Courts will award owners attorney fees and litigation costs under CAFRA only if the owner is considered to have “substantially prevailed” against the federal government. The question of whether claimants have “substantially prevailed” is “the issue that has arisen most frequently in civil forfeiture cases” according to civil rights attorney David Smith. 1 David Smith, *Prosecution and Defense of Forfeiture Cases* ¶ 10.08 (2025). Some courts have held that an owner has not “substantially prevailed” when the forfeiture case is dismissed without prejudice (meaning the case can be brought again in the future, which is highly unlikely to occur), incentivizing government prosecutors who want to dismiss a case to dismiss without prejudice in order to avoid the government having to pay the owner attorney fees and litigation costs. See, e.g., *United States v. Ross*, 161 F.4th 100 (2d Cir. 2025); *United States v. \$8,040*, No. 6:21-CV-6323-CJS, 2025 WL 2043417 (W.D.N.Y. July 21, 2025); *United States v. \$70,670.00*, 929 F.3d 1293 (11th Cir. 2019), *cert denied sub nom. Salgado v. United States*, 140 S. Ct. 2640 (2020); *United States v. \$32,820.56*, 838 F.3d 930 (8th Cir. 2016); *United States v. Minh Huynh*, 334 F. App’x 636 (5th Cir. 2009); and *United States v. \$13,275.21*, Civil Action No. SA-06-CA-171-XR, 2007 WL 316455 (W.D. Tex. Jan. 31, 2007). However, other courts have resisted the government’s opposition to attorney fee awards by denying the government’s motions to dismiss without prejudice because it would preclude the owner from winning attorney fees. See, e.g., Order, *United States v. \$107,702.66*, No. 7:14-cv-00295 (E.D.N.C. Feb. 1, 2016); *United States v. Ito*, 472 F. App’x 841 (9th Cir. 2012); *United States v. Certain Real Prop.*, 543 F. Supp. 2d 1291 (N.D. Ala. 2008); see also *United States v. \$448,840.92*, No. 4:21-cv-00202, 2021 WL 5578847 (E.D. Tex. Nov. 29, 2021).
- 97 Appellant’s Opening Brief at 8, *United States v. \$8,500*, No. 23-10971, 2025 WL 2406318 (11th Cir. May 17, 2023).
- 98 Brief of Appellee at 9, *United States v. \$8,500*, No. 23-10971, 2025 WL 2406318 (11th Cir. Aug. 7, 2023).
- 99 *United States v. \$8,500*, No. 23-10971, 2025 WL 2406318 (11th Cir. Aug. 20, 2025).
- 100 See, e.g., Haw. Rev. Stat. § 712A-15(5); Kan. Stat. Ann. § 60-4116(f)(1); La. Stat. Ann. § 40:2615(E).
- 101 Raba, 2023; Johnson, N., Lee, J. W. Y., & Simkin, M. (2023). *I don’t know why I’m here: Observations from Cook County’s civil asset forfeiture courtrooms*. Chicago Appleseed Center for Fair Courts and Chicago Council of Lawyers. <https://www.chicagoappleseed.org/2023/04/04/civil-asset-forfeiture-report/>
- 102 In July 2025, the district court ruled against IJ’s efforts to recover attorney fees and interest for Cristal. *United States v. \$8,040*, No. 6:21-cv-6323-CJS, 2025 WL 2043417 (W.D.N.Y. July 21, 2025).
- 103 McDonald, J. (2018). *Civil forfeiture, crime fighting and safeguards for the innocent: An analysis of Department of Justice forfeiture data*. Institute for Justice. <https://ij.org/report/civil-forfeiture-crime-fighting-and-safeguards-for-the-innocent/>, p. 9.

- 104 Johnson et al., 2023, p. 10.
- 105 Johnson et al., 2023, p. 12.
- 106 Answer, Affirmative Defenses, and Counterclaims at 10, *Indiana v. \$43,825.00*, No. 49D04-2405-MI-020041 (Ind. Super. Ct. Aug. 8, 2024).
- 107 Alamdari, 2023. Notably, research has found that while police were more likely to search out-of-state drivers during traffic stops, those stops were less likely to turn up contraband. Roach, K., Baumgartner, F. R., Christiani, L., Epp, D. A., & Shoub, K. (2022). At the intersection: Race, gender, and discretion in police traffic stop outcomes. *Journal of Race, Ethnicity, and Politics*, 7(2), 239–261. <https://doi.org/10.1017/rep.2020.35>
- 108 Kremer, R. (2022, June 16). Minnesota man who had \$10K seized in Wisconsin traffic stop says police had no right to that money. *Wisconsin Public Radio*. <https://www.wpr.org/politics/minnesota-man-who-had-10k-seized-wisconsin-traffic-stop-says-police-had-no-right-money>
- 109 Schapiro, R. (2021, October 16). ‘Highway robbers’: How a trip to buy farmland ended with police taking all his cash. *NBC News*. <https://www.nbcnews.com/news/us-news/highway-robbers-how-trip-buy-farmland-ended-police-taking-all-n1281629>
- 110 Settlement Agreement, *United States v. \$28,180.00*, No. 2:21-cv-01621-EAS-KAJ (S.D. Ohio Oct. 28, 2021); Institute for Justice. (2021). *Kermit Warren forfeiture*. <https://ij.org/case/kermit-warren-forfeiture/>
- 111 *In re United States Currency (\$39,500.00 Dollars)*, 521 P.3d 631 (Ariz. Ct. App. 2022); Institute for Justice. (2021). *Arizona forfeiture appeal*. <https://ij.org/case/arizona-forfeiture-a>
- 112 See First Amended Class Complaint, *Brown v. TSA*, No. 2:20-cv-00064-LPL (W.D. Pa. July 17, 2020).
- 113 As discussed on page 40, some states permit at least some owners to request a probable cause determination in an adversarial hearing. Such hearings can help owners get their property back permanently or temporarily while their case proceeds, but an owner unable to file a claim or answer is unlikely to be able to take advantage of them.
- 114 Didwania, 2025.
- 115 Cal. Health & Saf. Code § 11488.4(j)(5)(B); R.I. Gen. Laws § 21-28-5.04.2(h)(8).
- 116 Ga. Code Ann. § 9-16-11(c)(4); Wash. Rev. Code § 69.50.505(4).
- 117 N.J. Stat. Ann. § 2C:64-3(e). Though the government will have filed a complaint, statutes do not contemplate the court ruling on it.
- 118 Civil forfeiture laws in seven of these states, Arkansas, Maryland, Nebraska, North Dakota, Oregon, South Dakota, and Virginia, provide specific rules for failure to claim or answer in forfeiture litigation. The other 10 states rely on the generally applicable rules of civil procedure governing defaults or case law.
- 119 One benefit of requiring the government to seek an order of default from a court is that civil forfeiture procedures provide mechanisms for setting aside entries of default. Raba, 2023. While this may help some property owners, the experiences of Cristal Starling and Beverly Miller suggest a high bar to vacating a default order, which may, in any event, come too late.
- 120 Didwania, 2025, p. 196.
- 121 Answer, Affirmative Defenses, and Counterclaims at 8, *Indiana v. \$43,825.00*, No. 49D04-2405-MI-020041 (Ind. Super. Ct. Aug. 8, 2024). Empirical research has called into question the reliability of dog alerts for detecting drugs. For an overview, see Slaughter, M. (2016). Supreme Court’s treatment of drug detection dogs doesn’t pass the sniff test. *New Criminal Law Review*, 19(2), 279–311. <https://doi.org/10.1525/nclr.2016.19.2.279>
- 122 U.S. Department of Justice Office of the Inspector General, 2024.
- 123 Alamdari, 2023.
- 124 *Culley v. Marshall*, 601 U.S. 377, 380 (2024).
- 125 Plaintiffs’ Combined Opposition to Defendant’s Motion for Summary Judgment and Cross-Motion for Partial Summary Judgment at 47, *Ingram v. Wayne County*, No. 5:20-cv-10288-JEL-EAS (E.D. Mich. June 23, 2025).
- 126 *Id.* at 11–13.
- 127 *Ingram v. Wayne County*, 81 F.4th 603, 607 (6th Cir. 2023).
- 128 *Id.* at 607–08.
- 129 Under these laws, the only effective deadline for bringing a forfeiture action is the statute of limitations. Michigan (two years), Mich. Comp. Laws § 600.5809(2); Massachusetts (two years), Mass. Gen. Laws ch. 260, § 5; North Dakota (two years), N.D. Cent. Code § 28-01-18; Oklahoma (one year), Okla. Stat. tit. 12, § 95(a)(4); Pennsylvania (two years), 42 Pa. Cons. Stat. § 5524; Rhode Island (one or two years), 12 R.I. Gen. Laws § 12-21-2; South Carolina (two years), S.C. Code Ann. § 15-3-550.
- 130 Sullum, J. (2021, December 8). She got her car back 6 years after police seized it. *Reason*. <https://reason.com/2021/12/08/she-got-her-car-back-more-than-6-years-after-police-seized-it/>
- 131 In addition, New Hampshire law requires “a hearing on the petition to be held within 90 days of the date specified by the court on the summonses.” N.H. Rev. Stat. Ann. § 318-B:17-b(IV)(c). However, it is not clear what that means.
- 132 Neb. Rev. Stat. § 28-431(6). See also, e.g., Georgia (requires a hearing within 60 days after service of the complaint), Ga. Code Ann. § 9-16-12(f); Illinois (requires a hearing within 60 days after an answer is filed), 725 Ill. Comp. Stat. 150/9(F); and Minnesota (requires a hearing within 90 days of the conclusion of the criminal trial), Minn. Stat. § 609.5314, subd. 3.
- 133 In some states, generous deadlines for serving owners with complaints, typically found in the rules of civil procedure, make up a substantial portion of this time. With service deadlines removed—that is, assuming prosecutors serve claimants promptly—the median is 114 days, or just under four months.
- 134 Alaska Stat. § 17.30.118; Cal. Health & Safety Code § 11488.4(g)–(h); Conn. Prac. Book 41-13 (2025); Neb. Rev. Stat. § 28-431(5); Nev. Rev. Stat. § 179.1171(2); N.H. Rev. Stat. Ann. § 617:4-a.
- 135 In the District of Columbia, the government’s burden to retain

- property varies by property type. For vehicles and cash worth less than \$1,000, the District must meet a higher standard of preponderance of the evidence. For all other property, the burden is probable cause. D.C. Code § 41-306(f)(1).
- 136 In Ohio, the burden of proof shifts according to whether the property is titled or registered. If it is, the government must prove by a preponderance of the evidence the seizure was lawful and the claimant is not entitled to the property. If it is not titled or registered, the claimant must prove by a preponderance of the evidence the seizure was unlawful and they are entitled to the property. Ohio Rev. Code Ann. § 2981.03(A)(4).
- 137 *Ingram v. Wayne County*, 81 F.4th 603, 620 (6th Cir. 2023), *abrogated on other grounds by Culley v. Marshall*, 601 U.S. 377 (2024).
- 138 *Id.* at 619.
- 139 Schaeffer, K. (2024). *1 in 10 Americans rarely or never drive a car*. Pew Research Center. <https://www.pewresearch.org/short-reads/2024/11/14/1-in-10-americans-rarely-or-never-drive-a-car/>
- 140 Carnegie, J. A. (2007). *Driver's license suspensions, impacts and fairness study* (Report No. FHWA NJ-2007-020). New Jersey Department of Transportation., New Jersey Motor Vehicle Commission, and Federal Highway Administration. <https://www.nj.gov/transportation/business/research/reports/FHWA-NJ-2007-020-V1.pdf>; Arizona State University W. P. Carey School of Business L William Seidman Research Institute. (2017). *The City of Phoenix Municipal Court's Compliance Assistance Program, 2016: An economic assessment*. <https://finesandfeesjusticecenter.org/articles/phoenix-municipal-courts-compliance-assistance-program/>
- 141 Carreon, J., and Cassella, C. (2025). *Driven by debt: An updated analysis of the state's Failure to Appear/Pay Program*. Texas Appleseed. https://www.texasappleseed.org/sites/default/files/2025-04/drivenbydebt_report_updated.pdf
- 142 Hasler, A., Lusardi, A., Mitchell, O. S., & Sconti, A. (2023). *Understanding financial vulnerability among Asians, Blacks, and Hispanics in the United States* (Research Dialogue Issue No. 200). TIAA Institute. https://www.tiaa.org/content/dam/tiaa/institute/pdf/research-report/2023-07/tiaa-institute-understanding-financial-vulnerability-among-asians-blacks-and-hispanics_rd200_hasler_july2023.pdf
- 143 Hasler et al., 2023. For more on financial fragility, see Lusardi, A., Schneider, D. J., & Tufano, P. (2011). *Financially fragile households: Evidence and implications* (Working Paper 17072). National Bureau of Economic Research. <http://www.nber.org/papers/w17072>
- 144 Lin, J. T., Bumcrot, C., Lusardi, A., Valdes, O., Mottola, G., Ganem, R., Sarver, S., Kieffer, C., McLaughlin, R., & Walsh, G. (2025). *Financial capability in the United States: Results from the FINRA Foundation's National Financial Capability Study* (6th Ed.). FINRA Investor Education Foundation. <https://www.finrafoundation.org/sites/finrafoundation/files/2025-07/NFCS-Report-Sixth-Edition-July-2025.pdf>
- 145 Most recently, a study using federal data found that areas with a greater Hispanic population had more forfeitures per capita, and areas with greater Hispanic or black populations had more forfeiture revenue per capita. Didwania, 2025. Another study looking at forfeiture revenue from local, state, and federal sources combined found that revenue was higher in areas with greater Hispanic or black populations. Nicholson-Crotty, S., Nicholson-Crotty, J., Li, D., & Mughan, S. (2021). Race, representation, and assets forfeiture. *International Public Management Journal*, 24(1), 47–66. <https://doi.org/10.1080/10967494.2020.1728454>. In a study in California, a greater black or foreign-born population was associated with more forfeitures. Joseph, J., & McCarthy, B. (2023). California civil asset forfeiture and the policing of minority residents. *Law and Social Inquiry*, 48(4), 1138–1156. <https://doi.org/10.1017/lsi.2022.84>. That study also found that more residents living in poverty was correlated with more forfeitures. There is also a study showing that, when there is a financial incentive and a budget deficit, drug arrests of black and Hispanic people and accompanying seizures of non-drug property increase. Makowsky et al., 2019. While not about forfeiture exclusively, there is also research showing that areas with greater black or Asian populations are more reliant on revenue from fines and forfeitures. Singla, A., Kirschner, C., & Stone, S. B. (2019). Race, representation, and revenue: Reliance on fines and forfeitures in city governments. *Urban Affairs Review*, 56(4), 1132–1167. <https://doi.org/10.1177/1078087419834632>
- 146 Didwania, 2025.
- 147 In an IJ study of forfeiture victims in Philadelphia, forfeitures were concentrated in low-income, predominantly minority areas. McDonald, J., & Carpenter, D. M. (2021). *Frustrating, corrupt, unfair: Civil forfeiture in the words of its victims*. Institute for Justice. <https://ij.org/report/frustrating-corrupt-unfair/>. Forfeiture victims surveyed were disproportionately black and low-income, and they also tended to be less educated and have higher rates of unemployment. The American Civil Liberties Union has examined forfeiture activities in several jurisdictions. In a report on New Jersey, seizures were disproportionately concentrated in cities with lower household incomes. ACLU New Jersey. (2018). *Private property, police profit: Explaining and reforming civil asset forfeiture in New Jersey*. https://www.aclu-nj.org/app/uploads/2022/08/2018_aclunj_civil_asset_forfeiture.pdf; Weisberg, L. (2018, December 11). *Forfeiting fairness: New Jersey's broke civil asset forfeiture system* [Press release]. <https://www.aclu-nj.org/press-releases/forfeiting-fairness-new-jerseys-broken-civil-asset-forfeiture-system/>. In a report on Montgomery County, Maryland, the population of black residents was less than 10%, but black property owners were the defendants in most forfeiture cases. American Civil Liberties Union of Pennsylvania. (2015). *Broken justice: An investigation of civil asset forfeiture in Montgomery County*. https://www.aclupa.org/app/uploads/2019/08/Broken_Justice_-_Montgomery_County_final.pdf. Other investigations have yielded similar findings. In one investigation in South Carolina, most of the cash seized

- was police was from black men. Cary, N., & Ellis, M. (2019, January 27). 65% of cash seized by SC police comes from black men. Experts blame racism. *The Greenville News*. <https://www.greenvilleonline.com/story/news/taken/2019/01/27/south-carolina-racism-blamed-civil-forfeiture-black-mentaken-exclusive-investigation/2459039002/>. In another investigation in Cook County, Illinois, seizures were disproportionately concentrated in poor, predominately black neighborhoods. Ciaramella, C. J. (2017, June 13). Poor neighborhoods hit hardest by asset forfeiture in Chicago, data shows. *Reason*. <https://reason.com/2017/06/13/poor-neighborhoods-hit-hardest-by-asset/>
- 148 Pierson, E., Simoiu, C., Overgoor, J., Corbett-Davies, S., Ramachandran, V., Phillips, C., & Goel, S. (2017). A large-scale analysis of racial disparities in police stops across the United States. *ArXiv*. <https://doi.org/10.48550/arXiv.1706.05678>. See also Pierson, E., Simoiu, C., Overgoor, J., Corbett-Davies, S., Ramachandran, V., Phillips, C., & Goel, S. (2020). A large-scale analysis of racial disparities in police stops across the United States. *Nature Human Behavior*, 4(7), 736–745. <https://doi.org/10.1038/s41562-020-0858-1>. Several other studies have examined the role of race and class in traffic stops and searches. Most recently, two studies examined how the value of vehicles predicts the likelihood of stops and searches. The first found that while law enforcement was more likely to conduct discretionary searches of lower-value vehicles, searches of lower-value vehicles were less likely to turn up contraband. Knode, J. L., Carter, T. M., & Wolfe, S. E. (2025). Driving while broke: The role of class signals in police discretion. *Justice Quarterly*, 42(3), 396–425. <https://doi.org/10.1080/07418825.2024.2398543>. That study considered the role of race as well, finding that black drivers were more likely to be searched than white drivers, even if driving in a higher value vehicle than a white driver. The second study yielded similar findings—lower-value vehicles were more likely to be stopped and searched, but less likely to turn up contraband. Feigenberg, B., & Miller, C. (2025). *Class disparities and discrimination in traffic stops and searches* (Working Paper 33629). National Bureau of Economic Research. <http://www.nber.org/papers/w33629>. These studies' findings matched the findings of prior work. The ACLU examined traffic stops in Illinois from 2015 to 2017 and similarly found that black and Hispanic drivers were more likely to be subject to a consent search than white drivers. ACLU Illinois. (2019). *Racism in the rear view mirror: Illinois traffic stop data 2015–2017*. https://www.aclu-il.org/sites/default/files/racism_in_the_rear_view_mirror_il_traffic_stops_2015-2017.pdf. In another study across four states, black drivers were more likely to be searched, but those searches were less likely to turn up contraband. Roach et al., 2022. And in a study in the Chicago metropolitan area, black drivers were more likely to be stopped by police. Xu, W., Smart, M., Tilahun, N., Askari, S., Dennis, Z., Li, H., & Levinson, D. (2024). The racial composition of road users, traffic citations, and police stops. *Proceedings of the National Academy of Sciences*, 121(24), 1–6. <https://doi.org/10.1073/pnas.2402547121>. This body of research aligns with other investigations into law enforcement's stop and search practices. In an early report, the ACLU examined narcotics task forces in Texas and found evidence that law enforcement was more likely to search black and Hispanic drivers. ACLU of Texas. (2004). *Flawed enforcement: Why drug task force highway interdiction violates rights, wastes tax dollars, and fails to limit the availability of drugs in Texas*. <https://assets.aclu.org/live/uploads/2005/09/flawed-enforcement.pdf>. More recently, the DOJ's investigations in Ferguson, Missouri, and Baltimore, Maryland, offered similar insights. In the Ferguson investigation, black drivers were twice as likely to be searched but those searches were less likely to produce contraband. U.S. Department of Justice Civil Rights Division. (2015). *Investigation of the Ferguson Police Department*. https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2015/03/04/ferguson_police_department_report.pdf. And notably, much of the blame was centered on law enforcement activities geared more toward revenue generation, like forfeiture, than public safety. In the investigation in Baltimore, black drivers and pedestrians were more likely to be searched than white drivers and pedestrians, but again, like other work, those searches were less likely to produce contraband. U.S. Department of Justice Civil Rights Division. (2016). *Investigation of the Baltimore City Police Department*. https://www.justice.gov/d9/bpd_findings_8-10-16.pdf
- 149 Federal Deposit Insurance Corporation. (2022). *2021 FDIC National Survey of Unbanked and Underbanked Households*. <https://www.fdic.gov/sites/default/files/2024-03/2021report.pdf>
- 150 *United States v. Starling*, 76 F.4th 92, 97 (2d Cir. 2023).
- 151 Warren, 2025.
- 152 These rates of plea deals are even higher than the already high rate of plea deals in criminal cases in general. According to federal data from 2018 to 2022, an average of 92% of criminal convictions are secured via a plea deal. Administrative Office of the U.S. Courts. (2018–2022). Table D-4. U.S. District Courts—Criminal defendants disposed of. *Judicial business of the United States courts*. <https://www.uscourts.gov/statistics-reports/caseload-statistics-data-tables>. State data are limited, but available data suggest 95% of convictions are secured via a plea deal. Reaves, B. A. (2013). *Felony defendants in large urban counties, 2009 – Statistical tables* (NCJ 243777). U.S. Department of Justice Office of Justice Programs Bureau of Justice Statistics. <https://bjs.ojp.gov/content/pub/pdf/fdluc09.pdf>
- 153 Alamdari, 2023. For a discussion of on-the-spot waivers used on roadsides, see Rulli, L. S. (2025). Duress, coercion, and intimidation on the highway: A call to ban roadside waivers in civil forfeiture. *Yale Law and Policy Review*, 43(2), 699–775. <https://yalelawandpolicy.org/duress-coercion-and-intimidation-highway-call-ban-roadside-waivers-civil-forfeiture>

154 *Ingram v. Wayne County*, 81 F.4th 603, 606 (6th Cir. 2023).
 155 *Id.* at 608.
 156 *Id.*
 157 Plaintiffs’ Combined Opposition to Defendant’s Motion for Summary Judgment and Cross-Motion for Partial Summary Judgment at 6, *Ingram v. Wayne County*, No. 5:20-cv-10288-JEL-EAS (E.D. Mich. June 23, 2025). In August 2023, the Sixth Circuit ruled the vehicle forfeiture program violated property owners’ rights in not allowing them to promptly challenge seizures. *Ingram v. Wayne County*, 81 F.4th 603 (6th Cir. 2023). Shortly thereafter, Wayne County suspended the program. See Ex. 18 to Pls.’ Amended Mot. for Class Certification, No. 5:20-cv-10288-JEL-EAS, *Ingram v. Wayne County* (E.D. Mich. Dec. 23, 2024). If’s lawsuit against the county over the program continues.
 158 Schrag, D. (2023, April 2). ‘This is what it is going to cost you’: Chanute police seize vehicles with remarkable frequency. *Kansas Reflector*. <https://kansasreflector.com/2023/04/02/this-is-what-it-is-going-to-cost-you-chanute-police-seize-vehicles-with-remarkable-frequency/>
 159 *Ingram*, 81 F.4th at 623 (Thapar, J., concurring).
 160 Equitable sharing revenues are included in the federal \$57 billion total but ultimately flow to states and localities. See “Equitable Sharing” starting on page 56.
 161 For example, Alabama’s revenue does not account for hundreds of vehicles forfeited since 2019, when it began reporting forfeiture data. And in New Jersey, under a new reporting system implemented in 2022, over 70% of non-currency properties lack a valuation.
 162 We excluded four extremely large outlier forfeitures in the yearly trends analysis or visual, as they would warp the scale: two of \$8.8 billion each in New York in 2014 and 2015, one of \$300 million in New York in 2019, and \$217 million in forfeiture revenue from the Florida Department of Financial Services in 2018.
 163 While substantial differences in reporting quality and methods across states make fine-grained comparisons difficult or inadvisable, we can use the 2023 data to analyze broad higher-level trends
 164 State population estimates are for 2023 and were obtained from the U.S. Census Bureau. U.S. Census Bureau. (2024). *Vintage 2023 population estimates by demographic characteristics*. <https://www.census.gov/newsroom/press-kits/2024/population-estimates-characteristics.html>
 165 U.S. Department of Justice Office of the Inspector General Audit Division. (2024). *Audit of the Assets Forfeiture Fund and Seized Asset Deposit Fund annual financial statements, fiscal year 2023*. https://oig.justice.gov/sites/default/files/reports/24-018_0.pdf
 166 The increase in net assets has occurred despite Congress commonly moving money out of the DOJ and Treasury forfeiture funds for general use by the government. For example, in 2023, Congress moved \$500 million from the DOJ’s forfeiture fund to the federal government’s general fund. U.S. Department of Justice Office of the Inspector General Audit Division, 2
 167 There are no recent data available for the Treasury.
 168 For currency, the threshold is \$1,000 if the person from whom the cash was seized either was, or is being, criminally prosecuted by state or federal authorities for related crimes. Otherwise, the threshold is \$5,000. U. S. Department of Justice Criminal Division Money Laundering and Asset Recovery Section, 2025. Here again, we are indebted to Stephanie Holmes Didwania for first making this point. Didwania, 2025.
 169 The five states are Arizona, Michigan, Minnesota, Oregon, and New Jersey.
 170 The three states are Kansas, Minnesota, and Virginia.
 171 Although criminal forfeiture proceedings have increased as a share of DOJ forfeitures, the absolute number of criminal forfeiture proceedings has slightly decreased, meaning their increasing share is due to greater declines in the numbers of administrative and civil-judicial proceedings. In particular, there has been a massive drop in the raw number of administrative forfeitures of property that do not generate revenue (e.g., weapons and ammunition).
 172 Nebraska and New Jersey also report proceeding type data; however, 84% of the proceeding type data are missing in Nebraska, and 49% are missing in New Jersey. We therefore do not include these data here.
 173 For example, the 2023 audit noted that the Asset Forfeiture Management Staff “did not complete key corrective actions to fully address ... previously identified deficiencies in the ... internal controls over accounting for seized property and forfeiture revenue.” U.S. Department of Justice Office of the Inspector General Audit Division, 2024, p. 19. In addition, it appears the reporting lags have grown in recent years, as revenues calculated using CATS fall far short of those reported in the DOJ’s Annual Reports to Congress, suggesting more recent data are incomplete.
 174 Georgia Advisory Committee to the U.S. Commission on Civil Rights. (2022). *Civil asset forfeiture and its impact on communities of color in Georgia*. https://www.usccr.gov/files/2022-11/2022_civil-asset-forfeiture-in-ga_report.pdf
 175 See, e.g., California Department of Justice Division of Law Enforcement. (2023). *Asset forfeiture report: Annual report to the Legislature, California Health and Safety Code 11495, calendar year 2023*. <https://oag.ca.gov/system/files/media/2023-af.pdf>
 176 For West Virginia, we only have data from 2020 to 2023.
 177 Warren, 2025.
 178 Heineccius, et al., 2025.
 179 U.S. Department of Justice, & U.S. Department of the Treasury. (2024). *Guide to equitable sharing for state, local, and tribal law enforcement agencies*. <https://www.justice.gov/criminal/media/1044326/dl?inline=,> p. 1
 180 To illustrate that agencies must receive a direct benefit, the DOJ and Treasury’s equitable sharing handbook gives the following “example of improper supplantation”: “A police department receives \$100,000 in federal equitable sharing only to have its budget cut \$100,000 by the city council. In this instance, the police department has received no direct benefit

from equitable sharing whatsoever. Rather, the city as a whole has received the benefit of the sharing.” U.S. Department of Justice and U.S. Department of the Treasury, 2024, p. 16

181 Worrall and Kovandzic, 2008; Holcomb et al., 2011; Holcomb et al., 2018.

182 Kelly, 2019.

183 First Amended Complaint at 6, *Lara v. State*, No. CV21-01595 (Nev. Dist. Ct. Feb. 1, 2022), <https://ij.org/wp-content/uploads/2021/09/Amended-Complaint-as-filed.pdf>

184 *Id.* at 6–8.

185 About 25 minutes into the stop, the NHP officer who pulled Stephen over contacted a DEA agent, who apologized for not being able to make it to the scene. A highway patrol sergeant who joined the first officer on the scene responded that there would be “no issues” because “it’s too easy to do an adoption [a type of equitable sharing].” *Id.* at 9.

186 Nev. Rev. Stat. § 179.1187(2)(d). Nevada also places more restrictions on how forfeiture proceeds can be spent than the federal government does. See Plaintiff’s Motion for Partial Summary Judgment on the Pleadings at 19, *Lara v. State*, No. CV21-01595 (Nev. Dist. Ct. Mar. 27, 2024).

187 Compare Nev. Rev. Stat. § 179.1173(4), with 18 U.S.C. § 983(c).

188 Nev. Rev. Stat. § 179.1173(2).

189 The number of certified agencies was computed using the approved Equitable Sharing Agreement and Certification requests submitted by police, sheriff, and other local law enforcement agencies. The percentage of certified agencies was computed using that number and the total number of agencies reported in the 2018 Census of State and Local Law Enforcement Agencies. Gardner, A. M., & Scott, K. M. (2022). *Census of state and local law enforcement agencies, 2018 – Statistical tables*. U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. <https://bjs.ojp.gov/library/publications/census-state-and-local-law-enforcement-agencies-2018-statistical-tables>

190 These statistics were calculated by taking the average of the percentage of participating agencies for each year from 2019 to 2023.

191 In addition, 75% of law enforcement agencies in Hawaii were certified. However, there are only eight such agencies in the entire state.

192 As of 2023, New Mexico had three agencies (aside from tribal agencies, to which the state law banning agencies from equitable sharing does not apply) certified to participate, while the District of Columbia had zero.

193 U.S. Department of the Treasury. (n.d.). *Treasury Executive Office for Asset Forfeiture (TEOAF)*. <https://home.treasury.gov/policy-issues/terrorism-and-illicit-finance/treasury-executive-office-for-asset-forfeiture-teoaf>

194 The District of Columbia reported no equitable sharing revenue in 2023, while New Mexico reported a small amount, all of it from tribal agencies, which are not subject to the state’s reform.

195 The DOJ purportedly removed the percentage requested field to “place[] a greater emphasis on an agency’s contribution to the law enforcement effort.” U.S. Department of Justice. (2014, August 11). *Revised DAG-71 sharing request form and upcoming electronic submission* (Equitable Sharing Wire). <https://www.justice.gov/sites/default/files/criminal-afmls/legacy/2014/08/12/08-11-14-wire.pdf>

196 Although the DOJ introduced the “new” form without the percentage requested field in 2014, 46% of requests were still submitted using the old form in 2015. The percentage of requests using the old form had declined to about 3% by 2019 and to about 1% by 2023. Approximately 99% of the old forms were submitted in 2016 or earlier.

197 Although the DOJ usually approves agencies’ requested percentages in full, it is common for the actual percentage an agency receives to be slightly lower. This is because expenses must be deducted first. In addition, prior claims on an asset from other agencies sometimes mean there are less proceeds to be shared. As detailed in Appendix C, available at <https://ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/>, the actual percentage received closely tracks the approved percentage, which usually exactly matches the requested percentage, meaning agencies can count on getting something close to what they request.

198 Requests not approved in full included ones where agencies requested or combined to request more than the maximum allowable sharing percentage of 80%. About 1% of all requests involved a single agency requesting 100% of an asset’s value. Such requests represented about 4% of all instances where the DOJ did not approve an agency’s request in full.

199 We also found that when equitable sharing resulted from collaborations between multiple agencies, the percentage of hours or expenses an agency contributed correlates strongly with the percent of proceeds received. For example, using all equitable sharing assets (those seized through joint investigations and adoptions), the correlation between percent of proceeds received and percentage of contributed hours showed $r = 0.832$. Similarly, the correlation between percent of proceeds received and percentage of contributed expenses showed $r = 0.869$. This suggests agencies have a good idea of what they can expect to receive. See Appendix C, available at <https://ij.org/report/policing-for-profit-4/appendix-c-equitable-sharing-methods/>, for methodological details and additional results.

200 At least part of the decline appears to be caused by instances where a single agency was requesting sharing on an asset. In 2014, an average of about 64% of proceeds available were shared when a single state or local agency requested sharing on an asset. By 2017, the percentage shared had plunged to 45%, before slightly rebounding and then levelling off between 50% and 55% from 2018 to 2023. Assets with two or three sharing requests saw a decline in the total percentage shared from 2014 to 2017, but the decline was smaller than for assets with a single claim. Assets with four or more claims saw essentially no change in sharing.

201 First Amended Complaint at 2, *Lara v. State*, No. CV21-01595 (Nev. Dist. Ct. Feb. 1, 2022), <https://ij.org/wp-content/>

- uploads/2021/09/Amended-Complaint-as-filed.pdf
- 202 Adoptions of firearms, ammunition, explosives, and property associated with child pornography were specifically permitted. Any other types of property DOJ agencies wished to adopt under the public safety exception required approval from the assistant attorney general for the Criminal Division. Office of the U.S. Attorney General. (2015, January 16). *Prohibition on certain federal adoptions of seizures by state and local law enforcement agencies* <https://www.justice.gov/archives/file/384216/dl?inline=>
- 203 U.S. Department of the Treasury Executive Office for Asset Forfeiture. (2015, January 16). *Order no. 3488-2015: Policy regarding the federal adoption of seizures by state and local law enforcement* (Directive No. 34).
- 204 Office of the U.S. Attorney General. (2017, July 19). *Order no. 3946-2017: Federal forfeiture of property seized by state and local law enforcement agencies*. <https://www.justice.gov/archives/opa/press-release/file/982611/dl?inline=>; U.S. Department of the Treasury Executive Office for Asset Forfeiture. (2017, July 26). *Policy regarding the federal adoption of seizures by state and local law enforcement agencies* (Directive No. 34). https://home.treasury.gov/system/files/246/Directive_34_R.PDF. The restrictions included additional review requirements for federal agencies and relatively limited restrictions on cash seizures under \$10,000. See U.S. Department of Justice Office of Public Affairs. (2017, July 19). *Attorney General Sessions issues policy and guidelines on federal adoptions of assets seized by state or local law enforcement* [Press release]. <https://www.justice.gov/archives/opa/pr/attorney-general-sessions-issues-policy-and-guidelines-federal-adoptions-assets-seized-state>; Connor, D. (2017). Policy guidance on the Attorney General's order on federal adoption and forfeiture of property seized by state and local law enforcement agencies (Policy Directive 17-1). U.S. Department of Justice Criminal Division. <https://www.justice.gov/criminal-mlars/file/985636/download>
- 205 This sustained reduction in adoptive forfeitures helps explain why the average percentage of a forfeited asset shared with state and local agencies has fallen in recent years. As relatively more equitable sharing forfeitures are joint investigations with greater federal involvement, so too have federal agencies taken a slightly larger percentage of the pie.
- 206 Didwania, 2025.
- 207 Rule 41(g) Motion for Return of Property, *Lara v. State*, No. 3:21-ms-0002 (D. Nev. Aug. 31, 2021), <https://ij.org/wp-content/uploads/2021/09/Motion-for-Return-of-Personal-Property.pdf>
- 208 Zapotosky, M. (2021, September 1). A former Marine was pulled over for following a truck too closely. Police took nearly \$87,000 of his cash. *The Washington Post*. https://www.washingtonpost.com/national-security/stephen-lara-nevada-asset-forfeiture-adoption/2021/09/01/6f170932-06ae-11ec-8c3f-3526f81b233b_story.html
- 209 Order Granting Plaintiff's Motion for Partial Summary Judgment, *Lara v. State*, No. CV21-01595 (Nev. Dist. Ct. Jan. 10, 2025), https://ij.org/wp-content/uploads/2025/01/CERT-SIGNED-CV21-01595-Lara-v-NHP-Order-Granting-JOP-and-Denying-Counter-JOP_v3.pdf
- 210 The government has appealed this decision. At the time of publication, the appeal remains pending before the Nevada Supreme Court. Amended Notice of Appeal, *Lara v. State*, No. CV21-01595 (Nev. Dist. Ct. Sept. 3, 2025).
- 211 H.B. 2477, 53rd Leg., 1st Reg. Sess. (Ariz. 2017); S.B. 443, 2015–2016 Leg. (Cal. 2016); H.B. 17-1313, 71st Gen. Assemb., 1st Reg. Sess. (Colo. 2017); S.B. 161, 436th Sess. (Md. 2016); L.B. 1106, 104th Leg. (Neb. 2016); H.B. 347, 131st Gen. Assemb. (Ohio 2017); L.D. 962, 131st Leg., 1st Spec. Sess. (Me. 2023) (repealed and replaced L.D. 1521, 130th Leg., 1st Spec. Sess. (Me. 2021)); S.B. 61, 2017–2018 Leg. (Wis. 2018); S.B. 210, 2021 Leg., Reg. Sess. (Ala. 2021); S.B. 8, 2017–2018 Leg., Reg. Sess. (Pa. 2017); D.C. Law 20-278, <https://code.dccouncil.gov/us/dc/council/laws/20-278>; H.B. 560, 2015 Leg. (N.M. 2015). Some states require a court order for seized property to be transferred to a federal agency for forfeiture, sometimes with substantive though modest limitations, as in Missouri, or without, as in Indiana. Such statutes are not included in our empirical analysis. Mo. Rev. Stat. § 513.647; Ind. Code § 35-33-5-5(k).
- 212 Since Alabama's reform occurred after the study period, it was included among the 40 states in the control group. Maine was not included in the control group, as its first reform went into effect during the study period before a second reform was implemented in 2023.
- 213 Most seizure methods in our data do not indicate state or federal involvement. For example, while there are codes for both state and federal warrants, there is also a generic code for "search warrant" that does not indicate whether a warrant was state or federal. In addition, even if the seizure method was explicitly designated as a state warrant, this does not preclude federal involvement leading up to the seizure. Therefore, the one-third of properties confirmed to have federal involvement represents a floor and is likely a substantial underestimate.
- 214 See, e.g., Cassella, S. D. (2013). Civil asset recovery: The American experience. *Eucrim*, 3, 98–104. https://eucrim.eu/media/issue/pdf/eucrim_issue_2013-03.pdf; Copeland, C. (1992). *Civil forfeiture for the non-lawyer*. Bureau of Justice Assistance. <https://www.ojp.gov/pdffiles1/Digitization/137994NCJRS.pdf>; Jochem, G., & Christensen, D. (2024, December 15). 'Robin Hood' or 'legalized theft'? Why it's easy for Massachusetts police to seize property. *New England Public Media*. <https://www.nepm.org/regional-news/2024-12-15/robin-hood-or-legalized-theft-why-its-easy-for-massachusetts-police-to-seize-property>; Mattivi, T. (2023, September 8). This is how Kansas Civil Asset Forfeiture laws help keep Kansans safe. *The Topeka Capital-Journal*. <https://www.cjonline.com/story/opinion/columns/2023/09/08/this-is-how-kansas-civil-asset-forfeiture-laws-help-keep-kansans-safe/70787217007/>; Thornburgh, D. (1990, April 30). *Goals in the war on drugs* [Remarks]. U.S. Department of

- Justice. <https://www.justice.gov/sites/default/files/ag/legacy/2011/08/23/04-30-90.pdf>
- 215 Maryland, Missouri, and West Virginia also report data about criminal convictions. We do not include them here because most of their reported properties had not completed the forfeiture process at the time of reporting, rendering their data incomplete. With these states included, the overall percentage of forfeitures with a conviction rises slightly, from 53% to 55%.
- 216 Maryland and Missouri also have conviction provisions and data about convictions, though their data are incomplete. With these states included, the percentage of forfeitures with a conviction among conviction provision states is 59%.
- 217 McDonald and Carpenter, 2021.
- 218 In IJ's survey of Philadelphia forfeiture victims, the median value of an individual item seized was \$600, while the median value of all items seized in a single incident was \$1,370. Respondents reported cash seizures as small as \$25 and seizures of other low-value items such as a \$20 cologne gift set. McDonald and Carpenter, 2021.
- 219 As others have pointed out, the DOJ does not track whether seized or forfeited properties are connected to organized crime. DOJ data indicate the Organized Crime Drug Enforcement Task Force was involved in about 13% of disposed properties from 2007 to 2020, but task force involvement or lack thereof is not a reliable indicator of whether properties were related to organized crime. Thus, it is unclear how many properties are seized and forfeited because of their connection to organized crime, let alone whether forfeiture disrupts criminal enterprises. See Kelly, B., & de Laveaga, T. (2024). The enduring lives of false legislative facts: Asset forfeiture. *Buffalo Law Review*, 72(4), 1381–1445. <https://digitalcommons.law.buffalo.edu/buffalolawreview/vol72/iss4/5>
- 220 Moreover, the 10th Circuit has ruled that out-of-state residency is not a sufficient basis for law enforcement to justify a search of someone's vehicle or other property. *Vasquez v. Lewis*, 834 F.3d 1132 (10th Cir. 2016).
- 221 One of many problems with attributing criminality to a person because they or their circumstances "appear" criminal is that it not an effective way to identify criminals. See, e.g., Snook, B., Eastwood, J., Gendreau, P., Goggin, C., & Cullen, R. M. (2007). Taking stock of criminal profiling: A narrative review and meta-analysis. *Criminal Justice and Behavior*, 34(4), 437–453. <https://doi.org/10.1177/0093854806296925>; *State v. Lee*, 959 P.2d 799, 801–02 (Ariz. 1998). For example, two studies have found that while law enforcement officers were more likely to conduct discretionary searches of lower-value vehicles, they were more likely to seize contraband during searches of higher-value vehicles. Knode et al., 2025; Feigenberg and Miller, 2025. In line with those results, data from Georgia indicate the typical market value of seized vehicles is just \$2,200. Criminal profiling, or just relying on heuristics, is not an issue unique to civil forfeiture activity. For example, people who end up in the criminal justice system tend to be poorer than those that do not. See, e.g., Rabuy, B., & Kopf, D. (2015). *Prisons of poverty: Uncovering the pre-incarceration incomes of the imprisoned*. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/income.html>. Nevertheless, relying on behavioral or situational cues indicative of poverty is not an effective law enforcement strategy.
- 222 Milgram, 2025. See also U.S. Department of Justice Office of the Inspector General, 2024.
- 223 Milgram, 2025. IJ is currently suing the DEA and Transportation Security Administration over their airport seizure and forfeiture practices, both to stop TSA's unlawful and abusive cash-seizure policies and to ensure the DEA does not revive its program. See Institute for Justice. (2020). *DEA and TSA airport forfeitures*. <https://ij.org/case/dea-tsa-forfeitures/>
- 224 Yoder, J., & Cates, B. (2014, September 18). Government self-interest corrupted a crime-fighting tool into an evil. *The Washington Post*. https://www.washingtonpost.com/opinions/abolish-the-civil-asset-forfeiture-program-we-helped-create/2014/09/18/72f089ac-3d02-11e4-b0ea-8141703bbf6f_story.html. Proactive traffic enforcement is not inherently problematic. Indeed, research shows that when part of a comprehensive strategy aimed at reducing crime in specific "hot spot" locations, it can effectively reduce crime. Braga, A. A., Turchan, B., Papachristos, A. W., & Hureau, D. M. (2019). Hot spots policing of small geographic areas effects on crime. *Campbell Systematic Reviews*, 15(3), 1–88. <https://doi.org/10.1002/cl2.1046>. Such policing is different from a "forfeiture trap," which is, as one sheriff put it, when law enforcement "target[s] everyday citizens" by "annex[ing] a part of an interstate and us[ing] that as a cash cow to seize money." South Carolina Advisory Committee to the U.S. Commission on Civil Rights. (2022). *Seizing property: Civil asset forfeiture in South Carolina*. <https://www.usccr.gov/files/2022-11/sc-sac-asset-forfeiture-report.pdf>. While a forfeiture trap might still catch criminals, it does so only by chance. As a highway patrol officer in California put it, "It's sheer numbers. ... Our guys make a lot of stops. You've got to kiss a lot of frogs before you find a prince." Webb, G. (2007, January 29). Driving while black: Tracking unspoken law-enforcement racism. *Esquire*. <https://www.esquire.com/news-politics/a1223/driving-while-black-0499/>. And unlike proactive traffic enforcement, a forfeiture trap's primary purpose is to catch cash, not criminals.
- 225 Population data were retrieved from the U.S. Census Bureau's American Community Survey for each locality from 2019 to 2023. We report the median population across these years. U.S. Census Bureau (2019–2023). *American Community Survey 5-year estimates*. <https://www.census.gov/programs-surveys/acs/data.html>. To identify outlier jurisdictions, we first took the total amount forfeited from 2019 to 2023 and divided it by the population. We then applied the following criteria for inclusion: a forfeiture per capita rate that was at least 3 standard deviations above the statewide mean, a forfeiture per capita rate of at least \$10 per resident, relatively consistent

- revenue over time (i.e., the high rate was not due to rare high-dollar forfeitures), and the revenue stemmed from properties seized by local law enforcement (when known). We examined 20 states (Arizona, Colorado, Connecticut, Delaware, Florida, Georgia, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Missouri, Nebraska, New Jersey, New York, Oklahoma, Pennsylvania, South Dakota, Virginia, Wisconsin) with clean and usable seizure location information or a proxy for it, such as the seizing agency.
- 226 According to the annual crime reports from the Kansas Bureau of Investigation, Logan County averaged fewer than two crimes per month from 2019 to 2023. Kansas Bureau of Investigation (2019–2023). *Kansas Crime Index*. https://www.kansas.gov/kbi/stats/stats_crime.shtml. Proponents could argue the county's low crime rate is evidence forfeiture works. However, it strains credulity to attribute the crime rate to a single agency seizing and forfeiting property from out-of-state residents on a small stretch of highway. Moreover, both crime and forfeiture revenue generally declined in the county from 2019 to 2023. The sheriff's office had a total of 28 forfeiture cases from 2019 to 2023, but virtually all of them occurred in 2019, 2020, and 2021. There was only one forfeiture case in 2022 and no forfeiture cases in 2023. The other law enforcement agency in the county, the Oakley Police Department, did not report any forfeitures from 2019 to 2023.
- 227 Interestingly, the average annual amount the sheriff's office forfeited was very close to its average annual budget. According to state budget files obtained from the Kansas Department of Administration from 2019 to 2022, Logan County spent an average of \$220,460 on police. Kansas Department of Administration (2019–2022). *Municipal budgets*. <https://admin.ks.gov/offices/accounts-reports/local-government/municipal-services/municipal-budgets>. Data from the U.S. Census Bureau's 2022 Census of Governments show annual payroll for the sheriff's office's three full-time officers was almost that same amount, \$219,324. U.S. Census Bureau (2022). *Census of Governments*. <https://www.census.gov/programs-surveys/cog.html>. The Sheriff's Office annually forfeited an average of \$264,938 from 2019 to 2022.
- 228 The one forfeiture stemming from different circumstances was worth \$47,500.
- 229 *Shaw v. Smith*, Nos. 23-3264 & 23-3267 (10th Cir. filed Dec. 15, 2023).
- 230 Alamdari, 2023.
- 231 The one forfeiture that started under other circumstances was worth \$897.
- 232 James, D., & Johnson, R. (2024, August 5). Operation Rolling Thunder: The shocking truth behind Spartanburg's traffic stops. *Reason*. <https://reason.com/2024/08/05/operation-rolling-thunder-the-shocking-truth-behind-spartanburgs-traffic-stops/>; Johnson, R., & James, D. (2025, June 17). South Carolina county end its civil forfeiture blitz after 20 years. *Reason*. <https://reason.com/2025/06/17/south-carolina-county-ends-its-civil-forfeiture-blitz-after-20-years/>
- 233 James and Johnson, 2024. Similar forfeiture activity along highways has been documented in other states including Texas and Illinois. See, e.g., Rulli, 2025. And another study found that law enforcement in Connecticut was more likely to search out-of-state drivers in traffic stops, but those stops were less likely to turn up contraband. Roach et al., 2022.
- 234 McDonald, J., Weeks, H., & Carpenter, D. M. (2024). Does civil forfeiture fight crime? Evidence from New Mexico. *Criminal Justice Review*, 1–21. <https://doi.org/10.1177/07340168241285569>
- 235 See Boetel, R., & Boyd, D. (2015, March 28). Bill would kill 'policing for profit'. *Albuquerque Journal*; Hudetz, M. (2015, October 15). Forfeiture reform aligns conservative, liberal groups. *Associated Press*. <https://apnews.com/general-news-251da7ebf50242a99e2d48546e59b1e5#>. On the other hand, another recent study suggests increasing the incentives for law enforcement to pursue forfeitures might temporarily decrease certain crimes like burglary and larceny. It found that after the Comprehensive Crime Control Act of 1984 created the modern financial incentive, there was lower nonviolent crime on average. Kantor, S., Kitchens, C. T., & Pawlowski, S. (2021). Civil asset forfeiture, crime, and police incentives: Evidence from the Comprehensive Crime Control Act of 1984. *Economic Inquiry*, 59(1), 217–242. <https://doi.org/10.1111/ecin.12952>. However, the study has critical limitations that mean its results should not be interpreted as an endorsement of forfeiture as a crime-fighting tool. Perhaps the biggest limitation is that the study did not measure forfeiture activity. Moreover, if the financial incentive in the CCCA were responsible for the temporary decline in nonviolent crime, that would mean law enforcement agencies immediately started engaging in more forfeiture activity after the law's enactment. While it is almost certainly true the CCCA engendered more forfeiture activity, it is unlikely the impact was immediate—something the study's authors acknowledge. In other words, assuming the decline in nonviolent crime was real, it cannot be attributed to forfeiture. Other limitations only invite further skepticism. For example, nonviolent crime had already been declining for nearly a decade in the study's sample, and the sample was notably small and unrepresentative.
- 236 Sessions, J. (2017, October 19). *Attorney General Jeff Sessions delivers remarks to the Oklahoma Sheriffs' Association* [Remarks]. Office of the U.S. Attorney General. <https://www.justice.gov/archives/opa/speech/attorney-general-jeff-sessions-delivers-remarks-oklahoma-sheriffs-association>
- 237 Kelly and de Laveaga, 2024.
- 238 Kelly, 2021; Kelly, 2019. See also Kelly, B. D. (2015). Further results concerning the effects of asset forfeiture on policing. SSRN. <https://doi.org/https://dx.doi.org/10.2139/ssrn.2647629>; Kelly, B. D., & Kole, M. (2016). The effects of asset forfeiture on policing: A panel approach. *Economic Inquiry*, 54(1), 558–575. <https://doi.org/10.1111/ecin.12232>. It might seem counterintuitive that more revenue would not improve police effectiveness. However, research has shown that forfeiture revenue accounts for only a small portion of

- the typical law enforcement agency's funding. For example, in a study analyzing data from a national survey of law enforcement agencies, Kelly and co-author Maureen Kole found that local, state, and federal drug forfeiture revenue combined accounted for less than 2% of law enforcement funding. Kelly and Kole, 2016. Another study found that distributions from the DOJ and Treasury forfeiture funds represented less than 1% of law enforcement funding. Kelly and de Laveaga, 2024. Nevertheless, as our data and other research indicate, forfeiture revenue is a meaningful source of revenue for many agencies. Indeed, in a survey of law enforcement executives, a plurality reported forfeiture revenue was a *necessary* source of funding for their agency. Worrall, 2001.
- 239 Graham, S. R. (2021). *Essays on law enforcement incentives* [Doctoral Dissertation, Clemson University]. https://open.clemson.edu/cgi/viewcontent.cgi?article=3769&context=all_dissertations
- 240 Another study suggests bringing in more revenue though fines, fees, and forfeitures decreases police effectiveness in addressing violent and property crime. Goldstein, R., Sances, M. W., & You, H. Y. (2020). Exploitative revenues, law enforcement, and the quality of government service. *Urban Affairs Review*, 56(1), 5–31. <https://doi.org/10.1177/1078087418791775>. Similarly, Kelly found that more state and local forfeiture revenue was associated with higher violent crime, though the relationship was weak. Kelly, 2021.
- 241 Kelly, 2021; Kelly, 2019. See also Carpenter, D., & Ward, A. (2022). A new panel dataset for studies using substate units of analysis and indicators of drug activity. *Urban Affairs Review*, 58(3), 907–918. <https://doi.org/10.1177/1078087420984544>
- 242 *Culley v. Marshall*, 601 U.S. 377, 405 (2024) (Sotomayor, J., dissenting).
- 243 Kelly, 2019; Kelly, 2021.
- 244 Blemings and Humphreys, 2024.
- 245 Holcomb et al., 2011; Holcomb et al., 2018; Worrall and Kovandzic, 2008.
- 246 Benson et al., 1995; Worrall, 2001.
- 247 Mast, B. D., Benson, B. L., & Rasmussen, D. W. (2000). Entrepreneurial police and drug enforcement policy. *Public Choice*, 104(3/4), 285–308. <https://www.jstor.org/stable/30026428>. See also Baicker, K., & Jacobson, M. (2007). Finders keepers: Forfeiture laws, policing incentives, and local budgets. *Journal of Public Economics*, 91(11–12), 2113–2136. <https://doi.org/10.1016/j.jpubeco.2007.03.009>. One study, however, failed to find a significant relationship between the financial incentive and drug arrests. Bishopp, S. A., & Worrall, J. L. (2009). Do state asset forfeiture laws explain the upward trend in drug arrests? *Journal of Crime and Justice*, 32(2), 117–138. <https://doi.org/10.1080/0735648X.2009.9721272>
- 248 Makowsky et al., 2019.
- 249 McDonald and Carpenter, 2021.
- 250 Miller and Selva, 1994. Another study aimed to mimic incentives in civil forfeiture decision making in a laboratory experiment. Participants in a role analogous to law enforcement officers could “fight crime” in ways that benefited themselves, the public, or both. Results showed a tendency to favor “crime fighting” in ways that benefited the officers. Preciado and Wilson, 2017.
- 251 Williams, P. (2011, May 16). Are Middle Tennessee police profiting off drug trade? *NewsChannel 5 Nashville*. <https://www.newschannel5.com/news/newschannel-5-investigates/policing-for-profit/are-middle-tennessee-police-profiting-off-drug-trade>
- 252 Knepper et al., 2020.
- 253 Kelly and de Laveaga, 2024.
- 254 Of the total dollar value of restitution payments from seized assets between 2007 and 2020, mail or wire fraud accounted for over 70%—almost entirely driven by a single asset worth about \$236 million—but only 5% of assets were seized based on mail or wire fraud.
- 255 Morabito, N. (2023, October 2). Feds, Mint Hill police quietly keep \$69,000 in seized cash, sex abuse victim loses out. *WCNC Charlotte*. <https://www.wcnc.com/article/news/investigations/sex-abuse-victim-fighting-mint-hill-police-money-seized-cash-north-carolina/275-58eef607-415d-414f-89aa-954d10774a68>
- 256 See, e.g., Anderson, S., & Snider, J. (2023, September 29). Ending state-sanctioned theft to preserve police legitimacy. *The Hill*. <https://thehill.com/opinion/congress-blog/4230007-ending-state-sanctioned-theft-to-preserve-police-legitimacy/>; U.S. Department of Justice Civil Rights Division, 2015; Holcomb et al., 2011; Sandefur, T. (2021). *Predators, not protectors: How asset forfeiture undermines the legitimacy of government* (Policy Report). Goldwater Institute. https://www.goldwaterinstitute.org/wp-content/uploads/2021/03/CAF-Predators-Not-Protectors_FINAL_2021-3-23.pdf
- 257 McDonald and Carpenter, 2021.
- 258 Ciaramella, C. J. (2024, April 5). Kansas police seized her truck. It took her 8 months to get it back, despite never being charged with a crime. *Reason*. <https://reason.com/2024/04/05/kansas-police-seized-her-truck-it-took-her-8-months-to-get-it-back-despite-never-being-charged-with-a-crime/>
- 259 Ellis, M. (2019, January 27). For years, a SC city tried to seize a widow's home. It still might. *The Greenville News*. <https://www.greenvilleonline.com/in-depth/news/taken/2019/01/27/taken-ella-bromell-conway-sc-civil-forfeiture-investigative-journalism/2459430002/>
- 260 The Greenville News. (2019, February 21). *Widow fights off town's attempt to seize her home* [Video]. YouTube. https://www.youtube.com/watch?v=9wRP2wVH4pI&list=PLHFHnnWPEhUiqxWXwcqWbte_J8WsI9PTF&index=6,0:58
- 261 For a review of the relevant literature, see Tyler, T. (2017). Procedural justice and policing: A rush to judgement? *Annual Review of Law and Social Science*, 13, 29–53. <https://doi.org/10.1146/annurev-lawsocsci-110316-113318>

- 262 For example, see Sunshine, J., & Tyler, T. R. (2003). The role of procedural justice and legitimacy in shaping public support for policing. *Law and Society Review*, 37(3), 513–548. <http://www.jstor.org/stable/1555077>; Tankebe, J. (2013). Viewing things differently: The dimensions of public perceptions of police legitimacy. *Criminology*, 51(1), 103–135. <https://doi.org/10.1111/j.1745-9125.2012.00291.x>; Tyler, T. R. (2006). *Why people obey the law*. Princeton University Press. <https://doi.org/https://doi.org/10.2307/j.ctv1j66769>; Tyler, T. R., & Fagan, J. (2008). Legitimacy and cooperation: Why do people help the police fight crime in their communities? *Ohio State Journal of Criminal Law*, 6(1), 231–275. <https://kb.osu.edu/server/api/core/bitstreams/9f207de7-8f1e-550b-bae1-be261bd741f7/content>
- 263 *Culley v. Marshall*, 601 U.S. 377, 399 (2024) (Gorsuch, J., concurring) (emphasis in original).
- 264 Schapiro, 2021; Kremer, 2022; *United States v. \$16,037 U.S. Currency*, No. 19-CV-1056-LJV-MJR, 2022 WL 3701197, at *2 (W.D.N.Y. Aug. 26, 2022); Didwania, 2025; Rule 41(g) Motion for Return of Property at 1, *Kazazi v. U.S. Customs & Border Prot.*, No. 1:18-mc-51 (N.D. Ohio May 31, 2018), <https://ij.org/wp-content/uploads/2018/05/Cleveland-Forfeiture-Motion-for-Return-of-Property-Filed.pdf>; Satija, N. (2018, May 4). The government took \$41,000 from this Texan at a Houston airport six months ago. They never gave it back. *The Texas Tribune*. <https://www.texastribune.org/2018/05/04/customs-and-border-protection-took-41000-texas-woman-six-months-ago-th/>; *Ingram v. Wayne County*, 81 F.4th 603, 609 (6th Cir. 2023), *overruled in part by*, *Culley v. Marshall*, *Culley v. Marshall*, 601 U.S. 377 (2024); *Serrano v. Customs & Border Patrol*, 975 F.3d 488,492 (5th Cir. 2020) (per curiam); Foody, K. (2017, December 1). Judge orders Wyoming to return \$92,000 seized by officers. *Associated Press*. <https://apnews.com/general-news-a19075b0ec3240ada0aa75f8f7ba8894>; Petition for Writ of Certiorari at 9 n.1, *Salgado v. United States*, 140 S. Ct. 2640 (2020) (No. 19-659), <https://ij.org/wp-content/uploads/2019/11/Salgado-v.-United-States-of-America-Petition-for-a-Writ-of-Certiorari.pdf>; Response of Claimants to Plaintiff’s Motion for Voluntary Dismissal at 2, *United States v. \$107,702.66*, No. 7:14-CV-00295-F, 2016 WL 413093 (E.D.N.C. Feb. 2, 2016), https://ij.org/wp-content/uploads/2015/05/ECF-No.-23_Response_Motion-for-Voluntary-Dissmissal-Without-Prejudice_FINAL-IJ069895xA6322.pdf
- 265 Holcomb et al., 2018.

About the Authors



Lisa Knepper

Lisa Knepper co-directs the Institute for Justice's strategic research program. Knepper co-authored the second and third editions of *Policing for Profit*; the first, second, and third editions of *License to Work*; and *Too Many Licenses?* Her work has appeared in *The Wall Street Journal*, *The Atlantic* online, CNN.com, and the journal *Economic Affairs*. Knepper graduated from The Ohio State University.



Jason Tiezzi

Jason Tiezzi is a data scientist who frequently collaborates with IJ, including on projects such as *Unaccountable*, *Too Many Licenses?*, and the third editions of both *License to Work* and *Policing for Profit*. He holds a bachelor's degree from the College of William and Mary and a master's degree in data science from the University of Virginia.



Matthew P. West, Ph.D.

Matthew P. West is a senior research analyst at IJ. He previously authored *Clean Cut* and *Forfeiture in Arizona Before Reform* at IJ. Prior to joining IJ, he was an assistant professor of criminology and criminal justice at Southern Illinois University. There, he taught courses on research methods, statistics, and the justice system; mentored graduate students; and performed and published empirical research on topics like legal decision-making. West earned a Bachelor of Science in psychology from Aquinas College, a Master of Arts in criminal justice from the University of Nevada, Reno, and a Ph.D. in criminology and criminal justice from the University of Nevada, Las Vegas.



Elyse Pohl

Elyse Pohl is a legal research and policy attorney at IJ. She co-authored *Unaccountable* and *Too Many Licenses?*, as well as the third edition of *Policing for Profit*. Prior to joining IJ, Pohl worked in private practice representing clients in both litigation and transactional matters. She holds a master's degree in human rights law from the University of Navarra in Spain. She earned her law degree *magna cum laude* from Ave Maria School of Law, where she was named "Most Dedicated Editor" on law review. She graduated from the University of Virginia with a Bachelor of Arts in foreign affairs.



Mindy Menjou

Mindy Menjou is assistant director of IJ's strategic research team. She co-authored *Beauty School Debt and Drop-Outs*, *Municipal Fines and Fees*, *Finding the American Dream at Home*, and *Forfeiture Transparency and Accountability*. Menjou holds a Master in British Studies from the Humboldt University of Berlin in Germany and a Bachelor of Arts in English and French from the University of Southern California.

About the Contributors



David Warren, Ph.D.

David Warren is a senior research analyst on IJ's strategic research team. He authored *Bad Data* and co-authored "Good Fences? Good Luck," published in *Regulation* magazine. Previously at the Brookings Institution and Indiana University, he published work on city and regional policy, energy policy, and federalism. From 2015 to 2021, he taught Urban Problems and Solutions at Indiana University, introducing undergraduates to local government issues, including zoning, policing, and education policy. Warren holds a bachelor's degree from the University of Wisconsin-Green Bay, a master's degree from The Ohio State University, and a Ph.D. in public affairs from Indiana University.



Jorge E. Portillo, Ph.D.

Jorge Portillo is a senior research analyst at IJ. Prior to joining IJ, he worked as a senior economist at Economists Incorporated, a researcher and research manager at the Central Bank of Venezuela, and a lecturer at various universities in the United States and abroad. Portillo earned a bachelor's degree in economics from the University of the Andes and a Ph.D. in economics from Yale University.

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About IJ

Founded in 1991, the Institute for Justice is a nonprofit, public interest law firm. Our goal is to end widespread abuses of government power and secure the constitutional rights that allow all Americans to pursue their dreams.

901 N. Glebe Road, Suite 900
Arlington, VA 22203



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