

Civil Asset Forfeiture

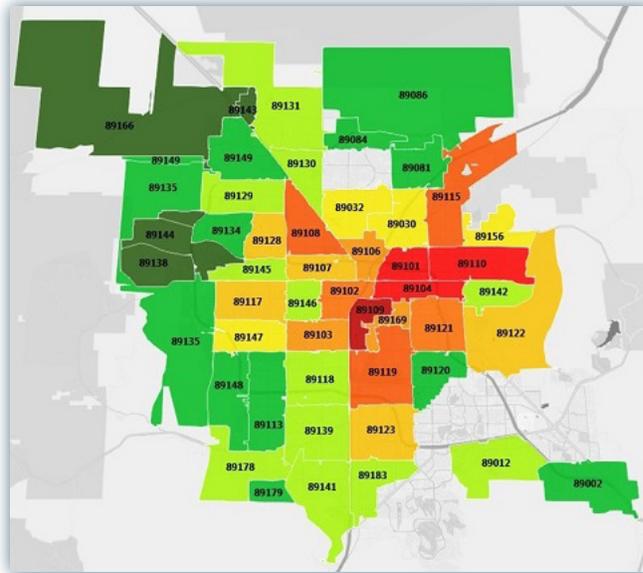
The Problem

“Civil Asset Forfeiture” laws enable law enforcement to seize an individual’s property based on the mere suspicion of criminal wrongdoing, then directly profit from the sale of that property (a.k.a. “policing for profit”).

Who does civil asset forfeiture hurt the most?

Civil Forfeiture **disproportionately impacts lower-income, diverse communities** (see “Who Does Civil Asset Forfeiture Target Most,” NPRI study, Summer 2017).

Clark County by Zip Code



Low income communities are disproportionately impacted by forfeiture

Unfortunately, because individuals must spend their own money to fight such forfeitures in civil court, due process is upended. Often, the expense of contesting forfeiture proceedings is far greater than the value of what was seized by authorities in the first place, deeming such efforts as cost-prohibitive.

Solutions

Abolish the civil forfeiture framework: prove the crime before keeping the assets.

Nevadans shouldn’t be forced into costly civil proceedings to reclaim their property in court — especially if they are never charged or convicted of a crime.

Protect innocent third-party property owners.

Owners who obtained property in good faith without knowledge that the property was associated with any crime, should not bear the burden of proof when authorities want to seize their property.

End police agencies’ profit incentive.

Law enforcement agencies should not be able to expand their budgets through forfeiture proceeds, a practice that incentivizes abuse. Legitimate seizures should be directed to the state or local government treasury.

Restrict local and state law enforcement from participating in federal forfeiture.

The federal Equitable Sharing program, along with “adoptive forfeitures,” allows Nevada law enforcement to circumvent local and state restrictions on forfeiture by working with the federal government. An express prohibition on statewide law enforcement from participating in these federal programs is necessary.

Did you know?

Oftentimes neither a criminal conviction nor even an arrest is required for civil forfeiture laws to apply.

