

# Did You Know...? *On Civil Forfeiture*

***Cops nationwide stealing cash, jewelry, valuables from innocent citizens under 'civil forfeiture' laws***

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(NaturalNews) If you've never heard of "civil forfeiture laws," you're about to get an eye-opening education. What's more, you're going to be disappointed that far too many local police departments - maybe even your own - are using these laws to rip off innocent citizens and help fund their own operations.

In a recent lengthy piece for *The New Yorker* magazine, Sarah Stillman described in detail how these laws have been abused by police agencies all over the country to extort money and valuables from people whose only "crime" was traveling through their jurisdictions:

*The basic principle behind asset forfeiture is appealing. It enables authorities to confiscate cash or property obtained through illicit means, and, in many states, funnel the proceeds directly into the fight against crime. In Tulsa, Oklahoma, cops drive a Cadillac Escalade stencilled with the words "This Used To Be a Drug Dealer's Car, Now It's Ours!" In Monroe, North Carolina, police recently proposed using forty-four thousand dollars in confiscated drug money to buy a surveillance drone, which might be deployed to catch fleeing suspects, conduct rescue missions, and, perhaps, seize more drug money. Hundreds of state and federal laws authorize forfeiture for cockfighting, drag racing, basement gambling, endangered-fish poaching, securities fraud, and countless other misdeeds.*

*In general, you needn't be found guilty to have your assets claimed by law enforcement; in some states, suspicion on a par with "probable cause" is sufficient. Nor must you be charged with a crime, or even be accused of one. Unlike criminal forfeiture, which requires that a person be convicted of an offense before his or*

*her property is confiscated, civil forfeiture amounts to a lawsuit filed directly against a possession, regardless of its owner's guilt or innocence.*

*Adds the American Civil Liberties Union: Every year, federal and state law enforcement agents seize millions of dollars from civilians during traffic stops, simply by asserting that they believe the money is connected to some illegal activity and without ever pursuing criminal charges. Under federal law and the laws of most states, they are entitled to keep most (and sometimes all) of the money and property they seize.*

**So much for your constitutional protections...**  
Needless to say, a number of legal experts can see no intrinsic constitutional applications for such laws - and yet, they are used constantly by law enforcement agencies in a manner reminiscent of cops in third-world countries.

"The protections our Constitution usually affords are out the window," Louis Rulli, a clinical law professor at the University of Pennsylvania and a leading forfeiture expert, says.

And why? Because property doesn't have the same rights as a person. There is no right to an attorney and, in the majority of states, there is no "innocent until proven guilty." You can tell that just by the title of the court cases: *United States v. One Pearl Necklace* and *United States v. Approximately 64,695 Pounds of Shark Fins*.

Cops have their victims at a distinct disadvantage in a number of ways. First, they have the guns and badges. Second, civil asset forfeiture doesn't have to meet the standard of "probable cause" (it barely reached the level of "reasonable suspicion"). And third, they know that, oftentimes, hiring a lawyer and taking the department to court would far exceed the cost of the confiscated money and valuables.

"Washington, D.C., charges up to twenty-five hundred dollars simply for the right to challenge a police seizure in court, which can take months or even years to resolve," Silverman writes - and this is in a city overwhelmingly dominated by "fair-minded" liberals.

In fact, Silverman explains, the D.C. system has impoverished hundreds of poor citizens caught in this

civil forfeiture nightmare. Cops there will confiscate anything and everything - including the automobiles these people use to get back and forth to low-paying, menial labor jobs (another sad but true fact about "progressive" D.C.). It is so bad there, in fact, that the city's Public Defender Service has filed suit on behalf of 375 car-owners, calling the city P.D.'s policy "devastating for hundreds of families who depend on their cars for many of the urgent and important tasks of daily life."

**Signing off on theft made legal...** Astonishingly, many police departments defend this abomination. "We all know the way things are right now - budgets are tight," Steve Westbrook, the executive director of the Sheriffs' Association of Texas, told Silverman. "It's definitely a valuable asset to law enforcement, for purchasing equipment and getting things you normally wouldn't be able to get to fight crime," he said.

Other officers said, if the practice of civil forfeiture becomes too heavily regulated to use, their departments would collapse economically - and, of course, that would endanger public safety (can you say *fearmongering*).

Per Silverman: *But a system that proved successful at wringing profits from drug cartels and white-collar fraudsters has also given rise to corruption and violations of civil liberties. Over the past year, I spoke with more than a hundred police officers, defense attorneys, prosecutors, judges, and forfeiture plaintiffs from across the country. Many expressed concern that state laws designed to go after high-flying crime lords are routinely targeting the workaday homes, cars, cash savings, and other belongings of innocent people who are never charged with a crime.*

This pathetic use of the law amounts to little more than legalized theft. If a private citizen were to do something like this, he or she would go to jail.

Civil forfeiture in the case of a *convicted criminal* is one thing; stealing from innocent people to fund your police department is quite another.

And quite despicable.

Sources: <http://www.newyorker.com> | <http://books.google.com> | <http://www.aclu.org>