



GARY TAUCHEN

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Good morning Chairman Nass and committee members, and thank you for hearing testimony on this important piece of legislation.

Senate Bill 521 is a common sense reform that will help ensure that property rights of Wisconsin citizens' are protected by simply requiring a criminal conviction before forfeiture. Across the nation public outrage has pushed this reform throughout state legislatures. Similar laws have passed in New Mexico, Minnesota, Montana, and North Carolina while similar proposals have been introduced across the nation. Even the United States Department of Justice has suspended its equitable sharing with local enforcement this last month due to public comments that were highly critical of the practice.

SB 521 also provides numerous safeguards to ensure due process, accessible data and reports, and property protections of Wisconsin citizens. These protections include the following:

Criminal Conviction: A criminal conviction is required before a forfeiture proceeding can begin. This increases the legal burden of proof from the current standard of "*reasonable certainty by the greater weight of the credible evidence*" to "beyond a reasonable doubt".

Proportionality: SB 521 allows for court proceedings to take into consideration the impact of the forfeiture of property on the owners, and their families. In determining whether to return seized property the court is allowed to consider eight factors ranging from the seriousness of the offense, fair market value of the property, or the potential hardship on the family.

School Funding: Current law creates an incentive to fund various law enforcement programs. These programs should be funded by the normal budgetary process. SB 521 ends this incentive by providing that all property or proceeds go directly to the general school fund.

Innocent Owners: SB 521 provides innocent owners the opportunity to get their property back in a timely matter.

Transparency: SB 521 improves transparency of the forfeiture process to provide easily accessible reports that show the total number of forfeitures, and the total amount of money or other property received via forfeiture activity. Law enforcement is required to send yearly reports to the local District Attorney office and the Wisconsin Department of Justice.

Close Federal Loophole: SB 521 reforms the practice of "equitable sharing" between local law enforcement agencies and the federal government. Under current law local law enforcement could enter into agreements with federal departments and receive between 50% and 70% of the proceeds of the forfeiture. This bill only allows for transferring of property to federal agents under conditions, i.e., if it exceeds \$50,000 dollars, the property was seized in relation to an interstate crime, or property may only be forfeited under federal law.

At the heart of this bi-partisan legislation is the issue of fairness. To protect the property rights of all Wisconsin residents' reforms like SB 521 must be enacted. This bill in no way impacts the ability of law enforcement to crack down on criminal activity. We urge you to support this bill and we'll gladly answer questions at this time.



DAVID CRAIG

STATE REPRESENTATIVE
CHAIRMAN, ASSEMBLY COMMITTEE ON FINANCIAL INSTITUTIONS

Senate Committee on Labor and Government Reform Public Hearing, 26 January 2015
Senate Bill 521
Representative David Craig, 83rd Assembly District

Chairman Nass and Committee Members,

Thank you for hearing testimony on Senate Bill 521,

The Fifth Amendment of the Constitution states that no person shall “be deprived of life, liberty, or property, without due process of law”. Unfortunately, under modern processes of civil asset forfeiture far too often due process rights are ignored. Wisconsin statutes dictate that in forfeiture cases, the burden of proof need only be: “satisfying or convincing to a reasonable certainty by the greater weight of the credible evidence that the property is subject to forfeiture” (961.555(3)). This standard is far less than probable cause and does not require a conviction prior to forfeiture.

As the late Rep. Henry Hyde, former Chair of House Judiciary Committee wrote,

“I think most fair-minded observers believe criminal forfeiture is justifiable as a criminal punishment. The important difference in this procedure, compared to civil forfeiture, is that criminal forfeiture occurs, at least in theory, only after a trial of the defendant at which full constitutional and procedural safeguards of due process apply. No conviction; no forfeiture. No wrongdoing; no property confiscation. The issue at trial is the individual's misconduct, not the fictional guilt of an inanimate object, as in civil forfeiture cases.”

Requiring a conviction ensures that the due process guarantees of the Constitution are followed. When the standard of “satisfying or convincing to a reasonable certainty by the greater weight of the credible evidence that the property is subject to forfeiture” the burden of proof shifts from the government proving “beyond a reasonable doubt” to the property owner having to prove why property should be returned. SB 521 is an important step in preserving the protections of the Fifth Amendment and I urge the Committee to support its passage.

Again, I appreciate your hearing of this bill today and I look forward to answering any questions you may have.



SB 521 Civil Asset Forfeiture Reform Act
Testimony of Senator Steve Nass
Senate Committee on Labor & Government Reform
January 26, 2016 • 330 Southwest, State Capitol

Thank you committee members for allowing me to testify in support of Senate Bill 521. This legislation reforms the civil asset forfeiture process in Wisconsin to better protect the lawful property rights of innocent citizens, and reduce the potential for abuse of the forfeiture process. The bill does not impact law enforcement's ability to target the assets of an individual convicted of a crime.

Civil asset forfeiture allows law enforcement agencies to seize money and property that they suspect is being used to commit a crime, or the profit from a criminal activity. Under current Wisconsin law, however, law enforcement does not need to convict or even charge the owner of the property with a crime to make these seizures. Property can even be seized from people who are innocent of any crime and had no knowledge their property was connected to a crime.

These laws were created to go after unlawful gains of large-scale criminal enterprises, but are becoming a way to simply generate revenue to increase police department budgets. Current law provides law enforcement agencies with an incentive to seize money and property through forfeiture because a large percentage of the proceeds go back to them, and supplements their budgets outside the normal legislative process. This is a clear conflict of interest that goes well beyond using forfeiture to deprive someone of ill-gotten gains as a result of a crime.

Law enforcement agencies in Wisconsin are allowed to keep between 50%-70% of the proceeds of the property they seize, under state law. However, police agencies can also circumvent state law by turning over seized assets to federal authorities to pursue the forfeiture federally. Under the federal "equitable sharing" program, local police agencies can keep up to 80% of the proceeds of the forfeiture, with the remaining amount going to the U.S. Department of Justice.

A 2010 report by the Institute for Justice (IJ), that rated the forfeiture laws in all 50 states for fairness, gave Wisconsin a "C" grade. Police agencies in Wisconsin took in more than \$50 million from the equitable sharing program alone between 2000 and

"In God We Trust"

11th Senate District

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2008, according to the report.¹ It is more difficult to determine how much was made from the state forfeiture process because there is no existing standardized reporting mechanism.

SB 521 reforms the civil asset forfeiture process in Wisconsin to maintain the private property rights of innocent citizens. The bill is modeled on legislation recently enacted in New Mexico. It reaffirms due process protections for Wisconsin residents by creating the following safeguards:

- 1) Requires a criminal conviction before a forfeiture proceeding can begin.
- 2) Requires that the property forfeited is proportional to the crime committed.
- 3) Ends the potential “policing for profit” incentive by specifying that the proceeds of any seized property be deposited into the common school fund.
- 4) Allows innocent owners to get their property back in a timely manner, if they demonstrate they had no knowledge or complicity of the crime connected to the seizure.
- 5) Closes the “equitable sharing” loophole under which local law enforcement agencies can circumvent state law if they pursue the case with federal authorities.
- 6) Increases transparency in the forfeiture process by requiring an annual report be submitted and made accessible by law enforcement agencies and the Wisconsin Department of Justice, on their seizure and forfeiture activity for the year.

An example of the excesses of Wisconsin’s civil forfeiture law occurred in Green Bay. When the Brown County Drug Task Force arrested her son Joel in 2012, Beverly Greer worked to raise his \$7,500 bail. According to Greer, the Brown County authorities told her she had to bring cash to pay the bail – even though this is not required by Wisconsin law.

When Greer showed up at the jail with the bail money, jail officials brought in a drug dog to sniff the money and seized it after the dog indicated it smelled drug residue on it.

Studies by the Federal Reserve, the Argonne National Laboratory, and the University of Massachusetts, among others, have consistently shown that most U.S. currency contains traces of drug residue.

¹ http://www.ij.org/images/pdf_folder/other_pubs/assetforfeituretoemail.pdf

Greer had in fact taken the money out from local ATMs and had the receipts to prove it, but not until after she had gone through months of court proceedings and hired an attorney.

She wasn't the only person in Brown County to have bail money seized in this manner, but she was one of the few to be able to hire an attorney to challenge the seizure. Usually, people cannot afford to hire an attorney to contest the forfeiture or they don't bother because the cost and time required is greater than the value of the property seized.

SB 521 will enact common sense, bipartisan reforms to safeguard due process and private property rights of innocent citizens, while maintaining law enforcement's ability to seize assets that are proven to be derived from a crime. The growing use of civil forfeiture to act as a revenue stream, instead of a punishment or remedy for a crime, has raised public concerns with this process across the nation. Similar laws have been passed in New Mexico, Minnesota, Montana, and North Carolina.

Thank you again for the opportunity to provide testimony in support of SB 521. If any committee members have further questions, I am happy to answer them at this time.



To: Chairperson Stephen Nass
Members, Senate Committee on Labor and Government Reform

From: Wisconsin Sheriffs and Deputy Sheriffs Association
Badger State Sheriffs' Association
County Law Enforcement Professionals of Wisconsin
Wisconsin Chiefs of Police Association
Wisconsin Professional Police Association

Date: January 26, 2016

Re: **Opposition to Senate Bill 521, forfeiture of property seized in relation to a crime.**



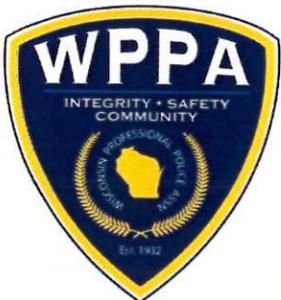
Wisconsin Sheriffs and Deputy Sheriffs Association, Badger State Sheriffs' Association, County Law Enforcement Professionals of Wisconsin, Wisconsin Chiefs of Police Association and Wisconsin Professional Police Association (collectively, "law enforcement organizations") submit this memorandum to voice their **OPPOSITION** for SB 521, which will drastically undermine the asset forfeiture process in Wisconsin, hurting law enforcement and helping criminals. Current law already has strong procedures in place to protect the rights of criminal defendants from having property wrongly seized.



Current law provides that assets gained by criminal activity can be obtained by law enforcement. Some proponents of SB 521 have wrongly implied that law enforcement have a profit motive when seizing and forfeiting property. No such motive exists. Use of recovered assets are strictly limited to official uses and only half of the funds can be used to cover forfeiture expenses, with the remainder going directly to the Wisconsin School Fund. Wis. Stat. § 973.075(4).



Under SB 521, a criminal conviction is required prior to seizing the property. This requirement is not realistic, as criminal assets are not always directly tied to an individual. For example, in the scenario of a stash house, there could be significant amounts of cash and drugs, but no criminal defendant at the house. Mandating a criminal conviction will in effect remove the ability for law enforcement to seize criminal assets in scenarios where there is no criminal present or who can be identified.



SB 521 requires all proceeds of seized property to go directly to the school fund. Prohibiting law enforcement from retaining property or recovering costs will hurt law enforcement's budgets and ability to pursue asset forfeitures in the future. These funds cover administrative costs related seizing and forfeiting assets and assist in paying for law enforcement training.

Current law has strong procedures in place to protect the rights of criminal defendants from having property wrongly seized. Forfeiture proceedings may be initiated prior to conviction for a criminal offense because a forfeiture is not always connected with a single criminal defendant. However if any defendant charged with a crime that is related to the seized property is concerned about the

property being wrongly forfeited, the defendant may petition the court to adjourn the forfeiture proceeding until after his or her criminal case concludes. Wis. Stat. § 973.076(1)(b)1. The court *must* grant the motion if it is made. *Id.* Moreover, the burden of proof is upon the state that the property is subject to forfeiture. Wis. Stat. § 973.076(3). The Constitution of the United States protects criminal defendants from having assets forfeited disproportionate to the crime committed. Wisconsin courts apply a proportionality test looking at the nature of the offense, the purpose of the statute, the maximum potential fine for the offense, and the harm that actually resulted from the defendant's conduct. *State v. Boyd*, 2000 WI App 208, 238 Wis. 2d 693, 618 N.W.2d 251. If the forfeiture is disproportionate to the factors in this test, then the forfeiture is unconstitutionally excessive under the 8th Amendment to the Constitution. *Id.*

Asset forfeiture is an important tool for law enforcement to use to cut criminals off from assets gained while committing crimes and adequately protects the rights of criminal defendants who have not yet been convicted of a crime. SB 521 will remove the ability of law enforcing agencies to recoup costs associated with the forfeiture, thus allowing criminals access to funds and real property acquired while engaging in criminal activities.

If you have any questions, please contact:

WS&DSA: Caty McDermott or R.J. Pirlo of the Hamilton Consulting Group at (608) 258-9506

Badger State Sheriffs' Association: Dean Meyer, Executive Director (715) 415-2412

County Law Enforcement Professionals of WI: Ramie Zelenkova of Hubbard Wilson & Zelenkova, LLC at (608)255-0566

WI Police Chiefs Association: Alice O'Connor of Constituency Services Inc. at (608) 225-9391

WI Professional Police Association: Jim Palmer, Executive Director at (608) 273-3840

Comments related to State Forfeiture Bill AB 537 / SB521

Sheriff Ron Cramer Eau Claire County

I'm here this morning to testify against Bill AB537 / SB521 as written. The current statutes provide many safeguards when it comes to the forfeiture of property. The bill has fiscal impact to State and Local officials and to our local residents who pay taxes.

The current State Forfeiture law that has been adopted does a number of things. First and foremost it takes the profitability out of selling illegal substances in Wisconsin. Secondly, it gives our law enforcement resources to fund investigations against current and future drug dealers. Thirdly, 50% of the seized assets are turned over to the School Fund. Our citizens in Wisconsin don't believe that they should through their own tax dollars have to fund investigations against the drug dealers who are making the profits. Their profits should remain forfeitable under the statutes.

Items seized in drug investigations are considered evidence in the case. Many times we seize money that is co-mingled with our buy money. That makes great probable cause in having a defendant explain how their money ended up with our buy money. Vehicles involved in the transportation or completing the felony should be subject to seizure.

I have attached a copy of our West Central Drug Task Force budget with my comments. The almost \$80,000 budget is for our 6 county drug task force. This budgeted money is seized assets that help keep our task force running. In the budget you will see that \$20,000 to \$30,000 annually is buy money used to buy illegal drugs on the street. This bill says there is **NO** State fiscal impact and indeterminate impact on the

local government. I'm here today to share with you the huge fiscal impact to 18 drug units and law enforcement in our State. Going from 50 % sharing assets to 100 % of the assets being turned over to the school fund has a significant impact. When the taxpayer of the State of Wisconsin reads about this many questions will come to mind.

First question is how is the current law flawed? Second question is why should the taxpayer foot the bill for those who are making the money selling illegal drugs in our State? Our association's (Badger Sheriffs' and Wisconsin Sheriff's & Deputy Sheriffs) sat down with Representatives Tauchen and Craig. We asked to see what cases in Wisconsin led to them wanting to change the forfeiture law. They cited two cases, one was a Federal case from Brown County the other was a Walworth County case. The Walworth case was remedied by the courts. I asked both Representatives to give me other cases which to them were aggresses in nature. I have yet to hear from either of them or their staff. So to me it raises questions as a Sheriff, maybe our current statutes are doing their job holding drug dealers accountable.

What are the problem areas of the new proposed bill?

1. Waiting for a conviction to seize assets. In these cases, money and property are part of the case, and should not be returned as the people arrested will have a probable cause hearing within 10 days of their arrest, unless they waive that right. Trying to get money or property back will be difficult.
2. Giving 100 % of the seizure to the School Fund. We already give 50% to the School fund under the current law. What is the money used for in the School fund? What advantage is there for the

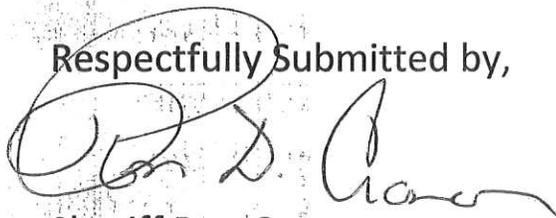
District Attorney or Law Enforcement to make any seizures that all the proceeds revert to another agency?

3. The bill prohibits local law enforcement to turn over assets to the Federal Government. There is already a \$5,000 threshold for turning assets over to DEA or FBI. What is the rational to raise the threshold to \$50,000.
4. The bill requires that each agency report to the Department of Justice an annual report of seizures and forfeitures. Any item in any case is considered a seizure under the law. We will have to report every item recovered in burglary cases, or anytime we seize evidence. What will the report at the end of the year show?
5. Fiscal impacts to all of the Drug Units in Wisconsin and the taxpayer. Surely the legislature doesn't believe the local taxpayer should pay extra to fund drug investigations in this State!

I have also attached our Eau Claire County resolution which opposes AB 537 / SB521. We have sent this to our local legislative Representatives as well as Wisconsin Counties Association.

Please if you have any questions or concerns; call me at 715-829-7143.

Respectfully Submitted by,



Sheriff Ron Cramer

Eau Claire County Sheriff / Project Director West Central Drug Task Force

FEBRUARY 2015

212-17-52170 Acct. #	Account Name	Total Annual Budget	Total Annual Task Force Budget	February	Total Expenditure Year to date	Total Balance	Percent Remaining
225-202	Telephone	\$2,500.00	\$2,500.00	\$34.05	\$42.02	\$2,457.98	98.32%
226-202	Cell Phones	\$10,000.00	\$10,000.00	\$520.47	\$1,259.10	\$8,740.90	87.41%
243-202	Motor Vehicle Maintenance	\$8,000.00	\$8,000.00	\$184.31	\$620.94	\$7,379.06	92.24%
244-202	Computer Hardware Maintenance	\$2,300.00	\$2,300.00	\$80.11	\$80.11	\$2,219.89	96.52%
245-202	Computer Software Maintenance	\$2,500.00	\$2,500.00	\$236.65	\$236.65	\$2,263.35	90.53%
249-202	Service on Machines	\$140.00	\$140.00	\$0.00	\$0.00	\$140.00	100.00%
310-202	Office Supplies	\$1,500.00	\$1,500.00	\$109.11	\$175.47	\$1,324.53	88.30%
311-202	Postage	\$300.00	\$300.00	(\$16.49)	\$9.86	\$290.14	96.71%
313-202	Printing & Duplicating	\$200.00	\$200.00	\$0.00	\$0.00	\$200.00	100.00%
320-202	Reference Materials	\$100.00	\$100.00	\$0.00	\$0.00	\$100.00	100.00%
330-202	Travel (Regular)	\$2,000.00	\$2,000.00	(\$27.20)	\$0.00	\$2,000.00	100.00%
340-202	Travel (Training)	\$4,000.00	\$4,000.00	\$0.00	\$0.00	\$4,000.00	100.00%
367-202	Law Enforcement Supplies	\$2,250.00	\$2,250.00	\$74.88	\$74.88	\$2,175.12	96.67%
375-202	Confidential Funds	\$29,570.00	\$29,570.00	\$5,000.00	\$5,000.00	\$24,570.00	83.09%
377-202	Vehicle Fuel - Task Force	\$600.00	\$600.00	\$0.00	\$0.00	\$600.00	100.00%
392-202	Employee Drug Testing	\$300.00	\$300.00	\$25.00	\$25.00	\$275.00	91.67%
532-202	Office Rent	\$2,900.00	\$2,900.00	\$0.00	\$0.00	\$2,900.00	100.00%
539-202	Other Rents/Leases	\$829.32	\$829.32	\$1,658.64	\$1,658.64	(\$829.32)	-100.00%
811-202	Automotive Equipment	\$10,000.00	\$10,000.00	\$0.00	\$0.00	\$10,000.00	100.00%
	TOTAL	\$79,989.32	\$79,989.32	\$7,879.53	\$9,182.67	\$70,806.65	88.52%

ADDITIONAL OUT-OF-BUDGET EXPENDITURES FROM RCU

% Remaining of Year: 83.33%

Description of Expenditure Item Approved by Oversight Committee	Amount of Expenditure

- OPPOSING LRB-2148/1 CHANGING THE WAY PROPERTY IS FORFEITED AFTER BEING SEIZED IN RELATION TO A CRIME-

WHEREAS, the current forfeiture law applies to all property directly or indirectly derived from the commission of a crime; and

WHEREAS, current law allows an agency to keep certain property for its own use, to transfer the property to another agency or to sell property; and

WHEREAS, under current law the agency that seized the property may retain a set percentage of the proceeds of selling the property to cover administrative and other costs with the remainder going to the state school fund; and

WHEREAS, under current law a law enforcement agency may enter in agreements with federal authorities to turn over property seized under federal law and then share proceeds of the sale of the property seized; and

WHEREAS, this bill would allow property to be forfeited only if a person is convicted of a crime related to the action for forfeiture and only if the court finds that the property seized is proportional to the crime committed; and

WHEREAS, this bill requires all proceeds of the sale of property to be turned into the state school fund; and

WHEREAS, this bill prohibits local law enforcement agencies from transferring property to federal agencies unless the value of the property exceeds \$50,000, and the property was seized in relation to an interstate crime, or the property may only be forfeited under federal law; and

WHEREAS, this bill would severely curtail the ability of the West Central Drug Task Force to function effectively without a substantial increase in county tax levy funding; and

WHEREAS, this bill would require law enforcement agencies to return seized illegal money and property until after conviction and then the agencies would then attempt to locate the assets which had been seized.

NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors opposes LRB-2148/1 changing the way property is forfeited after being seized in relation to a crime.

BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs the county clerk to forward this resolution to the governor, assembly members and senators representing Eau Claire County and the Wisconsin Counties Association.

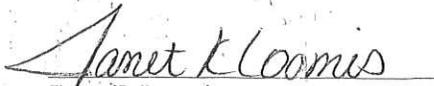
ADOPTED: December 15, 2015

STATE OF WISCONSIN

SS

COUNTY OF EAU CLAIRE

I, Janet K. Loomis, County Clerk in and for said county, do HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution adopted by the Eau Claire County Board of Supervisors at the meeting held on December 15, 2015.

A handwritten signature in cursive script that reads "Janet K. Loomis". The signature is written in black ink and is positioned above a horizontal line.

Janet K. Loomis
County Clerk

Fiscal Estimate Narratives

DA 12/2/2015

LRB Number	15-2148/1	Introduction Number	AB-0537	Estimate Type	Original
Description Forfeiture of property seized in relation to a crime					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, a law enforcement agency may acquire property involved in a crime. The forfeiture law allows an agency to keep property for its own use, transfer it to another agency, or sell it.

This bill allows property to be subject to forfeiture only if a person is convicted of the crime related to the action for forfeiture. Seized property must be returned to innocent owners unless they were aware of the crime related to the property.

Prosecutors do not envision a fiscal impact on their offices should this bill be enacted.

Long-Range Fiscal Implications

If the bill is enacted, prosecutors do not expect there to be a long-term fiscal impact on their offices.

Board of Commissioners of Public Lands

FY 2011 - 2015

Fine & Forfeiture Revenue - Coded to civil asset forfeitures from local law enforcement agencies, DNR, & DOR

Fiscal Year	Yr/Mo/Day	Description	Amount
2011	20100720	C NEW BERLIN	(107.00)
2011	20100720	C NEW BERLIN	(283.00)
2011	20100720	C NEW BERLIN	(305.00)
2011	20100805	WAUSHARA CO MULTIPLE CASES	(4,414.70)
2011	20100817	LINCOLN CO VEHICLE SALE	(301.25)
2011	20100914	LAKE WINNEBAGO VEHICLE SALES	(175.95)
2011	20100914	WALWORTH CO VEH-ARANDA&PEREZ	(868.50)
2011	20100914	WALWORTH CO VEH-QUINONIEZ	(693.50)
2011	20100922	DNR SWAP CONF WEAPONS	(1,032.26)
2011	20101014	C WEST BEND 09CV1449	(667.29)
2011	20101020	WINNEBAGO CO TV SALES	(270.75)
2011	20101108	WALWORTH CO	(125.00)
2011	20101116	MUSKEGO POLICE VEHICLE SALE	(425.00)
2011	20101116	WAUKESHA CO 09CV002754	(400.00)
2011	20101130	MUSKEGO POLICE GIESEGH	(152.75)
2011	20101207	BROWN CO 04CV950	(3,000.00)
2011	20110103	ONEIDA CO09SC-10094	(1,399.07)
2011	20110105	APPLETON	(675.00)
2011	20110105	WALWORTH CO	(1,518.00)
2011	20110113	JEFFERSON CO	(407.65)
2011	20110124	T.OCONOMOWOC	(163.25)
2011	20110215	C. FOND DU LAC	(1,184.46)
2011	20110302	NEW BERLIN AUTO	(1,855.25)
2011	20110324	BROWN CO	(16,670.17)
2011	20110324	WALWORTH CO	(3,003.50)
2011	20110404	BROWN CO	(1,724.00)
2011	20110419	V.PEWAUKEE 10CV005403HOUSEWERT	(704.00)
2011	20110502	C OCONOMOWOC	(308.00)
2011	20110607	LINCOLN CO 09-CV-96-30703	(1,111.25)
2011	20110607	BROWN CO 10CV1843	(2,276.10)
2011	20110607		(311.25)
2011	20110614	BAYFIELD CO	(202.00)
2011	20110621	2011CV000446 WALWORTH CO	(976.85)
2011	20100708	C. MADISON	(533.00)
2011	20100708	BROWN CO 10CV92	(216.30)
2011	20100727	APPLETON 10OU001823	(225.00)
2011	20100728	DANE CO 2008-73268	(1,500.00)
2011	20100804	LAKE WINNEBAGO MEG DRUG	(2,357.86)
2011	20100804	ONEIDA CO 06SC-8885	(311.40)
2011	20100805	SHEBOYGAN CO 10CV000299	(200.00)
2011	20100805	APPLETON 09-001861	(158.70)
2011	20100811	BROWN CO 09CV920	(630.00)
2011	20100816	"OAKCREEK 10CV655,4983,09-19004"	(389.70)
2011	20100816	APPLETON PD10-04516	(234.00)
2011	20100824	09CV2935 C.GREEN BAY	(180.30)
2011	20100824	09BR7343 C GREEN BAY	(175.20)
2011	20100825	10CV496 C SHEBOYGAN	(168.00)
2011	20100825	08OU07012	(153.00)
2011	20100825	WAUKESHA COUNTY	(140.10)
2011	20100830	LINCOLN CO 09CV96	(1,503.38)

Board of Commissioners of Public Lands
 FY 2011 - 2015

Fine & Forfeiture Revenue - Coded to civil asset forfeitures from local law enforcement agencies, DNR, & DOR

Fiscal Year	Yr/Mo/Da	Description	Amount
2011	20100830	BROWN CO 10CV765	(180.00)
2011	20100830	SHEBOYGAN CO 10CV396	(359.00)
2011	20100830	CLARK CO 10CV166	(411.00)
2011	20100914	C WEST ALLIS 10CV4982(10-2255)	(307.20)
2011	20100914	BROWN CO 10CV1893 JUJUAN JONES	(581.70)
2011	20100914	APPLETON #070323-011257	(95.40)
2011	20100914	WALWORTH CO LANDERS	(69.00)
2011	20100914	WALWORTH CO SCHLAGEL	(267.90)
2011	20100922	C.STEVENS PT	(74.80)
2011	20100922	GREEN CO 07-CV-430	(456.00)
2011	20100922	STOCKBRIGE-MUNSEE 09CV387	(186.00)
2011	20100929	GRAND CHUTE POLICE	(600.00)
2011	20100929	WAUKESHA CO DRUG ENFORCE	(521.00)
2011	20101020	LAKE WINNEBAGO DRUG	(2,083.20)
2011	20101020	SHEBOYGAN CO 10CV837	(254.00)
2011	20101025	WAUKESHA DRUG	(102.30)
2011	20101025	WAUKESHA DRUG	(470.70)
2011	20101025	WAUKESHA DRUG	(88.50)
2011	20101108	LA CROSSE CO	(70.00)
2011	20101108	WALWORTH CO	(575.10)
2011	20101112	JEFFERSON CO	(198.30)
2011	20101124	LAKE WINNEBAGO	(2,954.40)
2011	20101130	BROWN CO	(1,041.60)
2011	20101207	C STEVENS POINT	(189.50)
2011	20101215	LANGLADE CO	(53.75)
2011	20101215	"C.MARSHFIELD 08-12002,10-4654 "	(918.00)
2011	20101215	KENOSHA	(6,508.00)
2011	20101222	BROWN CO 10CV001012	(252.60)
2011	20110103	LA CROSSE CO MEG	(1,682.50)
2011	20110103	SHEBOYGAN CO 10-147/5	(480.00)
2011	20110103	JEFFERSON CO B.KOVACS	(75.60)
2011	20110103	"ONEIDA CO 09SC-10094,10SC-110 "	(528.87)
2011	20110103	BARRON CO 10CV594	(210.00)
2011	20110103	BROWN CO 10BR3271	(517.80)
2011	20110113	WALWORTH CO	(696.60)
2011	20110113	C.SHEBOYGAN 10CV111	(354.30)
2011	20110124	C LADYSMITH HAUSE	(477.00)
2011	20110131	OZAUKEE CO	(173.00)
2011	20110131	LANGLADE CO	(68.91)
2011	20110131	SHAWANO CO	(500.00)
2011	20110207	BROWN CO 10CV3116	(483.00)
2011	20110207	SHAWANO CITY 07-03632	(115.43)
2011	20110215	SHEBOYGAN CO 10CV395	(127.89)
2011	20110223	C.OAK CREEK 10CV14906	(221.40)
2011	20110228	VILAS CO	(75.00)
2011	20110228	BROWN CO BCDTF100312	(243.60)
2011	20110307	C STEVENS POINT	(612.90)
2011	20110307	LAKE WINNEBAGO MEG-DRUG	(3,962.44)
2011	20110309	V.PEWAUKEE X10-09140	(364.17)
2011	20110322	SHEBOYGAN CO 10SB5201	(90.00)

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2011	20110324	C.MANITOWOC 10CV1035	(467.40)
2011	20110324	WALWORTH CO	(285.00)
2011	20110329	NORTHEAST TRI-CO DRUG GROUP	(435.00)
2011	20110404	SHEBOYGAN CO	(273.00)
2011	20110406	REFUND OAKCREEK WOLBACH MEL	181.20
2011	20110407	C.WI RAPIDS 10-9003	(293.70)
2011	20110407	C.WI RAPIDS 2011-386	(334.50)
2011	20110502	RECEIPT11002146 BROWN CO	(170.10)
2011	20110502	RECEIPT11002060 BROWN CO	(3,200.00)
2011	20110504	C.GREEN BAY 10BR006799	(233.70)
2011	20110504	11002280RECEIPT BROWN CO	(300.00)
2011	20110511	C STEVENS POINT	(1,587.50)
2011	20110511	C SHEBOYGAN 2011CV135	(101.70)
2011	20110517	C.OAK CREEK 10CV20192	(159.00)
2011	20110524	C STEVENS PT	(854.80)
2011	20110524	LAKE WINNEBAGO MEG-DRUG	(2,985.75)
2011	20110531	JEFFERSON CO	(1,235.50)
2011	20110627	RACINE CO 07CV2551	(282.00)
2011	20110627	RACINE CO 10CV2614	(480.00)
2011	20110627	MARQUETTE CO	(636.00)
2011	20110627	C WAUKESHA 10CV1416	(427.50)
2011	20110627	C WAUKESHA 10CV1416	(206.70)
2011	20110627	C WAUKESHA 10CV5281	(438.00)
2011	20110627	C WAUKESHA 10CV0042	(48.05)
2011	20110627	C WAUKESHA 09CV4982	(178.50)
2011	20110627	C WAUKESHA 10CV2322	(279.90)
2011	20110627	C WAUKESHA 10CV4651	(474.60)
2011	20110627	C WAUKESHA 10CV886	(852.30)
2011	20110627	C WAUKESHA 09CV4112	(65.40)
2012	20110721	MANITOWOC CO	(247.06)
2012	20110722	ONEIDA CO	(995.50)
2012	20110801	APPLETON 2010CV1816	(300.00)
2012	20110822	LANGLADE CO	(108.24)
2012	20110822	BROWN CO 10CV1973	(202.50)
2012	20110829	BROWN CO 10BR002257	(2,000.00)
2012	20110831	SWEENEY'S AUCTION	(1,538.50)
2012	20110919	C.WAUKESHA 2009CV4879	(1,200.00)
2012	20110919	C.WAUKESHA 2010CV2597	(725.00)
2012	20110919	C WAUKESHA2009CV4323	(375.00)
2012	20110919	C WAUKESHA 2009CV012559	(950.00)
2012	20110919	C.WAUKESHA 2010CV385	(675.00)
2012	20110919	C.WAUKESHA 2009CV882	(225.00)
2012	20110919	C.WAUKESHA 2009CV4880	(425.00)
2012	20110919	C.WAUKESHA 2009CV4112	(500.00)
2012	20110919	C.WAUKESHA 2010CV145	(350.00)
2012	20110919	C.WAUKESHA 2009CV4881	(1,075.00)
2012	20110919	C.WAUKESHA 2010CV886	(1,400.00)
2012	20110919	C.WAUKESHA 2010CV2059	(575.00)
2012	20110919	C.WAUKESHA2010CV4720	(200.00)
2012	20110919	C.WAUKESHA 2010CV1927	(1,850.00)

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2012	20110919	C.WAUKESHA 2010CV2112	(3,450.00)
2012	20110919	C.WAUKESHA 2009CV4921	(2,600.00)
2012	20110919	C.WAUKESHA 2010CV791	(1,650.00)
2012	20110919	C.WAUKESHA 2010CV292	(775.00)
2012	20110919	MANITOWOC CO	(316.80)
2012	20110919	C.WAUKESHA 2010CV2632	(2,125.00)
2012	20110928	WAUKESHA CO	(127.60)
2012	20111025	MUSKEGO SALE OF VEHICLE	(121.03)
2012	20111117	WALWORTH CO AUTO AUCTION	(4,741.26)
2012	20111117	WAUKESHA 10CV003666	(1,250.00)
2012	20111117	WAUKESHA 11CV001318	(1,200.00)
2012	20111123	MARQUETTE COUNTY VEHICLE SALE	(650.00)
2012	20111123	LINCOLN CO 10CV227	(1,212.13)
2012	20111208	BROWN CO 06CV2538	(3,774.50)
2012	20111214	MARQUETTE CO	(450.00)
2012	20120131	MARQUETTE CO	(545.50)
2012	20120131	MANITOWOC CO	(920.95)
2012	20120213	CITY LAKE GENEVA 11CV1409	(150.00)
2012	20120227	WINNEBAGO CO 11CV386	(225.00)
2012	20120305	C.STEVENS POINT SATURN VEHICLE	(1,993.25)
2012	20120305	DOOR CO 11CV273 FORD TAURUS	(54.60)
2012	20120305	WALWORTH CO VEHICLE	(137.50)
2012	20120522	CITY WAUKESHA 2010CV5190	(825.00)
2012	20120522	CITY WAUKESHA 2011CV3747	(1,050.00)
2012	20120522	CITY WAUKESHA 2011CV3491	(2,950.00)
2012	20120529	APPLETON 10-048222	(175.00)
2012	20120606	"C.WHITewater 06282011 95CHEVY,"	(2,712.63)
2012	20120625	OCONOMOWOC	(119.10)
2012	20110705	MILWAUKEE METRO DRUG ENFORCEME	(2,362.80)
2012	20110705	C.SHEBOYGAN 10CV1045	(272.10)
2012	20110705	C.SHEBOYGAN 11CV182	(211.80)
2012	20110706	BROWN CO 11BR000253	(187.20)
2012	20110706	C.WAUKESHA 10CV5282	(368.10)
2012	20110706	C.WAUKESHA 10CV005281	(270.00)
2012	20110706	RUSK CO 2011RU000047	(395.10)
2012	20110721	C STEVENS PT C09-06403	(61.07)
2012	20110722	WALWORTH CO SEIZED FUNDS	(4,488.00)
2012	20110801	LAKE WINNEBAGO MEG DRUG	(2,821.21)
2012	20110801	C.OCONOMOWOC	(190.50)
2012	20110801	SHEBOYGAN CO 2011CV288	(152.00)
2012	20110801	JEFFERSON CO RYAN SCHUETT	(63.00)
2012	20110808	C STEVENS POINT	(173.10)
2012	20110815	KEWAUNEE CO 2011CV072	(63.30)
2012	20110815	BROWN CO RECEIPT11004179	(265.50)
2012	20110822	"WALWORTH CO 11WL962,11WL312 "	(517.20)
2012	20110831	RACINE CO	(179.10)
2012	20110914	CITY WAUKESHA 10CV862	(56.10)
2012	20110914	BROWN CO 11004578-81	(1,374.30)
2012	20110914	SHEBOYGAN CO 10-3428-11	(533.00)
2012	20110914	PLOVER P11-02203	(272.10)

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2012	20110919	C LAKE GENEVA	(428.70)
2012	20110919	C WAUKESHA 2010CV1740	(549.90)
2012	20110928	SHEBOYGAN COUNTY 2010SB873	(135.00)
2012	20110928	"BROWN CO 11005162,11005164 "	(666.30)
2012	20110928	OZAUKEE CO	(317.10)
2012	20110928	C.STEVENS PT	(262.80)
2012	20111003	BEAVER DAM J.WRIGHT11CX02	(117.00)
2012	20111003	V PEWAUKEE X11-04546	(294.30)
2012	20111025	V.PEWAUKEE 30% SEIZED	(160.50)
2012	20111101	"MANITOWOC CO 2010-9438,11-3371"	(457.69)
2012	20111101	BROWN CO 10CV3284	(357.00)
2012	20111101	C.SHEBOYGAN 2011CV516	(161.48)
2012	20111107	C.STEVENS PT	(104.40)
2012	20111107	APPLETON 11-008316	(323.70)
2012	20111114	WALWORTH COUNTY VARIOUS CASES	(1,753.50)
2012	20111114	LAKE WINNEBAGO	(6,514.60)
2012	20111117	RUSK COUNTY 10CX1	(450.00)
2012	20111117	CITY SHEBOYGAN 11CV393	(79.80)
2012	20111117	WAUKESHA CO	(319.20)
2012	20111117	"WINNEBAGO CTY,NEENAH 11GF12 "	(1,093.00)
2012	20111128	C STEVENS POINT DRUG CASH	(835.50)
2012	20111201	C.WAUKESHA 11CV003099	(348.90)
2012	20111201	C.WAUKESHA 10CV5190	(912.00)
2012	20111206	OAK CREEK 11CV004020	(252.00)
2012	20111208	C WAUKESHA 2002CV1313	(210.00)
2012	20111214	OAK CREEK 10CV019426	(579.46)
2012	20111214	KENOSHA CO	(4,142.30)
2012	20111214	WINNEBAGO CO 11CV1457	(4,744.00)
2012	20111220	LA CROSSE COUNTY	(1,530.00)
2012	20120103	TREMPEALEAU CO DRUG CASH	(532.50)
2012	20120109	"WALWORTH 2011CV1503,1222,329 "	(516.20)
2012	20120111	NE TRI-CTY DRUG 02-11-1041	(204.00)
2012	20120117	TREMPEALEAU CO 10CV94	(205.20)
2012	20120118	LAKE WINNEBAGO MEG	(2,984.95)
2012	20120124	CIITY WAUKESHA 2011CV3706	(163.50)
2012	20120202	CLARK CO. 11CV237 HECTOR GARCI	(300.00)
2012	20120202	LA CROSSE CO	(301.50)
2012	20120202	APPLETON 11-028513	(399.00)
2012	20120202	WINNEBAGO CO	(3,221.83)
2012	20120213	CITY RACINE 11CV2850	(657.50)
2012	20120213	LA CROSSE CO. 11CV000235	(228.95)
2012	20120213	CITY WAUKESHA 06CV3156	(267.00)
2012	20120213	KEWAUNEE CO 11CV121	(108.00)
2012	20120213	CITY LAKE GENEVA 11CV1284	(140.40)
2012	20120213	CITY STEVENS POINT	(84.00)
2012	20120227	WINNEBAGO CO MEG UNIT	(3,937.60)
2012	20120227	UW-OSHKOSH 2011-2844	(174.30)
2012	20120227	BROWN CO 11CV2851	(182.10)
2012	20120227	C.SHEBOYGAN 2011CV001002	(363.00)
2012	20120305	NE TRI-CTY DRUG 11-CF-164	(84.00)

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2012	20120305	KEWAUNEE CTY 12-CV-22	(150.00)
2012	20120305	V.PEWAUKEE	(293.40)
2012	20120307	JEFFERSON CO A.GUADALAJARA	(298.50)
2012	20120313	BROWN COUNTY 11BR4775	(455.40)
2012	20120319	"C.MENOMON06-6594,05-03330 "	(2,609.00)
2012	20120329	BROWN CO 10CV3119	(294.60)
2012	20120402	APPLETON 10-045229	(510.00)
2012	20120403	BARRON COUNTY 11CV544	(450.00)
2012	20120409	C.MEQUON 11-15306 WOLFGRAM	(130.50)
2012	20120409	C.STEVENS POINTF-167854	(295.00)
2012	20120409	C.MENASHA11CV506	(590.10)
2012	20120416	BROWN CO 12001748 REC #	(196.20)
2012	20120423	BEAVER DAM ADAM NEHLS	(30.00)
2012	20120430	V.PLOVER P11-06671	(89.70)
2012	20120430	WAUKESHA CO. 2011CV002574	(189.00)
2012	20120503	C.STEVENS POINT	(561.00)
2012	20120507	OAK CREEK 09CV19005	(256.50)
2012	20120508	NORTHEAST TRI-CTY 11CV297	(540.30)
2012	20120514	OAK CREEK 09CV19003	(360.00)
2012	20120514	BARRON CO 11CV513	(487.20)
2012	20120514	BROWN CO 10CV2445	(2,619.50)
2012	20120522	CITY WAUKESHA2012CV880	(412.50)
2012	20120522	WALWORTH CO. VARIOUS	(5,272.05)
2012	20120522	CITY SHEYBOYGAN 11CV394	(421.20)
2012	20120522	CITY SHEBOYGAN 12CV34	(74.10)
2012	20120529	APPLETON 11-005357	(456.90)
2012	20120606	BROWN CO 10CV2095	(490.50)
2012	20120618	NORTHEAST TRI-CTY DRUG 11CV413	(475.20)
2012	20120619	LAKE WINNEBAGO MEG DRUG	(8,286.00)
2012	20120619	BROWN CO 2012BR2309	(274.50)
2012	20120625	C.STEVENS POINT 17899	(185.10)
2013	20120806	VEHICLE SALES	(605.25)
2013	20120806	WEST CENTRAL DRUG AUTO SALES	(1,028.86)
2013	20120918	C.LAKE GENEVA	(4,078.87)
2013	20120926	WALWORTH CO 12CV00001	(12,250.00)
2013	20121022	C.MARINETTE NORTHEAST DRUG	(325.00)
2013	20121107	ELKHORN CITY 11CV1466	(1,131.25)
2013	20121120	OCONOMOWOC CITY 2011-6641	(308.00)
2013	20121129	POLK CO. 10CF257	(10,400.00)
2013	20121219	MARATHON COUNTY 11-005459	(950.00)
2013	20130102	C.WAUKESHA VARIOUS AUTO SALES	(8,300.00)
2013	20130304	MENASHA 12CV1516	(217.20)
2013	20130326	WALWORTH CO AUTO VARIOUS	(2,098.00)
2013	20130409	V.TWIN LAKES 12CV1766	(423.00)
2013	20130430	BROWN CO13002011	(4,150.00)
2013	20130507	CIT MARINETTE 12CV15	(419.96)
2013	20130523	NE TRI DOUNTY DRUG PROP SALE	(1,214.45)
2013	20130604	WALWORTH CO 12CV1148	(784.90)
2013	20130604	WALWORTH CO 12CV1032	(450.00)
2013	20130628	C.WHITewater	(2,579.25)

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2013	20130122	KENOSHA DRUB OP GROUP	(1,713.14)
2013	20130122	LAKE WINNEBAGO MEG-DRUG	(4,711.80)
2013	20130124	C.MANITOWOC PELMER 11-10717	(1,425.00)
2013	20130128	SHAWANO CO	(30.00)
2013	20130128	CITY SOUTH MILWAUKEE	(178.20)
2013	20130206	GRAND CHUTE 2007CV96	(299.70)
2013	20130219	WAUKESHA CO 12CV2606	(101.40)
2013	20130221	APPLETON 11CV210	(720.60)
2013	20130226	C.KAUKAUNA	(2,171.90)
2013	20130304	TAYLOR CO	(1,114.00)
2013	20130304	BROWN CO	(360.00)
2013	20130304	C.STEVENS PT	(172.80)
2013	20130312	WALWORTH CO 12CV1037	(1,153.50)
2013	20130318	NE TRI-CTY DRUG12CV364	(96.90)
2013	20130320	TREMPEALEAU CO 12CV191	(1,363.50)
2013	20130326	JEFFERSON CO.	(265.50)
2013	20130327	CITY MANITOWOC 12CV737	(73.63)
2013	20130403	BROWN CO 12BR8312	(596.10)
2013	20130403	CITY OF WHITEWATER	(197.00)
2013	20130409	C.FONDDULAC	(405.00)
2013	20130409	SHAWANO CO	(6.00)
2013	20130409	JEFFERSON CO	(254.25)
2013	20130415	WAUKESHA CO 13CV180	(692.70)
2013	20130415	SHEBOYGAN CITY 12CV1063	(320.00)
2013	20130422	LINCOLN CO. 12CV109	(319.80)
2013	20130422	LAKE WINNEBAGO DRUG UNIT	(2,244.00)
2013	20130424	C.WAUKESHA 13CV387	(170.40)
2013	20130502	SUPERIOR DRUG	(1,010.50)
2013	20130502	OCONTO COUNTY 12CF21	(3,388.43)
2013	20130502	SHEBOYGAN.CITY 12CV591	(186.90)
2013	20130515	OZAUKEE CO 12CV0271	(418.48)
2013	20130515	OZAUKEE CO 12CV0269	(87.61)
2013	20130515	OZAUKEE CO 12CV0268	(333.30)
2013	20130515	BROWN CO JARY VANG	(319.20)
2013	20130515	JEFFERSON COF.HAMAWY	(106.20)
2013	20130515	CITY STEVENS POINT	(1,064.92)
2013	20130523	BROWN CO 11CV83	(153.90)
2013	20130604	CITY STEVENS PT VARIOUS	(1,296.42)
2013	20130604	SHAWANO CO	(102.30)
2013	20130604	CITY STEVENS PT	(3.00)
2013	20130611	WINNEBAGO COUNTY	(4,352.85)
2013	20130611	LINCOLN CO 12CV257	(269.56)
2013	20130617	WINNEBAGO COUNTY 11CV713	(209.70)
2013	20130620	CUDAHY	(361.50)
2013	20130624	SUPERIOR 13CV85	(8,063.00)
2013	20130624	SUPERIOR 12CV375	(518.10)
2013	20130628	APPLETON 11-036456	(463.65)
2014	20130708	C.WAUKESHA VARIOUS	(5,700.00)
2014	20130710	"C MADISON 12CV2399,12CV2400 "	(6,867.38)
2014	20130812	DOOR CO MOSGROVE MOTORCYCLE	(1,433.00)

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2013	20120710	BROWN CO RECEIPT 12003416	(249.30)
2013	20120717	"RUSK CO ENGEL,ANTHONY "	(204.00)
2013	20120801	TREMPEALEAU CO 11CV233	(180.30)
2013	20120801	C.SHEBOYGAN 12CV160	(237.00)
2013	20120806	WEST CENTRAL	(200.00)
2013	20120807	OZAUKEE CO 11CV000788	(62.70)
2013	20120807	PORTAGE CO COLLIN OLSON	(457.50)
2013	20120807	BROWN CO 12CV739	(735.30)
2013	20120807	WINNEBAGO CO VARIOUS	(1,275.30)
2013	20120813	PORTAGE CO	(255.30)
2013	20120813	V.EAGLE	(1,150.00)
2013	20120813	OZAUKEE CO 12CV0024	(114.30)
2013	20120813	APPLETON 10-007041	(225.00)
2013	20120822	C.WHITewater 12CV150	(319.50)
2013	20120822	C.RACINE 12CV1658	(203.70)
2013	20120822	JEFFERSON CO ROLANDO BATRES	(88.80)
2013	20120827	C.WAUKESHA 11CV938	(510.00)
2013	20120910	JEFFERSON CO DANIEL RUTLEDGE	(150.00)
2013	20120910	APPLETON 12CV238	(401.70)
2013	20120910	C.APPLETON 12-6480	(420.00)
2013	20120918	C.LAKE GENEVA	(1,500.00)
2013	20120918	"SHEBOYGAN CO. IVORY,LATHON "	(603.00)
2013	20120926	WALWORTH CO 12CV000438	(831.00)
2013	20120926	WALWORTH CO 12CV000399	(291.30)
2013	20120926	WINNEBAGO CO MULTIPLES	(6,139.90)
2013	20121001	BROWN CO 12CV538	(240.01)
2013	20121001	"OAK CREEK 11CV18949,12CV485 "	(291.30)
2013	20121009	SOUTH MILWAUKEE 12CV3402	(137.40)
2013	20121009	C.GREEN BAY 12CV380	(165.60)
2013	20121009	C.GREEN BAY 12CV398	(367.50)
2013	20121016	C.LAKE GENEVA	(230.10)
2013	20121022	MILWAUKEE CO. VARIOUS	(38,936.55)
2013	20121120	BROWN CO 11CV2162	(177.30)
2013	20121120	NEWBERLINCITY 10CV4810,12-2495	(549.00)
2013	20121120	LAKE WINNEBAGO MEG-VARIOUS	(2,801.87)
2013	20121129	UW OSHKOSH12-0554	(114.00)
2013	20121206	ONEIDA CO	(2,616.00)
2013	20121206	APPLETON 11-048847	(234.30)
2013	20121206	BROWN CO 12BR3907	(150.00)
2013	20121206	SHEBOYGAN CITY 12CV809	(169.50)
2013	20121219	JEFFERSON COUNTY-BARRETT	(167.40)
2013	20121219	"BROWNCO.12CV845,07CV279,7CV144"	(1,750.00)
2013	20121219	CITY WEST ALLISVARIOUS	(1,854.30)
2013	20121219	CLARK COUNTY12CV118	(151.20)
2013	20130102	TREMPEALEAU CO. 11CV235	(429.00)
2013	20130102	BARRON CO. 12CV4722	(510.00)
2013	20130102	SHAWANO CO.	(168.56)
2013	20130102	"WALWORTH CO. 10CV1142,12-97,16"	(5,204.90)
2013	20130108	BROWN CO.2010CV173	(402.00)
2013	20130115	C.APPLETON 11-042916	(171.00)

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2014	20130819	NE TRI CTY DRUG PROP SALE	(578.10)
2014	20130826	DOOR CO 13CV75	(500.00)
2014	20130827	WALWORTH CO VARIOUS	(2,090.00)
2014	20130918	NE TRI-COUNTY DRUG 12CV301	(262.50)
2014	20130918	BROWN COUNTY04CV549	(500.00)
2014	20130930	DNR SALE OF CONF WEAPONS&OTHER	(11,422.61)
2014	20131009	SUPERIOR POLICE	(14,127.00)
2014	20131112	"BARRON CO 13CV224,12CV386,112 "	(905.00)
2014	20131118	C.MARINETTE 12CV301	(213.75)
2014	20131118	WALWORTH CO. 12CV1001	(2,815.75)
2014	20131118	MANITOWOC CO	(835.20)
2014	20131204	MANITOWOC CTY DRUG	(300.00)
2014	20131204	C.WAUKESHA 12CV3048	(2,750.00)
2014	20131204	C.WAUKESHA 13CV48	(850.00)
2014	20131211	SUPERIOR AUTO SALES	(2,650.00)
2014	20131218	SAUK CO SALE	(3,938.00)
2014	20140213	V.PLOVER P13-3213	(200.00)
2014	20140304	MANITOWOC CO	(369.60)
2014	20140327	WALWORTH CO SALE OF AUTOS	(4,007.50)
2014	20140401	BROWN CO JACH 11CV2614	(950.00)
2014	20140414	C.WAUWATOSA AUTO SALES	(6,438.00)
2014	20140414	C.WAUWATOSA AUTO SALES	(1,605.00)
2014	20140520	C.MUSKEGO13CV002115	(550.00)
2014	20140520	BROWN CO 14BR000987	(2,373.00)
2014	20140520	WAUWATOSA THOMAS KEENE	(455.00)
2014	20140527	CONFISCATED WEAPN/EQUIP	(14,185.74)
2014	20140528	KEWAUNEE CO 13CV67 AUTO SALE	(117.00)
2014	20140624	C.WEST ALLIS 12CV137	(4,550.00)
2014	20130708	WHITEWATER POLICE DEPT	(618.60)
2014	20130708	V.HARTLAND	(150.00)
2014	20130708	JEFFERSON CO -FAIRBANKS	(126.60)
2014	20130708	APPLETON 12CV001547	(90.00)
2014	20130710	APPLETON 12-48881	(162.00)
2014	20130716	C.STEVENS POINT	(800.47)
2014	20130724	GRAND CHUTE POLICE DEPT	(103.50)
2014	20130724	LAKE WINNEBAGO MEG	(2,695.55)
2014	20130731	WHITEWATER DRUG MONIES	(144.00)
2014	20130731	NE TRI CTY 11CV414	(185.40)
2014	20130731	SUPERIOR GARLAND BARNES/REED	(2,043.00)
2014	20130819	MENOMONIE DRUG	(301.00)
2014	20130819	MARATHON COUNTY	(825.90)
2014	20130827	SUPERIOR 12CV276	(1,058.00)
2014	20130827	WALWORTH CO 13CV55	(258.00)
2014	20130905	BROWN CO 13CV674	(247.50)
2014	20130905	WEST CENTRAL DRUG	(1,249.25)
2014	20130912	JEFFERSON CO	(322.50)
2014	20130912	KEWAUNEE COUNTY VARIOUS	(2,407.00)
2014	20130918	C WEST ALLIS 13CV1192	(450.00)
2014	20130918	WINNEBAGO COUNTY	(3,364.70)
2014	20130930	C.KAUKAUNA 92013	(172.80)

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Fine & Forfeiture Revenue - Coded to civil asset forfeitures from local law enforcement agencies, DNR, & DOR

Fiscal Year	Yr/Mo/Da	Description	Amount
2014	20130930	C.MANITOWOC 33111	(90.90)
2014	20130930	C.MUSKEGO	(235.50)
2014	20131001	APPLETON 13-1839	(929.70)
2014	20131009	C.WEST ALLIS 13CV5546	(210.00)
2014	20131009	BROWN CO 13CV361	(334.50)
2014	20131009	WINNEBAGO CO 13CV351	(393.00)
2014	20131017	SHEBOYGAN COUNTY 13-01173	(278.10)
2014	20131023	JEFFERSON COUNTY	(204.90)
2014	20131107	PORTAGE COUNTY S11-04843	(202.50)
2014	20131107	C.OAK CREEK 13CV003353	(336.00)
2014	20131107	C.STEVENS PT	(778.00)
2014	20131107	APPLETON 12-042231	(123.30)
2014	20131107	C.SHEBOYGAN 13CF27	(350.00)
2014	20131107	LINCOLN COUNTY 12CV107	(2,326.50)
2014	20131107	BROWN COUNTY 13BR5437	(219.08)
2014	20131112	BROWN CO 13CV776JONES	(528.00)
2014	20131112	C.MARSHFIELD 13-11725	(262.09)
2014	20131112	KEWAUNEE CO CALLAHAN	(63.00)
2014	20131118	C.MUSKEGO SHEEHAN	(86.25)
2014	20131118	CUDAHY POLICE	(4,732.50)
2014	20131204	C.WAUKESHA 13CV2157	(333.60)
2014	20131204	BROWN CO 13CV775	(567.60)
2014	20131204	SOUTH MILWAUKEE 13CV7689	(89.10)
2014	20131204	"MENOMONIE 06-932,996,09-1844 "	(2,051.00)
2014	20131204	APPLETON 12-48319	(828.90)
2014	20131204	BROWN CO 12CV903	(153.60)
2014	20131211	KEWAUNEE COUNTY 13CV53	(197.70)
2014	20131211	LAKE WINNEBAGO DRUG VARIOUS	(1,319.25)
2014	20131211	"OAKCREEK13CV4423,3657 "	(956.40)
2014	20131218	MENOMONIE 08-2601	(1,005.00)
2014	20131218	BROWN CO VARIOUS	(839.30)
2014	20140106	C.STEVENS PT VARIOUS	(1,029.80)
2014	20140106	WINNEBAGO CO	(3,213.55)
2014	20140106	C.SHEBOYGAN 13CV791	(115.00)
2014	20140109	KEWAUNEE CO SANCHEZ	(264.00)
2014	20140109	C.MANITOWOC 13CV463	(106.50)
2014	20140115	WI DELLS 13CF089	(3,868.00)
2014	20140116	WAUKESHA CO VARIOUS	(2,760.30)
2014	20140116	BROWN CO 13CV817	(246.00)
2014	20140128	BROWN CO13CV678 EDLEBECK	(372.00)
2014	20140203	DOOR CO 13CV76	(57.30)
2014	20140213	C APPLETON 13-34459	(115.50)
2014	20140213	C WHITEWATER HARPOLD	(300.00)
2014	20140213	"WALWORTH CO 13CV54,20,124 "	(451.91)
2014	20140218	C.MENASHA	(132.00)
2014	20140225	C.GREEN BAY 13CV1361	(351.90)
2014	20140225	"BROWN CO 13CV411,1904 "	(300.00)
2014	20140304	UW SYSTEM DRUG PURUCKER13CV857	(219.00)
2014	20140304	BROWN CO 13CV964	(384.00)
2014	20140310	C STEVENS POINT	(847.04)

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Fiscal Year	Yr/Mo/Da	Description	Amount
2014	20140318	C.LAKE GENEVA	(288.90)
2014	20140327	ONEIDA CO 2014-833	(84.90)
2014	20140327	GRAND CHUTE 13OU5355	(60.00)
2014	20140327	DOOR CO	(392.50)
2014	20140401	APPLETON 13CV692	(299.70)
2014	20140408	CLARK CO.13CV97 MEISSNER	(676.50)
2014	20140408	SUPERIOR KRIVINCHUK	(1,500.00)
2014	20140408	C.STEVENS PT VARIOUS	(41.88)
2014	20140408	BROWN CO 12CV958	(480.00)
2014	20140408	WHITWATER CHASE STEVENS	(181.50)
2014	20140408	C.SHEBOYGAN 14CV91	(179.40)
2014	20140414	WALWORTH 14CV11013CV232	(692.90)
2014	20140414	BROWN CO 14CV211	(330.00)
2014	20140414	WINNEBAGO CO DRUG UNIT	(1,372.95)
2014	20140414	C.WAUWATOSA VARIOUS	(1,186.55)
2014	20140414	C.WAUWATOSA CASH VARIOUS	(1,716.30)
2014	20140430	C STEVENS POINT	(805.50)
2014	20140507	C.MERRILL VARIOUS	(1,172.31)
2014	20140507	BROWN CO VARIOUS	(402.60)
2014	20140507	OZAUKEE CO	(141.98)
2014	20140507	C.SHEBOYGAN 13CV929	(475.50)
2014	20140507	APPLETON 13-043586	(923.10)
2014	20140513	"JEFFERSON CO BRADLEY, LAWRENCE"	(453.00)
2014	20140513	FONTANA POLICE	(944.00)
2014	20140513	FONTANA POLICE	(196.00)
2014	20140515	"MENOMONIE POL 06-6551,10-714 "	(3,440.00)
2014	20140515	NE TRI-COUNTY DRUG 13CV161	(272.10)
2014	20140515	C.SUPERIOR	(968.00)
2014	20140520	C.STEVENS PT VARIOUS	(769.38)
2014	20140520	WAUWATOSA 13CV2730	(87.00)
2014	20140528	C.WI RAPIDS 13CV525	(1,580.50)
2014	20140528	CONTRL SUBST CASH SEIZURE	(38.70)
2014	20140603	LAKE WINNEBAGO MEG VARIOUS	(4,772.40)
2014	20140603	ONEIDA CO VARIOUS	(471.30)
2014	20140617	C.OSHKOSH	(342.00)
2014	20140619	C.KAUKAUNA	(129.00)
2014	20140630	C.STEVENS PT DRUG CASH	(95.70)
2014	20140630	C.WHITWATER JAMERSON&GARWICK	(538.50)
2014	20140630	C.APPLETON 13CV707	(90.00)
2014	20140630	C.APPLETON 14OU1012	(300.00)
2014	20140630	GRAND CHUTE. 12CV1568	(300.00)
2015	20140729	NE TRI COUNTY DRUG GROUP	(1,650.00)
2015	20140806	WINNEBAGO CO	(2,775.38)
2015	20140826	C.STEVENS PT 87 MERCEDES	(253.50)
2015	20140826	WALWORTH CO	(1,465.00)
2015	20140910	DODGE CO AUTO SALES	(3,250.25)
2015	20140912	"DOOR CO. 13CF37,49,48 "	(1,256.34)
2015	20140917	DOR CONFISCATED VEHICLE	(22,575.50)
2015	20140930	CLARK COUNTY AUTO SALES	(1,517.50)
2015	20141016	NEW LONDON PD 14CV267	(2,150.00)

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Fiscal Year	Yr/Mo/Da	Description	Amount
2015	20141022	"C.WAUKESHA 12CV3521,13CV1983,2"	(3,450.00)
2015	20141118	C.OCONOMOWOC 13CV1819	(286.00)
2015	20141118	C.MUSKEGO	(75.00)
2015	20141202	KEWAUNEE COUNTY 14CV34	(333.00)
2015	20141202	MARATHON CO 12CV1188	(1,357.50)
2015	20141209	C.MARSHFIELD 13-28235	(1,028.50)
2015	20141218	LINCOLN CO 08CV358 GENETT	(527.53)
2015	20141218	NE TRI CTY DRUG	(872.50)
2015	20141229	BROWN CO VARIOUS	(13,300.00)
2015	20141229	LINCOLN CO 13CV115	(203.10)
2015	20141229	C.SOUTH MILWAUKEE 10CV3477	(748.00)
2015	20150107	CONFISCATED WEAPONS/EQUIP	(37,661.33)
2015	20150114	HARTFORD POLICE 12-2580GRANT	(792.53)
2015	20150114	WALWORTH CO 14CV54	(2,546.04)
2015	20150128	JEFFERSON CO VARIOUS	(1,321.05)
2015	20150217	C.MUSKEGO AUTOS	(171.50)
2015	20150303	C.GREEN BAY 13BR3117VELAZQUEZ	(219.60)
2015	20150320	C.WAUKESHA 14CV1216	(1,050.00)
2015	20150320	C.WAUKESHA 14CV1100	(300.00)
2015	20150320	C.WAUKESHA 14CV964	(750.00)
2015	20150324	ONEIDA CO 14-2822	(132.00)
2015	20150324	"DODGE CO 12CV243,8CV586 "	(600.00)
2015	20150422	WALWORTH CO 14CV518 AUTO	(1,150.00)
2015	20150507	SHAWANO CO VEHICLE SALE	(598.00)
2015	20150511	JEFFERSON CO SHANE RUSSELL	(1,600.50)
2015	20150528	DOR CONFISCATED LIQUOR	(3,713.82)
2015	20150617	TREAMPEAULEAU CO 14CV111	(1,500.00)
2015	20150728	CORR CR507-171	1,600.50
2015	20150728	CORR CR507-171	(1,600.50)
2015	20150728	CORRECT CR507CK-135	300.00
2015	20150728	CORRECT CR507CK-135	(300.00)
2015	20140708	BROWN CO 14CV296	(1,313.50)
2015	20140716	BROWN CO 14CV415	(24.00)
2015	20140722	JEFFERSON CO	(1,709.50)
2015	20140819	T.BROOKFIELD FOERMAN	(2,274.50)
2015	20140819	BROWN CO 13BR3505	(336.00)
2015	20140826	ONEIDA CO	(4,899.49)
2015	20140826	C.SHEBOYGAN 14CV207	(280.20)
2015	20140826	WALWORTH CO	(699.00)
2015	20140910	ONEIDA CO DRUG	(1,054.50)
2015	20140910	SOUTH MILWAUKEE-14CV4895	(589.80)
2015	20140910	"C.OSHKOSH14CV489,13CM108 "	(370.50)
2015	20140910	GRAND CHUTE 12CV1487	(3,627.00)
2015	20140910	ONEIDA CO 14-6692	(70.90)
2015	20140912	OUTAGAME CO 14CV500	(90.90)
2015	20140924	OZAUKEE CO	(297.30)
2015	20140924	C.SHEBOYGAN 14CV319	(450.00)
2015	20140930	C.GREEN BAY 14BR1558	(618.60)
2015	20141009	C.WAUKESHA 14CV1371	(267.00)
2015	20141009	CALUMET CO 13CV176	(151.20)

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Fiscal Year	Yr/Mo/Da	Description	Amount
2015	20141009	OCONOMOWOC 13CV2719	(348.30)
2015	20141016	JEFFERSON CO	(378.00)
2015	20141022	LAKE WINNEBAGO VARIOUS	(5,533.13)
2015	20141029	"WEST ALLIS, VARIOUS CASES "	(4,550.00)
2015	20141029	C RICHLAND CENTER	(1,008.00)
2015	20141118	BROWN CO 14BR2974	(150.00)
2015	20141118	C.WHITewater VARIOUS	(3,615.50)
2015	20141118	WALWORTH CO 13CV688&389	(484.00)
2015	20141202	KENOSHA DRUG OPERATION 2013	(1,037.70)
2015	20141202	KENOSHA DRUG OPERATION 2014	(1,620.10)
2015	20141202	T.MENASHA SEIZED FUNDS-PD	(755.00)
2015	20141202	C.WAUKESHA 14CV1619	(900.00)
2015	20141202	C.WAUKESHA 14CV5641	(109.20)
2015	20141202	OCONOMOWOC 13CV2719	(163.00)
2015	20141202	"BROWN CO 13CV1625,14CV414,932 "	(698.40)
2015	20141202	OZAUKEE CO 14CV201	(327.00)
2015	20141211	APPLETON 14-033015	(660.00)
2015	20141218	JEFFERSON CO	(393.00)
2015	20141218	FOREST CO	(1,617.45)
2015	20141218	C.STEVENS POINT VARIOUS	(644.40)
2015	20141229	C.WAUKESHA 14CV2115	(108.30)
2015	20150114	WINNEBAGO CO DRUG	(6,198.61)
2015	20150114	BARRON CO 13CV428	(516.60)
2015	20150114	BARRON CO 14CV16	(258.00)
2015	20150114	WAUKESHA CO VARIOUS	(2,164.50)
2015	20150114	BROWN CO 14CV678	(600.00)
2015	20150114	C.BEAVER DAM 13CV567	(456.00)
2015	20150120	C.SUPERIOR VARIOUS	(1,307.20)
2015	20150121	WALWORTH CO DRUG MONIES	(3,159.11)
2015	20150121	C.STEVENS PT DRUG VARIOUS	(304.26)
2015	20150128	BROWN CO 14BR7192	(412.80)
2015	20150128	V LAKE HALLIE 14-0763	(208.28)
2015	20150203	GRAND CHUTE 12CV632	(276.30)
2015	20150203	T.MADISON BARTOLOME CORTEZ	(728.00)
2015	20150203	T.MADISON STAMPS	(238.70)
2015	20150210	C.KIEL 14CV254	(180.00)
2015	20150217	LLINCOLN COUNTY	(4.50)
2015	20150217	BROWN CO 14CV334	(795.00)
2015	20150225	REFUND PER JUDGEMENT BROWN	150.00
2015	20150226	V.ELKHART LAKE 14CV365	(115.50)
2015	20150303	BROWN CO 13BR7890 HILGENGERG	(171.00)
2015	20150309	GREEN CO 14CV221	(113.10)
2015	20150320	C.NEENAH DRUG CASH	(1,758.66)
2015	20150320	C.RICE LAKE DRUG CASH	(1,659.00)
2015	20150324	JEFFERSON CO	(90.00)
2015	20150331	BROWN CO 14BR8529	(155.40)
2015	20150331	PORTAGE CO DRUG	(279.90)
2015	20150331	OUTAGAMIE CO 13CV1186	(90.00)
2015	20150331	GRAND CHUTE 13CV1187	(296.10)
2015	20150416	DOOR COUNTY DRUG MONIES	(253.20)

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Fiscal Year	Yr/Mo/Da	Description	Amount
2015	20150416	WAUSHARA CO 14CV185	(394.59)
2015	20150416	GREEN BAY 14CV664	(613.20)
2015	20150416	C GREEN BAY 15CV166	(210.00)
2015	20150416	WAUKESHA 14CV1608	(131.10)
2015	20150422	WINNEBAGO CO DRUG SEIZURES	(4,462.76)
2015	20150422	V.PLOVER DRUG 13-00722	(201.30)
2015	20150422	C.NEW LONDON 14CV97 GONZALEZ	(189.00)
2015	20150422	WINNEBAGO CO 14CV452	(713.00)
2015	20150422	WALWORTH CO VARIOUS	(421.20)
2015	20150507	APPLETON 14CV167	(270.00)
2015	20150602	WAUWATOSA DRUG	(645.00)
2015	20150602	CALUMET CO 14CV150 JOHNSON	(450.00)
2015	20150602	WAUSAU 14CV630 COLEMAN/WILBOUR	(1,615.00)
2015	20150611	RACINE COQUINTIN WOLF	(533.70)
2015	20150611	ONEIDA CO VARIOUS DRUG	(1,347.49)
2015	20150611	C.STEVENS POINT DRUG CASH	(136.20)
2015	20150617	TREMPEALEAU CO 15CV7	(420.00)
2015	20150617	C.GREEN BAY 15CV676	(129.00)
2015	20150624	C.WHITewater MEYER 1300999	(432.00)
2015	20150624	DODGE CO DRUG	(528.00)
2015	20150624	WEST CENTRAL METRO 13CV704	(1,915.00)
2015	20150728	CORR P1507-48	150.00
2015	20150728	CORR P1507-48	(150.00)

Testimony of Norm Reynolds from Wisconsin GrandSons of Liberty on SB521 to the Senate Committee on Labor and Government Reform – 26 January 2016.

Good morning ladies and gentlemen. Thank you for this opportunity for us to present our concerns on this worthwhile reform bill, SB 521. In the past year law enforcement has taken numerous adverse hits, almost all undeservedly so. Few civilians today realize the true meaning about a salute to men and women in law enforcement. The Wisconsin Grandsons of Liberty earnestly salutes everyone in law enforcement for their dedication and performance to serve and protect. For us, they are the defensive line.

We are here today in regard to about the least operation law enforcement performs daily, but involves the most significant American issue; personal property. The reforms to existing state civil asset forfeiture we are seeking is simply tweaking them into correct applications and practices assuring our civil liberties. Surely if any of you legislators were confronted with seizure operations, you would be seeking the same expressed treatment.

Major civil asset forfeiture reform issues that need inclusion within SB 521 to protect innocent property owners from law enforcement agencies taking advantage of a good law against illicit activities include the following:

1. Illicit activity proof must be clear and convincing evidence to support charging a property owner. Drug dog alerts on over 93% of cash in circulation is drug contaminated and at best questionable. Also, "probable cause" has been proven to be easily twisted and is wholly insufficient.
2. Cash with receipts or supporting documents accounting for their presence cannot be seized. Months ago a Milwaukee Potawatomi winner overcame a robbery attempt, and when meeting with on-scene police they seized his substantial winnings even though he presented just processed tax documents for the exact amount.
3. Prohibit seizing property or cash from an innocent third party that has no knowledge of any illicit activity occurring with that property by others. Upon charging, seize and secure property and cash from the illicit active party.
4. Personal property and cash can only be seized by an agency when illicit activity charges are supported and filed. Declare the charge, then secure the personal property and cash.

5. Prohibit agency bartering that an agency offers property owners to be released from arrest and not charged for any activity when they sign-away their property for agency disposition. This is law, not Let's Make A Deal.
6. Seized property and cash have to be retained, maintained in same condition, and tracked by the seizing agency thru to conviction before any ownership titles and deeds can be changed for disposition. Simply put, perform complete and unquestionable due process.
7. All seized personal property and cash are adequately noted on receipt to owner at seizure and tracked in accountability until disposition or return to owner. Consider seized property and cash held in escrow and similarly recorded, with copy to owner, for future action.
8. When charges are dropped or there is no conviction, all seized personal property and full cash amount has to be immediately returned to the owner by the same seizing agency and not thru any court involvement. If one can seize it, he can timely return it, that simple.
9. Innocent parties that had to defend, protect, or recover their personal property in court are provided legal cost reimbursement and immediate property return. When all else fails and property and cash not returned as prescribed and having to seek court decision, the system must pay the costs for the action.
10. All seized personal property description and value and cash is to be accounted for and the disposition in agency annual report and made available for tracking in case duration. Complete the transparency motive in recording, reporting, and categorizing seized property and cash disposition in annual reports.
11. The state should eliminate the state and federal equitable sharing program that hinders state practices to protect innocent property owners and actually promotes participating agency profit motives. Our state, county, and municipal agencies should use the laws to serve and protect us.

Thank you again for the opportunity to present our adverse issues for your consideration and inclusion.



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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To: Members of the Senate Committee on Labor and Government Reform

From: Attorney General Brad Schimel
Wisconsin Department of Justice

Date: January 26, 2016

Subject: Opposition to Senate Bill 521

Thank you Chairman Nass and committee members for the opportunity to present written testimony to you on Senate Bill 521. I appreciate your thoughtful consideration of this proposal.

The Department of Justice opposes Senate Bill 521 which will hamper law enforcement's ability to stop a criminal enterprise from keeping criminally derived property and money. The biggest impact this proposal would have will be in drug cases. This will worsen our state's fight against the heroin epidemic which is taking the lives of far too many in our state.

Senate Bill 521 will also have unintended consequences. The bill will empower drug dealers in our communities and it will have the most harm on impoverished communities. The committee members and bill authors should work with the Department of Justice and law enforcement groups to address concerns in this proposal.

Criminal Conviction Requirement Flawed

I appreciate the authors concerns to ensure that innocent defendants are protected but the current law adequately addresses their rights and has strong protections in place. Under Wis. Stats. 961.555(2)(a) and 973.076(1)(b), all defendants currently have the right to tie their forfeiture to a criminal case. This allows them the right to push any judicial decision with respect to the property at issue until after their criminal proceedings have been concluded. The court is mandated by the statute to accept that request by the defendant.

The current statutory structure was set up to protect innocent owners while balancing the fact that not all cases have a defendant tied to the seizure. A common example of this would be a stash house where drugs, money, and other assets are seized but no criminal defendant is present and no one comes forward to claim the property or money.

An additional concern under the proposal is that a suspect may petition for the return of the seized evidence even if it is needed as evidence during an on-going criminal investigation or case. Without an exemption for pending cases and investigations, the courts will be bogged down unnecessarily like we've seen previously under the prior OWI forfeiture law.

Proportionality Requirement Undermines Protections

Both the United States Supreme Court and Wisconsin appellate court decisions require circuit courts to consider whether a forfeiture is constitutionally excessive before issuing an order of forfeiture. Although well-intentioned, Senate Bill 521's proposed changes to the proportionality requirement will undermine long standing court decisions circuit courts apply to prevent excessive forfeitures. The Wisconsin Supreme Court adopted the current test in *State v. Seraphine*. It was been further strengthened in *State v. Hammad*, *State v. Boyd*, and *State v. One 2013 Toyota Corolla*. The standard for assessing excessiveness, as articulated in these decisions, is far easier to apply than the vague proportionality standards in Senate Bill 521. Thus, there is no reason for the bill to address this issue.

Prohibiting Law Enforcement from Recovering Costs

Under this proposal, a law enforcement agency could not recoup costs that it incurred during an investigation into that crime. However, the so-called "policing for profit" concern raised by the authors does not exist in our state because the Wisconsin Constitution requires that monies from asset forfeiture go to the Common School Fund, with the exception that Wisconsin law enforcement agencies may recoup the specific costs that they put into the case to seize the assets in the first place and further must have detailed documentation to substantiate those costs. Removing the ability to recoup the costs will shift these costs away from criminals and onto local property taxpayers.

Hurts Federal Drug Cases

The proposal would prohibit state and local agencies from turning assets over to the federal government except if the amount exceeds \$50,000, is part of an interstate crime or it may only be forfeited under federal law. This latter part of the proposal is problematic because we cannot trump an order by a federal court on a seizure. Law enforcement would be required to turn these assets over to the federal government.

This will also create problem for joint state-federal investigations. For example, a Drug Enforcement Agency (DEA) agent and Division of Criminal Investigation (DCI) agent could be working together on a joint federal investigation. The DCI agent seizes drugs and cash with the understanding that the DEA will take control. This statute would make it unlawful for the DCI agent to turn it over to the DEA.

The result will lead to less cooperation in complex cases that need the assistance of federal agencies. These types of cases often involve drug trafficking organizations that are highly sophisticated in their schemes and requires cooperation from multiple agencies including the DEA.

Conclusion:

Several portions of Senate Bill 521 have good intentions but far too many parts have consequences that will impact local, state, and federal law enforcement's ability to work together and to hold offenders accountable for serious crimes that impact our communities. The bill also will result in a de facto tax increase on localities by prohibiting law enforcement agencies from recouping the expenses that went into seizing criminally derived property.

The Department of Justice is willing to work with the bill authors to address their concerns and find a resolution in areas where agreement can be found. Again, thank you for your consideration of our concerns with Senate Bill 521.

Testimony of Larry Gamble of the Wisconsin GrandSons of Liberty speaking in favor of SB521 (2015) to the Senate Committee on Labor and Government Reform – 26 January 2016.

Chairman Nass, senators, thank you for the opportunity to speak in favor of SB521 today. In supporting SB521, this is NOT calling for the elimination of Criminal asset forfeiture which is an extremely powerful and necessary tool in the fight against organized crime. What we oppose, strongly and primarily, is the abandonment of Due Process that permeates current Civil asset forfeiture procedures which results in people never being charged or not being convicted of a crime with forfeiture as a penalty... but they are losing their private property.

Effective and proper Civil Asset forfeiture requires the charging and convicting of a crime which carries a forfeiture penalty and then the forfeiture penalty must be in proportion to the final monetary penalties imposed upon the person convicted of that crime authorizing a forfeiture penalty. If the evidence does not lead to charges and a conviction, then the person's seized property is immediately and automatically returned. Secondly, the use of civil forfeiture must not create incentives that lead to abuse by local and state law enforcement if they stand to reap a financial windfall from the forfeiture process. Equally important and currently severely lacking in Wisconsin's civil forfeiture statues need a requirement for transparency by tracking and reporting the asset forfeiture actions.

The egregious reputation of modern civil asset forfeiture lies in the way it is applied.

Because of the differences in personal rights and property rights; a person is entitled to certain constitutional protections. But, when it comes to cash or other property, the police merely need to have a suspicion that someone's property (usually cash) is involved with or is the proceeds of illicit activity, and they can seize it. Specifically, our modern judicial process separate people from their property and forces each into its own channel in the judicial process. Regarding carrying cash; this turns innocent people into suspected criminals just because they happen to carry a large amount of cash. Independent studies have shown most paper currency in circulation more than 90 days will have trace amounts of drugs; this means K-9 units have unfair advantage when encountering cash. Yet, this alert by a police dog can be the only supporting reason for the officer to suspect illicit activity and seize your savings, or just hard earned money.

In two years of closely following this issue, I have yet to find a defined amount that sets the lower limit of what is considered an unreasonably large amount of cash for anyone to have on their person. Every Federal Reserve Note printed carries the imprint that it is legal tender, so how does carrying legal tender become a quasi-illegal act? But the overriding point here is that once the person and their property are separated in the judicial process, the person must defend their cash or property at significant personal expense. Because of the expense of defending your property, it's not uncommon for the victim to forfeit the property rather incur the expense of defending the innocence of their property. The result is that it is easier to lose your property than fight for it.

Testimony of Larry Gamble of the Wisconsin GrandSons of Liberty speaking in favor of SB521 (2015) to the Senate Committee on Labor and Government Reform – 26 January 2016.

SB521/AB537 address the reform of Civil forfeiture and it is a bi-partisan issue. This common ground is how grass roots groups like Wisconsin GrandSons of Liberty and the Wisconsin chapter of the ACLU can be working together to support this much needed reform.

In 2015, Whitewater, WI; law enforcement lost an appeal regarding the forfeiture of an innocent third party's vehicle when the owner's grandson used the vehicle to travel to on three occasions to make a drug deal with undercover police officers. While the potential penalty for this young man was \$10,000 per offense, the final penalty was roughly \$3,000 dollars yet the Whitewater Police seized and forfeited a vehicle valued at over \$20,000 dollars. This highlights two major problems with Wisconsin's Civil Asset Forfeiture statutes. First, this case shows the lack of proportionality in the final penalty versus the forfeited property value. Secondly, the court ignored Wisconsin's Innocent Third Party provisions to hold that the vehicle user held a titled ownership interest in the property. At the risk of sound trite, I think we would be hard pressed to find anyone who would give their family member a vehicle to use at college and sent them off with the encouragement to "go to college, have fun, and use some drugs while you are there."

In 2012, Brown County made national news because of the way law enforcement parlayed bail money into civil asset forfeiture seizures. Money was seized and no criminal charges were filed. This was a national embarrassment for Wisconsin. Yet, this is one most highly repeated events feeding the Civil Asset Forfeiture reform movement burning across the country. The news reports of Civil Asset Forfeiture abuse by law enforcement, district attorneys, Attorneys General, and the governments they work for are rampant nationwide.

Last year, New Mexico and Wyoming passed sweeping reforms. This year, both states are having problems breaking the cycle of civil asset forfeiture abuse. Wyoming is introducing a new bill to strengthen the requirement for a criminal conviction while New Mexico is having to sue the city of Albuquerque for failing to follow the new law. Since 2012, many states (NM, WY, GA, FL, MI, PA, OH, CA, to list a few) proposed bills to provide needed reforms only to meet stiff resistance from the law enforcement special interest lobby and government representatives who don't want the "pennies from heaven" to stop raining down into their budgets via civil asset forfeiture windfalls.

The abuses are so bad that the abuses overshadow the good seizures and righteous busts being dutifully investigated by our dedicated law enforcement personnel. Civil asset forfeiture is branded with the nicknamed, "Policing for Profit" and several news team investigations revealed the outrageous acts of "Drug Enforcement" Task Forces most notably in Tennessee and Oklahoma. Yet, here is Wisconsin we also have these drug task forces and the Dane County Narcotics Task Force benefited from Civil Asset Forfeiture by over \$407,000 in FY2014. Between the year 2000 and 2013, Wisconsin ranked 28th nationally for federal "Equitable Sharing" proceeds of \$51 Million dollars... of which 80% can go to local agencies.

Testimony of Larry Gamble of the Wisconsin GrandSons of Liberty speaking in favor of SB521 (2015) to the Senate Committee on Labor and Government Reform – 26 January 2016.

In a couple different interviews, law enforcement leaders have called the funds from Civil Asset Forfeiture “pennies from heaven” since it helps make up budgetary shortfalls as elected officials trim police budgets to spend those funds elsewhere. Milwaukee’s Journal Sentinel paper ran an article in 2012 on uses of the civil asset forfeiture proceeds by the Milwaukee Sheriff Department. The Fox Valley “Metro Enforcement Group” netted \$394,000 dollars in 2012. In an article from 2014, St. Croix County announced they were going to step up efforts to keep confiscated cash. The Milwaukee Police Department, in their annual report, used to report funds derived from civil asset forfeiture but that ceased with the arrival of Chief Flynn.

This highlights another issue with Wisconsin Civil Asset Forfeiture laws. The lack of mandatory tracking and reporting requirements makes it extremely difficult for citizens or citizens groups to uncover or understand the amount of funding being derived “off the official budget” from civil asset forfeiture. Michigan had to pass 8 bills to bring transparency and a conviction requirement to that state’s civil asset forfeiture processes.

In a perfect bill to reform Wisconsin’s Civil Forfeiture laws; it would:

1. Require conviction of a crime with forfeiture as a penalty to complete the forfeiture process.
2. Re-states the protection for third-party innocents and give a method to recover their property.
3. End forfeiture proceeds going back to Law Enforcement as an incentive to “Police for Profit.”
4. Mandatory reporting and tracking of civil forfeitures.
5. Enact Proportionality between the crime, the civil forfeiture penalty and the seizure’s value.

The only other thing we could hope for in a perfect bill would be automatically returning property seized if the person is not charged, the charges are dropped, or the person is acquitted.

As it is, Senate Bill 521 stands to make needed changes to Wisconsin’s Civil Asset Forfeiture statutes. It is a good bill. It preserves the means for law enforcement to reap the proceeds from good police work and solid convictions of real criminals. It removes the incentive to “Police for Profit” and adds a mechanism for transparency that should help disclose what the various levels of government are doing in the war on crime.

Bottom line: SB521 does the right things, while it protects the constitutional rights of the citizens and it preserves the dignity of our law enforcement officers. These reasons are why the Wisconsin GrandSons of Liberty support the bill and ask that this committee approve SB521.

Senators, once again, thank you for the opportunity to address you today.

Wisconsin GrandSons of Liberty

Civil Asset Forfeiture Reform

Purpose: Reform is needed to provide protections in the law which prevent abuse of the private property rights of innocent people and those who are not yet convicted of a crime. Basically, no one should have to fear losing their property unless they are convicted of a crime.

Facts:

- Asset forfeiture removes the tools, equipment, cash flow, profit, and, sometimes the product itself, from the criminals and criminal organization, rendering the criminal organizations powerless to operate.
- Asset forfeiture inappropriately targets the casual user or more recently the medical marijuana user in the mistaken ideal of thwarting illegal drug distribution channels.
- Police target the least likely to have resources to fight the government and seek to keep their property
- Cash currency is improperly the prime target of police departments since estimates are that 90% of all paper currency in circulation has trace amounts of Cocaine residue
- Asset forfeiture, when used properly, can provide a valuable tool for law enforcement officials, as it helps strike at the economic foundations of criminal activity
- Civil Forfeiture can be independent of criminal proceedings and it is estimated over 60% of civil forfeitures are not accompanied by criminal charges
- Forfeiture actions are driven by shrinking local budget politics rather than standards of criminal activity and objective criteria for seizing property of convicted criminals

Proper Protections:

- Require the level of proof to be "Clear and Convincing Evidence" of criminal activity not Probable Cause
- Criminal Charges must accompany the Administrative Forfeiture process; protects the "Righteous Bust"
- Hold confiscating agency responsible for returning the seized property in the same condition as when confiscated, and in the case of cash the agency must return 100% of the value of the seized cash
- Prohibit the singular basis of seizure being a drug dog keying on cash; require corroborating physical evidence to confiscate any amount of cash money
- Automatic return of seized property, without petitioning a court, if not convicted or charges dropped
- Allow for legal cost reimbursement for innocent parties that must defend, protect or recover their property in court
- Provide an exemption for property in use by another person for illicit activity without the consent or knowledge of the actual property owner (known as an "innocent third party").
- Transparency at all levels of government with ability to see what law enforcement seizes and forfeits. With searchable database kept at the state level.

For more information, go to www.wisconsingrandsonsofliberty.com

Civil Asset Forfeiture in the news:

Rep Sensenbrenner – Jan 2015 - Congress to reform outdated and unfair civil forfeiture laws
<http://1.usa.gov/1QgBiWa>

Policing for Profit: Institute for Justice “Ending Forfeiture Abuse”: <http://bit.ly/1QmctWb>
Jon Stossel: <http://bit.ly/1K6QkeD> Washington Post: <http://bit.ly/118GwOZ>
TN I-40 Shakedown: <http://bit.ly/1M0rxYb> CATO report: <http://bit.ly/1G1uBTE>

Why It’s Nearly Impossible To Get Your Stuff Back After The Cops Seize it
<http://read.bi/1PM7umu>

Wisconsin: 5/21/2012: WI Brown County specifically tells family to bring cash for bail money
<http://huff.to/1DK61V0> and here <http://bit.ly/1J45bWo> and again here <http://bit.ly/1HviWFP>

Fox Valley: Metro Enforcement Group nets \$325,000 from \$394,000 in seizures during 2012
<http://bit.ly/1HKikT5>

Kenosha: 01/25/2015: Sheriff Dan Ruth said “the old way was to just seize it”
<http://bit.ly/1DK6pTy>

St. Croix County: 9/22/2014: County Steps Up Efforts to Keep Confiscated Cash
<http://bit.ly/1dwsWv0>

Heritage Foundation: 4/20/2015: Good intentions gone awry
<http://herit.ag/1DzIP8U>

Forbes - 4/16/2015: Disabled Vet loses \$60,000 after traffic stop where he did not get a ticket
<http://onforb.es/1b55JOs>

Philadelphia: 2002 - 2012, over 1,000 homes, 3,200 vehicles and \$44 million in cash seized
<http://bit.ly/1DzMOC1>

New Mexico: 4/10/2015: Gov. signs legislation requiring conviction of a crime to take property
<http://bit.ly/1NrL3C1>

Florida: 4/8/2015: Florida legislature to introduce Civil Asset Reform Legislation
<http://dailysign.al/1Ocaqlz>

Iowa: 3/28/2015: Iowa Forfeiture “A system of legal thievery” <http://dmreg.co/11l4gco>

Georgia: 3/26/2015: IRS seizes \$940k from Veteran and Gun Shop Owner
<http://bit.ly/1yPlhkW>

Forbes: 3/25/2015: Feds want Banks to notify them if you withdraw \$5,000 or more
<http://onforb.es/1G1jad3>

Equitable Sharing Payments FY2014

Agency Name	Agency Type	Cash Value	Sale Proceeds	Totals
Appleton Police Department	Local	\$6,907	\$0	\$6,907
Barron County Sheriff's Department	Local	\$0	\$29,580	\$29,580
Brown County Sheriff Drug Task Force	Local	\$65,274	\$35,977	\$101,251
Brown County Sheriff's Office	Local	\$1,340	\$0	\$1,340
City Of Beloit Police Department	Local	\$876	\$969	\$1,845
City Of Oconomowoc Police Department	Local	\$4,724	\$0	\$4,724
City Of Waukesha Police Department	Local	\$3,982	\$0	\$3,982
Columbia County Sheriff's Department	Local	\$3,600	\$0	\$3,600
Cudahy Police Department	Local	\$10,982	\$547	\$11,529
Dane County Narcotics Task Force	Task Force	\$356,518	\$50,907	\$407,425
Dane County Sheriff's Office	Local	\$7,301	\$0	\$7,301
Door / Kewaunee Drug Task Force	Task Force	\$5,172	\$0	\$5,172
Door County Sheriff's Department	Local	\$3,775	\$0	\$3,775
Douglas County Sheriff	Local	\$13,602	\$0	\$13,602
Eau Claire County Sheriff's Department	Local	\$2,553	\$0	\$2,553
Eau Claire Police Department	Local	\$525	\$0	\$525
Fitchburg Police Department	Local	\$3,124	\$0	\$3,124
Franklin Police Department	Local	\$16,237	\$0	\$16,237
Grand Chute Police Department	Local	\$4,388	\$0	\$4,388
Green Bay Police Department	Local	\$3,868	\$7,161	\$11,029
Greenfield Police Department	Local	\$4,012	\$0	\$4,012
Janesville Police Department	Local	\$0	\$41,955	\$41,955
Jefferson County Drug Task Force	Task Force	\$24,953	\$0	\$24,953
Kenosha Drug Operations Group	Task Force	\$43,832	\$18,271	\$62,103
Kenosha Police Street Crimes Unit	Local	\$3,139	\$0	\$3,139
Ladysmith Police Department	Local	\$1,516	\$0	\$1,516
Lake Winnebago Area Metropolitan Enforcement Group (MEG) - Drug Unit	Task Force	\$59,295	\$43,004	\$102,299
Madison Police Department	Local	\$5,513	\$0	\$5,513
Manitowoc County Metropolitan Drug Unit	Task Force	\$8,072	\$7,400	\$15,472
Marathon County Sheriff's Department	Local	\$6,606	\$0	\$6,606
Marquette County Sheriff's Department	Local	\$12,900	\$0	\$12,900
Marquette County District Attorney's Office	Local	\$111	\$0	\$111
Marquette County Sheriff's Office	Local	\$222	\$0	\$222
Milwaukee County Sheriff's Office	Local	\$135,629	\$20,124	\$155,753
Milwaukee Metropolitan Drug Enforcement Group	Task Force	\$68,963	\$0	\$68,963

Equitable Sharing Payments FY2014

Agency Name	Agency Type	Cash Value	Sale Proceeds	Totals
Milwaukee Police Department	Local	\$449,453	\$124,658	\$574,111
Mount Pleasant Police Department	Local	\$600	\$0	\$600
New Berlin Police Department	Local	\$5,438	\$35,126	\$40,564
New London Police Department	Local	\$16,646	\$0	\$16,646
Northeast Tri-County Drug Enforcement Group	Task Force	\$11,664	\$0	\$11,664
Oak Creek Police Department	Local	\$46,194	\$3,142	\$49,336
Ozaukee County Sheriff's Office	Local	\$31,998	\$0	\$31,998
Pierce County Sheriff's Department	Local	\$1,145	\$0	\$1,145
Polk County Sheriff's Department	Local	\$2,591	\$29,580	\$32,171
Portage County Sheriff's Office	Local	\$13,457	\$0	\$13,457
Racine County District Attorney	Local	\$6,615	\$262	\$6,877
Racine County Sheriff's Office	Local	\$600	\$0	\$600
Racine County Sheriff's Office - Metropolitan Drug Unit	Task Force	\$63,593	\$10,782	\$74,375
Racine Police Department	Local	\$13,810	\$39,231	\$53,041
Richland-lowa-Grant Drug Task Force	Task Force	\$27,389	\$0	\$27,389
River Falls Police Department	Local	\$7,560	\$0	\$7,560
Rock County Sheriff's Office	Local	\$2,628	\$1,938	\$4,566
Rusk County Sheriff's Department	Local	\$3,436	\$0	\$3,436
Saint Croix County District Attorney's Office	Local	\$289	\$0	\$289
Saint Croix County Sheriff's Office	Local	\$1,866	\$0	\$1,866
Sauk County Sheriff's Department	Local	\$37,408	\$3,090	\$40,498
Sheboygan County Sheriff's Department	Local	\$15,647	\$7,880	\$23,527
Sheboygan Police Department	Local	\$5,888	\$0	\$5,888
Somerset Police Department	Local	\$4,250	\$0	\$4,250
Stevens Point Police Department	Local	\$16,474	\$0	\$16,474
Stoughton Police Department	Local	\$28,157	\$0	\$28,157
Sun Prairie Police Department	Local	\$2,989	\$0	\$2,989
Superior Police Department	Local	\$13,602	\$0	\$13,602
Town Of Madison Police Department	Local	\$3,090	\$0	\$3,090
University Of Wisconsin - Whitewater Police Services	Local	\$2,600	\$0	\$2,600
University Of Wisconsin-La Crosse Police Department	Local	\$2,660	\$0	\$2,660
Vilas County Sheriff's Department	Local	\$4,240	\$0	\$4,240
Village Of Brown Deer Police Department	Local	\$3,200	\$0	\$3,200
Walworth County Drug Enforcement Unit	Task Force	\$12,864	\$17,913	\$30,777
Walworth County Sheriff's Office	Local	\$1,608	\$1,990	\$3,598

Equitable Sharing Payments FY2014

Agency Name	Agency Type	Cash Value	Sale Proceeds	Totals
Washington County Multi-Jurisdiction Drug Enforcement Group (MJDG)	Local	\$95,456	\$0	\$95,456
Waukesha County Metropolitan Drug Unit	Task Force	\$16,855	\$3,670	\$20,525
Waukesha County Sheriff's Department	Local	\$49,561	\$57,731	\$107,292
Waukesha County Sheriff's Office	Local	\$15,802	\$0	\$15,802
Wauwatosa Police Department	Local	\$4,800	\$3,012	\$7,812
West Allis Police Department	Local	\$79,428	\$38,655	\$118,083
West Central Drug Task Force	Task Force	\$32,212	\$0	\$32,212
West Central Metropolitan Enforcement Group	Task Force	\$30,118	\$322	\$30,440
Whitewater Police Department	Local	\$3,900	\$0	\$3,900
Wisconsin Dells Police Department	Local	\$3,706	\$0	\$3,706
Wisconsin Department Of Justice	State	\$1,547,819	\$77,419	\$1,625,238
Wisconsin Department Of Natural Resources, Bureau Of Law Enforcement	State	\$0	\$2,882	\$2,882
Wisconsin National Guard Drug Control Program	State	\$161,826	\$18,772	\$180,598
Wisconsin State Patrol / Department Of Transportation	State	\$63,087	\$5,106	\$68,193
Totals		\$3,855,730	\$739,056	\$4,594,786

Wisconsin Justice Initiative



Wisconsin Justice Initiative Inc.
P.O. Box 100705
Milwaukee, WI 53210

Jan. 25, 2015

State Sen. Stephen L. Nass
Chairman, Senate Committee on Labor and Government Reform
Room 10 South
State Capitol
Madison, WI 53707-7882

Dear Sen. Nass,

Thank you for providing this opportunity to provide written testimony in support of SB 521 and AB 537.

Wisconsin Justice Initiative Inc. believes the reform measures proposed in these bills will help remove perceptions that civil asset forfeiture is a game rigged to benefit police and other law enforcement agencies at the expense of regular citizens who have done nothing wrong.

The current practice of law enforcement seizing property and keeping or sharing in the proceeds makes all seizures suspect – it is simply easier to believe that the police wrongly seized that money if they keep it than if they do not – and actually does provide an incentive for officers to make the wrong call in hard seizure cases. Besides removing the shadow of suspicion that now covers civil asset forfeitures, allocating all assets from seized property worth less than \$50,000 to the school fund will provide much-needed money for public education.

Law enforcement is a crucial function in society. Its fiscal health should not rely to even the slightest degree on what goods and money police can seize from citizens. The idea that law enforcement must grab up property to make their revenue goals is perverse, and the idea that police use money realized from seizures for things they want but don't really need is equally disturbing. The legitimate needs of law enforcement can and should be met through traditional federal, state and local revenue sources.

It simply should not be easier for the state to take citizens' property than it is for the state to take their liberty. Wisconsin Justice Initiative fully supports the bills' provision that there can be no seizures without convictions and that the seizures must be proportional to the crimes. It is simply too easy now for police to take and keep property from people who commit minor offenses or who are never convicted of any crime at all. Getting property back now often requires going to court, which means hiring a lawyer. Unfortunately, many people

can't afford the fight and allow the seizures to stand through default. Property seizures also can give law enforcement an undeserved bargaining chip: "We'll give you your car back if...." Requiring a conviction and proportionality is a matter of simple fairness.

Finally, there is a quote from the Six Sigma continuous improvement process: "If you can't measure something, you can't understand it. If you can't understand it, you can't control it. If you can't control it, you can't improve it."

Wisconsin does not collect enough data about civil asset forfeitures to understand or improve the process. How much property is seized annually? Who are the people most likely to be subject to seizures? How is the money spent? Is the school fund truly getting its fair share under current law? The forfeiture process now gives law enforcement an awful lot of power with very little accountability. Wisconsin Justice Initiative strongly supports AB 537 and SB 521 to bring both additional accountability and fairness to the civil asset forfeitures.

Sincerely,

A handwritten signature in cursive script that reads "Gretchen Schuldt".

Gretchen Schuldt
Executive Director
Wisconsin Justice Initiative Inc.

www.wjiinc.org

Cc: Mike Mikalsen

Fiscal Estimate - 2015 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 15-4231/1	Introduction Number SB-521
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Description
 Forfeiture of property seized in relation to a crime

Fiscal Effect

State:

- No State Fiscal Effect
- Indeterminate
 - Increase Existing Appropriations
 - Decrease Existing Appropriations
 - Create New Appropriations
- Increase Existing Revenues
- Decrease Existing Revenues
- Increase Costs - May be possible to absorb within agency's budget
 - Yes
 - No
- Decrease Costs

Local:

- No Local Government Costs
- Indeterminate
 - 1. Increase Costs
 - 2. Decrease Costs
 - 3. Increase Revenue
 - 4. Decrease Revenue
- Permissive Mandatory
 - Permissive Mandatory
 - Permissive Mandatory
 - Permissive Mandatory
- 5. Types of Local Government Units Affected
 - Towns Village Cities
 - Counties Others
 - School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**

GPR
 FED
 PRO
 PRS
 SEG
 SEGS 410

Agency/Prepared By	Authorized Signature	Date
DOC/ Jokisch Jacob (608) 240-5415	Jeffrey Grothman (608) 240-5056	1/11/2016

Fiscal Estimate Narratives

DOC 1/11/2016

LRB Number	15-4231/1	Introduction Number	SB-521	Estimate Type	Original
Description Forfeiture of property seized in relation to a crime					

Assumptions Used in Arriving at Fiscal Estimate

This bill changes the way property is forfeited after it is seized in relation to a crime. Under current law, the state or a local law enforcement agency may acquire certain property involved in the commission of a crime or seized in relation to a criminal investigation through a forfeiture proceeding. The forfeiture law applies to all property directly or indirectly derived from the commission of a crime. Current law allows an agency to keep certain property for its own use, to transfer the property to another agency, or to sell the property.

Under current law, the agency that seized the property may retain a set percentage of the proceeds of selling the property to cover administrative and other costs; the remainder goes into the state school fund. Under current law, local law enforcement agencies may enter into agreements with federal authorities wherein property that is seized in relation to a federal crime is turned over to the federal authorities for forfeiture under federal law. Proceeds from selling the property are shared between the federal authorities and local law enforcement agencies.

This bill allows property to be subject to forfeiture only if a person is convicted of the crime related to the action for forfeiture and only if a court finds that the property seized is proportional to the crime committed. The bill requires seized property to be returned to innocent owners of the property unless the owners were involved with or knowledgeable about the crime related to the property. Further, the bill allows the court, upon petition by a person whose property was seized but not yet forfeited, to return the property to the person under certain circumstances. Under the bill, the person may not sell, give away, or burden the property and, if the person is found to have committed the crime related to the property, must surrender the property for forfeiture. The bill requires all proceeds of the sale of property to be turned in to the state school fund.

The bill prohibits local law enforcement agencies from transferring property to federal agents for forfeiture under federal law unless the value of the property exceeds \$50,000, the property was seized in relation to an interstate crime, or the property may only be forfeited under federal law.

The bill also requires law enforcement agencies and the Department of Justice to create publicly accessible reports on the seizures and forfeitures for each year. The Department of Corrections (DOC) will not be affected by this bill. The DOC does not receive any funds from civil forfeiture and is not involved in the collection of any funds related to civil forfeiture.

The local fiscal impact is indeterminate because the DOC has currently no record of the civil forfeiture practices of each locality and how much money, if any, each locality receives from civil forfeiture.

Long-Range Fiscal Implications



U.S. Department of Justice

Criminal Division

Washington, D.C. 20530

December 21, 2015

To State, Local and Tribal Law Enforcement Agencies:

The purpose of this letter is to explain the financial implications of recent budget legislation on the Department of Justice Asset Forfeiture Program (Program), including equitable sharing. The Bipartisan Budget Act of 2015 (P.L. 114-74) enacted in November included a \$746 million permanent reduction, or "rescission," of Asset Forfeiture Program Funds. In light of that \$746 million reduction, we intended to implement measures similar to those during sequestration in FY 2013 when we continued to make equitable sharing payments but at a reduced amount.

However, the Consolidated Appropriations Act of 2016, signed into law on December 18, 2015, includes an additional \$458 million rescission in the FY 2016 budget. In order to maintain the financial solvency of the Program, the Department has already begun implementing cost reduction measures to absorb the combined \$1.2 billion rescission.

While we had hoped to minimize any adverse impact on state, local, and tribal law enforcement partners, the Department is deferring for the time being any equitable sharing payments from the Program. Thus, effective immediately, the Department will defer all equitable sharing payments to our state, local, and tribal partners and transfers of any items for official use. Payments that have already been executed by the U.S. Marshals Service will be transmitted to recipients. Funds already disbursed to state, local, and tribal agencies may continue to be expended and reported in accordance with the *Guide to Equitable Sharing*.

By deferring equitable sharing payments now, we preserve our ability to resume equitable sharing payments at a later date should the budget picture improve. In other words, if additional receipts in cases without identifiable victims are deposited later in FY 2016, there is a possibility that the Department can resume its sharing on some or all of the deferred payments if there are sufficient funds in the budget.

The Department does not take this step lightly. We explored every conceivable option that would have enabled us to preserve some form of meaningful equitable sharing while continuing to operate the Program and meet our other fiscal obligations. Unfortunately, the combined effect of the two reductions totaling \$1.2 billion made that impossible.

The Department remains committed to the Program and to the state, local and tribal partners that are integral to its success. We will take all appropriate and necessary measures to minimize the impact of the rescission and reinstate sharing distributions as soon as practical and financially feasible. If you have any questions or concerns, please direct them to afmls.communications@usdoj.gov. Thank you for your understanding and cooperation during these challenging times.

Sincerely,

 FOR

M. Kendall Day, Chief
Asset Forfeiture and Money
Laundering Section

Deferral of Department of Justice Equitable Sharing Payments:

Fact Sheet

Why are payments being deferred?

- The Bipartisan Budget Act of 2015 (P.L. 114-74) enacted in November included a \$746 million permanent reduction of Asset Forfeiture Program Funds. This reduction, or “rescission,” means that \$746 million was removed from the Assets Forfeiture Program Funds to go to the General Treasury Fund. The Consolidated Appropriations Act of 2016, signed into law on December 18, 2015, included an additional \$458 million rescission in the FY 2016 budget.
- In the face of a now combined \$1.2 billion rescission, coupled with the expected receipts and expenditures for the year, in order to maintain the financial solvency of the Asset Forfeiture Program and operate within legal guidelines for Federal financial management the Department had no choice but to immediately defer the disbursement of equitable sharing payments to our state, local, and tribal partners and the transfer of any items for official use.
- The Department is very eager to resume payments as soon as it is fiscally feasible to do so. By deferring equitable sharing payments, the Department preserves the ability to resume equitable sharing payments once the budget picture improves. In the meantime, the Department will continue to review any and all potential avenues for restoring equitable sharing payments.
- Typically, a variety of cases resolve throughout the year, and based on our assessment of the current pace of adjudicated forfeitures, we believe this step is only a “pause.” Thus, all DAG-71 forms submitted through the eShare portal for ongoing cases will continue to be reviewed and processed pursuant to current Department policy. When the budget situation improves, those shares will be paid in full or in part.

Did the Department of Justice “shut down” the Equitable Sharing Program?

- Contrary to some reports, the Department did not “shut down” or otherwise terminate the Equitable Sharing Program. Rather, the Department was required to temporarily defer equitable sharing payments to our state, local, and tribal law enforcement partners due to the combined effects of the \$1.2 billion rescission and our obligations to maintain the financial solvency of the Asset Forfeiture Program and operate within legal guidelines for Federal financial management. This deferral decision was made purely for budgetary reasons, and does not alter the Department’s commitment to supporting state, local, and tribal law enforcement.

- The burden of this rescission is not falling solely on equitable sharing recipients. The deferral of equitable sharing payments represents only one quarter of the budgetary shortfall caused by the \$1.2 billion rescission.

When will payments resume?

- At this time, the Department cannot say with any certainty when the deferral of sharing payments will be lifted. However, the Department continues to explore all budgetary options available to restore equitable sharing as soon as possible.
- Despite the deferral, some agencies may continue to receive payments in the coming weeks as the remainder of payments processed by the U.S. Marshals Service prior to December 21, 2015, are disbursed. Otherwise, no further equitable sharing payments will be issued until this deferral is lifted.
- Funds already disbursed to state, local, and tribal agencies may continue to be expended and reported in accordance with the policies outlined in the *Guide to Equitable Sharing*.
- The bottom line is that the Department views this as a “pause” whereby we are holding payments in place until the funding situation improves. We hope that when funding allows, we will resume payments where they left off either in full, or as close to full as the budgetary situation allows.

What is the Department doing to support law enforcement?

The Department will continue to support state and local law enforcement through other funding mechanisms provided in the FY 2016 budget:

- **Joint Law Enforcement Operations (JLEO)** – The Department will provide \$155 million, equal to the FY 2015 level, to support JLEO in FY 2016 through the Assets Forfeiture Fund. JLEO is the Department’s primary mechanism for funding State and local Task Force Officer overtime. JLEO also pays for travel, fuel, training, equipment, and other similar costs of state or local law enforcement officers that are incurred in a joint operation.
- **Community Oriented Policing Services (COPS)** – The FY 2016 budget provides \$212 million for COPS, an increase of \$4 million over FY 2015. The COPS Hiring Program (\$187 million), Collaborative Reform initiative (\$10 million) and Community Policing Development program (\$10 million) all received increases over FY 2015. Funding is provided for the Anti-Methamphetamine and Anti-Heroin Task Forces programs at the FY 2015 level.

- **COPS-DEA Clandestine Laboratory Cleanup** – DEA’s Clandestine Drug Laboratory Cleanup Program received a \$4 million increase for a total of \$11 million in FY 2016. This Program allows DEA to assist state and local law enforcement with hazardous waste cleanups when they encounter small clandestine laboratories.

Grants

- **Office of Justice Programs** – The appropriation provides \$1.8 billion in discretionary funding for OJP, an increase of \$191 million over the FY 2015 Enacted level. Highlights include the following:
 - The law supports \$70 million of the Administration’s Community Trust Initiative to improve police-community relations, of which \$23 million is for the Body Worn Camera Partnership Program, \$5 million is for Research and Statistics on Community Trust (including body worn cameras), \$27.5 million is for the Justice Reinvestment Initiative, and \$15 million is for the Byrne Criminal Justice Innovation Program.
 - The appropriation provides \$476 million for the Byrne Justice Assistance Grants (JAG) Program, of which \$15 million is for the VALOR Program, \$5 million is for the Smart Policing Initiative, and \$100 million is for Presidential Nominating Conventions Security.
 - The Bulletproof Vest Partnership Program, which provides partial reimbursement for the cost of purchasing body armor for law enforcement and public safety officers, is funded at \$22.5 million.
 - The appropriation also provides an increase of \$25 million for the State Criminal Alien Assistance Program, which provides reimbursement for the cost of incarcerating illegal aliens.
 - The law funds increases to Residential Substance Abuse Treatment, Mental Health Collaborations, Veterans Treatment Courts, Victims of Trafficking, and the Prescription Drug Monitoring Programs.
- The Department remains committed to the Equitable Sharing Program and to the state, local and tribal partners that are integral to its success. We will take all appropriate and necessary measures to minimize the impact of the rescission and reinstate sharing distributions as soon as practical and financially feasible. If you have any questions or concerns, please direct them to afmls.communication@usdoj.gov.