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

Assembly Bill 537 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. Recently 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 and budgetary impacts.

AB 537 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:** AB 537 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. AB 537 ends this incentive by providing that all property or proceeds go directly to the general school fund.

**Innocent Owners:** AB 537 provides innocent owners the opportunity to get their property back in a timely matter.

**Transparency:** AB 537 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:** AB 537 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 AB 537 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

Assembly Committee on Criminal Justice and Public Safety Public Hearing, 28 January 2016  
Assembly Bill 537  
Representative David Craig, 83<sup>rd</sup> Assembly District

Chairman Kleefisch and Committee Members,

Thank you for hearing testimony on Assembly Bill 537,

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. AB 537 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.



**AB 537 Civil Asset Forfeiture Reform Act**  
Testimony of Senator Steve Nass  
Assembly Committee on Criminal Justice & Public Safety  
January 28, 2016 • 225 Northwest, State Capitol

Thank you committee members for allowing me to testify in support of Assembly Bill 537. 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

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

AB 537 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.

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<sup>1</sup> [http://www.ij.org/images/pdf\\_folder/other\\_pubs/assetforfeituretoemail.pdf](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.

AB 537 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 AB 537. If any committee members have further questions, please do not hesitate to contact my office.



STATE OF WISCONSIN  
DEPARTMENT OF JUSTICE

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**To:** Members of the Assembly Committee on Criminal Justice & Public Safety

**From:** Attorney General Brad Schimel  
Wisconsin Department of Justice

**Date:** January 28, 2016

**Subject:** Opposition to Assembly Bill 537

Thank you Chairman Kleefisch and committee members for the opportunity to present written testimony to you on Assembly Bill 537. I appreciate your thoughtful consideration of this proposal.

The Department of Justice opposes Assembly Bill 537 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.

Assembly Bill 537 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, Assembly Bill 537'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 Assembly Bill 537. 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 Assembly Bill 537 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 Assembly Bill 537.

# W D A A

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Jacalyn LaBre (2014-16)

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TO: Chairperson Joel Kleefisch  
Members, Assembly Committee on Criminal Justice  
and Public Safety

FROM: Wisconsin District Attorneys Association (WDAA) Board

DATE: January 28, 2016

RE: **Opposition to Assembly Bill 537, Forfeiture of property seized in  
relation to a crime**

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Dear Chairperson Kleefisch and Committee members:

The WDAA is opposed to AB 537, which would impose unreasonable and unnecessary restrictions on state law governing the forfeiture of crime-related money and property.

Laws regarding the forfeiture of money and property used in or derived from criminal activity were enacted in the 1980s in part to remove financial incentives from criminal activity. These statutes have proven to be valuable tools to fight crime; they have been used to cripple or disrupt criminal activity, including drug trafficking, across the state. Drug cartels and most criminal enterprises run on money. Civil forfeiture hits drug cartels and other criminals where it hurts most – their wallet. Civil forfeiture is a valuable and effective tool because it in part shifts the costs of crime fighting from taxpayers to criminals by taking away criminals' property and proceeds and re-dedicating them to public safety and other purposes. We are not aware of any widespread or even isolated abuses of the current forfeiture laws that would warrant the proposed changes, and we see no need for current law to be changed as proposed by SB 521/AB 537.

There are various misconceptions that underlie the bill.

**A person whose property has been seized does not have to prove they are innocent.** Instead the burden is and always has been on the government to prove that the money or property was used in or derived from criminal activity. Forfeiture actions are heard before a judge, individuals whose property has been seized are given notice, and the individuals can present evidence and be represented by an attorney under established rules of civil procedure. People do not legally possess property rights in property derived from criminal activity. Forfeitures under federal law are also subject to various safeguards. While there may be reforms that could be enacted, the proposed bill simply removes a valuable crime fighting tool for law enforcement.

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**Innocent persons are protected under existing law.** Current law specifically provides that all forfeitures shall be made with the rights of innocent persons in mind and requires that property not subject to a forfeiture proceeding, except that needed as evidence or contraband, be returned to the owner. *See* Wis. Stat. §§ 973.075(5) and (5m). Indeed, if a defendant charged with a crime is concerned about property being wrongly forfeited, he or she may petition the court to adjourn the forfeiture proceeding until the criminal case is concluded; the court is required to grant that motion if it is made. Wis. Stat. § 973.076(1)(b)1.

**Requiring a criminal conviction before forfeiture will allow criminals to escape with their ill-gotten gains.** Forfeiture is designed as a civil action precisely because it targets illegal activity in which a criminal conviction would either be impossible or ineffective in stopping criminal conduct. As one example, a drug cartel courier would be able to simply claim he was unaware of the drugs and cash stashed in his truck to foil a criminal prosecution and prevent law enforcement from seizing the drug money.

**Forfeiture is not “profit” for law enforcement.** Under Wisconsin forfeiture law and proceedings, all money and most property proceeds – after deducting for the costs of seizure, storage and sale or disposal – are turned over to the state school fund to aid in education efforts, thus reducing the tax burden on Wisconsin citizens. *See* Wis. Stat. § 973.075(4). Even where funds are forfeited under federal law, which also has safeguards for innocent persons, the funds are used for law enforcement purposes; this process also reduces the financial burden on the public. Limiting the ability to seize such funds will greatly impair the work of specialized drug task forces to fight the epidemic of heroin and other drugs plaguing our communities. The bill eliminates any incentive for law enforcement to go after money and property from criminal activity by preventing the recovery of costs associated with seizures.

**Enactment of this new law may affect prosecutors’ ability to effectively prosecute cases.** Under the new law, defendants or others may petition for the return of property seized by law enforcement, even if it is evidence necessary for the prosecution of an on-going criminal case. Without an exemption for these situations, the courts will be bogged down unnecessarily. If evidence is returned prior to completion of a criminal case, we may no longer be able to effectively prosecute those crimes.

The WDAA is joined in opposing SB 521/AB 537 by the Attorney General and law enforcement groups across the state.

Sincerely,

David O’Leary  
WDAA Board President

Testimony of Timothy Dake of the Wisconsin GrandSons of Liberty to the  
Assembly Committee on Criminal Justice and Public Safety regarding AB537 – 28 January 2016

Presented by proxy of Robert Fischer

I testified before the Senate Committee on Labor and Government Reform on Tuesday in support of SB521, the companion bill to AB537. In listening to the testimony of those in opposition to the bill, I heard a consistent complaint – that the bill would end all asset forfeiture and along with it, drug task forces. The problem with this erroneous conclusion is that the bill doesn't end asset forfeiture, either criminal or civil; in fact, it doesn't touch criminal asset forfeiture at all, which was the subject of every example given by the law enforcement officers that testified on Tuesday.

We need to be clear, this bill addresses only civil asset forfeiture and not criminal asset forfeiture. To distinguish between the two, let's imagine that a warehouse full of marijuana is raided and the property is seized for forfeiture. The people involved were arrested and charged – that is one of the examples given on Tuesday. That type of action is criminal asset forfeiture not civil. Clearly evidence of a crime was present, in this instance a felony. Now imagine that a driver is on their way to buy another car and has cash in their possession with which to complete the transaction. Perhaps they do not trust banks. That driver is stopped by police who then seize the funds stating that the officer suspects that the cash is "drug money" – there is no evidence to support the assertion and the driver is neither arrested nor charged. There is no trial and certainly no conviction but the money is forfeited nonetheless without any judicial process whatsoever. This is civil asset forfeiture and it is a denial of constitutionally guaranteed due process. According to a Washington Post study conducted in 2014, this type of seizure took place 61,998 times across the United States between September 11, 2001 and mid-2014.

Sponsors of AB537 have told us that in their discussions with Wisconsin law enforcement, the police admit that in 97% of forfeitures, civil and criminal combined, there are charges levied. It is that 3% of incidents outstanding that do not involve the citizen being properly charged and convicted yet losing their property or cash without benefit of due process that concerns us. We are not advocating for the end of asset forfeiture, civil or criminal. We are advocating for the performance of due process in ALL cases through the requirement that one's property or cash is not forfeit without a conviction.

The second issue for which we are advocating in favor, is that of making the forfeiture in proportion to the offense. As an example, imagine a 20 year-old college student, driving a vehicle belonging to his parent or grandparent, in possession of alcohol. This underage possession is a Class C misdemeanor in Wisconsin and the first time punishment is a \$500 fine. Yet, we have officers seizing a vehicle worth \$10,000 or more as punishment without ever charging the underage driver. The incentive for an officer to seize thus becomes greater than the incentive for an officer to arrest.

We appreciate the work and the dangers faced by our law enforcement officers. We understand the value and necessity of asset forfeiture, civil and criminal, to law enforcement as a crime fighting tool and, once again, we do not want that important tool eliminated. But we are concerned that civil asset forfeiture is skewing the perspective of police departments. When we expect the police, whom we employ to protect us and to deter theft, to commit theft through an

incentive program we are changing the mission of our police from to preserve and protect the public to a mission to pillage and plunder the public. When we alter the criteria by which we judge the effectiveness of a law enforcement department from the number of arrests made and crimes solved to that of the number of dollars seized and the amount of property taken then we cannot wonder why crime increases and respect for law and order decreases.

The FBI has reported that for calendar year 2014, nationwide, burglars took an estimated \$3.6 billion in cash and property whereas, for the same period, law enforcement seized \$4.5 billion in cash and property – 25% more than the criminals. This seizure activity has not gone unnoticed. In September of 2014, the Canadian Broadcasting Company reported that the Canadian federal government was cautioning its citizens not to carry large amounts of cash when traveling in the United States. The CBC stressed that caution is due to the rampant abuse of civil asset forfeiture by American law enforcement officers.

Article I, Section 8, Clause 1 of our state constitution guarantees due process as do the 5<sup>th</sup> and 14<sup>th</sup> Amendments of the federal constitution. Combined with an 8<sup>th</sup> Amendment violation for excessive fines and punishes this means these seizures without charges and conviction would seem to violate no less than four constitutional provisions. That, as always, is the crux of our objection. If an individual has indeed committed a crime or an officer has, beyond a reasonable doubt, probable cause to believe that the individual has in fact committed a crime, then by all means charge and prosecute the offender. When a conviction is obtained, seize away! – but not until a conviction is made. The presumption that one is innocent until proven guilty is a well-established foundational principle of our legal system.

The Civil Asset Forfeiture has earned an egregious reputation based on the way modern civil asset forfeiture is applied, or perceived to be miss applied when dealing with or carrying cash.

This maligned reputation stems from the differences in personal rights and property rights; and how our modern judicial process separates people from their property and forces each into its own channel in the judicial process. A person is entitled to certain constitutional protections like public defenders. But, property must be defended at your own cost. The stark reality is this; when it comes to cash, the police merely need to have a suspicion that somehow your cash is involved with or is the proceeds of illicit activity, and they can seize it. Specifically, with regards to carrying cash; this turns innocent people into suspected criminals just because they happen to carry what a police officer may subjectively determine is a large amount of cash.

Independent studies by the FBI and Federal Bureau of Engraving have shown most paper currency in circulation will have trace amounts of drug residue; this means K-9 units have unfair advantage when encountering cash. Yet, an 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. Yes, you don't need to be part of drug culture to have tainted money on you. Somehow, through Civil Asset Forfeiture, carrying legal tender has become a quasi-illegal act.

Because of the expense of defending your seized 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 Timothy Dake of the Wisconsin GrandSons of Liberty to the  
Assembly Committee on Criminal Justice and Public Safety regarding AB537 – 28 January 2016

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 they overshadow the good Criminal 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 in Wisconsin we also have these drug task forces and cite one; 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.

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 newspaper 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 a newspaper article from 2014, St. Croix County announced they were going to step up efforts to keep confiscated cash.

As it is, Assembly Bill 537 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: AB537 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 AB537.

Once again, Representatives, thank you for the opportunity to address you today.

Testimony of Larry Gamble of the Wisconsin GrandSons of Liberty to the  
Assembly Committee on Criminal Justice and Public Safety regarding AB537 – 28 January 2016

Chairman Kleefisch, representatives, thank you for the opportunity to speak in favor of AB537 today. I was able to personally testify on Tuesday before the Senate Committee on Labor and Government Reform in support of SB521. In supporting AB537, 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 being charged and getting convicted of a crime which carries a forfeiture penalty. Then, the forfeiture penalty must be in proportion to the final monetary penalties imposed upon the person convicted of the 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. Finally, equally important and currently severely lacking in Wisconsin's civil forfeiture statutes 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, or perceived to be miss applied when dealing with or carry cash.

This maligned reputation stems from the differences in personal rights and property rights; and how our modern judicial process separates people from their property and forces each into its own channel in the judicial process. A person is entitled to certain constitutional protections like public defenders. But, property must be defended at your own cost. The stark reality is this; when it comes to cash, the police merely need to have a suspicion that somehow your cash is involved with or is the proceeds of illicit activity, and they can seize it. Specifically with regards to carrying cash; this turns innocent people into suspected criminals just because they happen to carry what a police officer may subjectively determine is a large amount of cash. Independent studies by the FBI and Federal Bureau of Engraving have shown most paper currency in circulation will have trace amounts of drug residue; this means K-9 units have unfair advantage when encountering cash. Yet, an 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. Yes, you don't need to be part of drug culture to have tainted money on you. Somehow, through Civil Asset Forfeiture, carrying legal tender has become a quasi-illegal act.

Testimony of Larry Gamble of the Wisconsin GrandSons of Liberty to the  
Assembly Committee on Criminal Justice and Public Safety regarding AB537 – 28 January 2016

Because of the expense of defending your seized 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.

AB537 addresses 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 an untitled 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, and earn a degree while you are there."

In 2012, Brown County made national news because of the way law enforcement parlayed bail money into a civil forfeiture seizure. This mother's money was seized, no criminal charges were filed, and it took going to court to get their money back four months later. This was a national embarrassment for Wisconsin. Yet, this is one most often repeated events feeding the Civil Asset Forfeiture reform movement burning across the country. Nationwide, there are numerous news reports of Civil Asset Forfeiture abuse by law enforcement, district attorneys, Attorneys General, and the governments who employ them.

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 they overshadow the good Criminal 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

Testimony of Larry Gamble of the Wisconsin GrandSons of Liberty to the  
Assembly Committee on Criminal Justice and Public Safety regarding AB537 – 28 January 2016

the outrageous acts of “Drug Enforcement” Task Forces most notably in Tennessee and Oklahoma. Yet, here in Wisconsin we also have these drug task forces and cite one; 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 28<sup>th</sup> nationally for federal “Equitable Sharing” proceeds of \$51 Million dollars... of which 80% can go to local agencies.

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 newspaper 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 a newspaper 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 plaguing Wisconsin’s 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 forfeiture. Michigan had to pass 8 bills to bring transparency and a conviction requirement to that state’s civil asset forfeiture processes.

As it is, Assembly Bill 537 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: AB537 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 AB537.

Once again, Representatives, 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](http://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/1l8GwOZ>  
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/1lI4gco>

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

**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
<b>Brown County Sheriff Drug Task Force</b>	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
<b>Dane County Narcotics Task Force</b>	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
<b>Kenosha Drug Operations Group</b>	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
<b>Lake Winnebago Area Metropolitan Enforcement Group (MEG) - Drug Unit</b>	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
<b>Milwaukee County Sheriff's Office</b>	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
<b>Milwaukee Police Department</b>	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
<b>Oak Creek Police Department</b>	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
<b>Racine County Sheriff's Office - Metropolitan Drug Unit</b>	Task Force	\$63,593	\$10,782	\$74,375
Racine Police Department	Local	\$13,810	\$39,231	\$53,041
Richland-Iowa-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
<b>Washington County Multi-Jurisdiction Drug Enforcement Group (MJDG)</b>	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
Waushara County Sheriff's Office	Local	\$15,802	\$0	\$15,802
Wauwatosa Police Department	Local	\$4,800	\$3,012	\$7,812
<b>West Allis Police Department</b>	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
<b>Wisconsin Department Of Justice</b>	State	<b>\$1,547,819</b>	\$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
<b>Totals</b>		<b>\$3,855,730</b>	<b>\$739,056</b>	<b>\$4,594,786</b>

## 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 rationale 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%
	<b>TOTAL</b>	\$79,989.32	\$79,989.32	\$7,879.53	\$9,182.67	\$70,806.65	88.52%

% Remaining of Year: 83.33%

## ADDITIONAL OUT-OF-BUDGET EXPENDITURES FROM RCU

Description of Expenditure Item Approved by Oversight Committee	Amount of Expenditure