

-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