



Lawmakers, Law Enforcement Debate Civil Asset Forfeiture in Oklahoma City, Tulsa

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Cato Institute attorney Adam Bates testifies at a special hearing on civil asset forfeiture at the state Capitol. State Sen. Kyle Loveless is seated to the right.

On Tuesday, separate hearings in Oklahoma City and Tulsa examined civil asset forfeiture, and a bill that would make the practice more difficult to carry out.

State Sen. [Kyle Loveless](#) has introduced [legislation that would prevent the seizure of cash or property unless that person is convicted of a crime](#). Under current law, police, sheriffs, and state troopers only require evidence or suspicion the assets came from illegal activity.

The American Civil Liberties Union of Oklahoma's legal director Brady Henderson said many seizures are not tied to criminal activity or to a criminal charge.

Several attorneys spoke on behalf of people who had property or cash seized were at the state Capitol panel discussion. The lawyers said their clients feared retribution from law enforcement if they came forward, according to *Oklahoma Watch's* [Ben Fenwick](#):

University of Oklahoma Law School Professor Stephen Henderson said Oklahoma's forfeiture laws are lagging those in other states in terms of assuring transparency to prevent government abuses involving the seizure of money.

"While we hope there are no systematic civil forfeiture abuses in Oklahoma, we would not know of them if there were," Henderson said. "The system lacks the accounting and transparency mechanisms that would bring any such abuses to light."

Ninety miles away in Tulsa, law enforcement leaders from across Oklahoma gathered to fight the proposed changes. Loveless' bill would put seized money into the general revenue fund. Right now, it goes into the seizing agency's revolving fund, leading to accusations of policing for profit.

[Oklahoma Bureau of Narcotics and Dangerous Drugs Control](#) attorney Travis White said there are already several safeguards in place, Public Radio Tulsa's Matt Trotter [reports](#):

"Not a single penny has been forfeited in the state of Oklahoma without a neutral and detached magistrate looking over those cases," White said.

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OBN Director Darrell Weaver called the bill an attack and said it would hinder efforts to combat drug trafficking.

"We could sit here all day and see across the nation, sometimes even in our own state, it's almost like the authority of law enforcement has been lost, and there's many, many attacks going," Weaver said. "And it seems to me this would fall right in."