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NEWS**

New Mexico Legislature Abolishes Civil Asset Forfeiture

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By Adam Bates

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Good news from out west. A New Mexico bill, [HB 560](#), to restrict civil asset forfeiture has cleared the legislature – receiving unanimous support in the [State House](#) and [State Senate](#) - and awaits the signature of Governor Susana Martinez to become law.

Among other things, the New Mexico bill requires a criminal conviction for forfeiture actions, bolsters the “innocent owner” defense by requiring that the owner *know* that his/her property was being used illegally, requires that all forfeiture proceeds be deposited into the general fund rather than into the seizing agencies, and limits the ability of state and local law enforcement agencies to circumvent state law by utilizing the federal equitable sharing program.

As noted numerous times by [Cato](#) and other civil liberties advocates like the [Institute for Justice](#) and the [ACLU](#), civil asset forfeiture is a conceptually unjust practice that has no place in a society that cherishes due process and private property.

That many state legislatures across the country are [now](#) undertaking efforts to rein in this government abuse is something worth cheering about.

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