



AG Holder's Seized Property Shutdown Is a Sham

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Mafia-style shakedown tactics are often employed during raids involving suspected members of the illegal drug trade that allow everyone from Uncle Sam to podunk police departments to profit from the seizure of personal property, even when there is no evidence of a crime. This dastardly search and seizure scam has been a vile byproduct of the federal Equitable Sharing Program, which provides state and local law enforcement agencies with an 80 percent kickback from the forfeiture of civil assets, giving police forces across America an incentive to kick down the doors of the average citizen in an effort to capitalize on their pain.

However, earlier last week, United States Attorney General Eric Holder made an announcement claiming that the Department of Justice plans to put the majority of this controversial program to sleep. However, upon further inspection, while the program will be amended, it will not put an end to its sinister mishandlings. Instead, the revised policy will simply prohibit the federal government from reaping the financial benefits of property seized by state and local police until after the owner of the property has been convicted. No changes will be made to stop law enforcement from seizing the property of suspected drug offenders; it will only prevent Uncle Sam from generating revenue on that property until after the person is found guilty.

Furthermore, civil asset forfeiture is a state's rights issue, with many states across the nation having passed legislation that allows police to keep as much as 100 percent of revenue generated from property seizures. The newly amended federal policy will have little to no bearing on those states with these types of laws in place. Even in states that do not allow law enforcement to directly capitalize from this practice, police will still have the legal right to shake down innocent people and seize their property.

Essentially, Holder's latest contribution to the fabled end of the drug war is a piece of three-legged legislation, at best, that provides the illusion that the Obama Administration is progressive in the reform of federal drug laws.

Although drug policy experts like Ethan Nadelmann, executive director of the Drug Policy Alliance, rejoiced at the news of the Justice Department's latest announcement, stating that "Holder will go down in history for his pivotal role in addressing the excesses and abuses of law enforcement," he failed to read the fine print, which indicates the new policy is as worthless as a eunuch in an orgy.

And while Holder may be regarded as the first US Attorney General to confront these abuses of police power, his reform has been minute and largely insignificant.

Yet, in the grand scheme of the search and seizure industry, Holder may be up against a beast for which he has no chance of slaying. A recent piece in *The Washington Post*, written by the former director of the Justice Department's Asset Forfeiture Office, John Yoder, claims the implementation of civil asset forfeitures, which was intended to castrate drug traffickers, spawned a vicious and corrupt monster that can never be stopped. "This is because civil forfeiture is fundamentally at odds with our judicial system and notions of fairness. It is unreformable," wrote Yoder.

Make no mistake about it, Holder's announcement to sever a leg from the Equitable Sharing Program will not provide any level of protection for citizens against the wrath of greedy, drug sniffing cops... and criminal justice experts agree.

"The Department of Justice did the right thing by closing the Equitable Sharing cookie jar for the more than 8,000 police agencies that have used the program. But in their zeal to fight the drug war, the federal government created regimes of state-sanctioned theft by police officers. Getting the states to end civil asset forfeiture will be a lot harder than it was getting them to adopt it," said Jonathan Blanks, a public policy researcher with the Cato Institute.