



Victims of Philly police cash grabs tell their side of the story in new civil forfeiture survey

One resident said that after officers snagged thousands of dollars, they sat in his kitchen and ate hoagies from his fridge.

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November 5, 2021

When Philadelphia police served a search warrant and entered Miguel Zeledon's home in 2012, they rummaged through his personal belongings and seized about \$7,000 from his nightstand, despite finding nothing illegal on the premises.

That's what the official record shows, but Zeledon tells a different story. He said police also took \$3,400 from his then-wife, cash that was not reported, and made negative racial comments about him while harassing her about her choice in men. Then, he said, officers opened his fridge and helped themselves to dinner.

"I just brought the food home for [my family] to eat, and [the police] sat there and ate the hoagies," said Zeledon, one of 407 respondents in a first-of-its-kind survey from the Institute for Justice.

Published Oct. 20 and titled "Frustrating, Corrupt, Unfair," the survey offered Philadelphia property owners a chance to share their experiences with a process called civil asset forfeiture. It follows a 2018 class action lawsuit against the city and subsequent \$3 million settlement, after which Philly officials promised reforms.

Nationwide, civil forfeiture generated more than \$68.8 billion in assets for law enforcement between 2000 to 2019. The practice allows the government to seize and permanently keep assets without convicting anyone of wrongdoing.

Instead of accusing humans, civil forfeiture basically puts inanimate objects on trial. All the government has to do is connect property to illegal behavior using civil standards of proof, eliminating the need to establish anything beyond a reasonable doubt in criminal court. When it's explained to them, Americans overwhelmingly oppose the idea, according to a 2016 Cato Institute poll.

Yet most U.S. jurisdictions allow law enforcement agencies to keep up to 100% of the proceeds for themselves. Police and prosecutors continue to talk about civil forfeiture as an important crime-fighting tool in the War on Drugs. They call news conferences and brag on social media when they make major busts. And they lobby behind the scenes to stop reform.

Property owners like Zeledon have no similar platforms to share their side of the story. People affected by the practice aren't usually those who can generate publicity on their own, with survey data showing they tend to live in low-income neighborhoods and work long hours. Most just cut their losses and walk away, even when they are innocent.

Fighting cartels? Cash grabs happen in lower-income neighborhoods

The new Institute for Justice report focuses on civil forfeiture cases within the city from 2012 to 2018, before the settlement.

Not surprisingly, survey respondents typically lived in disadvantaged communities. Two-thirds were Black, 63% earned less than \$50,000 annually, and 18% were unemployed. Zeledon's lower-income ZIP code was home to 4% of Philadelphia's population, but accounted for nearly a third of all cash forfeitures in the city during the study period.

Police talk about using civil forfeiture to cripple drug cartels, but the median value of seized items in Philadelphia was just \$600 — hardly the treasure of drug lords. In one case, police seized a cologne gift set worth \$20. In another they seized a man's crutches while he was recovering from an injury. "I felt completely violated," the man said.

Not even petty criminals were the main target. Only about 1 in 4 respondents pleaded guilty or was convicted of anything. And some, like Zeledon, said they only pleaded guilty to minor

offenses because they hoped it would make their problems go away. The majority of property owners were innocent, yet 69% lost their assets permanently.

People who fought back and recovered their belongings usually needed legal assistance to do so, and those who hired a lawyer shelled out an average of \$3,500. Hostile treatment, stacks of paperwork and unexplained delays added to the grief.

“[Prosecutors] would always ask for a continuance,” Zeledon says. “Postpone it for another month, and another month, and it just went on like that for almost 2½ years.”

Zeledon never recovered his cash. Survey respondents who did get their property back had to wait a median of 9 months. That’s a long time to go without transportation, cash, or other assets. One person lost his work tools, which left him unemployable. “It can cost you a lot,” the man said. “Cost me all of my tools, my job, a lot of heartache.”

Police and prosecutors never mention the cruelty when they defend their cash patrols. They have a narrative, and they stick to it. But Zeledon and countless civil forfeiture victims know otherwise.