

# THE PRESS-ENTERPRISE

## Police unions sink asset seizure reform

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We have heard too many cases of law enforcement abuse of civil asset forfeiture laws, like the young Michigan man whose \$16,000 life savings for his dream of starting a music video company was seized by U.S. Drug Enforcement Administration agents on an Amtrak train on his way to Los Angeles, or the two California poker players who had their \$100,000 in winnings seized by Iowa State Patrol troopers.

So it was welcome news when state Sen. Holly Mitchell, D-Los Angeles, introduced Senate Bill 443, which would have required a conviction before the seizure of any property and closed a loophole that allows state and local police to bypass current state law to keep more of the proceeds of their seizures and operate under a lower standard of evidence by partnering with federal agencies.

The bill sailed through the Senate 38-1 in June, but then the police lobbies, eager to keep their gravy train rolling, descended upon Sacramento. Never mind that, according to a 1995 Cato Institute study, in 80 percent of federal civil asset forfeiture cases the property owner was never even charged with a crime.

Federal law enforcement agencies even entered the fray, threatening to ban all state and local law enforcement agencies from receiving any forfeiture proceeds when they partnered with the feds, the same way they have blacklisted New Mexico after it passed its own reform law.

The police lobbies showed their strength, as the bill failed soundly by a 24-44 margin, with 12 other members not even casting a vote.

“This grab-and-grip practice thwarts our democratic process, violates the right to due process, disrespects property rights and reeks of corruption,” Sen. Mitchell said in a statement on Thursday. “It’s simple: No conviction, no confiscation. The lengths to which law enforcement is willing to go to defend this odious practice and to evade our state laws that protect property owners are outrageous.”

Police and district attorneys who support the current forfeiture regime like to argue that it is needed to combat dangerous drug trafficking organizations, but they ignore the perverse incentives it provides to abuse the property rights of those who are never even charged with a crime, much less convicted of one. We strongly urge Sen. Mitchell to bring back the bill next year, and hope that justice will then win out over police union lobbying.