
Sponsor: Sheriff's Office

Meeting Date: 5/3/2022

Title: Sheriff's Office Reports on 2021 Civil Asset Forfeiture Funds

File Number: 2022-200

Background and Rationale:

The United States Department of Justice Asset Forfeiture Program encompasses the seizure and forfeiture of assets that represent the proceeds of, or were used to facilitate serious federal crimes. Similarly, Minnesota state law provides for judicial forfeiture of personal property used or intended for use to commit or facilitate the commission of a designated offense, or real or personal property representing the proceeds of a designated offense, including motor vehicles.

The definition of a "designated offense" includes the most serious of felony-level crimes committed against persons and children (including murder, criminal sexual conduct (rape), assault, robbery, kidnapping, false imprisonment, labor and sex trafficking, etc.), a number of serious felony-level property crimes (including arson, burglary, embezzlement of public funds, etc.), and felony or gross misdemeanor violations and unauthorized computer access crimes. It also includes the gross misdemeanor crime of carrying a rifle or shotgun without a permit in a public place and serious driving while impaired (DWI) crimes.

The primary mission of these programs is to employ asset forfeiture powers in a manner that enhances public safety and security by removing the proceeds of crime and other assets relied upon by individuals and their associates to perpetuate criminal activity against society. Forfeited property may be sold, if it is not otherwise required by law to be destroyed and is not harmful to the public, and expenditures of proceeds from civil asset forfeiture cannot be used to supplant the regular operating budget of the agency. Funds identified herein represent money or proceeds acquired due to civil asset forfeiture under Minn. Stat. §§ 169A.63 or 609.531 to 609.5318. Expenditures from these funds are for projects or programs which are supplemental to the agency's operating fund.

On November 3, 1986, the Ramsey County Board adopted Resolution 86-681, establishing Civil Federal and Local Forfeiture funds. On December 8, 1998, the Ramsey County Board adopted Resolution 98-488 establishing a Motor Vehicle Forfeiture fund. These resolutions requested an annual report on expenditures from these funds.

For the purposes of these reports, federal forfeiture funds are seized monies forfeited at the conclusion of a federal case. Local forfeiture funds result from seized monies forfeited at the conclusion of a local case, and also result from the sale of forfeited property at the conclusion of a local case. Motor Vehicle Forfeiture funds result from the sale of motor vehicles seized during a serious DWI or similar alcohol-related offense. Additionally, this fund includes monies received from an automobile insurance company to cover repairs to a vehicle damaged in a crash that has been seized as a result of a serious DWI or similar alcohol-related offense, and these payments are received by the responding law enforcement agency instead of the registered owner.

Accordingly, the following reports have been prepared:

- Federal Civil Asset Forfeiture Report for 2021
- Local Civil Asset Forfeiture Report for 2021

- Motor Vehicle Civil Asset Forfeiture Report for 2021

Recommendation:

The Ramsey County Board of Commissioners resolved to:

Accept the Sheriff's Office Reports on Civil Asset Forfeitures for 2021 Activity.

A motion to approve was made by Commissioner McGuire, seconded by Commissioner Reinhardt.
Motion passed.

Aye: - 5: Carter, McDonough, McGuire, Ortega, and Reinhardt

Absent: - 2: Frethem, and MatasCastillo

By: 

Mee Cheng, Chief Clerk - County Board