

Request for Board Action Details

File #: 2021-304
Type: Administrative Item
Status: Passed
In control: Board of Commissioners
On agenda: 6/15/2021
Final action: 6/15/2021
Title: Sheriff's Office Reports on 2020 Civil Asset Forfeiture Reports.
Sponsors: Sheriff's Office
Indexes:
Code sections:
Attachments: 1. Sheriff's Federal Civil Asset Forfeiture Report for 2020, 2. Sheriff's Local Civil Asset Forfeiture Report for 2020, 3. Sheriff's Motor Vehicle Civil Forfeiture Report for 2020, 4. Resolution

Date	Ver.	Action By	Action	Result
6/15/2021	1	Board of Commissioners	approved	Pass

Sponsor: Sheriff's Office

Title
Sheriff's Office Reports on 2020 Civil Asset Forfeiture Reports.

Recommendation
Accept the Sheriff's Office Reports on Civil Asset Forfeitures - Sheriff's Office 2020 Activity.

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 - .5318. Expenditures from these funds are for projects or programs which are supplemental to the agency's operating fund.

On November 3, 1986, the County Board adopted Resolution 86-681, establishing Civil Federal and Local Forfeiture funds for the Sheriff's Office. On December 8, 1998, the County Board adopted Resolution 98-488 establishing a Motor Vehicle Forfeiture fund. These resolutions requested the Sheriff's Office to report annually on the 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 go to the Sheriff's Office instead of the registered owner.

Accordingly, the Sheriff's Office has prepared the following reports:

- Sheriff's Federal Civil Asset Forfeiture Report for 2020
- Sheriff's Local Civil Asset Forfeiture Report for 2020
- Sheriff's Motor Vehicle Civil Asset Forfeiture Report for 2020

County Goals (Check those advanced by Action)

☐ Well-being ☐ Prosperity ☐ Opportunity ☒ Accountability

Racial Equity Impact

Civil asset forfeitures are administered consistent with federal and state laws. As Ramsey County continues efforts to examine all aspects of the criminal justice system through a racial equity lens, forfeiture funds will be included in the analysis.

Community Participation Level and Impact

Information about this action is available through County Board documentation that is published on the County's website at

www.ramseycounty.us/your-government/leadership/board-commissioners/board-meetings-information
<<http://www.ramseycounty.us/your-government/leadership/board-commissioners/board-meetings-information>>

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Fiscal Impact

Spending from Federal, Local, and Motor Vehicle Civil Asset Forfeiture funds are presented in the attached reports.

County Manager Comments

This report is required by County Board Resolutions 86-680 and 92-740.

Last Previous Action

The Ramsey County Board of Commissioners has accepted annual Sheriff's Reports on Activity in Federal, Local, and Motor Vehicle Civil Asset Forfeiture Funds since 1998.

Attachments

1. Sheriff's Federal Civil Asset Forfeiture Report for 2020
2. Sheriff's Local Civil Asset Forfeiture Report for 2020
3. Sheriff's Motor Vehicle Civil Forfeiture Report for 2020