

Request for Board Action Details

File #: 2022-236
Type: Administrative Item
Status: Passed
In control: Board of Commissioners
On agenda: 5/3/2022
Final action: 5/3/2022
Title: County Attorney Report on 2021 Civil Asset Forfeiture Funds
Sponsors: County Attorney's Office
Indexes:
Code sections:
Attachments: 1. Civil Asset Forfeitures - County Attorney 2021 Activity, 2. Resolution

Date	Ver.	Action By	Action	Result
5/3/2022	1	Board of Commissioners	approved	Pass

Sponsor: County Attorney's Office

Title
County Attorney Report on 2021 Civil Asset Forfeiture Funds

Recommendation
Accept the County Attorney Report on Civil Asset Forfeitures for County Attorney 2021 Activity.

Background and Rationale
Minnesota 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.

The primary mission of this program 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 86-680 establishing Criminal Property Forfeiture funds for the Ramsey County Attorney. Also, on December 15, 1992, the Ramsey County Board adopted Resolution 92-740 directing the County Attorney to report annually on the expenditure of civil asset forfeiture funds. Accordingly, the County Attorney's Office is submitting the Civil Asset Forfeitures - County Attorney 2021 Activity. Minnesota 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.

The primary mission of this program 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 86-680 establishing Criminal Property Forfeiture funds for the Ramsey County Attorney. Also, on December 15, 1992, the Ramsey County Board adopted Resolution 92-740 directing the County Attorney to report annually on the expenditure of civil asset forfeiture funds. Accordingly, the County Attorney's Office is submitting the Civil Asset Forfeitures - County Attorney 2021 Activity.

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

Every year the Sheriff's Office, along with the County Attorney's Office, provides an annual report to the Ramsey County Board related to civil asset forfeitures as requested by Ramsey County Board Resolutions 86-680 and 92-740. As a result, there was no community engagement for this action.

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Fiscal Impact

Spending from civil asset forfeitures fund is presented in this report.

County Manager Comments

No additional comments.

Last Previous Action

On June 15, 2021, the Ramsey County Board of Commissioners accepted County Attorney Report on Activity in Civil Asset Forfeiture Funds (Resolution B2021-139).

Attachments

1. Civil Asset Forfeitures - County Attorney 2021 Activity