



January 14, 2015

The Honorable Eric H. Holder  
Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue  
Washington, DC 20530

Dear Attorney General Holder:

You have received a letter from members of Congress that questions current policies relating to civil asset forfeiture and calls for the elimination of adoptive seizures. We urge you to proceed with caution before ending thousands of State and local forfeiture cases which the letter describes as “a valuable tool in combatting serious wrongdoing.” To terminate all adoptive cases for law enforcement agencies across the Nation without further documentation and a report would be a disservice to the public we are sworn to protect.

While the letter rightly notes that there “may” be abuse of the Equitable Sharing Program, there has been no report or documentation by the Department of Justice or any other agency to suggest that such cases represent widespread institutional abuse. These examples suggest that the program should be strengthened and reformed to ensure reasonable and ethical practices, but there is no evidence to warrant its complete elimination.

We call upon the Department of Justice to conduct a critical review of civil asset forfeiture and present a detailed report to document needed reforms. To this end, Chiefs and Sheriffs have already developed an agenda for comprehensive reform, as outlined in the attached proposal. We challenge the Department of Justice to implement these long overdue measures, rather than to arbitrarily wipe out a valuable program without any further consideration.

Our proposed reforms would impose many new requirements such as sworn statements under penalty of perjury and evidence of a criminal nexus, as well as further measures to ensure the integrity of the Equitable Sharing Program.

Adoptive forfeitures can be preserved with new safeguards and specific crime categories. For example, we trust that the Congress calling for stronger border security would not want to terminate the program which permits State and local law enforcement to seize the assets of criminal organizations operating along our borders. Not even a harsh critic would ask us to return assets used for drug smuggling and human trafficking.

Surely the Department of Justice will join with us to strengthen civil asset forfeiture procedures and not merely react to press and rhetoric calling for termination of adoptive cases. We owe this much to the public we serve.

Sincerely,

Chief Richard Beary  
President,  
International Association of Chiefs of Police

R. Thomas Manger  
Chief of Police  
Montgomery County Police Department  
President,  
Major Cities Chiefs Association

Donny Youngblood  
Sheriff-Coroner, Kern County, CA  
President  
Major County Sheriffs’ Association

Sheriff John E. Aubrey  
Jefferson County Sheriff’s Office  
President  
National Sheriffs Association