

Alaska earned among the worst grades in the nation for its civil forfeiture laws. These old laws were made for big time drug dealers back in the day and are now VERY abused by law enforcement .

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Alaska's Law & Practices

Alaska earned among the worst grades in the nation for its civil forfeiture laws according to IJ's rankings. Not only does the government merely need to show probable cause to forfeit property, but an innocent owner bears the burden of trying to reclaim his property and prove his innocence. Once a property owner is given notice that his property has been seized, he has 30 days to respond. If he fails to claim the property within that time frame, it is automatically forfeited. These problems are compounded by the fact that law enforcement in Alaska keeps 100 percent of the revenues generated by civil forfeitures, creating a perverse incentive to seize as much property as possible. Moreover, there is no legal requirement that Alaska authorities collect or report data on their forfeitures.

For analysis of Alaska's ranking, visit: <http://ij.org/press-release/alaska-earns-acanadacana-in-acanapolicing-for-profitacana-report/>

To end policing for profit, the Institute for Justice recommends that, first, law enforcement should be required to convict people before taking their property. Law enforcement agencies could still prosecute criminals and forfeit their ill-gotten possessions—but the rights of innocent property owners would be protected. Second, police and prosecutors shouldn't be paid on commission. To end the perverse profit incentive, forfeiture revenue must be placed in a neutral fund, like a state's general fund. It should also be tracked and reported so law enforcement is held publicly accountable. Finally, equitable sharing must be abolished to ensure that when states act to limit forfeiture abuse, law enforcement cannot evade the new rules and continue pocketing forfeiture money.