

January 23, 2017

The Honorable Matt Claman,  
State Capitol Building  
Juneau, Alaska 99801-1182

RE: House Bill 42 Civil Asset Forfeiture Reform

Dear Representative Claman:

I understand that House Bill 42 will soon be in front of the House Judiciary Committee. I wish to convey my support for this bill and for reforming civil asset forfeiture policy in the state. In my opinion this bill is absolutely necessary to protect fundamental property rights of Alaska residents and restore their faith in the justice system.

Civil asset forfeiture is a little known tool that allows the government to permanently seize cash, cars, real estate, or other property suspected of being connected to criminal activity, even if no criminal charge is ever filed. This practice does more than violate our basic precepts of American justice and civil liberties, the potential for misuse of such power is obvious.

HB 42 would reestablish a basic tenet of Constitutional law and values: that a defendant be convicted of a crime before cash or property can be permanently seized. HB 317 would also increase transparency, raise standards of proof, and remove financial incentives for law enforcement abuse. All necessary for an honest and limited government.

Nationally, law enforcement agencies have increasingly turned to asset seizures to compensate for budgetary shortfalls, at the expense of other criminal justice goals. From 2001 to 2014, federal agencies increased their forfeiture deposits by 485 percent, with over \$5 billion seized in 2014 alone. Law enforcement and all professionals who put themselves in harm's way to protect the public must receive appropriate levels of funding through the appropriate channels. However, seizing assets taken from potentially innocent citizens who are never charged with a crime, is no way to fund public safety and erodes the public trust in our justice system.

I urge you to pass HB 42 out of committee, to vote for its passage into law and to continue your work as a protector of the rights of Alaskans.

Thank you for your time,

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