



State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
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Administrator

MEMORANDUM

TO: Charlene Holzbaur, Director
Office of Management and Budget

Paul A. Sarlo, Chair
Senate Budget and Appropriations Committee

John J. Burzichelli, Chair
Assembly Appropriations Committee

FROM: Jeffrey S. Chiesa, Attorney General *JSC*

DATE: August 24, 2012

SUBJECT: Forfeiture Report
January 1, 2012 through June 30, 2012

Attached is information regarding seizures and forfeitures involving all criminal offenses, including, N.J.S. 2C:35-1 et seq. and N.J.S. 2C:36-1 et seq., for the above-referenced time period.

The attached report is required under the FY2012 Appropriations Act.

Attachments

cc: Thomas R. Calcagni, First Assistant Attorney General
John Hoffman, Executive Assistant Attorney General
Joseph R. Fuentes, Superintendent, Division of State Police
Howard McCoach, Administrator ✓
Stephen J. Taylor, Director, Division of Criminal Justice
David Rosen, LBFO, Office of Legislative Services

**STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY**

This information is being provided in compliance with the Appropriations Act requirement that the Attorney General provide the Director of the Division of Budget and Accounting, the Senate Budget and Appropriations Committee, the Assembly Appropriations Committee or the successor committees with a written report of seized or forfeited property involving offenses under N.J.S. 2C:35-1 et seq., and N.J.S. 2C:36-1 et seq.

The following is a summary of information regarding property and money seized or forfeited or both by State law enforcement agencies, namely, the Divisions of Criminal Justice and State Police. The seizures and forfeitures arise from violations of all offenses, including but not limited to N.J.S. 2C:35-1 et seq. and N.J.S. 2C:36-1 et seq. The information is for the period January 1, 2012 through June 30, 2012. The report also contains additional information respecting participation by the State in federal seizures and the request or receipt of a share of forfeited property by the State from federal agencies.

Property or money listed as "seized" means that the property or money is the subject of litigation and awaits final disposition. Property or money listed as "forfeited" means that final disposition has occurred and the State's title to the property has been confirmed.

The forfeiture process is sometimes lengthy, and the actual forfeiture of the property or money may not take place in the same fiscal year that the property was seized. The property and money listed as "seized" occurred between January 1, 2012 and June 30, 2012. However, title to property and money listed as "forfeited" was confirmed between January 1, 2012 and June 30, 2012 but could have been seized during this or earlier time period.

In addition, this report contains an accounting of proceeds reported expended by County Prosecutors' Offices as contained in the County Forfeiture Program Reports.

CASH¹
(from Cases Involving All Crimes)
(January 1, 2012 through June 30, 2012)

PART ONE: STATE

1. Cash seized by State Police and turned over to the counties for prosecution where the State Police has requested a share: \$ 582,966.00

2. Cash seized by Criminal Justice or State Police and retained by the state for prosecution by Criminal Justice: \$ 1,275,307.00

3. Cash returned to a claimant by Criminal Justice: \$ 853,395.16

4. Total cash forfeited by Criminal Justice and disbursed: \$ 5,908,478.53

(a) Disbursed to law enforcement agencies other than those within the Department of Law and Public Safety pursuant to sharing requests:

1. municipal	\$ <u>0.00</u>
2. county	\$ <u>317,735.81</u>
3. state, other than DLPS	\$ <u>0.00</u>
4. out-of-state	\$ <u>194,947.70</u>
Sub Total	\$ 512,683.51

(b) Obtained by Department of Law and Public Safety:

Sub Total \$ 5,395,795.02

5. Cash forfeited by county prosecutors and shared with Department of Law & Public Safety: \$ 308,929.19

¹ "Cash" includes currency and negotiated instruments, such as travelers checks and bank checks remitting funds in seized bank accounts.

PART TWO: FEDERAL

1. Cash seized with assistance from Criminal Justice or State Police, and retained by federal entities, where state has requested a share: \$2,755,060.00
2. Cash forfeited by federal law enforcement agencies and shared with Department of Law & Public Safety: \$ 345,314.66

PART THREE: OUT-OF-STATE

1. Cash seized with assistance from Criminal Justice or State Police and retained by out-of-state law enforcement entities where the Department of Law and Public Safety has requested a share: \$ 0.00
2. Cash forfeited by out-of-state agencies and shared with Department of Law and Public Safety: \$ 0.00

VEHICLES
(from Cases Involving All Crimes)
(January 1, 2012 through June 30, 2012)

PART ONE: STATE

1. Vehicles seized by Criminal Justice and State Police: 63

Sixty-Three (63) vehicles were seized with a estimated total value of \$ 567,850.00. Of these vehicles, twenty-six (26) (total estimated value of \$ 154,500.00) are being held by a county prosecutor pending forfeiture, and thirty-seven (37) (total estimated value of \$413,350.00) are being held by the State Police or Criminal Justice pending forfeiture.

2. Vehicles returned directly to claimant by Criminal Justice: 23

Note: Vehicles listed in this category may have been seized prior to this reporting period

3. Vehicles forfeited by Criminal Justice: 8

Note: Vehicles listed in this category may have been seized prior to this reporting period.

PART TWO: FEDERAL

1. Vehicles seized with assistance from Criminal Justice or State Police and retained by federal entities pending forfeiture, where Department of Law and Public Safety has requested a share: 1

2. Vehicles forfeited by federal law enforcement agencies and shared with Department of Law and Public Safety: 0

PART THREE: OUT-OF-STATE

1. Vehicles seized with assistance from Criminal Justice or State Police and retained by out-of-state law enforcement agencies where the Department of Law and Public Safety has requested a share: 0

2. Vehicles forfeited by out-of-state law enforcement agencies and shared with Department of Law and Public Safety: 0

MISCELLANEOUS
(from Cases Involving All Crimes)
(January 1, 2012 through June 30, 2012)

INCOME ON FUNDS SEIZED AND FORFEITED

PART ONE: STATE

Interest in the amount of \$ 1,588.82 was earned on moneys held in the Attorney General's Law Enforcement Forfeiture Account.

Additional income includes auction proceeds in the amount of \$ 21,330.00.

PART TWO: FEDERAL

Interest in the amount of \$ 289.98 was earned on moneys held in the federal accounts.

PART THREE: OUT-OF-STATE

Interest in the amount of \$ 6.27 was earned on moneys held in the out-of-state accounts.

COUNTY FORFEITURE PROGRAM
(January 1, 2012 through June 30, 2012)

(This section reflects the expenditures submitted when report was prepared.)

“Law enforcement purpose” means a purpose which is calculated to enhance a law enforcement agency’s ability to conduct criminal investigations, surveillance, arrests and prosecutions and to respond more fully to the effects of crime allocated by the law enforcement agency’s annual budget. A law enforcement purpose shall include expenditures to defray the costs of protracted or complex investigations; to educate the public in crime prevention techniques; to provide additional technical assistance or expertise, which may include the purchase of surveillance and undercover transportation and investigation equipment, and computer hardware and software to enhance the coordination and sharing of information among the law enforcement agencies of a county and the State; to provide matching funds to obtain Federal law enforcement enhancement grants; or for such other purposes as the Attorney General may from time to time authorize.

County Forfeiture Program Reports indicate the amounts reported expended during this period:

County	Expenditure
Atlantic County	\$0.00
Bergen County	\$141,755.55
Burlington County	\$0.00
Camden County	\$0.00
Cape May County	\$0.00
Cumberland County	\$0.00
Essex County	\$0.00
Gloucester County	\$0.00
Hudson County	\$0.00

County	Expenditure
Hunterdon County	\$0.00
Mercer County	\$65,035.50
Middlesex County	\$0.00
Monmouth County	\$21,646.64
Morris County	\$0.00
Ocean County	\$0.00
Passaic County	\$0.00
Salem County	\$2,425.00
Somerset County	\$0.00
Sussex County	\$0.00
Union County	\$0.00
Warren County	\$0.00
Total	\$230,862.69

Accounts Balances
(Ending June 30, 2012)

PART ONE: STATE

AGLEFA	\$ 7,734,085.27
Asset Maintenance	\$ 70,895.57
NJ Transit	\$ 29,174.75
NJ Div. of Taxation	\$ 177,815.29
NJ Dept. of Health 5%	\$ 350,195.52

PART TWO: FEDERAL

L&PS Federal Treasury	\$ 1,257,975.43
L&PS Federal Justice	\$61,628.59
Dept. of Military & Veterans Affairs Federal Treasury .	\$ 253,237.88
Dept. of Military & Veterans Affairs Federal Justice ...	\$ 714,759.32
NJ Transit Federal Treasury	\$3,247.78
NJ Div. of Taxation Federal Justice	\$6,415.16
NJ Div. of Taxation Federal Treasury	\$ 7,600.81

PART THREE: OUT-OF STATE

State of Pennsylvania	\$ 27,103.67
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PART FOUR: OTHER

Seized Money Contingent Upon Forfeiture Proceedings	\$ 23,963,573.94
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FORFEITURE TRANSFERS
(January 1, 2012 to June 30, 2012)

Transfers totaling \$1,109,151.70 were out of forfeiture funding.

The following transfers were made from the Attorney Generals Forfeiture Account (AGLEFA).

1. Division of State Police - Witness Relocation	\$200,000.00
2. Division of Criminal Justice - Replacement Vehicles	\$469,762.00
3. Division of State Police - Confidential Funds	\$ 50,000.00
4. Division of State Police - Taser CED's	\$139,389.70
5. Office of Attorney General FY 2011 Anticipation	\$250,000.00