



THE AMERICAN CONSERVATIVE UNION



AMERICANS FOR PROSPERITY

AMERICAN COMMITMENT

We are the Drug Policy Alliance.



FREEDOM PARTNERS

Campaign for Liberty



Americans for Forfeiture Reform



October 10, 2017

Chairman John Culberson  
Subcommittee on Commerce, Justice, Science  
and Related Agencies  
House Committee on Appropriations  
U.S. Capitol, Room H-310  
Washington, D.C. 20515

Ranking Member José Serrano  
Subcommittee on Commerce, Justice, Science  
and Related Agencies  
House Committee on Appropriations  
1016 Longworth House Office Building  
Washington, D.C. 20515

**RE: Support for the Civil Forfeiture Amendments to H.R. 3354 (Sections 551, 552, and 553)**

Dear Chairman Culberson and Ranking Member Serrano:

On behalf of the undersigned organizations dedicated to the protection of private property and civil liberties and rights, we write to urge you to insist on the House of Representatives position on civil forfeiture in any and all negotiations that may occur with your counterparts in the U.S. Senate as you develop an end-of-year appropriations bill.

By way of background, on September 12, the House adopted three amendments to H.R. 3354 that reverse the unwarranted expansion of civil forfeiture and protect the ability of states and localities to set their

own law enforcement practices. These amendments were adopted by voice vote, with **no** members speaking in opposition, and are now reflected at sections 551, 552, and 553 of the bill that the House passed and sent to the Senate.

The civil forfeiture amendments were offered on a bipartisan basis in order to prevent the unjustified expansion of civil forfeiture and to ensure that the protections for innocent property owners that were put in place in 2015 are restored and remain in place. These amendments did not abolish civil forfeiture completely—though many of our organizations would support such a change—but they did represent a positive step that will prevent the federal government from hindering state-level reform.

The current civil forfeiture system undermines property rights and is fundamentally unjust. Law enforcement can confiscate property from citizens and businesses without any criminal conviction or even criminal charges. Once their property has been seized, ordinary Americans must navigate a system that is stacked against them. For example, property owners must prove they are “not guilty,” turning the fundamental presumption of innocence on its head.

The civil forfeiture amendments adopted by the House in H.R. 3354 were written in response to the Department of Justice’s recent announcement that it would reverse the ban on so-called “adoptive” seizures. Adoptive seizures allow state and local law enforcement to use federal forfeiture laws to circumvent state-law limitations. This top-down approach is an affront to basic principles of federalism, and it should not be funded by American taxpayers.

The House of Representatives has spoken clearly through its adoption of these amendments, and that collective judgment should be reflected in the final legislation that is presented to the President for signature.

Sincerely,

The Institute for Justice	American Conservative Union
American Civil Liberties Union	Leadership Conference on Civil and Human Rights
American Commitment	Drug Policy Alliance
Americans for Forfeiture Reform	Americans for Prosperity
Campaign for Liberty	Concerned Veterans for America
The DKT Liberty Project	Freedom Partners
FreedomWorks	Generation Opportunity
The Goldwater Institute	Justice Action Network
The Law Enforcement Action Partnership	The Libre Initiative
NAACP	National Assn. of Criminal Defense Lawyers
National Taxpayers Union	R Street Institute
Our America Initiative	

cc: Chairman Rodney Frelinghuysen, House Appropriations Committee  
Ranking Member Nita Lowey, House Appropriations Committee  
Speaker Paul Ryan  
Majority Leader Kevin McCarthy  
Minority Leader Nancy Pelosi