

GENERAL ORDER 43.5.1

Forfeiture

GENERAL ORDER CROSS-REFERENCE: 84.1.2

SUMMARY

Describes the Department's criminal forfeiture process pursuant to Federal, State, Municipal laws and the Intergovernmental Agreement with Lane County.

DISCUSSION

None.

POLICY

I

Forfeiture cases are filed through the Lane county district Attorney's Office or through the appropriate Federal agency. No civil forfeitures will be taken, only criminal forfeitures. Criminal case reports which may lead to forfeiture shall be reported to the Investigations Management Analyst.

II

The Investigations Management Analyst and the Police Office Supervisor shall be responsible for the Department's forfeiture process.

III

The Investigations Management Analyst and Police Office Supervisor shall work in concert to maintain complete records of all property seized by, or forfeited to, the Department pursuant to the Department's asset forfeiture process. These records shall include a description of the property, the identification numbers (where applicable), the case number, the name of the persons (or corporation) from whom the property was received, copies of judgments entered by the court, and expenses paid by the Department. These records shall be maintained for both real and personal property received by the Department.

The Investigations Secretary shall act as liaison between the Department and the District Attorney's office. In addition, following adjudication, the Property Control Officer shall arrange for the auction of forfeited property.

The Police Office Supervisor and the Investigations Management Analyst shall be responsible for all financial aspects of the forfeiture process. For example, they will act as

liaisons between the Department and the City Finance Department; transport forfeiture cash to the Finance Department for deposit into the appropriate account; pay necessary costs; calculate payments to the DEQ, the State Asset Forfeiture Oversight Advisory Committee, State General Fund, City's General Fund and the District Attorney's Office, fill out and file necessary reporting forms and keep a yearly accounting of forfeiture funds.

The Investigations Management Analyst and Police Office Supervisor shall function as backups to the other's duties when necessary.

IV

All property forfeited to the Department under the Department's criminal forfeiture process shall be disposed of in accordance with all applicable statutes and ordinances in accordance with G.O. 84.1.2.

Richard L. Lewis
Chief of Police