



DODGE COUNTY SHERIFF'S OFFICE

Dale J Schmidt Sheriff Scott Smith Chief Deputy

Civil Asset Forfeitures

Under current Wisconsin law, law enforcement agencies have the ability to seize the fruits and tools of organized drug traffickers. This law is referred to as civil asset forfeiture and is typically used when we identify someone bringing dangerous and illegal drugs into our county and selling them to others.

The civil asset forfeiture statute can be used under certain circumstances and assets can only be forfeited when used in the commission of a felony. Most commonly, the statute is used subsequent to illegal drug sales as we look to hamper the profitability of drug dealers. For example, a drug dealer may sell drugs to a user and an arrest made of both individuals. The drugs are seized as evidence. The money is also seized as evidence but a request will be made through the courts to also have that money forfeited. A judge must then approve the forfeiture which must also be consistent with and be found by the judge to be connected to the crime.

Make no mistake, this isn't something law enforcement is able to get rich on. Rather, these forfeited funds currently must be split 50/50 when greater than \$2,000 with the Wisconsin School Fund. Law enforcement agencies can only retain funds that are matched by expenses incurred. These forfeited funds do not inflate the budgets of law enforcement agencies but rather help to offset taxpayer costs in continuing our investigations into criminal activities. Some of the funds that Dodge County has received from civil asset forfeiture have been utilized to pay for things like equipment for K9 squad cars, surveillance equipment and protective equipment to keep our law enforcement officers safe.

Did you know that a vast majority of all property crimes law enforcement officers investigate are directly related to drug use and abuse? Why would we ever want to take resources away from those who are responsible for investigating these crimes? Asset forfeiture benefits everyone except drug dealers. Wouldn't you rather have drug dealers pay for these investigations than our tax dollars?

Recently there has been legislation proposed to amend the civil asset forfeiture statute to take these funds from law enforcement agencies. Reasons given for amending the statute are aimed at a fictitious assumption that law enforcement abuses the system and uses the money to get rich. While abuses have happened in other areas of the country, our current Wisconsin laws just don't provide an opportunity for abuse. I can assure you that the Dodge County Sheriff's Office is not getting rich. However, the forfeitures that the sheriff's office has received have been put directly back into law enforcement investigations and have helped to offset taxpayer costs.

My question to those who are trying to remove this legitimate law enforcement tool is why when our state is in the midst of a drug crisis, are we looking to change this law in a way that will ultimately

benefit drug dealers? As funding continues to be an issue at the local level for combating our heroin epidemic and as we continue our work towards finding ways to save lives, it seems that the proposal may be a solution in search of a problem. The proposal will make law enforcement's job financially more difficult and an obvious increased burden on the taxpayer. Ultimately the proposed changes will be more beneficial for the drug dealer than for the good of our community.

I encourage you to contact your state legislators and encourage them to make law enforcement a priority and allow the civil asset forfeiture law to continue as is. Your input is important to law enforcement statewide as we continue our fight towards making Dodge County a safe and enjoyable place to live work and visit.