

property and correctly reporting the seizure to the Auditor of Public Accounts and to the Secretary of the Justice and Public Safety Cabinet. The concern is with the agencies that are seizing and NOT reporting. Failure to remit a seizure report by an agency is not necessarily reflective of a lack of seizures and forfeitures by that agency. Given the low reporting numbers, it is possible that seizures and forfeitures are occurring, but the agencies are failing to report the seizures as required by KRS 218A.440. Given that possibility, there may be an indeterminable negative impact on agencies currently seizing but not reporting. These agencies would now be required to report their seizures or face consequences relative to not receiving funds from the Law Enforcement Foundation Program. Filing lends itself to oversight ensuring that 30% of the seized property or proceeds shall be remitted to the Office of Attorney General. This amount may not have been remitted properly due to lack of oversight.

Only 63 agencies reported their seizures in 2014, and only 66 in 2013. This is out of approximately 400 law enforcement agencies.¹

Data Source(s): 1. WLEX 18 Investigates: Police Ignoring Asset Forfeiture Reporting Law, February 27, 2015; LRC Staff

Preparer: Wendell F. Butler **Reviewer:** JWN **Date:** 3/8/16