

CALIFORNIA DEPARTMENT OF JUSTICE

ASSET FORFEITURE

ANNUAL REPORT
2006
ANNUAL REPORT

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Prepared by
Division of Law Enforcement - Bureau of Narcotic Enforcement

Health and Safety Code Section 11495

11495. (a) The funds received by the law enforcement agencies under Section 11489 shall be deposited into an account maintained by the Controller, county auditor, or city treasurer. These funds shall be distributed to the law enforcement agencies at their request. The Controller, auditor, or treasurer shall maintain a record of these disbursements which records shall be open to public inspection, subject to the privileges contained in Sections 1040, 1041, and 1042 of the Evidence Code.

(b) Upon request of the governing body of the jurisdiction in which the distributions are made, the Controller, auditor, or treasurer shall conduct an audit of these funds and their use. In the case of the state, the governing body shall be the Legislature.

(c) Each year, the Attorney General shall publish a report which sets forth the following information for the state, each county, each city, and each city and county:

(1) The number of forfeiture actions initiated.

(2) The number of cases and the administrative number or court docket number of each case for which forfeiture was ordered or declared.

(3) The value of the assets forfeited.

(4) The recipients of the forfeited assets, the amounts received, and the date of the disbursement.

(d) The Attorney General shall develop administrative guidelines for the collection and publication of the information required in subdivision (c).

(e) The Attorney General's report shall cover the calendar year and shall be made no later than March 1 of each year beginning with the year after the enactment of this law.

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Introduction

California Health and Safety Code section 11495, which became effective August 19, 1994, as part of the state's current asset forfeiture statutes, requires the Attorney General to publish an annual report that provides the following information for the state and each county:

- ◆ The number of forfeiture actions initiated during the year covered by the report.

- ◆ The number of cases and the administrative number or court docket number of each case for which forfeiture was ordered or declared during the report year.

- ◆ The value of the assets forfeited during the report year.

- ◆ The recipients of the forfeited assets, the amounts received and the dates of the disbursements.

The information covers state seizures and forfeitures conducted pursuant to California law only. Federal seizures and forfeitures in which California law enforcement agencies participated or shared are not reported in this document.

This 12th annual report covers the 2006 calendar year. Subsequent reports will be published by March 1 of each year.



Highlights

The information provided in this report represents 100 percent reporting by California's 58 district attorneys.

- ◆ A total of 4,955 forfeiture proceedings were initiated in 2006 involving assets with a total estimated value of \$38,341,515. Some of these proceedings are still pending. (The disposition of any pending proceedings will be provided in the annual report covering the year they are completed and fully disbursed.)

- ◆ A total of 3,877 forfeiture cases were completed during 2006 (includes cases initiated from 1995 through 2006). The total value of the disbursed assets is \$25,582,483.

- ◆ Five counties initiated no forfeitures during 2006.



Methodology

To comply with the requirements of Health and Safety Code section 11495, the Department of Justice (DOJ) on December 22, 1994, distributed a Division of Law Enforcement Information Bulletin to all California district attorneys. This bulletin requested that the district attorneys, as the officials conducting state forfeiture proceedings, document the information required for each forfeiture action effective January 1, 1995, and for every year thereafter.

DOJ created a self-contained computer program for the district attorneys' use in collecting and reporting the required statistical information. In 1995, DOJ sent their program by disk, to all 58 district attorneys in California. Enhanced versions were sent in 1996 and 1997. Forty-four of the district attorneys provided data to DOJ for this report via this computer program; some district attorneys used other electronic programs or submitted statistics in a hard copy form. Additionally, the counties were sent the draft of their section of this report so that they had an opportunity to correct any errors before going to the final version and publication.

This report provides the information required by Health and Safety Code section 11495 on all forfeitures **initiated** during calendar year **2006**, both by county and statewide. For each forfeiture **initiated between 1995 and 2006** that was **completed** during calendar year **2006**, detailed information is provided as to the number of cases, case numbers, asset values and recipients of the forfeited assets -- again by county and statewide.

Pursuant to Health and Safety Code section 11489, state asset forfeiture proceeds are to be distributed as follows:

- ◆ One percent to a private, nonprofit organization composed of local prosecutors for the exclusive purpose of providing a state-wide program of education and training for prosecutors and law enforcement in the ethics and proper use of state asset seizure and forfeiture laws.



- ◆ Ten percent to the prosecutorial agency that processes the forfeiture action.
- ◆ Twenty-four percent to the State General Fund.
- ◆ Sixty-five percent to the state and/or local law enforcement agencies that participated in the seizure, distributed in a manner that reflects the proportionate contribution of each agency.

(Fifteen percent of any funds distributed to local law enforcement agencies must be deposited in a special fund maintained by the county, city, or city and county of any agency making the seizure or seeking an order for forfeiture and shall be used for the sole purpose of funding programs designed to combat drug abuse and divert gang activity.)

This report indicates most counties have shared the full 65 percent allotment with local law enforcement agencies. It does not provide detail as to those agencies' disposition of 15 percent of their share to a county and/or city special fund because the information was not provided, nor is it required for this report. Some agencies, such as Butte or Contra Costa County District Attorney Offices, did voluntarily provide this information for their cases, and for those counties the amount of the 15 percent share is listed in Table 3 as going to "15% -11489" or to a county special fund, as on page 43 or 49.

In some cases in which the report lists only one law enforcement recipient, that agency may have made further distributions to other law enforcement agencies that assisted in that case. This further distribution information was not available in some cases because of the type of distribution system used by some district attorneys' offices.



Asset Forfeiture Statistical Data



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**Forfeitures
Initiated**

- ◆ Table 1 provides information on asset forfeiture actions initiated pursuant to California law during 2006.

- ◆ For purposes of this report, seizure of assets constitutes the initiation of a forfeiture action.

- ◆ Some cases listed involved forfeiture actions that are still pending. In other cases, forfeiture was ordered or declared and assets were distributed during 2006. (Details on the latter are provided in the “Forfeitures Completed” section.)

- ◆ The following counties have no information listed in Table 1 because they did not initiate any forfeiture actions during 2006:

Alpine	Mariposa	Nevada
San Benito	Sierra	



Table 1

County	Total Cases Initiated	Estimated Value of Assets Seized
ALAMEDA	210	\$1,164,174.33
ALPINE	0	\$0.00
AMADOR	5	\$18,804.00
BUTTE	45	\$389,396.80
CALAVERAS	5	\$14,356.00
COLUSA	6	\$39,841.00
CONTRA COSTA	184	\$671,491.10
DEL NORTE	2	\$3,578.00
EL DORADO	2	\$27,647.00
FRESNO	52	\$374,502.55
GLENN	5	\$41,652.00
HUMBOLDT	60	\$286,378.54
IMPERIAL	1	\$700.00
INYO	6	\$10,751.00
KERN	132	\$1,334,643.53
KINGS	11	\$209,753.56
LAKE	10	\$21,985.00
LASSEN	12	\$105,283.00
LOS ANGELES	1,356	\$13,256,111.66
MADERA	18	\$90,299.58
MARIN	7	\$65,510.51
MARIPOSA	0	\$0.00
MENDOCINO	165	\$1,901,672.55
MERCED	34	\$1,663,727.65
MODOC	4	\$1,461.00
MONO	2	\$6,500.00
MONTEREY	83	\$162,838.46
NAPA	38	\$84,172.64
NEVADA	0	\$0.00
ORANGE	355	\$1,748,940.49
PLACER	17	\$143,437.00
PLUMAS	6	\$28,427.00
RIVERSIDE	209	\$1,771,714.58
SACRAMENTO	391	\$2,696,310.78
SAN BENITO	0	\$0.00
SAN BERNARDINO	328	\$2,928,931.82
SAN DIEGO	9	\$49,249.57
SAN FRANCISCO	257	\$695,570.84
SAN JOAQUIN	102	\$197,752.87

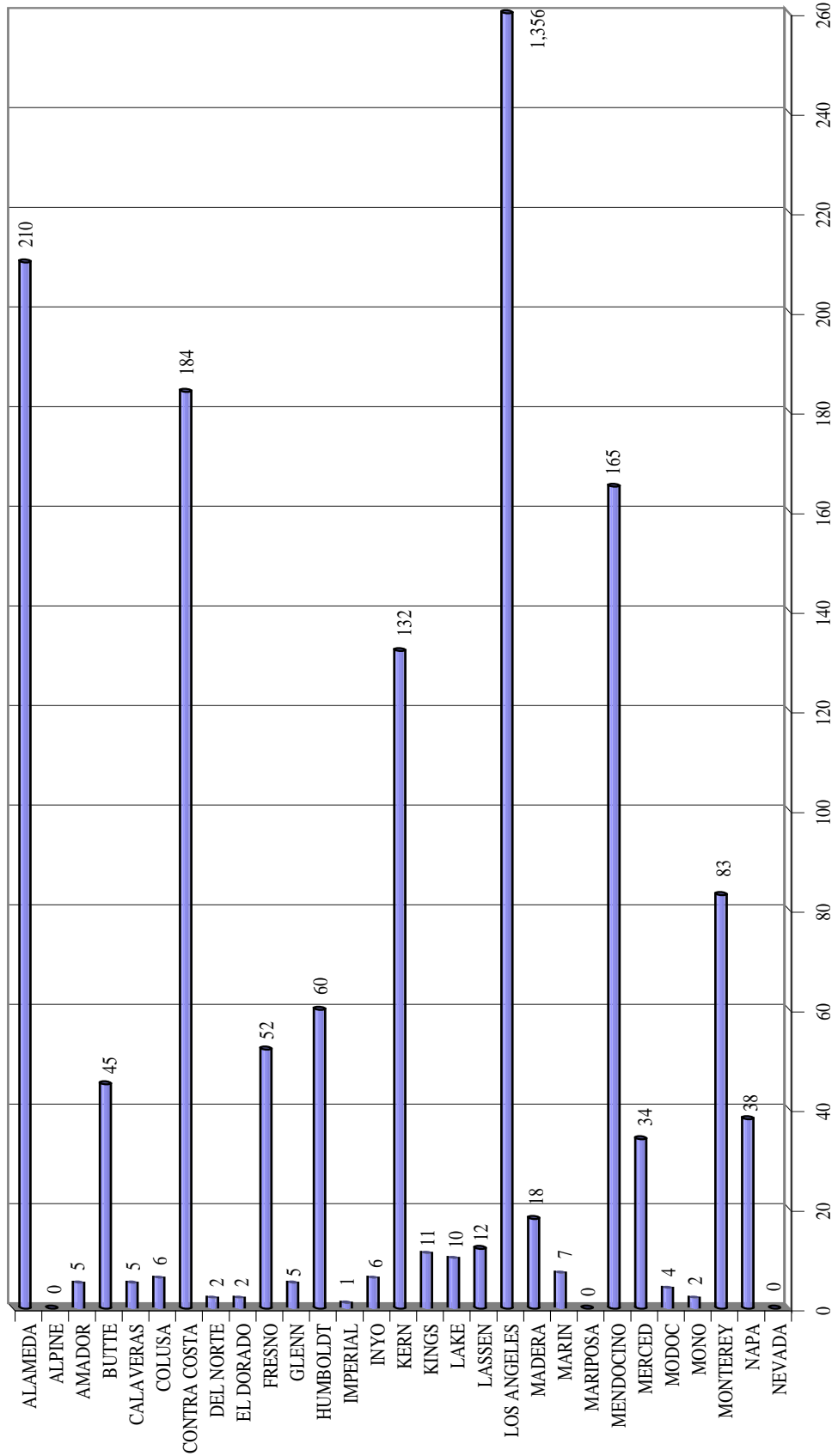


Table 1

County	Total Cases Initiated	Estimated Value of Assets Seized
SAN LUIS OBISPO	34	\$157,917.00
SAN MATEO	86	\$821,218.53
SANTA BARBARA	29	\$289,721.78
SANTA CLARA	101	\$464,292.26
SANTA CRUZ	34	\$1,649,760.66
SHASTA	66	\$280,124.41
SIERRA	0	\$0.00
SISKIYOU	10	\$53,157.00
SOLANO	178	\$500,559.19
SONOMA	42	\$352,019.88
STANISLAUS	63	\$435,544.95
SUTTER	7	\$16,803.00
TEHAMA	9	\$104,928.46
TRINITY	3	\$2,085.00
TULARE	19	\$266,657.11
TUOLUMNE	4	\$17,492.63
VENTURA	95	\$619,176.74
YOLO	34	\$44,907.12
YUBA	12	\$57,583.00
Total:	4,955	\$38,341,515.13

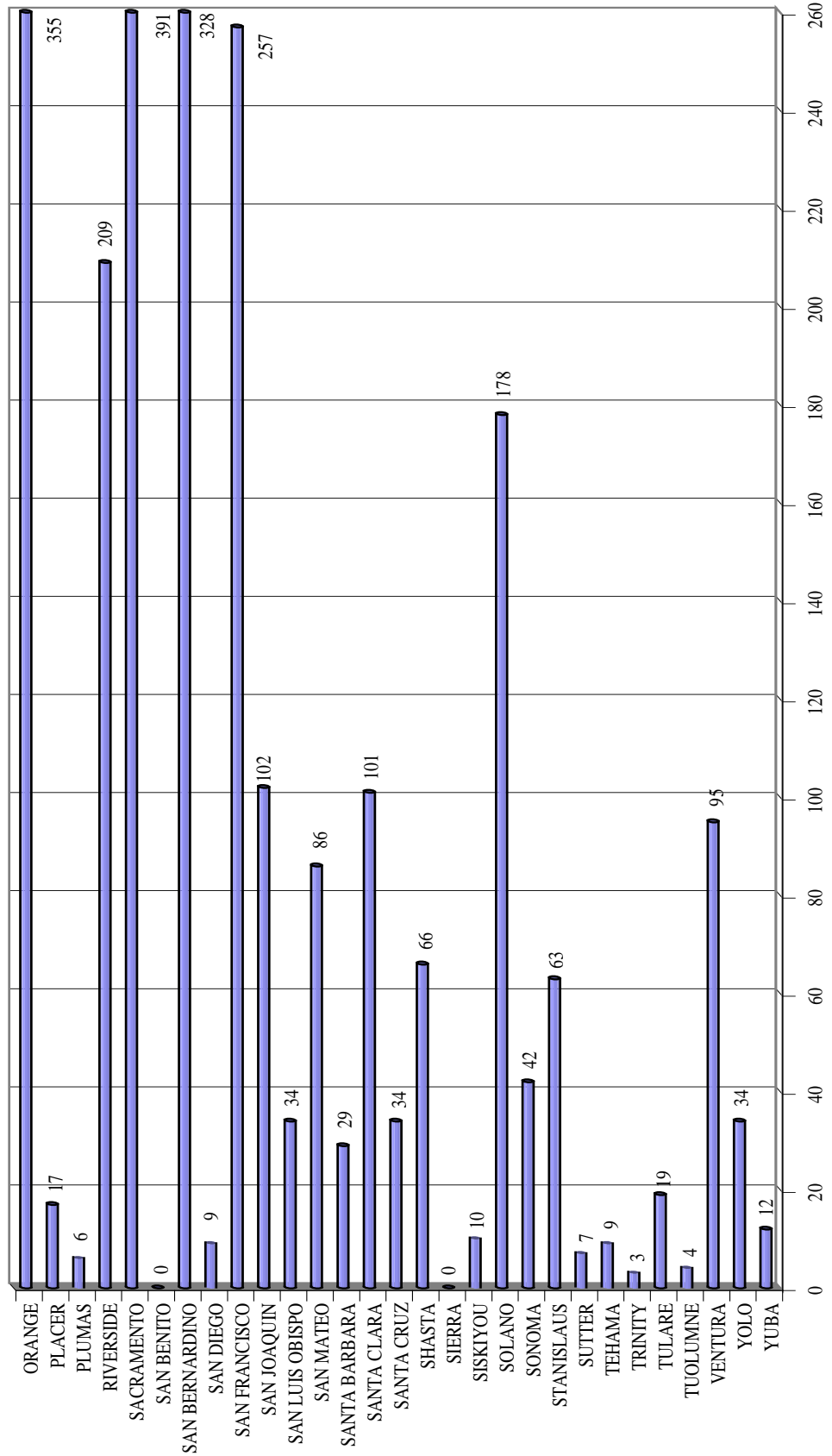


Number of Forfeiture Actions Initiated by County
January 1, 2006 - December 31, 2006



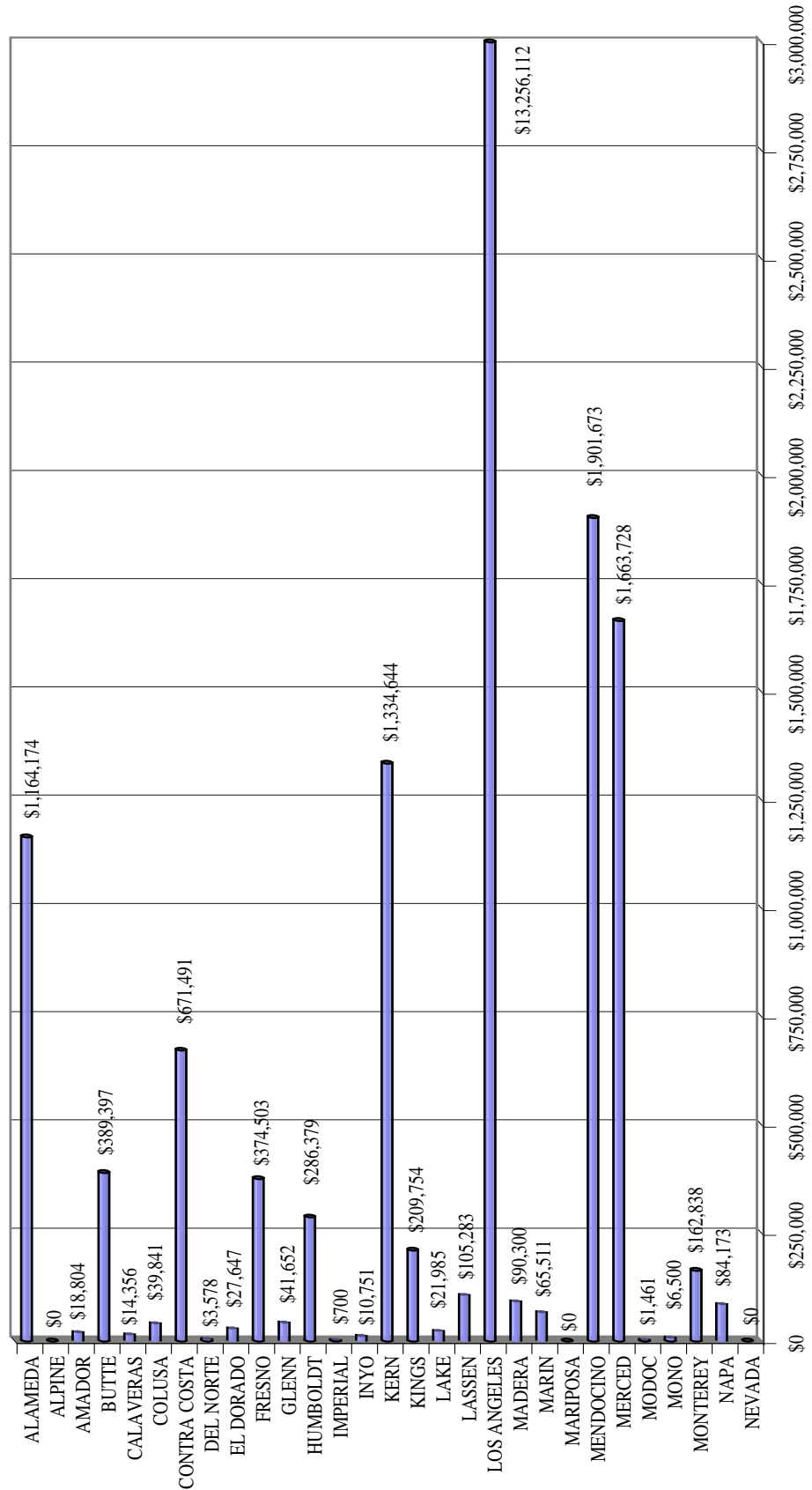


**Number of Forfeiture Actions Initiated by County
January 1, 2006 - December 31, 2006**



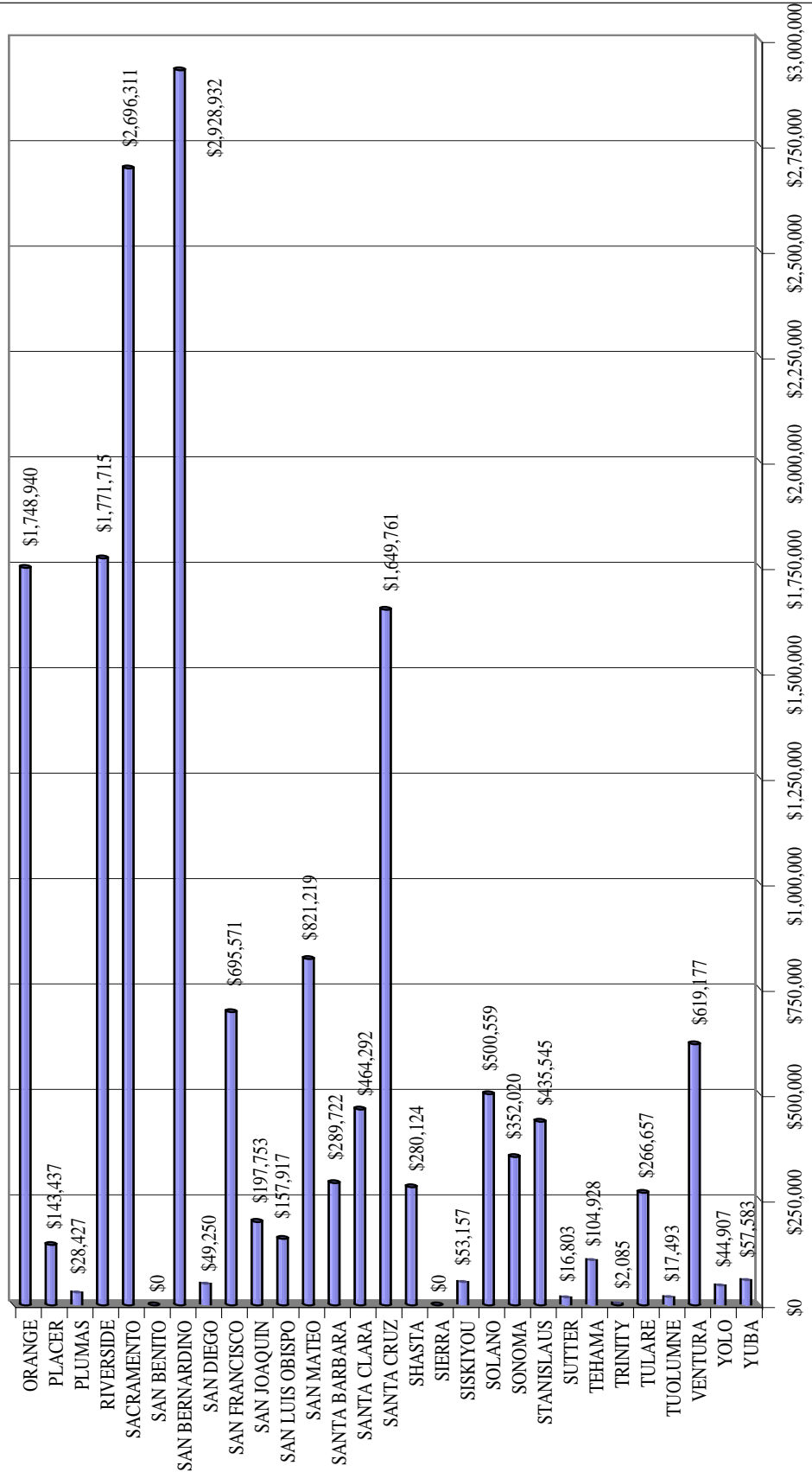


**Estimated Value of Forfeiture Actions Initiated by County
January 1, 2006 - December 31, 2006**





**Estimated Value of Forfeiture Actions Initiated by County
January 1, 2006 - December 31, 2006**





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**Forfeitures
Completed**

- ◆ Table 2 provides summary information by county on asset forfeiture cases completed pursuant to California law during 2006. (This includes disbursement information on cases initiated from 1995 through 2006.)

- ◆ An asset forfeiture case is completed when forfeiture has been ordered by the court or declared by the district attorney's office and all assets have been distributed.

- ◆ Table 3 provides detailed information on each asset forfeiture case completed pursuant to California law during 2006. (This includes disbursement information on cases initiated from 1995 through 2006.)

- ◆ The "Amount Forfeited" listed in Table 3 for each case represents the net amount available for disbursement, after deduction of costs or returns to claimants and addition of accrued interest.

- ◆ Cases initiated from 1995 through 2006 in which only partial distribution has been made are not listed in Table 3 and are considered still pending.

- ◆ The following counties show zeroes in Table 2 and are not shown in Table 3 because, during this report period, they did not fully distribute assets from any forfeiture cases initiated from 1995 through 2006:

Alpine	Calaveras	Lassen
Mariposa	Modoc	Mono
Nevada	Plumas	San Benito
Sierra	Trinity	



Table 2

County	Forfeitures Completed	Amount Disbursed
ALAMEDA	195	\$637,530.65
ALPINE	0	\$0.00
AMADOR	9	\$51,669.51
BUTTE	38	\$63,810.65
CALAVERAS	0	\$0.00
COLUSA	5	\$15,996.29
CONTRA COSTA	200	\$696,100.92
DEL NORTE	1	\$2,000.00
EL DORADO	11	\$34,506.79
FRESNO	41	\$422,702.38
GLENN	4	\$29,838.40
HUMBOLDT	38	\$151,684.79
IMPERIAL	12	\$33,869.27
INYO	3	\$9,418.92
KERN	138	\$967,745.58
KINGS	10	\$188,755.05
LAKE	10	\$25,150.99
LASSEN	0	\$0.00
LOS ANGELES	949	\$9,713,482.43
MADERA	31	\$121,972.89
MARIN	4	\$66,213.96
MARIPOSA	0	\$0.00
MENDOCINO	88	\$697,865.72
MERCED	26	\$118,799.51
MODOC	0	\$0.00
MONO	0	\$0.00
MONTEREY	74	\$212,305.46
NAPA	22	\$135,264.75
NEVADA	0	\$0.00
ORANGE	262	\$1,248,490.04
PLACER	21	\$76,021.02
PLUMAS	0	\$0.00
RIVERSIDE	136	\$1,308,171.55
SACRAMENTO	382	\$1,993,493.04
SAN BENITO	0	\$0.00
SAN BERNARDINO	214	\$2,940,042.94
SAN DIEGO	4	\$9,717.85
SAN FRANCISCO	227	\$489,522.64
SAN JOAQUIN	59	\$97,306.89
SAN LUIS OBISPO	23	\$62,807.58
SAN MATEO	71	\$274,867.22

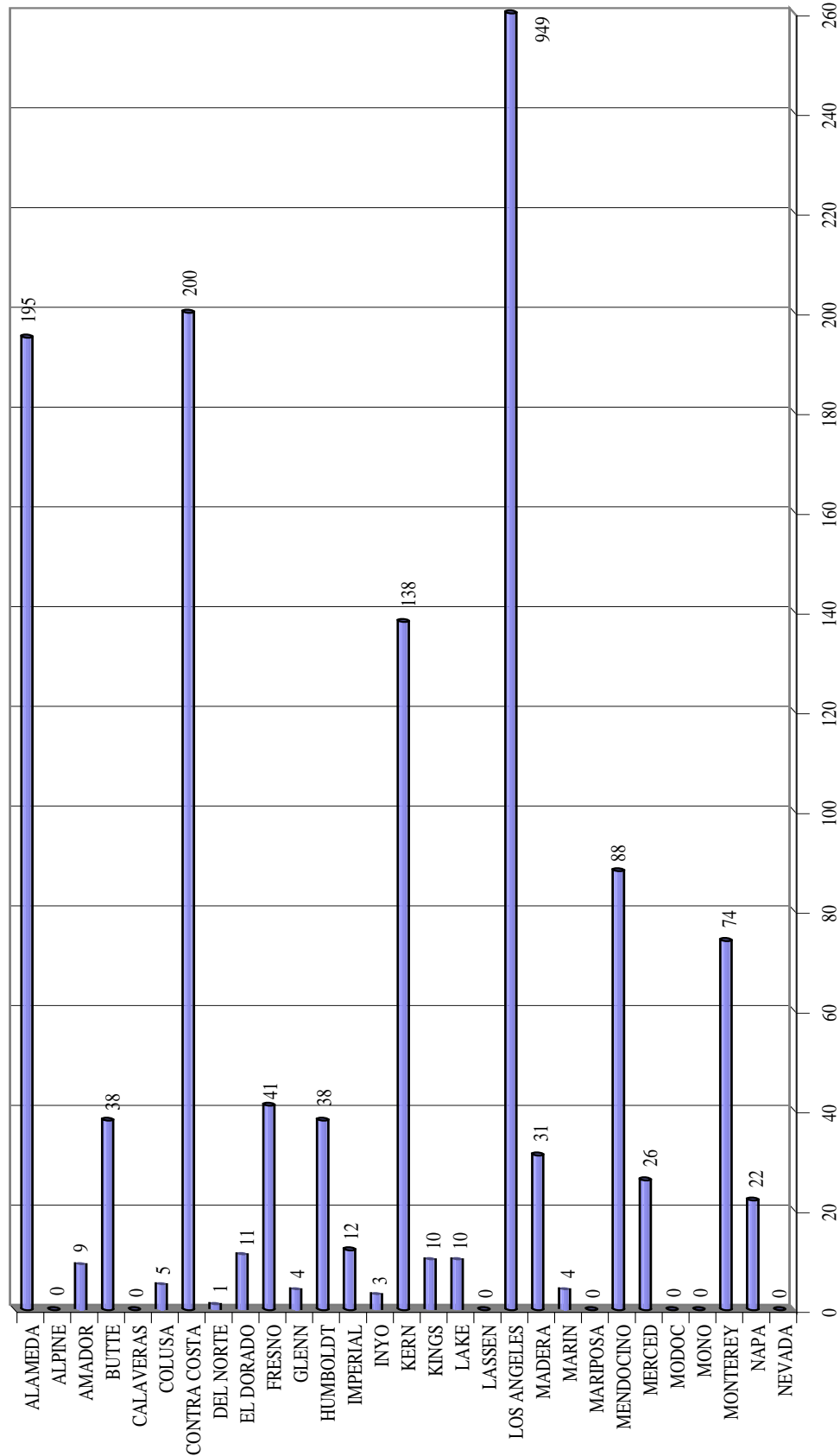


Table 2

County	Forfeitures Completed	Amount Disbursed
SANTA BARBARA	73	\$272,270.91
SANTA CLARA	92	\$419,236.76
SANTA CRUZ	21	\$57,196.50
SHASTA	53	\$127,788.22
SIERRA	0	\$0.00
SISKIYOU	12	\$54,281.37
SOLANO	123	\$306,834.00
SONOMA	26	\$278,804.69
STANISLAUS	29	\$146,155.71
SUTTER	2	\$35,800.57
TEHAMA	3	\$15,150.52
TRINITY	0	\$0.00
TULARE	9	\$75,574.71
TUOLUMNE	2	\$4,541.11
VENTURA	72	\$730,497.36
YOLO	31	\$81,893.10
YUBA	21	\$79,332.27
Total:	3,877	\$25,582,483.48

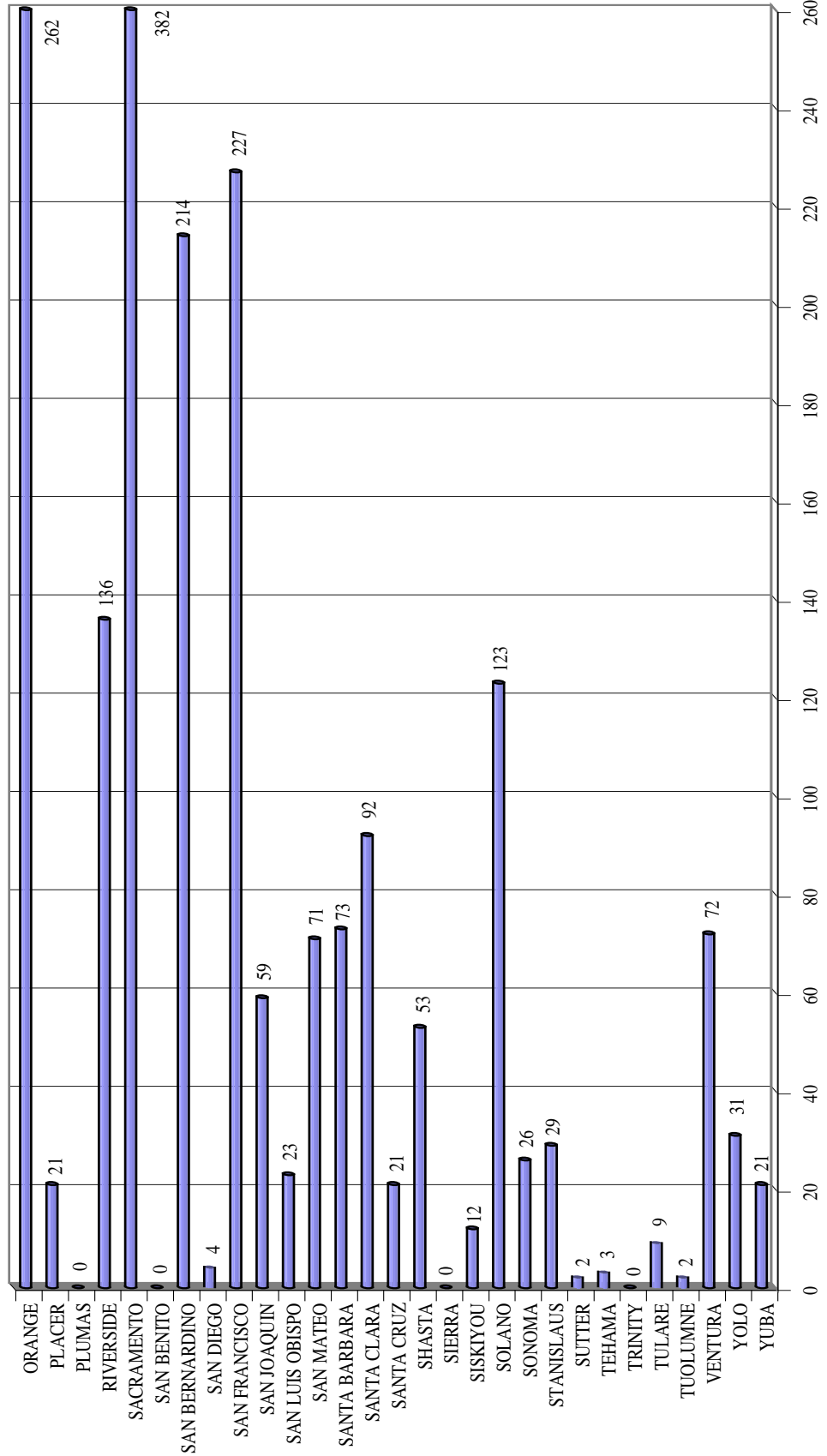


**Number of Forfeiture Actions Completed by County
January 1, 2006 - December 31, 2006**



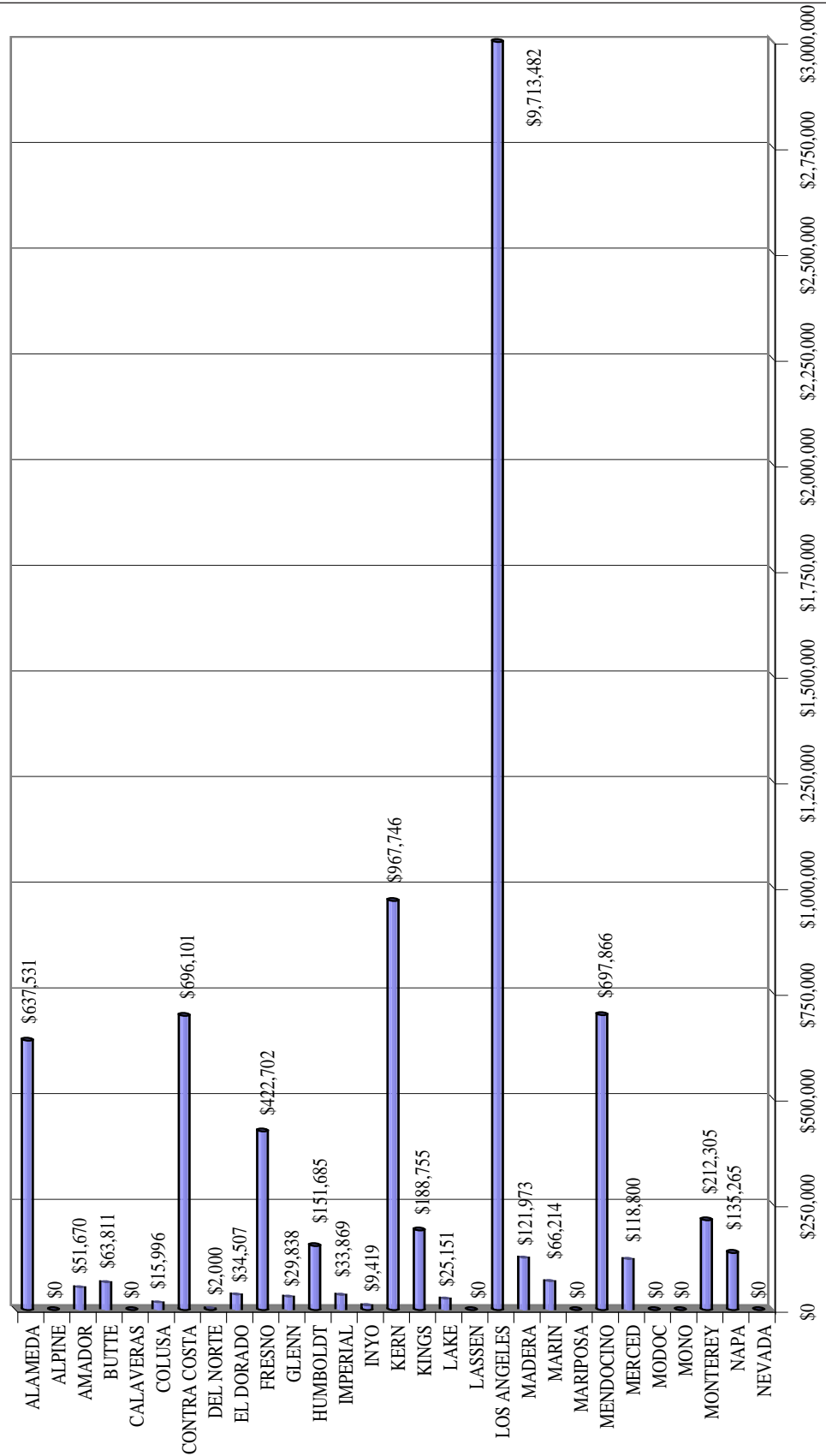


**Number of Forfeiture Actions Completed by County
January 1, 2006 - December 31, 2006**





Estimated Value of Forfeiture Actions Completed by County
January 1, 2006 - December 31, 2006





**Estimated Value of Forfeiture Actions Completed by County
January 1, 2006 - December 31, 2006**

