

AGENDA

Eau Claire County

Committee on Judiciary and Law Enforcement

Tuesday, December 15, 2015 at 6:45 p.m.

Courthouse – Room 1278

1. Call Meeting to Order
2. Sheriff's Office:
 - Fact Sheet and Resolution File No. 15-16/106
Resolution File No. 15-16/106: Opposing LRB-2148/1 Changing the Way
Property is Forfeited After Being Seized in Relation to a Crime.
Material/Discussion/Action
3. Other Business
4. Future Agenda Item(s)
5. Next Meeting Date
6. Adjourn

Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through sign language, interpreters or other auxiliary aids. For additional information or to request the service, contact the County ADA Coordinator at 839-4710, (FAX) 839-1669 or 839-4735, tty: use Relay (711) or by writing to the ADA Coordinator, Human Resources, Eau Claire County Courthouse, 721 Oxford Avenue, Eau Claire WI 54703

FACT SHEET

TO FILE NO. 15-16/106

Currently the West Central Drug Task Force operates on annually forfeited funds of approximately \$80,000. The drug task force spends approximately \$30,000 a year to purchase illegal drugs off the street. This would severely limit the amount of funding available for the West Central Drug Unit and all other drug units who operate within the state unless those amounts would be made up by increasing the tax levy.

Respectfully Submitted,



Keith R. Zehms
Corporation Counsel

KRZ/yk

Ordinance/15-16.106 Fact

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3 - OPPOSING LRB-2148/1 CHANGING THE WAY PROPERTY IS FORFEITED AFTER
4 BEING SEIZED IN RELATION TO A CRIME-
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6 WHEREAS, the current forfeiture law applies to all property directly or indirectly derived
7 from the commission of a crime; and
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9 WHEREAS, current law allows an agency to keep certain property for its own use, to transfer
10 the property to another agency or to sell property; and
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12 WHEREAS, under current law the agency that seized the property may retain a set percentage
13 of the proceeds of selling the property to cover administrative and other costs with the remainder
14 going to the state school fund; and
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16 WHEREAS, under current law a law enforcement agency may enter in agreements with
17 federal authorities to turn over property seized under federal law and then share proceeds of the sale
18 of the property seized; and
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20 WHEREAS, this bill would allow property to be forfeited only if a person is convicted of a
21 crime related to the action for forfeiture and only if the court finds that the property seized is
22 proportional to the crime committed; and
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24 WHEREAS, this bill requires all proceeds of the sale of property to be turned into the state
25 school fund; and
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27 WHEREAS, this bill prohibits local law enforcement agencies from transferring property to
28 federal agencies unless the value of the property exceeds \$50,000, and the property was seized in
29 relation to an interstate crime, or the property may only be forfeited under federal law; and
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31 WHEREAS, this bill would severely curtail the ability of the West Central Drug Task Force
32 to function effectively without a substantial increase in county tax levy funding; and
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34 WHEREAS, this bill would require law enforcement agencies to return seized illegal money
35 and property until after conviction and then the agencies would then attempt to locate the assets
36 which had been seized.
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38 NOW THEREFORE BE IT RESOLVED that the Eau Claire County Board of Supervisors
39 opposes LRB-2148/1 changing the way property is forfeited after being seized in relation to a crime.
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41 BE IT FURTHER RESOLVED that the Eau Claire County Board of Supervisors directs the
42 county clerk to forward this resolution to the governor, assembly members and senators representing
43 Eau Claire County and the Wisconsin Counties Association.
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Committee on Judiciary and Law Enforcement

KRZ/yk

Dated this _____ day of _____, 2015.

ORDINANC/15-16/106

**Reviewed by Finance Dept.
for Fiscal Impact**
