



Asset Forfeiture in Oregon 2010
Report to the Asset Forfeiture Oversight Advisory
Committee

June 2011

Criminal Justice Commission
State of Oregon

Summary

This report provides an initial look at the implementation of the new online Asset Forfeiture reporting system and also includes all 2010 Asset Forfeitures reported and entered into the new system. Included in the report is a historical review of the changes in the Asset Forfeiture laws, a review of the process of creating and implementing the new online reporting system and an initial review of the forfeitures reported on the system since its launch July 1, 2010.

It should be noted that because of problems integrating prior data, this report and all future reports will only cover the detailed information provided by the online reporting system.

Legal and Legislative Update

The Oregon Legislature first enacted a statewide civil forfeiture statute in 1989 and created the Asset Forfeiture Oversight Advisory Committee at that time to provide oversight and make recommendations for improvements to the law.

In November 2000, voters adopted Ballot Measure 3, a constitutional amendment proposed by initiative, which required a criminal conviction before a forfeiture could be completed, imposed greater restrictions on the use of civil forfeiture proceeds, and also placed in the constitution the required reporting and analysis of forfeitures by the Asset Forfeiture Oversight Advisory Committee (AFOAC).

Following the approval of Measure 3, the Legislature adopted changes to the civil forfeiture process intended to implement its constitutional requirements. The Legislature also adopted a comprehensive criminal forfeiture process which permitted proceeds to be retained by law enforcement agencies. Both the civil and criminal forfeiture statutes were scheduled to sunset on July 31, 2005.

Following passage of the new laws, most, but not all, law enforcement agencies in the state stopped using the civil forfeiture process because of its limitations.

A legal challenge to Measure 3 was filed by the Lincoln Interagency Narcotics Team shortly after the measure was enacted, but its progress in the courts was slow. In July 2003, the Oregon Court of Appeals held that the measure was invalid because it contained more than one amendment to the Oregon Constitution and those amendments should have been voted on separately. That decision was appealed to the Oregon Supreme Court, but was still pending when the civil and criminal forfeiture laws were set to expire in 2005.

In August 2005, the Legislature renewed the criminal forfeiture law and made significant changes to the civil forfeiture statutes which assumed the Court of Appeals decision would be affirmed by the Oregon Supreme Court. However, the Supreme Court instead upheld the measure in October 2006 (*Lincoln Interagency Narcotics Team v. Kitzhaber, et al*). The 2005 changes to civil

forfeiture could never take effect because they were inconsistent with Measure 3.

In the 2007 regular legislative session, the Legislature referred a proposed constitutional amendment making modifications to Measure 3 to the voters. That proposal was placed on the May 2008 ballot as Ballot Measure 53 and was approved by voters. Legislation implementing civil forfeiture consistent with Measure 53 was introduced during the 2009 legislative session as Senate Bill 356. This bill was passed after amendments were made to it and it was signed by the Governor, becoming effective April 28, 2009.

A second legislative change was made during the 2009 session. Senate Bill 780A reduced the number of legislative members serving on the Asset Forfeiture Oversight Committee from three Senators and three Representatives to two Senators and two Representatives, those members were appointed by the President of the Senate and the Speaker of the House. This became effective on June 24, 2009.

Only one seizure for civil forfeiture was reported between June 30, 2004 and December 2008. However, during that period the number of criminal forfeitures increased with 22 forfeitures in 2005, 25 in 2006, 27 in 2007 and 46 criminal forfeitures in 2008. Beginning in late 2008 before the passage of Measure 53 by the voters, a few civil forfeitures began with 10 civil forfeitures completed and funds disbursed through April 2009. This report will only include data following the implementation of the online reporting since July 1, 2010.

Creating the Online Asset Forfeiture Reporting System

In January 2009, the Asset Forfeiture Oversight Advisory Committee approved the Criminal Justice Commission's (CJC) contract with a private vendor to design an online asset forfeiture reporting website. CJC chose the same vendor (Agate Systems) it was using to run its online grants system, the Oregon Online Grants System. The new Asset Forfeiture process was incorporated as a separate link on the Oregon Online Grants System. This was paid for with \$50,260 in Asset Forfeiture funds the CJC had previously collected. Annual maintenance and Hosting will be about \$11,200.

After testing and prior to the initial launch of the reporting system, the CJC also ran three online 'webinar' trainings during May for the new online Asset Forfeiture reporting system. These were well attended with over 75 people taking part from all 36 counties and several cities. Following this training, the participants were able to use a 'demo' website to practice using the forms and then to give feedback to CJC staff as to potential issues with the website.

The week following the final training, CJC staff attended a training delivered by Agate Systems (the vendor who created the program) which will allow CJC staff to directly edit online forms and address and fix issues that the webinar

attendees found with the program.

CJC also created a State Library 'listserve' mail link for all members to trade e-mails about Asset Forfeiture and to ask each other questions regarding Asset Forfeiture. This is necessary because agencies must apply the new law. This will also be used by CJC staff to notify all people involved in Asset Forfeiture about any changes in the Asset Forfeiture law or other issues that may come up about Asset Forfeiture. A second Asset Forfeiture legal issues listserve is being created by Crook County District Attorney Daina Vitolins.

CJC Staff began following up with state agencies who receive Asset Forfeiture distributions. Beginning in August 2010, the pace of forfeiture reporting on the website picked up with many agencies reporting that they were 'clearing up' backlogs. Through July, August and September 2010, CJC staff assisted many agencies with technical and policy issues as they began to use the new reporting system.

The Online Forfeiture Reporting Process

The process begins with the forfeiting agency filling out Form One (Seizure Information) in which agencies report both the Defendant's name, the Agency and Court case numbers, the date of seizure, the date of judgment, and the seizing agency. A second section contains the seizure data: what was seized, and what the prohibited conduct that led to the seizure, and in the case of a drug-related case, what the suspected substances were. The third section of this form contains the Dispositional Data for both Civil and Criminal Forfeitures which outlines the legal processes (hearing, legal representation, and forfeiture counsel action) used in each case.

This form is submitted and filed online with the Criminal Justice Commission for review, modification or acceptance. If modification is needed, CJC staff returns the form online to the agency for modification and the revised form is resubmitted by the agency and then accepted by Commission staff. This same process is used for all forms.

Once Form One is accepted the agency submits a Form 2 (Asset Distribution – Civil or Criminal). This form auto-populates using the data entered on Form One. Using the cash forfeited, interest earned, and the proceeds from Liquidated Property the form totals the amount available for distribution. The reporting agency then enters the deductible costs which are then automatically subtracted from the liquidated total and shows the total amount available for distribution.

The distribution totals are auto-populated based on the requirements of ORS 131.594 (Criminal, non-state agency seizure) or ORS 131.597 (Criminal, state agency seizure) or ORS 131A.360 (Civil, non-state agency seizure) or ORS 131A.365 (Civil, state agency seizure). These are the amounts to be distributed

to each of the required agencies as listed online under the Asset Forfeiture Distribution Contacts link.

Finally this form allows the seizing agency to list all other distributions made to other governmental agencies as allowed by the Civil and Criminal Forfeiture statutes.

Only after this form is accepted will the seizing agency send the listed distributions to each agency. These are accompanied by Form 4 which lists the cases associated with the payment to the AFOAC and Drug Court funds. In 2008 and early 2009, there were several instances where payments were sent to the wrong agencies and CJC received other distributions without the necessary accompanying paperwork which meant CJC did not know which cases the distributions were related to. Beginning this year, per the reporting requirements in ORS 131A.450 (4), government agencies receiving forfeiture funds will receive a form from CJC with which they will report to the AFOAC how much they received from Asset Forfeiture during the preceding year and in general how they used the funds.

Form 3 is the final form the agencies submit. This is a year end report from the agency to the AFOAC. They also submit a report which outlines what the local agency used local funds for and how much they distributed to other agencies.

Online Reporting, July 1 through December 31, 2010

As of December 31st there were 112 Civil Forfeitures and 47 Criminal Forfeitures reported on the online system. Below is the initial data from cases submitted on both Form 1 and Form 2 for both Criminal and Civil Forfeitures. It should be noted that many of these cases were from preceding years and date back as far as 2002. While these forfeitures were completed, they continued to accrue interest and that amount was included in the final distributions. Also of note is that forfeiting agencies were instructed to use prior distribution formulas (prior to 2009 changes in forfeiture laws) for cases that were from earlier forfeitures.

Criminal Forfeiture Seizure Data

There were 47 Criminal Forfeiture Form 1 Seizure Reports filed online from July 1 to December 31, 2010. The following data is from that period.

Criminal Forfeitures Seizures (Form 1):

Cash Seized: \$224,035
 Cash Returned: \$3,639
 Net Cash Forfeited: **\$218,553**

Seizing Agencies (12)

Clackamas County – 4
Coos County (SCINT) – 3
Corvallis – 1
Deschutes County – 7
Douglas County (DINT) – 8
Josephine County (RADE) – 1
Lane County (Eugene PD) – 5
Medford (Medford PD) – 5
Oregon State Police – 6
Polk (POINT) – 2
Springfield PD – 2
Washington County - 3

Search Type

Search Warrant – 19
Incident to Arrest – 4
Vehicle Consent – 11
Probable Cause – 7
Inventory – 2
Other Consent – 4
Public Health – 0
Total: 47

The most common type of search was by warrant (40%) followed in order by vehicle consent

(23%); and probable cause (15%). These three search types accounted for over ¾ of all searches.

Seizure data

Currency – 39
Conveyance – 3
Weapons – 2
Real Property – 1
Other Property – 1
Computer equipment – 0

This report looks at what was seized. As noted

below currency accounted for the vast majority of the items which were seized. Also, we note that in no cases were there multiple categories of items seized such as currency and weapons

Property Seizure data

ORS 131.558 specifies the types of property which can be seized for forfeiture in a criminal proceeding, how the property was involved in the crime and why it was seized.

Proceeds – 40
Instrumentalities – 23
Prior similar Conduct – 9

Property Seized values

Less than \$1000 – 4
\$1001 – 5000 – 6
\$5001 – 10,000 – 1
\$10,001 – 25,000 – 2
\$\$25,001 – 100,000 – 0
Over \$100, 000 – 0

Real Property Seizure

In the sole case in which the seizure was of Real Property, the property was not returned to the person, a financial institution or other party.

Ancillary Hearings

There were no Ancillary hearings reported and no appeals were filed.

Appeals

In 43 cases there were no appeals files. In 2 cases the claimant filed appeals and in one case an unknown party was reported as having filed an appeal. There were no appeals filed by governmental agencies.

Arrest data

Arrests leading to criminal forfeitures were made in the following types of cases, including how many of each type of arrest was made.

Possession – 35
Manufacture – 13
Delivery – 36
Attempt – 1
Solicitation – 0
Conspiracy – 3
DUII – 1
DWS – 0
Forgery I – 0
Forgery II – 0
ID Theft – 0
Prostitution – 0

Drugs Seized

This list includes the types of drugs seized during these criminal cases, including how many of each type of

Marijuana – 16
Heroin – 4
Methamphetamine – 24
Cocaine – 2
Crack Cocaine – 0
Precursors – 0
Amphetamine – 0
LSD – 0
Unknown – 0

drugs were present in these cases.

Criminal Forfeiture Distributions

These data are based on the 91 Form 2 Distribution reports filed online between July 1 and September 15, 2010. The following data is from that period. Because of this the funds reported on Form 1 as cash forfeited may not be reflected here. Also, these funds may not have actually been distributed to the required agencies yet. Oregon Forfeiture statutes require that cash received from liquidating forfeited property and interest accrued be distributed according to a formula established in ORS 131.594 for non-state agencies when a judgment of forfeiture is obtained. ORS 131.597 establishes a different distribution formula where the forfeiture was by a state agency. The distributions below include those differing formulas and show the final combined totals.

ORS 131.594 Local Agency Distribution formulas:

(a) ***Three percent to the Asset Forfeiture Oversight Account*** established in ORS 131A.460;

(b) ***Seven percent to the Illegal Drug Cleanup Fund*** established in ORS 475.495 for the purposes specified in ORS 475.495 (5) and (6); and

(c) ***Ten percent to the state General Fund.***

(3) Of the property distributed under subsection (1)(c) of this section that remains in the general fund of the political subdivision after the distributions required by subsection (2) of this section have been made:

(a) ***Fifty percent must be for official law enforcement use;*** and

(b) ***Fifty percent must be used for substance abuse treatment*** pursuant to a plan developed under ORS 430.420.

(4) Except as otherwise provided by intergovernmental agreement, the seizing agency may:

(a) ***Sell, lease, lend or transfer the property or proceeds to any federal, state or local law enforcement agency or district attorney.***

(b) ***Sell the forfeited property by public or other commercially reasonable sale and pay from the proceeds the expenses of keeping and selling the property.***

(c) ***Retain the property.***

ORS 131.597 State Agency Distribution Formulas:

(A) ***Three percent to the Asset Forfeiture Oversight Account*** established in ORS 131A.460;

(B) ***Seven percent to the Illegal Drug Cleanup Fund*** established in ORS 475.495 for the purposes specified in ORS 475.495 (5) and (6);

(C) ***Ten percent to the state General Fund;***

(D) Subject to subsection (5) of this section, ***40 percent to the Department of State Police or the Department of Justice for official law enforcement use;***
and

(E) ***Forty percent to the Drug Prevention and Education Fund*** established in ORS 430.422.

Sources of Forfeiture Funds:

Cash Forfeited at Judgment:
\$212,795.61

Interest:
\$2,853.54

Liquidated proceeds of other property:
\$33,092.60

TOTAL RECEIPTS: \$248,741.75

Costs/Restitution:

Publication Costs: **\$6,335.71**
Towing: **\$825.00**
Other Costs: **\$182.00** (vehicle title transfers)
Victim Restitution: **\$0**
Maintenance Costs: **\$800.26**
Total Costs: **\$8,142.97**

Total Receipts less Total Costs: \$240,598.78
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(This is the money reported as being available for distribution, even if the actual distributions may not have occurred by the end of the reporting period)

Forfeiture Distributions:

Oregon General Fund: **\$24,059.89**
DEQ Illegal drug Cleanup Fund: **\$16,841.92**
AFOAC: **\$7,217.95**
State Police or DOJ (State seizures only): **\$27,270.43**
DHS Drug Preventions & Education Fund (State Seizures only): **\$27,270.43**
Official Law Enforcement use: **\$68,969.08**
Other Law Enforcement agency distributions (transfers): **\$59,914.25**
Local Substance Abuse treatment: **\$68,969.08**
Value of Property retained by Law Enforcement: **\$9,058.25**

Total Criminal Distributions: \$240,602.20*
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* The difference between this amount and the total receipts to be distributed - \$3.42, is a rounding error in the reporting program.

Civil Forfeiture Data

There were 109 Civil Forfeiture Form 1 Seizure Reports filed online from July 1 to December 31, 2010. The following data is from that period.

Civil Forfeiture Seizures (Form 1)

Cash Seized: \$547,069

Cash Returned: \$19,945

Cash Forfeited: \$516,897

Seizing Agencies (12)

Clackamas County – 26
Coos County (SCINT) – 11
DOJ – 17
Lincoln County – 6
Malheur County – 2
Marion County – 1
Multnomah County SO – 6
Oregon State Police – 2
Portland Police Bureau – 36
Salem PD – 2
Umatilla County (BENT) – 1
Washington County – 2

Search Type The most common

Search Warrant – 44
Vehicle Consent – 30
Other Consent – 30
Probable Cause – 25
Incident to Arrest – 18
Public Health – 0

type of search was by search warrant (30%); followed in

order vehicle consent (21%); other consent (21%); incident to arrest (12%) and probable cause (17%).

Seizure data*

*Property was returned in one case

Conveyance – 1
Computer Equipment - 1
Real Property – 0
Currency – 50
Weapons – 1
Other Property – 5

Drugs Seized

Amphetamine – 0
Cocaine – 12
Crack Cocaine – 1
Heroin – 24
LSD – 0
Marijuana – 46
Methamphetamine – 46
Other – 0
Unknown – 0
Meth Precursors – 0

Arrest by Type

Attempt – 2
Conspiracy – 0
Delivery – 104
DUII II – 0
DWS – 0
Forgery I – 1
Forgery II – 0
ID Theft – 0
Manufacture – 21
Possession – 85
Prostitution – 0
Solicitation – 0

Property Seized values

Less than \$1000 – 5
\$1001 – 5000 – 11
\$5001 – 10,000 – 9
\$10,001 – 25,000 – 5
\$\$25,001 – 100,000 – 3
Over \$100, 000 – 0

Forfeiture Counsel Action

Case Declined - 7
Criminal Charge Declined – 2

Property Returned

Person – 4
Other Party – 5
Financial Institution - 1

Stay of Proceedings Request

By Government - 0
By Claimant - 2
Jointly – 0

Expedited Hearing Requests

Affirmative Defense Proved – 0
Receiver Appointed - 0
Probable Cause Found - 0
Property Returned to Claimant prior to hearing – 1
Claimant Petition denied – 0
No Hearing – 4

Defendant Represented by Counsel

Time Other Than Judgment – 8
At Judgment – 5
Assisted Only – 3
Not Represented – 97
Criminal Defendant represented – 0

There were no Contested Hearings during this reporting period

Forfeiture Case Property Status

Voluntary – 31
Contraband – 27
Abandoned Property – 39
Abandoned No Claim – 37
Abandoned Defective Claim – 2

Other Dispositions

Stipulated Judgment in Conjunction with Criminal Case – 3
Settled by Stipulated Judgment – 4
Dismissed by Forfeiture Counsel – 1
Forfeiture Count Dismissed for Failure to Appear re-filed as Civil Forfeiture – 0
Other – 32

Civil Forfeiture Distributions (Form 2)

These data are based on the 91 Civil Forfeiture Asset Distribution Reports filed between July 1 and September 15, 2010. The following data is from that period. The funds reported on Form 1 as cash forfeited may not be reflected here. Also, these funds have been reported as the amounts to be distributed in these forfeiture but the funds may not have actually been distributed to the required agencies as of December 31, 2010.

ORS 131A.360 Local Agency Distribution Formulas

(4) After payment of costs under subsection (3) of this section, the forfeiting agency shall:

(a) Deduct an amount equal to **five percent of the forfeiture proceeds and deposit that amount in the Illegal Drug Cleanup Fund** established by ORS 475.495 for the purposes specified in ORS 475.495 (5) and (6);

(b) Deduct an amount equal to **2.5 percent of the forfeiture proceeds and deposit that amount in the Asset Forfeiture Oversight Account;**

(c) Deduct an amount equal to **20 percent of the forfeiture proceeds and deposit that amount in the Oregon Criminal Justice Commission Account established under ORS 137.662 for disbursement to drug court programs** as described in ORS 3.450; and

(d) Deduct an amount equal to **10 percent of the forfeiture proceeds and deposit that amount in the State Commission on Children and Families Account established by ORS 417.733 for disbursement to relief nurseries** as described in ORS 417.788.

(5) If the forfeiting agency has entered into an agreement with a county under subsection (2) of this section, after paying costs under subsection (3) of this section and making the deductions required by subsection (4) of this section, the forfeiting agency shall pay the county the amounts required by the agreement.

(6) After making all payments and deductions required by subsections (3), (4) and (5) of this section, the forfeiting agency may use the remaining forfeiture proceeds, including amounts received by a county under subsection (5) of this section or by a any other public body under an intergovernmental agreement entered into under ORS 131A.355, only for:

(a) **The purchase of equipment necessary for the enforcement of laws relating to the unlawful delivery, distribution, manufacture or possession of controlled substances;**

(b) **Currency for undercover law enforcement operations;**

(c) **Drug awareness and drug education programs offered in middle schools and high schools;**

(d) The **expenses of a forfeiting agency in operating joint narcotic operations** with other forfeiting agencies pursuant to the terms of an intergovernmental agreement, including paying for rental space, utilities and office equipment; and

(e) **Expenses of a district attorney in criminal prosecutions for unlawful delivery, distribution, manufacture or possession of controlled substances**, as determined through intergovernmental agreement between the forfeiting agency and the district attorney.

ORS 131A.365 State Agency Distribution Formulas

(3) After payment of costs under subsection (2) of this section, the forfeiting agency shall:

(a) Deduct an amount equal to **10 percent of the forfeiture proceeds and deposit that amount in the Illegal Drug Cleanup Fund** established by ORS 475.495 for the purposes specified in ORS 475.495 (5) and (6);

(b) Deduct an amount equal to **three percent of the forfeiture proceeds, not to exceed \$50,000 in a biennium, and deposit that amount in the Asset Forfeiture Oversight Account;**

(c) Deduct an amount equal to **20 percent of the forfeiture proceeds and deposit that amount in the Oregon Criminal Justice Commission Account established under ORS 137.662 for disbursement to drug court programs** as described in ORS 3.450; and

(d) Deduct an amount equal to **10 percent of the forfeiture proceeds and deposit that amount in the State Commission on Children and Families Account established by ORS 417.733 for disbursement to relief nurseries** as described in ORS 417.788.

(4) If the forfeiting agency has entered into an **intergovernmental agreement** with another public body under ORS 131A.355, or has entered into an agreement with any other law enforcement agency of the state relating to distribution of forfeiture proceeds, after paying costs under subsection (2) of this section and making the deductions required by subsection (3) of this section, **the forfeiting agency shall pay an equitable portion of the forfeiture proceeds to each agency participating in the seizure or forfeiture as provided by the agreement.**

(5) After making all payments and deductions required by subsections (2), (3) and (4) of this section, the forfeiting agency shall distribute the remaining forfeiture proceeds as follows:

(a) **If no law enforcement agency other than the Department of Justice participated in the seizure or forfeiture**, the remaining forfeiture proceeds, and forfeiture proceeds received by the Department of Justice under subsection (4) of this section, shall be **divided between the Criminal Justice Revolving**

Account and the Special Crime and Forfeiture Account according to the following schedule:

(A) **One hundred percent of the first \$200,000** accumulated shall be deposited in the Criminal Justice Revolving Account.

(B) Seventy-five percent of the next \$200,000 shall be deposited in the Criminal Justice Revolving Account and the balance in the Special Crime and Forfeiture Account.

(C) Fifty percent of the next \$200,000 shall be deposited in the Criminal Justice Revolving Account and the balance in the Special Crime and Forfeiture Account.

(D) Twenty-five percent of the next \$200,000 shall be deposited in the Criminal Justice Revolving Account and the balance in the Special Crime and Forfeiture Account.

(E) One hundred percent of all additional sums shall be deposited in the Special Crime and Forfeiture Account.

(b) If **no law enforcement agency other than the Department of State Police** participated in the seizure or forfeiture, the remaining proceeds, and proceeds received by the Department of State Police under subsection (4) of this section, shall be divided between the State Police Account and the Special Crime and Forfeiture Account according to the following schedule:

(A) **One hundred percent of the first \$600,000 accumulated shall be deposited in the State Police Account.**

(B) **Seventy-five percent of the next \$300,000 shall be deposited in the State Police Account and the balance in the Special Crime and Forfeiture Account.**

(C) **Fifty percent of the next \$200,000 shall be deposited in the State Police Account and the balance in the Special Crime and Forfeiture Account.**

(D) Twenty-five percent of the next \$200,000 shall be deposited in the State Police Account and the balance in the Special Crime and Forfeiture Account.

(E) One hundred percent of all additional sums shall be deposited in the Special Crime and Forfeiture Account.

(6) **Forfeiture proceeds distributed under subsection (5) of this section may be used only for:**

(a) **The purchase of equipment necessary for the enforcement of laws relating to the unlawful delivery, distribution, manufacture or possession of controlled substances;**

(b) **Currency for undercover law enforcement operations;**

(c) Drug awareness and drug education programs offered in middle schools and high schools; and

(d) The expenses of a forfeiting agency in operating joint narcotic operations with other forfeiting agencies pursuant to the terms of an intergovernmental agreement, including paying for rental space, utilities and office equipment.

Receipts:

Cash Forfeited at Judgment:

\$488,688.87

Interest:

\$2,762.03

Liquidated proceeds of other property:

\$41,932.99

TOTAL RECEIPTS: \$533,383.89

Costs/Restitution:

Attorney fees: \$17,757.10

Publication Costs: \$19,516.32

Towing: \$0

Maintenance: \$0

Other Costs: 3,805.55

Total Costs: \$41,078.97

Total Receipts less Total Costs: \$492,304.92

(this is the money reported as being available for distribution, even if the actual distributions may not have occurred by the end of the reporting period)

Forfeiture Distributions:

DEQ Illegal drug Cleanup Fund: \$34,405.67

AFOAC: \$13,286.66

Oregon Criminal Justice Commission Drug Court Fund: \$98,460.94

Oregon Commission on Children and Families Relief Nursery Fund: \$49,230.52

Total Distributions: \$195,383.79

Law Enforcement use and distribution to other agencies per ORS 131A.360 (6) and 131A.365(5): **\$255,583.76**

Additional reported Law Enforcement Distribution: **\$20,208.35**

Total Cash Distributed to Other Governmental Agencies per ORS 131A.360 (6) (a-e): **\$275,792.11**

Total Distributed: \$471,175.90*

*The difference between this total and the total receipts is due (\$21,129.02) to cases where CJC has returned incomplete Distribution forms to their agencies that were missing local government distributions and also includes a rounding error in the reporting program.

Agency receipts and expenditure reports

Both ORS 131 and 131A required that any agency receiving Asset Forfeiture funds must report how much they received and in general what they used the funds for.

Agency Forfeiture funds receipts.

DAS, SFMS	\$72,618.81
Deschutes County SO/Central OR Drug Enforcement	\$29,175.72
OCCF	\$6,000.18
DHS A&D	\$19,173.31
OSP	\$38,346.63
Clackamas Co.	\$515.00
Polk Interagency Narcotics Team	\$6,272.20
Clackamas Co. SO	\$10,353.60
Cottage Grove PD	Not reported
West Linn PD	\$482.00
DEQ	\$48,104.80
Oregon Criminal Justice Commission Drug Court Fund	\$75,528.61*
Oregon Criminal Justice Commission Asset Forfeiture Oversight Fund	\$14,299.56**

Individual Agency Reports

Agency	use
DAS, SFMS	General Governmental purposes
Deschutes County SO/Central OR Drug Enforcement	Confidential funds (buy money), equipment (new and replacement), and leased vehicles.
Oregon Criminal Justice Commission Drug Court fund	Payroll and Online grant and reporting system development
OCJC Asset Forfeiture Oversight Advisory Committee	Payroll and administrative costs
OCCF	Relief Nurseries data cleaning project in preparation for program evaluation...as requested by the Oregon Relief Nursery Association.
DHS A&D	Not used yet, plan to use funds for Alcohol and Drug Treatment and Prevention
OSP	Drug treatment and education, task force investigative funds contribution, District Attorney's Offices share.
Clackamas Co.	Funds have not been used
Polk Interagency Narcotics Team	Drug Court Program and Drug Lab clean up
Clackamas Co. SO	Overtime
Cottage Grove PD	Training, overtime, equipment, buy money and informants
West Linn PD	deposits to acct for drug investigations
DEQ	<ol style="list-style-type: none"> 1. Abandoned drug lab BLM (M-8) clean up 2. Eastern Oregon Evidence Locker clean out 3. NE Glisan Street Drug lab (M-3) 4. Multnomah County Evidence locker clean up 5. Portland drug lab evidence locker 6. SE 72ND (M-1) 7. Short Mountain (M-6) 8. Washington County drug lab evidence locker

* The majority of drug court funds received was not disbursed to drug courts in 2010 as the Criminal Justice Commission was using up its remaining general fund money for drug courts. The balance of unexpended Asset Forfeiture Drug Courts funds, over \$60,000 will be allocated in 2011 as the general fund is depleted.

** The majority of the funds for the Asset Forfeiture Oversight account were used for the creating the online reporting system.